



# LINDSAY SUCCESSOR AGENCY & CITY COUNCIL MEETING: REGULAR MEETING

251 E. Honolulu St., Lindsay, CA 93247

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Tuesday, August 13, 2019 @ 5:55 p.m. (Successor Agency) and 6:00 p.m. (City Council)

## SUCCESSOR AGENCY MEETING

CALL TO ORDER: 5:55 p.m.

ROLL CALL: Board Members Sanchez, Flores, Watson, Cortes & Chairperson Kimball

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### Item SA0: Public Comment

The public is invited to comment on any subject under the jurisdiction of the Lindsay Successor Agency. Speakers should give the clerk a filled-out speaker card and clearly state their name at the podium to begin. Speakers shall be limited to three minutes each, with no more than 30 minutes for the total comment period, unless otherwise indicated by the Mayor.

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### Item SA1: Certification of Pledged Tax Revenues

[Minute Order] Presented by Finance Director Bret Harmon

Pages 4-5

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### Item SA2: Adjourn

[Minute Order]

## CITY COUNCIL MEETING

CALL TO ORDER: 6:00 p.m.

ROLL CALL: Council Members Sanchez, Flores, Watson, Cortes & Kimball

PLEDGE: Council Member Sanchez

INVOCATION: Elder Matthew Sonstegard, Bethel Primitive Baptist Church

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### Item 0: Public Comment

The public is invited to comment on any subject under the jurisdiction of the Lindsay City Council. Speakers should give the clerk a filled-out speaker card and clearly state their name at the podium to begin. Speakers shall be limited to three minutes each, with no more than 30 minutes for the total comment period, unless otherwise indicated by the Mayor.

*Note: Public hearing items on the agenda will have their own public comment periods later in the meeting.*

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### Item 1: Proclamations for Jim Kliegl and Jan Owens

For Completion of Lindsay Community Theater Marquee Lighting

Presented by Mayor Kimball

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### Item 2: Executive (Closed) Session

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:  
(1 case)

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*Materials related to agenda items 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. The complete agenda is available at [www.lindsay.ca.us](http://www.lindsay.ca.us). In compliance with the Americans with Disabilities Act & Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the office of the City Clerk at (559) 562-7102 x 8020. Notification 48 hours prior to the meeting will enable the City to ensure accessibility to this meeting and/or provision of an alternative*



# LINDSAY SUCCESSOR AGENCY & CITY COUNCIL MEETING: REGULAR MEETING

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Tuesday, August 13, 2019 @ 5:55 p.m. (Successor Agency) and 6:00 p.m. (City Council)

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- Item 3: Council Reports  
City Council Members report on recent or upcoming events
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- Item 4: Staff Report  
City Manager or designee reports on recent or upcoming events
- 
- Item 5: Consent Calendar  
[Roll Call Vote] Routine items approved in one motion unless item is pulled for discussion  
Pages 6-37
1. City Council meeting minutes from July 23, 2019
  2. Warrant List for July 17, 2019 through Aug. 5, 2019
  3. Treasurer's Report for July 2019
  4. Resolution 19-50: Worker's comp. for off-duty peace officers responding out of state
  5. State-required updates to personnel rules and regulations
  6. Assistant City Engineer and City Surveyor Assignments
  7. Temporary Use Permit 19-29: Shakespeare in the Plaza
- 
- Item 6: Tulare County Area Transit Presentation on Southeast County Service Changes  
Presented by TCaT Chief Engineer Ross Miller
- 
- Item 7: Authorizing Notification of Proposition 218 for Refuse  
[Minute Order] Presented by Finance Director Bret Harmon  
Pages 38-49
- 
- Item 8: PUBLIC HEARING – Resolution 19-49: Conditional Use Permit for Recycling Center at 455 Mirage  
[Roll Call Vote] Presented by City Manager Bill Zigler  
Pages 50-53
- 
- Item 9: Second Reading of Ordinance 577: Rezoning of Wastewater Treatment Plant  
[Roll Call Vote] Presented by City Manager Bill Zigler  
Pages 54-58
- 
- Item 10: PUBLIC HEARING (First Reading) of Ordinance 578: Accessory Dwelling Unit Regulations  
[Roll Call Vote] Presented by City Manager Bill Zigler  
Pages 59-63
- 
- Item 11: Video Presentation for Rail Safety Month  
[Minute Order] Presented by City Services Director Mike Camarena  
Pages 64-66
- 
- Item 12: Presentation of Housing Element Draft  
[Minute Order] Presented by City Manager Bill Zigler  
Pages 67-68
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## LINDSAY SUCCESSOR AGENCY & CITY COUNCIL MEETING: REGULAR MEETING

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Tuesday, August 13, 2019 @ 5:55 p.m. (Successor Agency) and 6:00 p.m. (City Council)

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Item 13: Resolution 19-47 Appoint Jack Urquhart as City Clerk  
[Roll Call Vote] Presented by City Manager Bill Zigler  
Pages 69-71

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Item 14: Executive (Closed) Session  
CONFERENCE WITH LABOR NEGOTIATORS (pursuant to Section 54957.6)  
Agency designated representatives: Mayor Kimball and City Manager Bill Zigler  
Unrepresented employee: Bret Harmon

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Item 15: Requests for Future Agenda Items  
[Minute Order] Presented by Council Members

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Item 16: Adjourn  
[Minute Order]

The next regular Lindsay City Council meeting will be held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00 p.m. on August 27, 2019.

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## STAFF REPORT

TO: CITY OF LINDSAY SUCCESSOR AGENCY  
DATE: August 13, 2019  
AGENDA #: SA1  
FROM: Bret Harmon, Director of Finance

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### AGENDA ITEM

<i>TITLE</i>	Certification of Pledged Tax Revenues
<i>ACTION</i>	Authorize chair of the Successor Agency to sign letter certifying pledged tax revenues.
<i>PURPOSE</i>	Statutory/Contractual Requirement

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### RECOMMENDATION

Staff respectfully recommends the Successor Agency sign and direct staff to send letter certifying pledged tax revenues.

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### BACKGROUND | ANALYSIS

This is a routine action. The Successor Agency is required to certify each year. The certification means the City is still receiving ROPS funds to repay the 2015 Bond Issue from US Bank and nothing has changed. As of August 1, 2019, the balance of the 2015 Bond Issue is \$16,031,081. This Bond Issue is one of two debts on the City's ROPS.

Every year, the City receives ROPS funds to use when paying these debts. No City funds go toward repaying the bond. The process will continue the same way every year until the bond is paid in full in 2037.

Annually in accordance with bond covenants held at US Bank, the Successor Agency to the former Lindsay Redevelopment Agency is to certify the pledged tax revenues received by the Successor Agency through the date of the certificate combined with the amount remaining to be paid on all outstanding obligations of the Success Agency will not exceed the plan limits.

### ALTERNATIVES

- Approve of the certification letter.
- Do not approve the certification letter and provide direction to staff.

### ATTACHMENTS

- Certification Letter
-



## CITY OF LINDSAY

Successor Agency

251 Honolulu Street | P.O. Box 369 | Lindsay, CA 93247

www.lindsay.ca.us | 559.562.7102

August 13, 2019

Greg E. Skutnik  
U.S. Bank National Association Seattle Tower  
1420 Fifth Avenue 7th Floor  
Seattle, WA 93101

RE: Certification of Pledged Tax Revenues

Dear Mr. Skutnik,

In response to the Bond Covenants held at US Bank, the Successor Agency to the former Lindsay Redevelopment Agency at a duly held meeting on August 13, 2019 approved the following letter, as written, for the period of August 1, 2018 through August 1, 2019:

"The Successor Agency shall file annually with the Trustee on or prior to August 1 of each year a Written Certificate of the Successor Agency certifying that Pledged Tax Revenues received by the Successor Agency through the date of the certificate combined with the amount remaining to be paid on all outstanding obligations of the Successor Agency will not exceed the plan limits."

Please contact City of Lindsay Director of Finance, Bret Harmon at (559)562-7102 ext. 8020 with any questions regarding this action.

Sincerely,

Pamela Kimball

Successor Agency Chairperson





# LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

251 E. Honolulu St., Lindsay, CA 93247

Tuesday, July 23, 2019 @ 6:00 p.m.

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CALL TO ORDER: 6:00 p.m.  
ROLL CALL: Present: Council Members Sanchez, Flores, Cortes & Kimball  
Absent with Notice: Council Member Watson  
PLEDGE: Council Member Flores  
INVOCATION: Pastor Natanael Lopez, La Puerta Abierta

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## Item 0: Public Comment

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*Note: Public hearing items on the agenda will have their own public comment periods later in the meeting.*

- Eric Sinclair: In favor of ICE. Stated that ICE is updated version of a well-regulated militia. Suggested turning off city lights at night occasionally to be able to pay more police officers.
- Merci Herrera: Questioned why city approved financial manager job in current difficult financial position. Expressed concern over city hires being of a certain religion. Expressed concern over Friday Night Market impacts on local businesses.

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## Item 1: Council Reports

City Council Members report on recent or upcoming events

- Flores: Desired follow-up on playground covering. Noted that pedestal vault at Hermosa and Westwood roundabout was on Univision and desires that city be more aggressive in communication with Frontier Communications.
- Zigler: Reported on city's efforts to communicate with Frontier.
- Cortes: Reported that Lindsay Wellness Center is being used by many people early in the morning. Desired more communication from the city to make public aware that the pedestal vault belongs to Frontier, not the city.
- Kimball: Reported that she was voted in as small cities representative on LAFCO board. Reported on video filmed with TCAG about Measure R projects.

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## Item 2: Staff Report

City Manager or designee reports on recent or upcoming events

- Zigler: Reported on water production, applications for technical studies on disinfection byproducts mitigation and a regional water treatment plant, surface water and groundwater use rates, status on pedestal vault on Hermosa and Westwood roundabout, public notices for nine street projects, environmental study applicants for Yokohl Valley packing house site, TCAT route updates, progress of proposed dental office at 419 W Hermosa, progress of proposed Dollar General.

Reported on Wellness Center Programming Committee meeting scheduled for Aug. 12, 2019; reported on National Night Out on Aug. 6, 2019; reported on Aquatic Center and other recreational activities.



# LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

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Tuesday, July 23, 2019 @ 6:00 p.m.

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- Item 3: Consent Calendar  
 [Roll Call Vote] Routine items approved in one motion unless item is pulled for discussion  
 Pages 1-10
1. City Council meeting minutes from July 9, 2019
  2. Resolution 19-48 Reassign Retirement Plan 457b Trustees
  3. Warrant List for July 1, 2019 through July 16, 2019
  4. Support of S.2012: Restoring Local Control Over Public Infrastructure Act
- Flores: Requested to pull Item 2 for discussion
  - Finance Director Harmon: Explained need for change in trustees due to past trustees retiring/approaching retirement.

Motion:	Approve 1, 3, and 4.	
1 <sup>st</sup>	2 <sup>nd</sup>	Result
Flores	Cortes	Approved 4-0

Motion:	Approve 2	
1 <sup>st</sup>	2 <sup>nd</sup>	Result
Flores	Cortes	Approved 4-0

- Item 4: Resolution 19-46: Annexation of Wastewater Treatment Plant  
 Public Hearing (First Reading) of Ordinance 577: Prezoning Wastewater Treatment Plant  
 [Roll Call Votes] Presented by City Manager Bill Zigler  
 Pages 11-19
1. Resolution 19-46: To initiate Annexation 19-27
  2. Ordinance 577: To approve Prezoning 19-28, prezoning site to RCO (Resource, Conservation, and Open Space)
- Zigler: Discussed revenue-generating advantages of having control over site and need for closure plan.
  - Flores: Asked whether area had been declared contaminated.
  - Camarena: Clarified contamination status, reporting that groundwater was determined to be contaminated.
  - Zigler: Explained that sealing the ground to prevent rainwater contamination would be a condition of development.
  - Zigler: Explained that RCO designation would be appropriate for the annexed zone.
  - Sinclair: In favor of annexation.

Motion:	Approve Resolution 19-46 and Declare First Reading of Ordinance 577 and Waive Full Reading						
1 <sup>st</sup>	2 <sup>nd</sup>	Flores	Sanchez	Watson	Cortes	Kimball	Result
Cortes	Flores	Yes	Yes	Absent	Yes	Yes	Approved 4-0



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Item 5: Study Session for Accessory Dwelling Ordinance  
Presented by Contract Planner

- Discussed and answered questions on state legislation for accessory dwellings. Explained elements that municipalities can and cannot regulate. Asked for feedback from the City Council on desired regulation on owner occupancy and providing parking spaces.

Item 6: Study Session for Sign Ordinance  
Presented by Contract Planner

- Discussed and answered questions on federal legislation for signs. Explained that regulations may not be content-based. Asked for feedback from the City Council for crafting specific elements of ordinance.

Item 7: Resolution 19-47 Appoint Jack Urquhart as City Clerk  
[Roll Call Vote] Presented by City Manager Bill Zigler  
Pages 20-22

- Zigler: Explained that Bret Harmon’s impending transition to Interim City Manager creates need for someone else to pick up city clerk duties. Highlighted Jack Urquhart’s qualifications and recommended him for the City Council to appoint.
- Flores: Questioned the fairness in the hiring process.
- Sanchez: Questioned whether other city employees have been given an opportunity to express interest in city clerk position.
- Cortes: Expressed desire for city to hire and appoint individuals who increase efficiency and professionalism, regardless of where they come from.
- Flores: Stated she struggles with the perception of the city’s hiring process. Stated there is a perception that the city is hiring certain types of people and not giving others an opportunity. Flores prefers for staff to hire and appoint employees from Lindsay and Tulare County rather than from somewhere else.
- Zigler: Explained the efforts the city makes to be unbiased and hire based on merit.
- Flores: Expressed desire to see Jack Urquhart’s resume.

Motion: Approve Resolution 19-47

1 <sup>st</sup>	2 <sup>nd</sup>	Flores	Sanchez	Watson	Cortes	Kimball	Result
Cortes	None			Absent			

- With no second, item tabled to be brought back later.

Item 8: Presentation on Refuse Rates and State Mandate  
Presented by Financial Director Bret Harmon  
Pages 23-42

- Harmon: Explained the Prop 218 process and resulting changes in rates. Asked whether the City Council could come to a consensus in favor of annual increases based on CPI.
- Council agreed that rate increases based on CPI would be reasonable.
- Cortes: Requested that Prop 218 information provided in English and Spanish.





## LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

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- Joseph Kalpakoff from Mid Valley Disposal: Provided background information on need for rates increase.

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Item 9: Discussion on Cannabis RFP Review Process  
Presented by City Manager Bill Zigler

- Zigler detailed scoring process and deadlines.

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Item 10: Discussion on Health Advisory Committee Member Term Length  
Presented by City Manager Bill Zigler

- Zigler discussed current MOU and advised the City Council in improving clarity and organization in partnership with the Lindsay Hospital District Board.

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Item 11: Schedule Special Meeting for Council/Senior Staff Sexual Harassment and Discrimination Training  
Presented by City Manager Bill Zigler

- Set for Aug. 20 at 6:00 p.m.

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Item 12: Executive (Closed) Session  
CONFERENCE WITH REAL PROPERTY NEGOTIATORS (pursuant to Government Code Section 54956.8)

Property: APN 201-090-044

Agency negotiator: Bill Zigler, City Manager

Negotiating parties: City of Lindsay

Under negotiation: Price

- City Attorney Mario Zamora: Reported that City Council approved unanimously for property to be priced at \$248,000.

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Item 13: Requests for Future Agenda Items  
[Minute Order] Presented by Councilmembers

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Item 14: Adjourn  
The next regular Lindsay City Council meeting will be held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00 p.m. on July 23, 2019.

- Meeting adjourned.

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City Clerk

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Mayor

TRANSACTION DATES: 07/17/2019 THROUGH 08/05/2019

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
<b>14971</b>						<b>\$449.47</b>
	101 - GENERAL FUND	7/19/2019	3977	AFLAC	DED:015 AFLAC	449.47
<b>14972</b>						<b>\$250.46</b>
	101 - GENERAL FUND	7/19/2019	4660	CITY OF LINDSAY	DED:052 WELLNESS	12.46
	101 - GENERAL FUND	7/19/2019	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN	238.00
<b>14973</b>						<b>\$1,128.09</b>
	101 - GENERAL FUND	7/19/2019	451	CITY OF LINDSAY EMP	DED:0503 SEC 125	1,119.09
	101 - GENERAL FUND	7/19/2019	451	CITY OF LINDSAY EMP	DED:0505 SEC 125	9.00
<b>14974</b>						<b>\$143.68</b>
	101 - GENERAL FUND	7/19/2019	3192	SEIU LOCAL 521	DED:DUES UNION DUES	143.68
<b>14975</b>						<b>\$92.38</b>
	101 - GENERAL FUND	7/19/2019	6409	HYATT LEGAL PLANS,	DED:MET MET LAW	92.38
<b>14976</b>						<b>\$5,956.63</b>
	101 - GENERAL FUND	7/19/2019	453	LINCOLN LIFE	DED:0500 DEF COMP	2,492.99
	101 - GENERAL FUND	7/19/2019	453	LINCOLN LIFE	DED:0555 DC LOANPAY	947.50
	101 - GENERAL FUND	7/19/2019	453	LINCOLN LIFE	DED:151 DEFERCOMP	2,516.14
<b>14977</b>						<b>\$50.82</b>
	101 - GENERAL FUND	7/19/2019	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	50.82
<b>14978</b>						<b>\$152.25</b>
	101 - GENERAL FUND	7/19/2019	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT	152.25
<b>14979</b>						<b>\$437.07</b>
	101 - GENERAL FUND	7/19/2019	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	437.07
<b>14980</b>						<b>\$399.09</b>
	101 - GENERAL FUND	7/19/2019	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	399.09
<b>14981</b>						<b>\$100.00</b>
	101 - GENERAL FUND	7/22/2019	6441	ALMA MORALES	ARBOR DEPOSIT REFUN	100.00
<b>14982</b>						<b>\$40.00</b>
	101 - GENERAL FUND	7/22/2019	2323	ANDERSON FAMILY BUS	8 EXPRESS CAR WASHE	40.00
<b>14983</b>						<b>\$292,529.00</b>
	660 - RDA OBLIGATION	7/22/2019	4130	CALIFORNIA HOUSING	RDLP FY20 ROPS	267,529.00
	660 - RDA OBLIGATION	7/22/2019	4130	CALIFORNIA HOUSING	RDLP MINIMUM PMT FY	25,000.00
<b>14984</b>						<b>\$1,571.01</b>
	101 - GENERAL FUND	7/22/2019	6351	CANON FINANCIAL SER	JULY- CANON EQUIPME	1,571.01
<b>14985</b>						<b>\$19.65</b>
	101 - GENERAL FUND	7/22/2019	1084	MARIA CARTAGENA	UUT TAX REFUND	19.65
<b>14986</b>						<b>\$748.00</b>
	101 - GENERAL FUND	7/22/2019	5596	DIVISON OF THE STAT	1ST QTR 18/19	162.40
	101 - GENERAL FUND	7/22/2019	5596	DIVISON OF THE STAT	2ND QTR 18-19	220.00
	101 - GENERAL FUND	7/22/2019	5596	DIVISON OF THE STAT	3RD QTR 18/19	132.40
	101 - GENERAL FUND	7/22/2019	5596	DIVISON OF THE STAT	4TH QTR 18/19	233.20
<b>14987</b>						<b>\$7,857.14</b>
	552 - WATER	7/22/2019	6113	EAST KAWEAH GSA	FY2019 CFF GOVERNAN	7,857.14
<b>14988</b>						<b>\$4,211.00</b>
	101 - GENERAL FUND	7/22/2019	5367	ECONOMIC DEVELOPMEN	ECONOMIC DEV CONTRI	4,211.00
<b>14989</b>						<b>\$75.00</b>
	101 - GENERAL FUND	7/22/2019	6442	FERNANDO LEMUS OROZ	ARBOR DEPOSIT REFUN	75.00
<b>14990</b>						<b>\$1,940.00</b>
	552 - WATER	7/22/2019	137	FRIANT WATER AUTHOR	FKC O &M FOR AUG	1,940.00

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
<b>14991</b>						<b>\$3,872.22</b>
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	AC- 07FORD CROWN	704.69
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	ALTERNATOR - 95FORD	473.27
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	FUEL PUMP,OIL,11FOR	612.73
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	OIL CHANGE 2011CHEV	83.15
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	PWER STEERING RACK	1,560.94
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	REPLACE BATTERY 06T	200.69
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	SMOG,OIL 06TOYO #67	111.85
	101 - GENERAL FUND	7/22/2019	148	GOMEZ AUTO & SMOG	SMOG-11CHEV SILVERA	124.90
<b>14992</b>						<b>\$100.00</b>
	101 - GENERAL FUND	7/22/2019	6214	IMSA	MEMBERSHIP RENEWAL	100.00
<b>14993</b>						<b>\$46,854.47</b>
	101 - GENERAL FUND	7/22/2019	6100	KEENAN & ASSOCIATES	MEDICAL PLAN	46,854.47
<b>14994</b>						<b>\$5,108.49</b>
	101 - GENERAL FUND	7/22/2019	2421	TULARE COUNTY LAFCO	2019/20 LAFCO COST	5,108.49
<b>14995</b>						<b>\$2,495.00</b>
	101 - GENERAL FUND	7/22/2019	4076	LIEBERT CASSIDY WHI	ERC MEMBERSHIP	2,495.00
<b>14996</b>						<b>\$3,384.41</b>
	101 - GENERAL FUND	7/22/2019	4067	LINCOLN NAT'L INSUR	JULY 2019 DENTAL PL	2,208.50
	101 - GENERAL FUND	7/22/2019	4067	LINCOLN NAT'L INSUR	LIFE INS-JULY 2019	1,175.91
<b>14997</b>						<b>\$140.71</b>
	101 - GENERAL FUND	7/22/2019	6440	ASHLEE LYON	BOOT REIMBURSEMENT	140.71
<b>14998</b>						<b>\$571.48</b>
	101 - GENERAL FUND	7/22/2019	5409	MARIA KNUTSON	REIBURSE SHARE PERS	571.48
<b>14999</b>						<b>\$61.56</b>
	553 - SEWER	7/22/2019	6439	MARTIN AVINA	CLAIM-788 N BELLAH	61.56
<b>15000</b>						<b>\$451.17</b>
	101 - GENERAL FUND	7/22/2019	5625	NGLIC-SUPERIOR VISI	VISION PLAN JULY 20	451.17
<b>15001</b>						<b>\$13.95</b>
	101 - GENERAL FUND	7/22/2019	1565	OACYS.COM INC	E-MAIL ONLY ACCOUNT	13.95
<b>15002</b>						<b>\$1,741.64</b>
	552 - WATER	7/22/2019	5796	PRESORT OF FRESNO L	DBP JULY NOTICE	1,436.32
	552 - WATER	7/22/2019	5796	PRESORT OF FRESNO L	UB BILLS DELINQUE 7	101.78
	553 - SEWER	7/22/2019	5796	PRESORT OF FRESNO L	UB BILLS DELINQUE 7	101.78
	554 - REFUSE	7/22/2019	5796	PRESORT OF FRESNO L	UB BILLS DELINQUE 7	101.76
<b>15003</b>						<b>\$175.00</b>
	101 - GENERAL FUND	7/22/2019	3622	RLH FIRE PROTECTION	FIRE ALARM MCD	175.00
<b>15004</b>						<b>\$5,339.16</b>
	263 - TRANSPORTATION	7/22/2019	518	TCAG	FIRST HALF 19/20 DU	2,669.58
	263 - TRANSPORTATION	7/22/2019	518	TCAG	SECOND HALF 19/20 D	2,669.58
<b>15005</b>						<b>\$466.17</b>
	101 - GENERAL FUND	7/22/2019	144	THE GAS COMPANY		25.09
	101 - GENERAL FUND	7/22/2019	144	THE GAS COMPANY	098-628-2905	15.16
	101 - GENERAL FUND	7/22/2019	144	THE GAS COMPANY	163-715-6900	16.22
	101 - GENERAL FUND	7/22/2019	144	THE GAS COMPANY	163-715-8900	16.22
	400 - WELLNESS CENTEF	7/22/2019	144	THE GAS COMPANY	163-715-6900	393.48
<b>15006</b>						<b>\$272.00</b>
	101 - GENERAL FUND	7/22/2019	473	TU CO RESOURCE MANA	TCAT PUNCH PASS	272.00

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
<b>15007</b>						<b>\$1,402.37</b>
	101 - GENERAL FUND	7/22/2019	4849	U.S. BANK EQUIPMENT	JULY CANON LEASE	1,402.37
<b>15008</b>						<b>\$2,000.00</b>
	660 - RDA OBLIGATION	7/22/2019	624	US BANK TRUST	ADMIN FEES FY19-20	2,000.00
<b>15009</b>						<b>\$856.00</b>
	779 - 00-HOME-0487	7/30/2019	2397	ALLSTATE	027 590 670 GUARDAD	856.00
<b>15010</b>						<b>\$449.47</b>
	101 - GENERAL FUND	8/2/2019	3977	AFLAC	DED:015 AFLAC	449.47
<b>15011</b>						<b>\$410.46</b>
	101 - GENERAL FUND	8/2/2019	4660	CITY OF LINDSAY	DED:052 WELLNESS	12.46
	101 - GENERAL FUND	8/2/2019	4660	CITY OF LINDSAY	DED:CDBG CDBG PMT	160.00
	101 - GENERAL FUND	8/2/2019	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN	238.00
<b>15012</b>						<b>\$1,128.09</b>
	101 - GENERAL FUND	8/2/2019	451	CITY OF LINDSAY EMP	DED:0503 SEC 125	1,119.09
	101 - GENERAL FUND	8/2/2019	451	CITY OF LINDSAY EMP	DED:0505 SEC 125	9.00
<b>15013</b>						<b>\$143.68</b>
	101 - GENERAL FUND	8/2/2019	3192	SEIU LOCAL 521	DED:DUES UNION DUES	143.68
<b>15014</b>						<b>\$92.38</b>
	101 - GENERAL FUND	8/2/2019	6409	HYATT LEGAL PLANS,	DED:MET MET LAW	92.38
<b>15015</b>						<b>\$5,803.40</b>
	101 - GENERAL FUND	8/2/2019	453	LINCOLN LIFE	DED:0500 DEF COMP	2,492.99
	101 - GENERAL FUND	8/2/2019	453	LINCOLN LIFE	DED:0555 DC LOANPAY	794.27
	101 - GENERAL FUND	8/2/2019	453	LINCOLN LIFE	DED:151 DEFERCOMP	2,516.14
<b>15016</b>						<b>\$50.82</b>
	101 - GENERAL FUND	8/2/2019	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	50.82
<b>15017</b>						<b>\$152.25</b>
	101 - GENERAL FUND	8/2/2019	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT	152.25
<b>15018</b>						<b>\$437.07</b>
	101 - GENERAL FUND	8/2/2019	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	437.07
<b>15019</b>						<b>\$401.12</b>
	101 - GENERAL FUND	8/2/2019	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	401.12
<b>15020</b>						<b>\$268.72</b>
	101 - GENERAL FUND	8/5/2019	4259	AAA TRUCK SERVICE I	KUBOTA FUEL PUMP	268.72
<b>15021</b>						<b>\$394.07</b>
	101 - GENERAL FUND	8/5/2019	2873	ADVANTAGE ANSWERING	6/1/19-6-30-19	394.07
<b>15022</b>						<b>\$1,063.44</b>
	101 - GENERAL FUND	8/5/2019	007	AG IRRIGATION SALES	EQUIP MAINTENANCE	123.98
	101 - GENERAL FUND	8/5/2019	007	AG IRRIGATION SALES	OPERATING SUPPLIES	65.80
	101 - GENERAL FUND	8/5/2019	007	AG IRRIGATION SALES	PARKS-OPERATING SUP	48.89
	552 - WATER	8/5/2019	007	AG IRRIGATION SALES	OPERATING SUPPLIES	578.81
	552 - WATER	8/5/2019	007	AG IRRIGATION SALES	TRUCK 28-MAINT	151.52
	552 - WATER	8/5/2019	007	AG IRRIGATION SALES	VEHICLE REPAIR & MA	27.99
	552 - WATER	8/5/2019	007	AG IRRIGATION SALES	WATER REPAIR & MAIN	60.61
	552 - WATER	8/5/2019	007	AG IRRIGATION SALES	WATER REPAIR& MAINT	5.84
<b>15023</b>						<b>\$82.36</b>
	101 - GENERAL FUND	8/5/2019	1858	ALL PRO FIRE AND SA	POLICE DEPT	82.36

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
<b>15024</b>						<b>\$1,691.98</b>
	101 - GENERAL FUND	8/5/2019	3898	AMERICAN INCORPORAT	157 MIRAGE LIBRARY	701.30
	101 - GENERAL FUND	8/5/2019	3898	AMERICAN INCORPORAT	801 ELMWOOD AC	541.60
	101 - GENERAL FUND	8/5/2019	3898	AMERICAN INCORPORAT	SENIOR CENTER AC	449.08
<b>15025</b>						<b>\$35.00</b>
	101 - GENERAL FUND	8/5/2019	4924	ASI ADMINISTRATIVE	COBRA 2019	35.00
<b>15026</b>						<b>\$93.48</b>
	101 - GENERAL FUND	8/5/2019	3428	AT&T MOBILITY	JUNE 2019	93.48
<b>15027</b>						<b>\$108.29</b>
	101 - GENERAL FUND	8/5/2019	5457	AUTO ZONE COMMERCIA	HEADLIGHT LIC140552	14.13
	101 - GENERAL FUND	8/5/2019	5457	AUTO ZONE COMMERCIA	LIGHT FOR UNIT13228	94.16
<b>15028</b>						<b>\$65.00</b>
	552 - WATER	8/5/2019	051	BSK	LSH LEAD TEST	65.00
<b>15029</b>						<b>\$100.80</b>
	101 - GENERAL FUND	8/5/2019	1979	CALIFORNIA BUILDING	APR-JUNE 2019 SB147	100.80
<b>15030</b>						<b>\$275.33</b>
	101 - GENERAL FUND	8/5/2019	1195	CARROT TOP INDUSTRI	2019FLAGS	275.33
<b>15031</b>						<b>\$1,663.00</b>
	101 - GENERAL FUND	8/5/2019	279	CITY OF PORTERVILLE	01-000680ANIMAL APR	885.00
	101 - GENERAL FUND	8/5/2019	279	CITY OF PORTERVILLE	01-000680ANIMAL5/20	218.00
	553 - SEWER	8/5/2019	279	CITY OF PORTERVILLE	30-016544 LAB 5/201	560.00
<b>15032</b>						<b>\$11,002.33</b>
	883 - SIERRA VIEW ASSE	8/5/2019	6090	CLEAN CUT LANDSCAPE	SIERRA VIEW	1,129.00
	884 - HERITAGE ASSESS	8/5/2019	6090	CLEAN CUT LANDSCAPE	HERITAGE	274.00
	884 - HERITAGE ASSESS	8/5/2019	6090	CLEAN CUT LANDSCAPE	HERITAGE LABOR	80.00
	886 - SAMOA	8/5/2019	6090	CLEAN CUT LANDSCAPE	MAPLE VALLEY PLANTS	1,350.00
	886 - SAMOA	8/5/2019	6090	CLEAN CUT LANDSCAPE	SAMOA TOWN	133.00
	887 - SWEETBRIER TOW	8/5/2019	6090	CLEAN CUT LANDSCAPE	HERITAGE PARTS	103.00
	887 - SWEETBRIER TOW	8/5/2019	6090	CLEAN CUT LANDSCAPE	HERMOSA	475.00
	888 - PARKSIDE	8/5/2019	6090	CLEAN CUT LANDSCAPE	PARKSIDE	197.00
	888 - PARKSIDE	8/5/2019	6090	CLEAN CUT LANDSCAPE	PARKSIDE-5GAL PLANT	2,790.00
	889 - SIERRA VISTA ASSE	8/5/2019	6090	CLEAN CUT LANDSCAPE	SIERRA VISTA	83.33
	890 - MAPLE VALLEY AS	8/5/2019	6090	CLEAN CUT LANDSCAPE	MAPLE VALLEY	45.00
	890 - MAPLE VALLEY AS	8/5/2019	6090	CLEAN CUT LANDSCAPE	PELOUS -DG	3,834.00
	891 - PELOUS RANCH	8/5/2019	6090	CLEAN CUT LANDSCAPE	PELOUS	509.00
<b>15033</b>						<b>\$270.00</b>
	101 - GENERAL FUND	8/5/2019	4322	CO OF TULARE-INFORM	RADIO COMM JAN2019	270.00
<b>15034</b>						<b>\$90.00</b>
	101 - GENERAL FUND	8/5/2019	5518	COMPUTER SYSYTEM S P	5/30 ANTIVIRUS	45.00
	101 - GENERAL FUND	8/5/2019	5518	COMPUTER SYSYTEM S P	6/28/19 ANTIVIRUS	45.00
<b>15035</b>						<b>\$269.13</b>
	101 - GENERAL FUND	8/5/2019	4717	COUNTY OF TULARE /	PARKING WARNING PRI	269.13
<b>15036</b>						<b>\$270.00</b>
	101 - GENERAL FUND	8/5/2019	4567	COUNTY OF TULARE IT	RADIO REPAIR	270.00

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
<b>15037</b>						<b>\$665.75</b>
	101 - GENERAL FUND	8/5/2019	102	CULLIGAN	55962 6/30/2019	18.00
	552 - WATER	8/5/2019	102	CULLIGAN	18829 AVE 240	145.50
	552 - WATER	8/5/2019	102	CULLIGAN	18869 AVE 240	147.25
	552 - WATER	8/5/2019	102	CULLIGAN	18899 AVE 240	186.00
	552 - WATER	8/5/2019	102	CULLIGAN	23965 RD 188	54.25
	553 - SEWER	8/5/2019	102	CULLIGAN	23611 RD 196	8.00
	553 - SEWER	8/5/2019	102	CULLIGAN	24158 AVE 240	106.75
<b>15038</b>						<b>\$194.51</b>
	101 - GENERAL FUND	8/5/2019	111	DEPT OF CONSERVATIO	COMMERCIAL-SEISMIC	60.20
	101 - GENERAL FUND	8/5/2019	111	DEPT OF CONSERVATIO	RESIDENTAL-SEISMIC	134.31
<b>15039</b>						<b>\$64.00</b>
	400 - WELLNESS CENTEF	8/5/2019	316	DEPT OF JUSTICE	FINGERPRINTS	64.00
<b>15040</b>						<b>\$263.66</b>
	261 - GAS TAX FUND	8/5/2019	113	DEPT OF TRANSPORTAT	APRIL-JUN SIGNALLIG	263.66
<b>15041</b>						<b>\$4,707.38</b>
	553 - SEWER	8/5/2019	5978	DOMINO SOLAR LTD	6/1/19-6/30/19	4,707.38
<b>15042</b>						<b>\$521.27</b>
	552 - WATER	8/5/2019	119	DOUG DELEO WELDING	HOSE CLAMP	17.05
	552 - WATER	8/5/2019	119	DOUG DELEO WELDING	MAINT SUPPLIES	333.29
	552 - WATER	8/5/2019	119	DOUG DELEO WELDING	PORT BALL VALVE	170.93
<b>15043</b>						<b>\$102.42</b>
	101 - GENERAL FUND	8/5/2019	4460	EVANS FEED & LIVEST	K9	51.21
	101 - GENERAL FUND	8/5/2019	4460	EVANS FEED & LIVEST	K9 SUPPLIES	51.21
<b>15044</b>						<b>\$6,019.57</b>
	552 - WATER	8/5/2019	3461	FERGUSON ENTERPRISE	OPERATING SUPPLIES	6,019.57
<b>15045</b>						<b>\$1,139.81</b>
	101 - GENERAL FUND	8/5/2019	6010	FRONTIER COMMUNICAT	209-042-9309	1.99
	101 - GENERAL FUND	8/5/2019	6010	FRONTIER COMMUNICAT	209-151-2650	57.30
	101 - GENERAL FUND	8/5/2019	6010	FRONTIER COMMUNICAT	209-151-2652	45.83
	101 - GENERAL FUND	8/5/2019	6010	FRONTIER COMMUNICAT	209-151-2656	152.24
	101 - GENERAL FUND	8/5/2019	6010	FRONTIER COMMUNICAT	562-2512	125.77
	552 - WATER	8/5/2019	6010	FRONTIER COMMUNICAT	209-150-2936	83.41
	552 - WATER	8/5/2019	6010	FRONTIER COMMUNICAT	209-151-2650	28.65
	552 - WATER	8/5/2019	6010	FRONTIER COMMUNICAT	562-1552	86.38
	552 - WATER	8/5/2019	6010	FRONTIER COMMUNICAT	562-7131	125.54
	553 - SEWER	8/5/2019	6010	FRONTIER COMMUNICAT	209-150-3621	114.19
	553 - SEWER	8/5/2019	6010	FRONTIER COMMUNICAT	209-151-2650	28.65
	553 - SEWER	8/5/2019	6010	FRONTIER COMMUNICAT	209-151-2652	45.83
	553 - SEWER	8/5/2019	6010	FRONTIER COMMUNICAT	562-1732	244.03
<b>15046</b>						<b>\$958.77</b>
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	2011FORD-OILCHANGE	164.23
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	REPLACE MOTOR MOUNT	462.93
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	REPROGRAM-06TOYO	104.18
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	RESET CODES-11FORD	74.18
	552 - WATER	8/5/2019	148	GOMEZ AUTO & SMOG	BACK HOE-HYDROLIC H	76.63
	553 - SEWER	8/5/2019	148	GOMEZ AUTO & SMOG	BACK HOE-HYDROLIC H	76.62
<b>15047</b>						<b>\$462.06</b>
	101 - GENERAL FUND	8/5/2019	151	GRAINGER INC	TELESCOPING FIBERGL	462.06
<b>15048</b>						<b>\$375.00</b>

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
	101 - GENERAL FUND	8/5/2019	5279	GREG MCQUEEN	JACKSON URQUHART	375.00
<b>15049</b>						<b>\$6,185.00</b>
	261 - GAS TAX FUND	8/5/2019	5541	JACK DAVENPORT SWEE	JUNE 2019 BROOM SRV	3,000.00
	261 - GAS TAX FUND	8/5/2019	5541	JACK DAVENPORT SWEE	MAY 2019 BROOM SRV	3,185.00
<b>15050</b>						<b>\$602.62</b>
	101 - GENERAL FUND	8/5/2019	1198	JENSEN & PILEGARD	BANDED BELT-CHIIPPE	46.26
	101 - GENERAL FUND	8/5/2019	1198	JENSEN & PILEGARD	CABLE DIESELFUELTAN	556.36
<b>15051</b>						<b>\$100.00</b>
	101 - GENERAL FUND	8/5/2019	2601	JOHN HIBLER WEATHER	MAY AND JUNE 2019	100.00
<b>15052</b>						<b>\$366.49</b>
	553 - SEWER	8/5/2019	1932	LALANNES	WWT REPAIR & MAINT	116.37
	553 - SEWER	8/5/2019	1932	LALANNES	WWT REPAIR & MANT	250.12
<b>15053</b>						<b>\$192.40</b>
	101 - GENERAL FUND	8/5/2019	4956	LAWRENCE TRACTOR CO	BALDE& FAN	100.49
	101 - GENERAL FUND	8/5/2019	4956	LAWRENCE TRACTOR CO	VEHICLE REPAIR	91.91
<b>15054</b>						<b>\$300.00</b>
	101 - GENERAL FUND	8/5/2019	214	LEAGUE OF CALIF CIT	2019 STREETS ASSESS	300.00
<b>15055</b>						<b>\$2,188.81</b>
	101 - GENERAL FUND	8/5/2019	1422	LINDSAY TRUE VALUE	C.S	1,139.29
	101 - GENERAL FUND	8/5/2019	1422	LINDSAY TRUE VALUE	CHARGE	59.36
	101 - GENERAL FUND	8/5/2019	1422	LINDSAY TRUE VALUE	PD	108.98
	261 - GAS TAX FUND	8/5/2019	1422	LINDSAY TRUE VALUE	C.S	59.30
	400 - WELLNESS CENTEF	8/5/2019	1422	LINDSAY TRUE VALUE	WELLNESS	494.35
	552 - WATER	8/5/2019	1422	LINDSAY TRUE VALUE	C.S	280.25
	553 - SEWER	8/5/2019	1422	LINDSAY TRUE VALUE	C.S	47.28
<b>15056</b>						<b>\$1,213.98</b>
	101 - GENERAL FUND	8/5/2019	1442	LLOYD ANDERSON ELEC	BOOSTER PUMP REPAIR	73.00
	101 - GENERAL FUND	8/5/2019	1442	LLOYD ANDERSON ELEC	MGT1640 PLUG	21.43
	101 - GENERAL FUND	8/5/2019	1442	LLOYD ANDERSON ELEC	REPAIR LOT LIGHTS A	609.89
	101 - GENERAL FUND	8/5/2019	1442	LLOYD ANDERSON ELEC	WATERPUMP-HARVARD P	436.66
	553 - SEWER	8/5/2019	1442	LLOYD ANDERSON ELEC	RESET-SEQUOIA LIFT	73.00
<b>15057</b>						<b>\$1,696.52</b>
	101 - GENERAL FUND	8/5/2019	234	MARTIN'S TIRE & AUT	11/TOYO/HIGH	334.72
	101 - GENERAL FUND	8/5/2019	234	MARTIN'S TIRE & AUT	11FORD/FUSION	168.45
	553 - SEWER	8/5/2019	234	MARTIN'S TIRE & AUT	TRACTOR TIRES KUBOT	1,193.35
<b>15058</b>						<b>\$133,946.07</b>
	554 - REFUSE	8/5/2019	5852	MID VALLEY DISPOSAL	CLEAN UP EVENT	5,092.78
	554 - REFUSE	8/5/2019	5852	MID VALLEY DISPOSAL	JUNE REFUSE CONTRAC	64,788.09
	554 - REFUSE	8/5/2019	5852	MID VALLEY DISPOSAL	MAY 2019	64,065.20
<b>15059</b>						<b>\$165.00</b>
	101 - GENERAL FUND	8/5/2019	6280	MINERAL KING TOXICO	FOWLER LEWIS	165.00
<b>15060</b>						<b>\$855.00</b>
	101 - GENERAL FUND	8/5/2019	6437	MORINDA MEDICAL GRO	PATIENT: A. ROMERO	165.00
	101 - GENERAL FUND	8/5/2019	6437	MORINDA MEDICAL GRO	PATIENT: URQUHART	80.00
	400 - WELLNESS CENTEF	8/5/2019	6437	MORINDA MEDICAL GRO	LIFEGUARDS	610.00
<b>15061</b>						<b>\$7.94</b>
	101 - GENERAL FUND	8/5/2019	6162	MUNISERVICES	SUTA QTR 9/30/18	7.94

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<b>TOTAL</b>						<b>1,459,558.88</b>
<b>15062</b>						<b>\$607.74</b>
	101 - GENERAL FUND	8/5/2019	276	PORTERVILLE RECORDE	AMENDCODE 17.4 ,16,	178.91
	101 - GENERAL FUND	8/5/2019	276	PORTERVILLE RECORDE	C.U.P 19-15	138.18
	101 - GENERAL FUND	8/5/2019	276	PORTERVILLE RECORDE	CUP 19-20	143.30
	101 - GENERAL FUND	8/5/2019	276	PORTERVILLE RECORDE	ZONE CHANGE 19-07	147.35
<b>15063</b>						<b>\$4,752.16</b>
	552 - WATER	8/5/2019	5796	PRESORT OF FRESNO L	CONSUMER -REPORT	2,643.05
	552 - WATER	8/5/2019	5796	PRESORT OF FRESNO L	DELINQUENT PRINT 4/	81.67
	552 - WATER	8/5/2019	5796	PRESORT OF FRESNO L	UB DELINQ BILL 6/1	84.11
	552 - WATER	8/5/2019	5796	PRESORT OF FRESNO L	UB PRINTING 6/5/19	537.27
	553 - SEWER	8/5/2019	5796	PRESORT OF FRESNO L	DELINQUENT PRINT 4/	81.67
	553 - SEWER	8/5/2019	5796	PRESORT OF FRESNO L	UB DELINQ BILL 6/1	84.11
	553 - SEWER	8/5/2019	5796	PRESORT OF FRESNO L	UB PRINTING 6/5/19	537.27
	554 - REFUSE	8/5/2019	5796	PRESORT OF FRESNO L	DELINQUENT PRINT 4/	81.65
	554 - REFUSE	8/5/2019	5796	PRESORT OF FRESNO L	UB DELINQ BILL 6/1	84.09
	554 - REFUSE	8/5/2019	5796	PRESORT OF FRESNO L	UB PRINTING 6/5/19	537.27
<b>15064</b>						<b>\$637.38</b>
	553 - SEWER	8/5/2019	4618	PROVOST & PRITCHARD	5/1/19-5/31/19	637.38
<b>15065</b>						<b>\$2,049.17</b>
	101 - GENERAL FUND	8/5/2019	6444	PUBLIC AGENCY COALI	MARCH,MAY	2,049.17
<b>15066</b>						<b>\$16,711.48</b>
	101 - GENERAL FUND	8/5/2019	399	QUAD KNOPF,INC.	6/1/19-6/30/19 2019	72.00
	101 - GENERAL FUND	8/5/2019	399	QUAD KNOPF,INC.	PLANNING 5/19-6/15/	11,200.58
	101 - GENERAL FUND	8/5/2019	399	QUAD KNOPF,INC.	PR201903 5/1-5/31	40.00
	552 - WATER	8/5/2019	399	QUAD KNOPF,INC.	WATERLINE-SYCAMORE	3,808.00
	600 - CAPITAL IMPROVE	8/5/2019	399	QUAD KNOPF,INC.	ROUNDBOUT 5/19-6/1	1,590.90
<b>15067</b>						<b>\$1,512.50</b>
	553 - SEWER	8/5/2019	5684	QUIK-ROOTER		1,512.50
<b>15068</b>						<b>\$1,041.25</b>
	101 - GENERAL FUND	8/5/2019	285	QUILL CORPORATION	30 MIL PLASTIC CARD	31.86
	101 - GENERAL FUND	8/5/2019	285	QUILL CORPORATION	BROTHER TONER	123.41
	101 - GENERAL FUND	8/5/2019	285	QUILL CORPORATION	FINANCE-DEPT SUPPLI	551.27
	101 - GENERAL FUND	8/5/2019	285	QUILL CORPORATION	OUTLET CORDS	58.69
	101 - GENERAL FUND	8/5/2019	285	QUILL CORPORATION	PD- OFFICE SUPPLIES	205.34
	101 - GENERAL FUND	8/5/2019	285	QUILL CORPORATION	SELF INK DATE STAMP	70.68
<b>15069</b>						<b>\$175.00</b>
	101 - GENERAL FUND	8/5/2019	3878	RICK TRISTAO	BACKGROUND-URQUHART	175.00
<b>15070</b>						<b>\$429.00</b>
	101 - GENERAL FUND	8/5/2019	3622	RLH FIRE PROTECTION	APRIL -FIRE SPRINKL	143.00
	101 - GENERAL FUND	8/5/2019	3622	RLH FIRE PROTECTION	MARCH-FIRE SPRINKLE	143.00
	101 - GENERAL FUND	8/5/2019	3622	RLH FIRE PROTECTION	MAY 2019 SPRINKLER	143.00
<b>15071</b>						<b>\$140.06</b>
	101 - GENERAL FUND	8/5/2019	5314	SHRED-IT USA LLC	6/3/19 SHRED SERVIC	140.06
<b>15072</b>						<b>\$2,719.33</b>
	552 - WATER	8/5/2019	4555	THATCHER COMPANY IN	CHLORINE	4,219.33
	552 - WATER	8/5/2019	4555	THATCHER COMPANY IN	CONTAINER REFUND	(1,500.00)
<b>15073</b>						<b>\$173.88</b>
	101 - GENERAL FUND	8/5/2019	5624	SIERRA SANITATION,	HANDICAPPED UNIT	173.88



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<b>TOTAL</b>						<b>1,459,558.88</b>
<b>15074</b>						<b>\$6,410.87</b>
	556 - VITA-PAKT	8/5/2019	3060	SOULTS PUMP & EQUIP	CLOSED COUPLED PUMP	180.00
	556 - VITA-PAKT	8/5/2019	3060	SOULTS PUMP & EQUIP	REASSEMBLE PUMP	1,420.02
	556 - VITA-PAKT	8/5/2019	3060	SOULTS PUMP & EQUIP	REBUILD PUMP	4,810.85
<b>15075</b>						<b>\$30,851.91</b>
	101 - GENERAL FUND	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	5,019.28
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	6,082.46
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	2-28-266-2881	33.28
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	2-35-921-6264	42.02
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	3-023-0081-92	27.36
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	3-033-1133-77	43.30
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	3-033-1133-94	63.01
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	3-033-9421-46	19.62
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	3-033-9504-85	14.41
	261 - GAS TAX FUND	8/5/2019	310	SOUTHERN CA. EDISON	3-033-9591-42	152.02
	552 - WATER	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	16,734.14
	553 - SEWER	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	199.11
	553 - SEWER	8/5/2019	310	SOUTHERN CA. EDISON	3-001-1837-87	1,023.05
	556 - VITA-PAKT	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	350.39
	883 - SIERRA VIEW ASSE	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	136.55
	884 - HERITAGE ASSESSM	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	10.72
	886 - SAMOA	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	10.72
	887 - SWEETBRIER TOW	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	60.85
	888 - PARKSIDE	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	10.72
	889 - SIERRA VISTA ASSE	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	57.31
	890 - MAPLE VALLEY AS	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	309.05
	891 - PELOUS RANCH	8/5/2019	310	SOUTHERN CA. EDISON	2-00424-8134	417.90
	891 - PELOUS RANCH	8/5/2019	310	SOUTHERN CA. EDISON	2-32-032-1755	23.01
	891 - PELOUS RANCH	8/5/2019	310	SOUTHERN CA. EDISON	2-35-921-6264	11.63
<b>15076</b>						<b>\$631.00</b>
	552 - WATER	8/5/2019	1921	TELSTAR INSTRUMENTS	SERVICE 6/14/19	631.00
<b>15077</b>						<b>\$30.32</b>
	101 - GENERAL FUND	8/5/2019	144	THE GAS COMPANY	033-515-9120-5	15.16
	101 - GENERAL FUND	8/5/2019	144	THE GAS COMPANY	115-454-6222-5	15.16
<b>15078</b>						<b>\$248.66</b>
	101 - GENERAL FUND	8/5/2019	5792	THOMSON REUTERS - W	6/1/2019-6/30/19	248.66
<b>15079</b>						<b>\$87.22</b>
	101 - GENERAL FUND	8/5/2019	6413	TRANS UNION LLC		35.00
	101 - GENERAL FUND	8/5/2019	6413	TRANS UNION LLC	BASIC SERVICE	52.22

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
<b>15080</b>						<b>\$6,325.99</b>
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	ADOBE	39.97
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	ADOBE-BRET	14.99
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	AMERICAN UNIFORM	130.57
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	COURTYARD	833.04
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	JACKS URBAN-BILL Z	69.48
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	OFFICE MAX	60.08
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	OPC KERN CMMNTY CD	346.50
	400 - WELLNESS CENTEF	8/5/2019	6326	CORPORATE PAYMENT S	ADOBE	14.99
	400 - WELLNESS CENTEF	8/5/2019	6326	CORPORATE PAYMENT S	AMAZON-SUMMER LIGHT	92.11
	400 - WELLNESS CENTEF	8/5/2019	6326	CORPORATE PAYMENT S	DIRECT TV	416.05
	400 - WELLNESS CENTEF	8/5/2019	6326	CORPORATE PAYMENT S	WHOLESALE-SUMMERLIG	217.80
	552 - WATER	8/5/2019	6326	CORPORATE PAYMENT S	CALTROL	4,090.41
<b>15081</b>						<b>\$1,628.80</b>
	101 - GENERAL FUND	8/5/2019	5747	UNITED STAFFING	MARIO 6/17-6/23	568.20
	101 - GENERAL FUND	8/5/2019	5747	UNITED STAFFING	MARIO 6/24-6/30	653.40
	552 - WATER	8/5/2019	5747	UNITED STAFFING	MARIO 6/17-6/23	189.40
	552 - WATER	8/5/2019	5747	UNITED STAFFING	MARIO 6/24-6/30	217.80
<b>15082</b>						<b>\$2,919.80</b>
	552 - WATER	8/5/2019	5413	UNIVAR USA INC	WELLS MATERIALS	857.41
	552 - WATER	8/5/2019	5413	UNIVAR USA INC	WTP MATERIALS	2,062.39
<b>15083</b>						<b>\$3,500.00</b>
	660 - RDA OBLIGATION I	8/5/2019	2468	URBAN FUTURES INC.	2012 REFUNDING BOND	1,650.00
	660 - RDA OBLIGATION I	8/5/2019	2468	URBAN FUTURES INC.	2015 REFUNDING BOND	1,850.00
<b>15084</b>						<b>\$926.75</b>
	266 - LTF-ART 8 STREETS	8/5/2019	356	USA BLUEBOOK	LED MINI LIGHTBAR	700.00
	552 - WATER	8/5/2019	356	USA BLUEBOOK	LED MINI LIGHTBAR	226.75
<b>15085</b>						<b>\$182.86</b>
	101 - GENERAL FUND	8/5/2019	1041	VERIZON WIRELESS	642065758-00001	51.74
	101 - GENERAL FUND	8/5/2019	1041	VERIZON WIRELESS	642065758-00002	83.10
	552 - WATER	8/5/2019	1041	VERIZON WIRELESS	642065758-00001	16.01
	553 - SEWER	8/5/2019	1041	VERIZON WIRELESS	642065758-00001	16.01
	554 - REFUSE	8/5/2019	1041	VERIZON WIRELESS	642065758-00001	16.00
<b>15086</b>						<b>\$2,336.49</b>
	101 - GENERAL FUND	8/5/2019	368	VOLLMER EXCAVATION,	LOAD COLD MIX 6/13	2,336.49
<b>15087</b>						<b>\$122.75</b>
	101 - GENERAL FUND	8/5/2019	612	WEISENBERGERS ACE H	CHARGE	2.59
	101 - GENERAL FUND	8/5/2019	612	WEISENBERGERS ACE H	SOCCER PARK-ROUNDUP	120.16
<b>15088</b>						<b>\$106.93</b>
	101 - GENERAL FUND	8/5/2019	6362	AMERICAN BUSINESS M	BLACK,COLOR TONER	90.93
	101 - GENERAL FUND	8/5/2019	6362	AMERICAN BUSINESS M	TONER	16.00
<b>15089</b>						<b>\$277.00</b>
	552 - WATER	8/5/2019	1986	AMERICAN WATER WORK	7001700847	277.00
<b>15090</b>						<b>\$1,006.72</b>
	101 - GENERAL FUND	8/5/2019	5381	AWAKE SKATE SHOP	EMBROIDERY POLOS	671.14
	552 - WATER	8/5/2019	5381	AWAKE SKATE SHOP	EMBROIDERY POLOS	167.79
	553 - SEWER	8/5/2019	5381	AWAKE SKATE SHOP	EMBROIDERY POLOS	167.79
<b>15091</b>						<b>\$1,819.00</b>
	552 - WATER	8/5/2019	5742	BBVA COMPASS BANK	OPERATING SUPPLIES	1,819.00
<b>15092</b>						<b>\$1,918.00</b>

TRANSACTION DATES: 07/17/2019 THROUGH 08/05/2019

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
	552 - WATER	8/5/2019	051	BSK	BACTI	660.00
	552 - WATER	8/5/2019	051	BSK	CRYPTOSP	515.00
	552 - WATER	8/5/2019	051	BSK	LEAD TEST LHS	13.00
	552 - WATER	8/5/2019	051	BSK	UCMR4	730.00
<b>15093</b>						<b>\$275.00</b>
	552 - WATER	8/5/2019	873	CALIFORNIA RURAL WA	RUDY D3 8/28-29	275.00
<b>15094</b>						<b>\$1,681.02</b>
	101 - GENERAL FUND	8/5/2019	6351	CANON FINANCIAL SER	CANON SERVICE-AUG	1,681.02
<b>15095</b>						<b>\$475.56</b>
	101 - GENERAL FUND	8/5/2019	076	CENTRAL VALLEY BUSI	REG WHITE ENVELOPE	142.39
	101 - GENERAL FUND	8/5/2019	076	CENTRAL VALLEY BUSI	WINDOW ENVELOPE	333.17
<b>15096</b>						<b>\$2,975.00</b>
	890 - MAPLE VALLEY AS	8/5/2019	6090	CLEAN CUT LANDSCAPE	EXTRA WORK PELOUSE	2,975.00
<b>15097</b>						<b>\$5,324.47</b>
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	LIC1179749 SERVICE	1,866.78
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	LIC1179758 OIL CHAN	83.15
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	LIC1366703 AC COMPR	3,079.42
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	OIL CHANG LIC132284	87.07
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	OIL CHANGE LIC12076	83.15
	101 - GENERAL FUND	8/5/2019	148	GOMEZ AUTO & SMOG	SMOG INSP LIC117974	124.90
<b>15098</b>						<b>\$71.15</b>
	400 - WELLNESS CENTEF	8/5/2019	6411	GREG MORENTIN	MARTIAL ARTS	71.15
<b>15099</b>						<b>\$34.00</b>
	552 - WATER	8/5/2019	5507	JOSE VEGA	8/7,8/8	34.00
<b>15100</b>						<b>\$1,600.00</b>
	101 - GENERAL FUND	8/5/2019	4378	JOSEPH H AVINA	7/9,7/12,7/16,7/19	1,600.00
<b>15101</b>						<b>\$2,286.61</b>
	101 - GENERAL FUND	8/5/2019	4067	LINCOLN NAT'L INSUR	AUG DENTAL PLAN	2,286.61
<b>15102</b>						<b>\$75.00</b>
	101 - GENERAL FUND	8/5/2019	6443	LISBETH ALFARO	ARBOR DEPOSIT	75.00
<b>15103</b>						<b>\$34.00</b>
	552 - WATER	8/5/2019	6053	RUDY HERNANDEZ	8/28,8/29	34.00
<b>15104</b>						<b>\$11.00</b>
	101 - GENERAL FUND	8/5/2019	310	SOUTHERN CA. EDISON	3-033-5943-68	11.00
<b>15105</b>						<b>\$4,713.81</b>
	101 - GENERAL FUND	8/5/2019	5755	TELEPACIFIC COMMUNI	7/9/19-8/8/19	2,020.23
	400 - WELLNESS CENTEF	8/5/2019	5755	TELEPACIFIC COMMUNI	7/9/19-8/8/19	673.41
	552 - WATER	8/5/2019	5755	TELEPACIFIC COMMUNI	7/9/19-8/8/19	673.41
	553 - SEWER	8/5/2019	5755	TELEPACIFIC COMMUNI	7/9/19-8/8/19	673.41
	554 - REFUSE	8/5/2019	5755	TELEPACIFIC COMMUNI	7/9/19-8/8/19	673.35
<b>15106</b>						<b>\$1,500.00</b>
	101 - GENERAL FUND	8/5/2019	6285	TOP DOG TRAINING CE	K9 MAINT 7/1-6/30/2	1,500.00

TRANSACTION DATES: 07/17/2019 THROUGH 08/05/2019

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,459,558.88</b>
<b>15107</b>						<b>\$6,093.81</b>
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	ADOBE	54.96
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	ALL VALLEY UNIFORMS	79.72
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	AMAZON	288.79
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	AMERICAN CROSS	233.12
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	ESMART	4.95
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	JOHN M ELLSWORTH	1,899.87
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	MONARCH FORD	650.00
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	NATIONAL EMBLEM	406.85
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	O SUSHI	36.00
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	RADIO MOUNT	58.90
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	RITE AID	24.98
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	SAVEMART	16.50
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	SWANK MOTION PIC	395.00
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	THE LEAGUE OF CA	1,650.00
	101 - GENERAL FUND	8/5/2019	6326	CORPORATE PAYMENT S	VALLEY UNIFORM	258.19
	400 - WELLNESS CENTEF	8/5/2019	6326	CORPORATE PAYMENT S	ADOBE	14.99
	400 - WELLNESS CENTEF	8/5/2019	6326	CORPORATE PAYMENT S	AMAZON-SUMMER LIGHT	20.99
<b>15108</b>						<b>\$1,297.17</b>
	101 - GENERAL FUND	8/5/2019	4849	U.S. BANK EQUIPMENT	AUG CANON LEASE	1,297.17
<b>15109</b>						<b>\$1,099.95</b>
	552 - WATER	8/5/2019	6445	UNDERGROUND SERVICE	ANNUAL SUBS	549.98
	553 - SEWER	8/5/2019	6445	UNDERGROUND SERVICE	ANNUAL SUBS	549.97
<b>15110</b>						<b>\$643.96</b>
	101 - GENERAL FUND	8/5/2019	5747	UNITED STAFFING	MARIO 7/1-7/7/19	482.97
	552 - WATER	8/5/2019	5747	UNITED STAFFING	MARIO 7/1-7/7/19	160.99
<b>USBK8119</b>						<b>\$663,354.95</b>
	660 - RDA OBLIGATION I	7/26/2019	430	US BANK TRUST NA	2015 COH USBANK CRE	(48.18)
	660 - RDA OBLIGATION I	7/26/2019	430	US BANK TRUST NA	2015 REFUNDING BOND	663,403.13
<b>USDA7229</b>						<b>\$90,170.16</b>
	400 - WELLNESS CENTEF	7/22/2019	1123	USDA RURAL DEVELOPM	LN#97-13 JULY PAYMN	90,170.16



**Monthly Treasurer's Report**  
**July 31, 2019**  
**Cash Balances Classified by Depository**

**CASH RESOURCES**

LOCATION	GL ACCOUNT #	TYPE	BALANCE
Cash Register Funds (City Hall & Wellness)	100-102	RES	\$800
Bank of the Sierra- Depository Account	100-114	GEN	\$1,473,645
Bank of the Sierra - AP/Operating	100-100	GEN	\$727,036
Bank of the Sierra - Payroll	100-106	GEN	\$701,390
Bank of the Sierra - Wellness Center	100-500	GEN	\$129,563
Bank of the Sierra - Impound Account	100-120	RES	\$20,027
Bank of the Sierra - HOME & CALHOME	100-119	RES	\$239,895
Bank of the Sierra - CDBG	100-118	RES	\$152,647
LAIF Savings: City & Successor Agency	100-103	INV-RES	\$2,433,539
<b>TOTAL</b>			<b>\$5,878,541</b>

**CASH EXPENDED**

ACCOUNTS PAYABLE & PAYROLL	AMOUNT
Accounts Payable	\$1,169,786
Payroll (July 05 Payday)	\$184,514
Payroll (July 19 Payday)	\$205,283
<b>TOTAL</b>	<b>\$ 1,559,583</b>

DEBT SERVICE	AMOUNT
CalHFA RDLP	\$292,529
2015 Bonds	\$663,403
Wellness Center	\$90,170
<b>TOTAL</b>	<b>\$ 1,046,102</b>

**INVESTMENTS**

**INVESTMENT POLICY COMPLIANCE**

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

<b>INVESTED FUNDS</b>	<b>\$2,433,539</b>
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Respectfully submitted,

*Bret Harmon*

Director of Finance  
 City of Lindsay

**ABBREVIATIONS**

GEN: GENERAL UNRESTRICTED  
 RES: RESTRICTED ACTIVITY  
 INV: INVESTMENT



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.4  
FROM: Finance Director Bret Harmon

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### AGENDA ITEM

<i>TITLE</i>	Resolution 19-50 authorizing workers' compensation coverage for off-duty peace officers injured out of state.
<i>ACTION</i>	Approve Resolution 19-50
<i>PURPOSE</i>	Discretionary Action
<i>OBJECTIVE(S)</i>	<ul style="list-style-type: none"><li>• Live in a safe, clean, comfortable and healthy environment.</li></ul>

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### RECOMMENDATION

Staff respectfully recommends Council approve Resolution 19-50.

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### LAYMAN'S BACKGROUND / ANALYSIS

As Council is aware, there are, sadly, times when law violators or suspected law violators endanger the lives and property of others. Sometimes this happens in massive ways. News, particularly of late, has focused on mass shootings.

Our Public Safety department acts to protect Lindsay residents and visitors from such law violators and actions. The extensive training and conditioning would understandably lead them to respond in like manner to a crisis wherever they are, if they happen to be in its vicinity. Council could imagine one of the City's officers springing to action to protect others while on vacation, if the need arose.

Currently, if an officer were injured or became ill during or from such a heroic effort, he or she would not receive worker's compensation benefits if the action took place out of state.

The City's risk management insurance provider has expanded its coverage to provide workers' compensation benefits to peace officers responding to a crisis while outside the state of California. However, for it to be activated for our peace officers, the City Council must approve a resolution accepting the liability for the coverage.

### TECHNICAL BACKGROUND / ANALYSIS

At the CSJVRMA Board of Directors meeting on June 28, 2019, the Board approved the 2019/20 Pooled Workers' Compensation Program Memorandum of Coverage (MOC).

In order to implement the change to Labor Code 3600.2 pursuant to approval of Assembly Bill 1749 and to be consistent with the CSJVRMA's excess carriers, LAWCX and CSAC EIA, the MOC was amended to include an exclusion for claims involving injury or illness sustained by a peace officer, as defined in

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## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.4  
FROM: Bret Harmon, Director of Finance

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Section 50920 of the California Government Code, when he or she was off-duty, not acting under the immediate direction of his or her employer, and outside of the state of California. However, this exclusion shall not apply to bodily injury or occupational disease sustained by a peace officer under such circumstances if:

1. the peace officer at the time of sustaining the injury or illness was engaging in the apprehension or attempted apprehension of law violators or suspected law violators, the protection or preservation of life or property, or the preservation of the peace; and
2. prior to the occurrence, the Member City adopted a resolution, as provided for in California Labor Code Section 3600.2, subdivision (b)(4), accepting liability for such bodily injury or occupational illness under the Workers' Compensation Act.

If a CSJVRMA member (as the City of Lindsay is) would like to extend workers' compensation benefits to out-of-state injuries or illnesses incurred by its peace officers while off-duty, then City Council should adopt a resolution authorizing the coverage. The excess carriers will only provide coverage for any occurrence on or after July 1, 2019.

### *ALTERNATIVES*

- Approve Resolution 19-50
- Do not approve Resolution 19-50.

### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

The City may incur additional charges from increases in workers' compensation charges in the future if such an event were to happen.

### *ATTACHMENTS*

- Resolution 19-50



## RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-50

TITLE **AUTHORIZING WORKERS' COMPENSATION COVERAGE FOR OFF-DUTY PEACE OFFICERS INJURED OUT OF STATE**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on August 13, 2019 at 6:00PM at 251 E. Honolulu Street, Lindsay, CA 93247.

**WHEREAS**, Labor Code Section 3600.2 was amended by Assembly Bill 1749 in 2018, to allow a peace officer employer to accept liability for workers' compensation liability and provide benefits for an injury or illness sustained by a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but who was not at the time acting under the immediate direction of his or her employer, if the employer determines that providing compensation serves the public purposes of the employer;

**WHEREAS**, the City's workers' compensation insurance carrier, Local Agency Workers' Compensation Excess Joint Powers Authority (LAWCX), has amended its Memorandum of Coverage to provide coverage for peace officers who sustain a bodily injury or occupational illness while out of state under the circumstances described in Section 3600.2, but only if, prior to the occurrence, the governing board of the covered member has adopted a resolution under Section 3600.2, subsection (b)(4), accepting liability for such injury and or illness under the California workers' compensation law; and,

**WHEREAS**, the City desires to accept workers' compensation liability for peace officers who sustain an injury or illness while out of state in accordance with Labor Code Section 3600.2 and the LAWCX Memorandum of Coverage;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINDSAY DOES HEREBY RESOLVE AS FOLLOWS:**

- SECTION 1. The City authorizes and agrees to accept liability for workers' compensation benefits under California Labor Code, Division 4 for an injury or illness sustained by a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but who was not at the time acting under the immediate direction of the City. This resolution is adopted pursuant to Labor Code Section 3600.2, subsection (b)(4).
- SECTION 2. The City finds and determines that providing workers' compensation benefits in the circumstances described in paragraph 1 serves the public purposes of the City.
- SECTION 3. This coverage shall not apply if, at the time of the occurrence, the peace officer was suspended from peace officer duty or otherwise not in good standing as a peace officer.





# RESOLUTION OF THE CITY OF LINDSAY

- SECTION 4. This coverage applies only to a peace officer as defined at Government Code Section 50920.
- SECTION 5. This coverage applies to occurrences that happen on or after July 1, 2019.
- SECTION 6. This resolution shall be effective immediately upon its approval and adoption.
- SECTION 7. The Mayor, or presiding officer, is hereby authorized to affix her/his signature to the Resolution signifying its adoption by the City Council of the City of Lindsay, and the City Clerk, or his duly appointed deputy, is directed to attest thereto.

**PASSED AND ADOPTED** by the City Council of the City of Lindsay as follows:

MEETING DATE	
MOTION	
2 <sup>nd</sup> MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

CERTIFICATION OF THE FOREGOING RESOLUTION AS FULL, TRUE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDSAY AS DETAILED.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.5  
FROM: Finance Director Bret Harmon

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### AGENDA ITEM

**TITLE** Update Personnel Rules & Regulations to comply with State Law, specifically addressing (1) Harassment and Harassment Prevention Training and (2) Sick Leave Accrual.

**ACTION** Approve by Minute Order

**PURPOSE** Statutory/Contractual Requirement

**COUNCIL OBJECTIVE(S)** Live and work in a safe, clean, comfortable and healthy environment. Dedicate resources to retain a friendly, small-town atmosphere. Stimulate, attract and retain local businesses and employees. Yield a fiscally self-reliant city government while providing effective, basic municipal services.

---

### RECOMMENDATION

Staff respectfully recommends approval of State-required updates to Personnel Rules & Regulations.

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### BACKGROUND | ANALYSIS

#### **Area 1: Harassment Prevention**

SB 1343 requires an employer who employs five or more employees, including temporary or seasonal employees, to provide at least two hours of sexual harassment training to all supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, 2020, and once every two years thereafter, as specified.

The City's Personnel Rules & Regulations will be updated as follows, with the red text showing additions and lined-out words showing deletions:

#### **Section 20.8 Responsibilities of Employees, Management and Supervisory Employees**

1. Employees

In order to establish and maintain a professional working environment, while at the same time preventing harassment, discrimination, and retaliation, employees are expected to:

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## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.5  
FROM: Bret Harmon, Director of Finance

---

- Set an example of acceptable conduct by not participating in or provoking behavior that violates this Policy. Try not to be angry or insulted if an individual tells you that your behavior is offensive. People have different ethical values and standards and may be offended by behavior you think is proper. Tell the individual you did not realize your behavior was offensive, and immediately cease the conduct.
- Let fellow employees know when you consider behavior offensive. The City hires people from a wide variety of cultural and ethnic backgrounds, and an individual may not realize behavior he or she thinks is proper could be seen by others as offensive.
- Report harassment, discrimination or retaliation as quickly as possible, whether the employee is the target of the conduct or a witness.
- If an employee witnesses harassment, he or she should tell the individual being harassed that the City has a policy prohibiting such behavior, and that he or she can demand that the harasser cease the behavior.
- Maintain confidentiality as required by this Policy.
- Fully cooperate with the City's investigation of complaints made under this Policy.

### 2. Managers and Supervisors

In addition to the responsibilities listed above, managers and supervisors are responsible for the following:

- Implementing this Policy by taking all complaints seriously and modeling behavior that is consistent with this Policy. Direct all complaints to the Personnel Director.
- Taking positive steps to eliminate any form of harassment, discrimination or retaliation observed or brought to his/her attention.
- Making sure no department director, supervisor or other employee retaliates through any action of intimidation, restraint, coercion or discrimination.
- Monitoring the work environment and taking appropriate action to stop potential Policy violations.
- Following up with those who have complained to ensure the behavior complained of has ceased.
- Informing complainants of their option to contact the EEOC or DFEH regarding a potential Policy violation.
- **Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.**
- **Ensuring that his/her subordinates understand their responsibilities under this policy.**



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.5  
FROM: Bret Harmon, Director of Finance

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- Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

### C. MANDATORY TRAINING

As part of its commitment to ensuring a work environment free from harassment and discrimination, the City requires that all of its employees receive training on this Policy during scheduled training, ~~at least once every two years~~. Human Resources will schedule training sessions each year to ensure that employees are able to complete the mandatory training. Attendance at the training will be documented.

All employees shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provision during his/her term of employment with the City of Lindsay.

1. Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
2. All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1
3. If the required training is to be provided by DFEH online training courses, the Training Supervisor should ensure that employees are provided the link or website address to the training course (Government Code § 12950).

### Area 2: Sick Leave

AB1522 directs accrual of sick leave to commence on the first day of employment. The City needs to update the Personnel Rules & Regulations accordingly and will adjust employees' sick leave banks to account for any missed accruals.

Section 11.2.1 Accrual of Sick Leave will be corrected to read as follows:

A regular employee accrues sick leave on the first day of employment; sick leave hours may be used beginning on the 90th day of employment. Sick leave is accrued at the rate of 3.08 hours per pay period (10 days per year). Upon separation from City service sick leave is lost.

### ALTERNATIVES

- Approve updates to Personnel Rules & Regulations
  - Do not approve updates, which would be in violation of state law
  - Table item and provide staff with direction
-



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.5  
FROM: Bret Harmon, Director of Finance

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### *POLICY ISSUES*

Updates Personnel Rules & Regulations

### *ATTACHMENTS*

- No attachments



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.6  
STAFF: City Services Director Mike Camarena

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### AGENDA ITEM

<i>TITLE</i>	Assistant City Engineer and City Surveyor Assignments
<i>ACTION</i>	Approval of Assistant City Engineer and City Surveyor Assignments
<i>PURPOSE</i>	Statutory/Contractual Requirement
<i>COUNCIL OBJECTIVE(S)</i>	Yield a fiscally self-reliant city government while providing effective, basic municipal services.

---

### RECOMMENDATION

Staff recommends Approval of Assistant City Engineer and City Surveyor Assignments and authorize City Manager to execute Notice of Department Designation.

---

### BACKGROUND | ANALYSIS

As identified in the included correspondence, our contract engineering firm QK, Inc., has requested reassignments in the assistant city engineer, city surveyor and assistant city surveyor positions. It is anticipated that this will have no effect on current projects, operations and duties within the scope of services covered by these positions.

### ALTERNATIVES

- Approve revised assignments and authorize City Manager to execute Notice of Department Designation as recommended.
- Do not approve revised assignments as recommended and provide direction to staff.

### BENEFIT TO OR IMPACT ON CITY RESOURCES

This action is being requested due to change in personnel with QK, Inc., and is not expected to create any issues with current operations.

### ENVIRONMENTAL REVIEW

None required.

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 5.6  
STAFF: City Services Director Mike Camarena

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### *POLICY ISSUES*

None anticipated.

### *PUBLIC OUTREACH*

Posted in this agenda.

### *ATTACHMENTS*

- August 1, 2019 QK, Inc., correspondence
- Notice of Department Designation



August 1, 2019

Michael Camarena  
City Services Director  
City of Lindsay  
251 E. Honolulu Street  
PO Box 369  
Lindsay, CA 93247

**Subject: Assistant City Engineer and Assistant City Surveyor for Lindsay**

Dear Mr. Camarena:

Pursuant to the Engineering Services Agreement between the City of Lindsay (City) and Quad Knopf, Inc. (QK) dated July 10, 2018, QK is providing city engineering and survey services for the City. Due to a change in personnel at the Assistant City Engineer and Assistant City Surveyor positions, this letter is to formally request reassignment of staff to represent the City in those positions. There are no changes requested for the City Engineer and City Surveyor positions. The following personnel shall now be designated:

City Engineer	Jeff Cowart, PE
Assistant City Engineer	Yohanes Makmur, PE, TE, PTOE
City Surveyor	Kristie Achee, PLS
Assistant City Surveyor	Antonio Westerlund, PLS

Yohanes Makmur has 15 years of experience, provides city engineering services to other communities, and provides traffic engineering design and operations experience. Antonio Westerlund has 9 years of survey experience and is a licensed land surveyor and Certified Federal Surveyor.

If the above designated personnel are acceptable, please process approval of the designees with the City Manager. Once approved, the City Manager should sign the attached Notice of Department Designation (NODD) and return to our office at your earliest convenience. We will process the signed NODD with the State. If you have any questions about this request, please feel free to contact me at (559) 781-2700.

Sincerely,

Jeff Cowart, PE  
Vice President/Principal Engineer

Enclosures: Notice of Department Designation

cc: File  
L:\Contract Cities\Lindsay\Staff Assignments  
JSC/JF





**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 263-2222 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.bpelsg.ca.gov



**NOTICE OF DEPARTMENT DESIGNATION**

**For California State, City, County, City/County, District, or Special District Departments**

(Pursuant to Sections 6730.2 and 8725.1 of the California Business and Professions Code, an appropriately-licensed person needs to be designated as the individual in responsible charge of land surveying and each branch of engineering services being practiced)

**Note:** *Each department that practices engineering or surveying on an independent basis must designate appropriately-licensed individuals in responsible charge of those services. List the lowest level department that has independent authority to make final engineering or land surveying decisions without having to obtain approval of those decisions by a higher level of authority.*

<input type="radio"/> State	<input checked="" type="radio"/> City of Lindsay	<input type="radio"/> County
<input type="radio"/> City/County	<input type="radio"/> District	<input type="radio"/> Special District

Department Name City Services	
Address (including city, state, and ZIP code) PO Box 369, Lindsay, CA 93247	
Telephone Number 559-562-7102	Website Address <a href="https://Lindsay.ca.us/">https://Lindsay.ca.us/</a>

**Professional Services Practiced:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Civil (Structural and Geotechnical) Engineering | <input type="checkbox"/> Electrical Engineering    |
| <input type="checkbox"/> Mechanical Engineering                                     | <input checked="" type="checkbox"/> Land Surveying |

List the name, title, and license number of the licensee or licensees in responsible charge of professional engineering or land surveying services at this Department/Agency’s office along with their title and license number. An Organization Chart should be attached. List individuals contracted to serve in an official capacity (i.e., city engineer, etc.). **(Attach additional pages if needed)**

Name	Title	License Number
Jeffery S. Cowart	Contract City Engineer	C41964
Yohanes Makmur	Assistant City Engineer	C69379
Kristie Achee	City Surveyor	L8189
Antonio Westerlund	Assistant City Surveyor	L9399

William O. Zigler	City Manager	559-562-7102	08/01/19
Name of Person Completing this Form	Signature	Title	Contact Information
			Date

Revised 9/2015

## Additional Offices

### For California State, City, County, City/County, District, or Special District Departments

(Pursuant to Sections 6730.2 and 8725.1 of the California Business and Professions Code, an appropriately-licensed person needs to be designated as the individual in responsible charge of land surveying and each branch of engineering services being practiced)

<input checked="" type="radio"/> <b>State</b>	<input type="radio"/> <b>City</b>	<input type="radio"/> <b>County</b>
<input type="radio"/> <b>City/County</b>	<input type="radio"/> <b>District</b>	<input type="radio"/> <b>Special District</b>

Department Name	
Address (including city, state, and ZIP code)	
Telephone Number	Website Address

**Professional Services Practiced:**

- |  |   |
|--|---|
| <input type="checkbox"/> Civil (Structural and Geotechnical) Engineering | <input type="checkbox"/> Electrical Engineering |
| <input type="checkbox"/> Mechanical Engineering                          | <input type="checkbox"/> Land Surveying         |

List the name, title, and license number of the licensee or licensees in responsible charge of professional engineering or land surveying services at this Department/Agency's office along with their title and license number. An Organization Chart should be attached. List individuals contracted to serve in an official capacity (i.e., city engineer, etc.). **(Attach additional pages if needed)**

Name	Title	License Number

---

Name of Person Completing this Form	Signature	Title	Contact Information	Date
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Department Name	
Address (including city, state, and ZIP code)	
Telephone Number	Website Address

**Professional Services Provided:**

- |  |   |
|--|---|
| <input type="checkbox"/> Civil (Structural and Geotechnical) Engineering | <input type="checkbox"/> Electrical Engineering |
| <input type="checkbox"/> Mechanical Engineering                          | <input type="checkbox"/> Land Surveying         |

List the name, title, and license number of the licensee or licensees in responsible charge of professional engineering or land surveying services at this Department/Agency's office along with their title and license number. An Organization Chart should be attached. List individuals contracted to serve in an official capacity (i.e., city engineer, etc.). **(Attach additional pages if needed)**

Name	Title	License Number

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Name of Person Completing this Form	Signature	Title	Contact Information	Date
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## STAFF REPORT

TO: City of Lindsay City Council  
DATE: August 13, 2019  
AGENDA #: 5.7  
FROM: City Manager Bill Zigler

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### AGENDA ITEM

<b>TITLE</b>	Temporary Use Permit 19-29: Shakespeare in the Plaza (Sweet Brier Plaza)
<b>ACTION</b>	Request approval of TUP 19-29
<b>PURPOSE</b>	Discretionary Action
<b>OBJECTIVE(S)</b>	<ul style="list-style-type: none"><li>• Increase our keen sense of identity in a physically connected and involved community</li></ul>

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### RECOMMENDATION

Staff recommends minute order approval of TUP 19-29 for Lindsay Community Theater's *Shakespeare in the Plaza* event.

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### BACKGROUND | ANALYSIS

Jim Kliegl, representing the Lindsay Community Theater, is requesting the use of the Sweet Brier Plaza Stage area for the Lindsay Community Theater's annual *Shakespeare in the Plaza* event, between the hours of 6pm and 9:30pm. The requested timeframe includes setup and post-event cleanup. The dates requested are as follows:

- Monday, August 19
- Tuesday, August 20
- Wednesday, August 21
- Thursday, August 22
- Saturday, August 24
- Thursday, August 29
- Saturday, August 31

*Shakespeare in the Plaza* is free to the public and is provided by the Lindsay Community Theater to promote appreciation of the arts within the community. The event would be limited to the stage and interactive fountain area, where seating would be placed by volunteers from the Community Theater. Area lighting, music, fountains, and sprinklers are requested to be turned off during the event. The *Shakespeare in the Plaza* site plan is attached.

Staff would charge full fees for any labor, if required and would bill for any damages resulting from the event; however, in the past the Community Theater has been self-sufficient and no staff time was required. The Lindsay Community Theater has requested that the facility rental fee be waived, which is

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## STAFF REPORT

TO: City of Lindsay City Council  
DATE: August 13, 2019  
AGENDA #: 5.7  
FROM: City Manager Bill Zigler

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in keeping with other not-for-profit use of the facility. As a local community-benefit, non-profit, fees would be charged at half-rate for the use of any City-owned equipment.

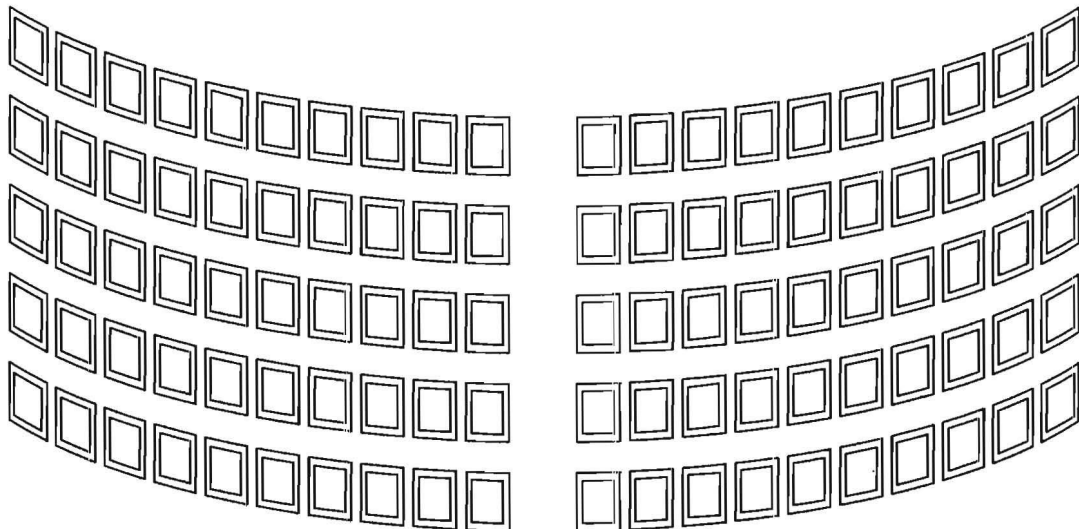
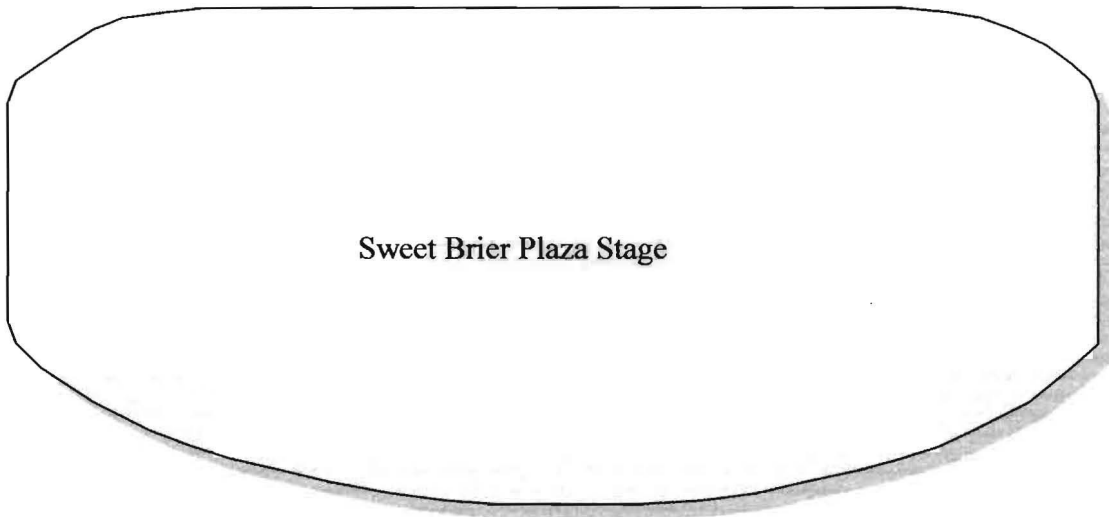
Site availability and staff requirements have been discussed with City Services and the request could be accommodated with Council approval. Staff recommends Minute Order Approval of TUP 19-29.

### *ATTACHMENTS*

Site Plan

**Shakespeare in the Plaza**  
**July 26th & 28th, and August 2nd & 4th**  
**7pm - 10pm**  
**100 Chairs Needed**

*Please turn fountain and music and lights off.*



Chairs start about 8 feet from stage  
Five rows of 20 chairs with a center isle

LEGEND

= TRASH CANS



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CA  
DATE: August 13, 2019  
AGENDA #: 7  
FROM: Finance Director Bret Harmon

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### AGENDA ITEM

<i>TITLE</i>	Refuse Rate Changes Executive Report and Initiation of Prop 218 Process
<i>ACTION</i>	Minute Order
<i>PURPOSE</i>	Statutory/Contractual Requirement Council Vision/Priority Discretionary Action
<i>OBJECTIVE(S)</i>	<ul style="list-style-type: none"><li>• Live in a safe, clean, comfortable and healthy environment.</li><li>• Nurture attractive residential neighborhoods and business districts.</li><li>• Dedicate resources to retain a friendly, small-town atmosphere.</li><li>• Yield a fiscally self-reliant city government while providing effective, basic municipal services.</li></ul>

---

### RECOMMENDATION

Staff respectfully recommends Council accept the Refuse Rate Changes Executive Report and authorize staff to proceed with notifying the public of the proposed rate changes for refuse services.

---

### BACKGROUND | ANALYSIS

As Council heard during the July 23, 2019 City Council meeting, the City needs to update its refuse service fees.

The City of Lindsay contracts with Mid Valley Disposal (MVD) for refuse services. These services include residential, commercial and industrial trash hauling, recyclable collection and green waste collection. The service must expand to handle organics recycling to meet a new state mandate.

The situation is:

1. The state has mandated new organics recycling, which introduces new costs to the service,
  2. The other services cost more to provide than the fees charged for those services,
  3. The City must add the organics recycling service and the corresponding fees to cover its cost to the City's fee schedule, and
  4. The City must also adjust the other refuse service fees on the City's fee schedule to pay for those services.
-



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CA  
DATE: August 13, 2019  
AGENDA #: 7  
FROM: Finance Director Bret Harmon

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To add and adjust fees on the City's fee schedule, the City must follow the Proposition 218 process. The Proposition 218 process includes:

1. Having a 45-day public notice period.
2. Posting the public notice of the intent to adjust fees in the Porterville Recorder and mailing a copy to all service addresses.
3. Conducting a public hearing allowing affected rate payers an opportunity to speak in favor of or in opposition to the changes during a City Council meeting at the end of the 45-day noticing period.
4. Collecting and counting protest votes (only one vote permitted per service account).

The City identifies the number of service accounts that equate to 50% of the total number of service accounts as the vote threshold. If there are more protest votes than the vote threshold number, then the rate increase will not take effect.

### *ALTERNATIVES*

- Accept Executive Report and initiate Prop 218 noticing
- Do not accept Executive Report and do not initiate Prop 218 noticing
- Provide Staff with direction.

### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

The City must comply with state organics recycling laws. The Refuse Fund and the General Fund do not have enough resources to pay for the organics recycling on behalf of refuse customers. Additionally, the cost of service has increased for Mid Valley Disposal. The increase in cost of service requires updating the fee schedule. Like with organics recycling, the City cannot afford to raid other funds to pay for increasing service costs on behalf of service users. Implementing organics recycling fee rates and updating other service rates will allow the Refuse fund to be self-sustaining and avoid raiding other funds.

### *PUBLIC OUTREACH*

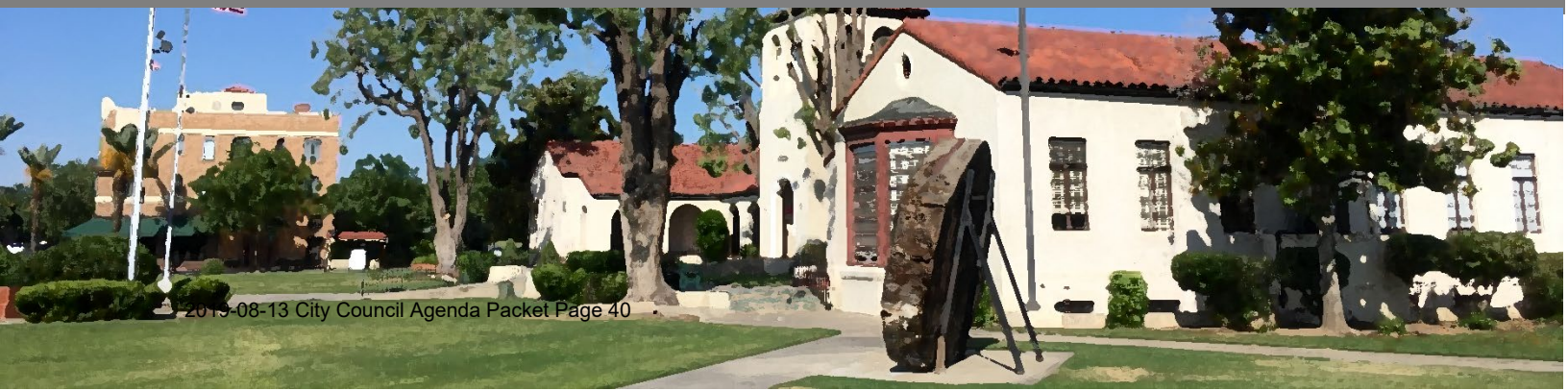
Presentation during the 7/23/2019 City Council meeting and posting in this agenda.

### *ATTACHMENTS*

- Report
- Notice (once approved, staff will translate into Spanish as well)



# REFUSE RATE CHANGES EXECUTIVE REPORT





# Contents

- Situation Summary ..... 3
- Background – Contract Services..... 3
- Background – State Mandate..... 4
- Background – Refuse Fee Schedule ..... 4
- Comparisons to other Jurisdictions..... 6
- Conclusion ..... 7
- Exhibit A – Proposed Rates ..... 8

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## SITUATION SUMMARY

The City of Lindsay contracts with Mid Valley Disposal (MVD) for refuse services. These services include residential, commercial and industrial trash hauling, recyclable collection and green waste collection. The service must expand to handle organics recycling to meet a new state mandate.

The situation is:

1. The state has mandated new organics recycling, which introduces new costs to the service,
2. The other services cost more to provide than the fees charged for those services,
3. The City must add the organics recycling service and the corresponding fees to cover its cost to the City's fee schedule, and
4. The City must also adjust the other refuse service fees on the City's fee schedule to pay for those services.

To add and adjust fees on the City's fee schedule, the City must follow the Proposition 218 process. The Proposition 218 process includes:

1. A public noticing of the intent to adjust fees posted in the Porterville Recorder and mailed to all service addresses.
2. A public hearing allowing affected rate payers an opportunity to speak in favor of or in opposition to the changes conducted during a City Council meeting.
3. A count of protest votes (only one vote permitted per service account)
4. The City identifies the number of service accounts that equate to 50% of the total number of service accounts as the vote threshold. If there are more protest votes than the vote threshold number, then the rate increase will not take effect.

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## BACKGROUND – CONTRACT SERVICES

MVD became the City's refuse hauler on September 30, 2014.

The contract identifies what the City will do and what MVD will do in providing refuse services. The City bills and receives payments from customers. MVD manages and operates the entire waste hauling and recyclables collection processes. MVD bills the City for the services it provides at the rate per service type authorized by the contract. The City pays MVD from the payments made by customers to the City.

For the partnership between the City and MVD to work, MVD must be able to cover its costs and make a reasonable profit in providing the service. MVD has not received an inflation adjustment to its rates under the current contract. The reason for not receiving the increase is the City has not conducted a Proposition 218 process to authorize a rate increase. Without a rate increase, MVD's ability to provide the service becomes untenable. Costs related to fuel, transportation, taxes, state mandates and minimum wage have significantly increased the costs for MVD to provide refuse services to the City.

In addition to the payment to MVD for providing the service, the City must also pay internal costs related to the service. These costs include monitoring, data management, administration, postage, printing services, mailing services, payment processing, service coordination, electricity, office equipment maintenance, and staff compensation.

MVD cannot afford to continue to provide the service without a rate increase. The City cannot afford to absorb the cost of a rate increase without an increase in the rate charged to the customer.

---

### BACKGROUND – STATE MANDATE

State law now mandates organics waste management. The City's fee schedule does not include organics waste. The City must amend its fee schedule to include organics waste to comply with State mandates. Beginning in 2019, MVD provides organic waste management services.

As these new services will have an associated service fee, the City must follow the Proposition 218 process to add these new fees to the fee schedule.

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### BACKGROUND – REFUSE FEE SCHEDULE

It is important for customers to understand clearly the charges they pay for services. There are three components to the total charge for refuse hauling/collection services.

1. Base Rate for the Service
2. Voter-approved tax for street improvement program (23.6%)
3. Utility Users Tax (UUT) for all utilities in the City (6.0%)

Due to a limitation with the City's software used to manage the billing process, the City can only display one tax rate on the bills customers receive. The voter-approved tax for the street improvement program has been included in the base rate customers see on their bills. The UUT has been displayed separately on their bills. Because customers are familiar with seeing the base rate inclusive of the voter-approved tax for the street improvement program, the City is presenting the proposed rates in the same way. That means the UUT rate will be in addition to the rates shown in the rate tables.

The new rates customers will see on their bills are based on this formula:

*Base Rate in 2014 (includes MVD cost and City's direct internal costs) + inflation growth since 2014 + street improvement program rate.*

- Base Rate in 2014 varies by type and frequency of service.
- Inflation growth is based on the consumer price index current series as established by the Bureau of Labor and Statistics (all urban consumers – west)

Customers would experience a not-to-exceed 5% increase annually equal to inflation as reported by the bureau of Labor and Statistics beginning July 2020. By establishing the annual increases as part of the Proposition 218 process, customers will not need to participate in a Proposition 218 each year. The annual

increases will stabilize the revenues for the City and MVD to ensure both can continue to provide the services as designed.

The new rate table is presented in **Exhibit A**.

[Remainder of page intentionally left blank]

## COMPARISONS TO OTHER JURISDICTIONS

The following table provides a view of how the City of Lindsay's proposed new rates compare to the current rates of its neighbors .

1. Lindsay = The City of Lindsay's proposed 11/1/2019 rates paid by customers. This rate ***does not include*** the street improvement program or the UUT rates.
2. Woodlake, Exeter & Farmersville = Neighboring cities used for comparison.
3. Blue Dollars = Lindsay customers would pay less than in neighboring cities.
4. Gray Dollars = Lindsay customers would pay more than in neighboring cities.

Cost of Service. Does <u>not</u> include Street Improvement Tax or Utility Users Tax for comparability.	Lindsay	Woodlake	Exeter	Farmersville
Residential - Automated Service 1 X Week	\$20.26	\$24.45	\$20.64	\$22.63
Residential - Automated With 1 Extra Brown	\$4.84	\$13.19	\$7.65	
Residential - Automated With 1 Extra Green	\$4.84	\$13.19	\$7.65	
Residential - Automated With 1 Extra Blue	\$4.83	\$13.19	\$7.65	
Commercial - Automated	\$20.26			
Commercial - Automated - 64 Gal Trash Container	\$4.83	\$13.73		
Commercial - 1 Yd 1 X Week	\$56.49	\$64.83	\$48.00	\$45.69
Commercial - 1 Yd 2 X Week	\$104.95	\$111.25		
Commercial - 1.5 Yd 1 X Week	\$69.84			\$67.24
Commercial - 2 Yd 1 X Week	\$82.33	\$96.97	\$79.60	\$75.77
Commercial - 2 Yd 2 X Week	\$143.93	\$165.37	\$129.30	\$123.16
Commercial - 2 Yd 3 X Week	\$200.04	\$231.84		
Commercial - 2 Yd 5 X Week	\$343.97	\$422.48		
Commercial - 3 Yd 1 X Week	\$114.27	\$135.42	\$101.50	\$96.68
Commercial - 3 Yd 2 X Week	\$198.97	\$231.02	\$165.60	\$157.73
Commercial - 3 Yd 3 X Week	\$279.25	\$327.16		\$213.36
Commercial - 3 Yd 4 X Week	\$397.93	\$424.13		
Commercial - 3 Yd 5 X Week	\$450.94	\$505.16		
Commercial - 4 Yd 1 X Week	\$148.43	\$179.93	\$135.00	
Commercial - 4 Yd 2 X Week	\$240.39	\$307.66	\$249.00	
Commercial - 4 Yd 3 X Week	\$331.45	\$434.02		
Commercial - 6 Yd 1 X Week	\$229.04	\$218.38	\$169.50	\$157.73
Commercial - 6 Yd 2 X Week	\$398.05	\$366.17	\$329.00	\$315.45
Commercial - 6 Yd 3 X Week	\$564.04	\$512.85		
Commercial - 6 Yd 5 X Week	\$962.10	\$784.25		
Commercial Recycle - 90 Gallon	\$6.03	\$13.73		
Commercial Recycle - 1 Yd 1 X Week	\$35.76	\$52.74		
Commercial Recycle - 2 Yd 1 X Week	\$52.11	\$67.85	\$36.80	\$35.00
Commercial Recycle - 3 Yd 1 X Week	\$72.33	\$82.96	\$49.40	\$47.00
Commercial Recycle - 3 Yd 2 X Week	\$121.39		\$86.10	\$82.00
Commercial Recycle - 4 Yd 1 X Week	\$100.30	\$98.07		
Commercial Recycle - 6 Yd 1 X Week	\$145.04	\$128.29	\$81.90	\$78.00
Commercial Recycle - 6 Yd 2 X Week	\$252.31		\$161.70	\$154.00

The City of Woodlake recently updated its fees to adjust for inflation and administration costs, which makes it the best comparison for actual costs of service and service sustainability. The variances between the City of Lindsay and Woodlake are minor in most instances and almost always in favor of Lindsay customers.

Not all jurisdictions provide the same service options, which is why some of the comparison values are missing for neighboring cities.

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## CONCLUSION

The City must meet state mandates for refuse management. The City has partnered with MVD to accomplish its objectives and requirements for refuse management, which now include organics in addition to the traditional services of trash hauling, recyclable collection and green waste collection.

Currently, expenses for the service exceed the revenue from providing the service. This imbalance requires adjustment to ensure continuation of service. Adjusting the fee structure for inflation and including an annual inflation adjustment will rebalance the service. The required method to make the adjustments is the Proposition 218 process.

The Proposition 218 process includes the following steps:

1. Presentations to City Council on July 23 and August 13 to introduce and finalize this report.
2. City Council provides formal direction to proceed with the Proposition 218 Public Hearing.
3. Post the Public Hearing Notice in the newspaper and mail notices to residents with 45 days' notice.
4. City Council conducts a Public Hearing on October 8.
5. City Council directs staff to count protest votes in accordance with the steps outlined in the Situation Summary at the beginning of this report.
6. The rate increase is either enacted or fails depending on the voting rules.

Reminder – Exhibit A shows the rates the customers will see on their bills inclusive of the street improvement program, which is why the amounts per service differ from those in the comparison table above. The comparison table did not include the street improvement program because it is unique to Lindsay.

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EXHIBIT A – PROPOSED RATES

<i>Services charges by month unless noted. Does not include City's Utility Users Tax rate of 6.0%. Does include City's street improvement tax rate of 23.6%.</i>	Present Rates		Proposed Rates			
	7/1/2019	11/1/2019	7/1/2020	7/1/2021	7/1/2022	7/1/2023
<b>RESIDENTIAL REFUSE SERVICE</b>						
Residential - Automated Service 1X Week	\$22.68	\$25.04	To increase no more than 5% per year (based on CPI-W)			
Residential - Automated With 1 Extra Brown	5.41	5.99	To increase no more than 5% per year (based on CPI-W)			
Residential - Automated With 1 Extra Green	5.41	5.99	To increase no more than 5% per year (based on CPI-W)			
Residential - Automated With 1 Extra Blue	5.41	5.97	To increase no more than 5% per year (based on CPI-W)			
<b>COMMERCIAL REFUSE SERVICE</b>						
Commercial - Automated	\$22.68	\$25.04	To increase no more than 5% per year (based on CPI-W)			
Commercial - Automated - 64 Gal Trash Container	5.41	5.97	To increase no more than 5% per year (based on CPI-W)			
Commercial - 1 Yd 1X Week	63.22	69.82	To increase no more than 5% per year (based on CPI-W)			
Commercial - 1 Yd 2X Week	117.47	129.72	To increase no more than 5% per year (based on CPI-W)			
Commercial - 1.5 Yd 1X Week	78.17	86.32	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 1X Week	92.15	101.77	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 2X Week	161.10	177.90	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 3X Week	223.88	247.24	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 5X Week	384.98	425.15	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 1X Week	127.90	141.24	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 2X Week	222.69	245.93	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 3X Week	312.55	345.16	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 4X Week	445.38	491.84	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 5X Week	504.70	557.36	To increase no more than 5% per year (based on CPI-W)			
Commercial - 4 Yd 1X Week	166.14	183.46	To increase no more than 5% per year (based on CPI-W)			
Commercial - 4 Yd 2X Week	269.05	297.12	To increase no more than 5% per year (based on CPI-W)			
Commercial - 4 Yd 3X Week	370.96	409.67	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 1X Week	256.36	283.10	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 2X Week	445.51	491.99	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 3X Week	631.29	697.16	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 5X Week	1,076.81	1,189.16	To increase no more than 5% per year (based on CPI-W)			
<b>COMMERCIAL RECYCLING SERVICE</b>						
Commercial Recycle - 90 Gallon	\$5.41	\$7.45	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 1 Yd 1X Week	30.12	44.19	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 1.5 Yd 1X Week	49.25	54.38	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 2 Yd 1X Week	43.92	64.41	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 3 Yd 1X Week	60.95	89.40	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 3 Yd 2X Week	102.30	150.03	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 4 Yd 1X Week	112.27	123.98	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 6 Yd 1X Week	122.23	179.28	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 6 Yd 2X Week	212.60	311.86	To increase no more than 5% per year (based on CPI-W)			
<b>COMMERCIAL ORGANICS SERVICE</b>						
Commercial Organics - 90 Gallon 1X Week	new	\$24.88	To increase no more than 5% per year (based on CPI-W)			
Commercial Organics - 90 Gallon 2X Week	new	43.73	To increase no more than 5% per year (based on CPI-W)			
Commercial Organics - 2 Yd 1X Week	new	98.01	To increase no more than 5% per year (based on CPI-W)			
Commercial Organics - 2 Yd 2X Week	new	177.93	To increase no more than 5% per year (based on CPI-W)			
<b>MISCELLANEOUS FEES</b>						
Enclosure Access	new	\$24.72	To increase no more than 5% per year (based on CPI-W)			
Locking Lid Fee	new	30.90	To increase no more than 5% per year (based on CPI-W)			
Push / Pull Charge	new	24.72	To increase no more than 5% per year (based on CPI-W)			
Extra Pick Up per Cubic Yard						
Municipal Solid Waste	new	46.56	To increase no more than 5% per year (based on CPI-W)			
Recycle	new	25.61	To increase no more than 5% per year (based on CPI-W)			
Organics	new	44.66	To increase no more than 5% per year (based on CPI-W)			
<b>ROLL OFF (DROP BOX) SERVICE</b>						
Hauling and Exchange per Box	new	\$265.12	To increase no more than 5% per year (based on CPI-W)			
Delivery Fee per Box	new	47.59	To increase no more than 5% per year (based on CPI-W)			
Tonnage Fee per Ton	new	as billed	as billed	as billed	as billed	as billed

## CITY OF LINDSAY

### NOTICE OF PUBLIC HEARING FOR PROPOSED INCREASED REFUSE RATES

To inform ratepayers and to comply with California Proposition 218, (California Constitution Article XIII D, Section 6), the City of Lindsay gives the following notice:

**HEARING DATE:** Tuesday, October 8, 2019.

**HEARING LOCATION:** City of Lindsay City Council Chambers, 251 E. Honolulu, Lindsay, CA, 93247,

**PLEASE TAKE NOTICE THAT** on Tuesday, October 8, 2019, at or after 6:00 p.m., the Lindsay City Council will hold a public hearing to consider proposed additions and increases to refuse charges for services provided by the City, and to hear and consider objections and protests to the proposed refuse rate additions and changes and the Report described below.

**LOCATION OF REPORT:** A report dated August 13, 2019, describing details of the refuse rate modifications and increases and the method used to calculate the rate increases (the "Report") has been prepared, and the contents of the report submitted to the Council. The Report is on file at Lindsay City Hall, 251 E. Honolulu Street, Lindsay, and can also be found on the City of Lindsay website. A copy of the Report can also be reviewed or obtained upon request. This information, along with the various refuse rate options, was presented and discussed during public workshops at the City Council meetings held on July 23, 2019, and August 13, 2019.

**AMOUNT OF PROPOSED RATE MODIFICATIONS FOR YOU:** The amounts of refuse rates (existing and proposed) are included as Exhibit "A".

**REASON FOR THE PROPOSED MODIFICATION OF REFUSE RATES:** The proposed modification of Lindsay's refuse rates is to make the rate structure consistent with the cost of services provided and to include state mandated organic recycling in the fee schedule. The increases are primarily to cover contracted costs for service provided by Mid Valley Disposal. The revenue from the rates and charges will not be more than the funds required for the City to provide refuse service to you and other City customers.

**BASIS FOR PROPOSED MODIFICATIONS OF REFUSE RATES:** A description of how the modifications were calculated can be found in the Report on file at Lindsay City Hall and on the City of Lindsay website. A copy of the Report can also be reviewed or obtained upon request.

**PROCEDURE FOR HEARING AND DETERMINING MAJORITY PROTEST:** At the time stated above, the Council will hear and consider all objections and protests, if any, to the proposed refuse rate modifications and other matters described in the Report. The Council may continue the hearing in accordance with public hearing rules. Prior to the close of the hearing, if **written protests** against the proposed modified refuse rates are presented and not withdrawn by a majority of the record owners of the parcels that would be subject to the modified refuse rates, then the City may not impose the modified refuse rates; instead, refuse rates would continue at their existing, previously-approved amounts. If, at the close of the protest hearing, there is no majority protest as described above, the Council may approve the refuse rate modifications, as proposed or as changed by the Council, to be effective commencing October 9, 2019.

**PRESERVING THE RIGHT TO CHALLENGE:** Any person who wants to preserve the opportunity to file a lawsuit challenging the proposed refuse rate modifications, if imposed, or other matters described in the Report **must file a written protest** with the Council, stating the specific grounds of the protest. Any grounds not stated in a **written protest** filed with the Council before the close of the protest hearing on October 8, 2019, will be deemed waived and may not be raised in any subsequent lawsuit.

**HOW TO PROTEST THE PROPOSED RATE INCREASES:** All owners and tenants of property receiving refuse service, and interested persons are invited to attend the Public Hearing noticed above. Written protests must be received (*not postmarked*) by the City Clerk before or during the public hearing. Council will not count written protests submitted after the conclusion of the public hearing. Any protest submitted by e-mail or other electronic means will not be accepted. The protest must be signed by the property owner(s) or tenant(s) and must include the assessor's parcel number(s) or street address(es) of all property(ies) serviced, and your statement that you protest the changes in the refuse rates fee schedule. Only one written protest per identified parcel or property will be counted for purposes of determining whether there is a majority protest.

**ADDITIONAL INFORMATION:** For additional information and answers to questions about the proposed refuse rate proceeding, contact Bret Harmon, Director of Finance, (559) 562-7102 x 8020, or [bharmon@lindsay.ca.us](mailto:bharmon@lindsay.ca.us).



**EXHIBIT "A"**

<i>Services charges by month unless noted. Does not include City's Utility Users Tax rate of 6.0%. Does not include City's street improvement tax rate of 23.6%.</i>	Present Rates		Proposed Rates			
	7/1/2019	10/9/2019	7/1/2020	7/1/2021	7/1/2022	7/1/2023
<b>RESIDENTIAL REFUSE SERVICE</b>						
Residential - Automated Service 1 X Week	\$18.35	\$20.26	To increase no more than 5% per year (based on CPI-W)			
Residential - Automated With 1 Extra Brown	4.38	4.84	To increase no more than 5% per year (based on CPI-W)			
Residential - Automated With 1 Extra Green	4.38	4.84	To increase no more than 5% per year (based on CPI-W)			
Residential - Automated With 1 Extra Blue	4.38	4.83	To increase no more than 5% per year (based on CPI-W)			
<b>COMMERCIAL REFUSE SERVICE</b>						
Commercial - Automated	\$18.35	\$20.26	To increase no more than 5% per year (based on CPI-W)			
Commercial - Automated - 64 Gal Trash Container	4.38	4.83	To increase no more than 5% per year (based on CPI-W)			
Commercial - 1 Yd 1 X Week	51.15	56.49	To increase no more than 5% per year (based on CPI-W)			
Commercial - 1 Yd 2 X Week	95.04	104.95	To increase no more than 5% per year (based on CPI-W)			
Commercial - 1.5 Yd 1 X Week	63.24	69.84	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 1 X Week	74.56	82.33	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 2 X Week	130.34	143.93	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 3 X Week	181.13	200.04	To increase no more than 5% per year (based on CPI-W)			
Commercial - 2 Yd 5 X Week	311.47	343.97	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 1 X Week	103.48	114.27	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 2 X Week	180.17	198.97	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 3 X Week	252.87	279.25	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 4 X Week	360.34	397.93	To increase no more than 5% per year (based on CPI-W)			
Commercial - 3 Yd 5 X Week	408.33	450.94	To increase no more than 5% per year (based on CPI-W)			
Commercial - 4 Yd 1 X Week	134.42	148.43	To increase no more than 5% per year (based on CPI-W)			
Commercial - 4 Yd 2 X Week	217.68	240.39	To increase no more than 5% per year (based on CPI-W)			
Commercial - 4 Yd 3 X Week	300.13	331.45	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 1 X Week	207.41	229.04	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 2 X Week	360.44	398.05	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 3 X Week	510.75	564.04	To increase no more than 5% per year (based on CPI-W)			
Commercial - 6 Yd 5 X Week	871.21	962.10	To increase no more than 5% per year (based on CPI-W)			
<b>COMMERCIAL RECYCLING SERVICE</b>						
Commercial Recycle - 90 Gallon	\$4.38	\$6.03	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 1 Yd 1 X Week	24.37	35.76	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 1.5 Yd 1 X Week	39.84	44.00	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 2 Yd 1 X Week	35.53	52.11	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 3 Yd 1 X Week	49.31	72.33	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 3 Yd 2 X Week	82.77	121.39	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 4 Yd 1 X Week	90.83	100.30	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 6 Yd 1 X Week	98.89	145.04	To increase no more than 5% per year (based on CPI-W)			
Commercial Recycle - 6 Yd 2 X Week	172.01	252.31	To increase no more than 5% per year (based on CPI-W)			
<b>COMMERCIAL ORGANICS SERVICE</b>						
Commercial Organics - 90 Gallon 1 X Week	new	\$20.13	To increase no more than 5% per year (based on CPI-W)			
Commercial Organics - 90 Gallon 2 X Week	new	35.38	To increase no more than 5% per year (based on CPI-W)			
Commercial Organics - 2 Yd 1 X Week	new	79.30	To increase no more than 5% per year (based on CPI-W)			
Commercial Organics - 2 Yd 2 X Week	new	143.96	To increase no more than 5% per year (based on CPI-W)			
<b>MISCELLANEOUS FEES</b>						
Enclosure Access	new	\$20.00	To increase no more than 5% per year (based on CPI-W)			
Locking Lid Fee	new	25.00	To increase no more than 5% per year (based on CPI-W)			
Push / Pull Charge	new	20.00	To increase no more than 5% per year (based on CPI-W)			
Extra Pick Up per Cubic Yard						
Municipal Solid Waste	new	37.67	To increase no more than 5% per year (based on CPI-W)			
Recycle	new	20.72	To increase no more than 5% per year (based on CPI-W)			
Organics	new	36.13	To increase no more than 5% per year (based on CPI-W)			
<b>ROLL OFF (DROP BOX) SERVICE</b>						
Hauling and Exchange per Box	new	\$214.50	To increase no more than 5% per year (based on CPI-W)			
Delivery Fee per Box	new	38.50	To increase no more than 5% per year (based on CPI-W)			
Tonnage Fee per Ton	new	as billed	as billed	as billed	as billed	as billed



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 8  
FROM: City Manager Bill Zigler

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### AGENDA ITEM

TITLE Conditional Use Permit 19-05 Recycling Center

ACTION Adoption of Resolution No. 19-49 approving Conditional Use Permit 19-05

PURPOSE Discretionary Action

COUNCIL OBJECTIVE(S) Live in a safe, clean, comfortable and healthy environment.  
Nurture attractive residential neighborhoods and business districts.  
Stimulate, attract and retain local businesses.  
Advance economic diversity.

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### RECOMMENDATION

Staff recommends that the City Council approve Site Plan Review No. 19-05 based on the findings and subject to the following conditions, which are included in the attached resolution:

- Operate in accordance with the Site Plan as submitted
  - Operate in accordance with the Operations Statement as submitted
  - A seven-foot-tall screening shall be installed on all four sides of the recycling facility, and shall achieve a screening level of at least 90%. Durable screening materials would be required, subject to the approval of the City Planning Department
  - To ensure a dust-free environment is maintained, the recycling center site shall contain a dust-free drivable surface, as deemed adequate by the San Joaquin Valley Air Pollution Control District
  - Recycling materials collected will be properly stored and removed daily to a sister facility. Under no circumstances would the recycle materials accumulate and/or become a nuisance.
  - Employee restroom access shall be provided by the property owner at the Lindsay Food Mart.
  - Comply with all applicable regulations listed in Chapter 20 of Title 8 of the City of Lindsay Municipal Code
  - Upon approval, compliance with the zoning ordinance and use permit conditions of approval would be reviewed by staff at the following intervals:
    - 6 months
    - 12 months
    - And yearly thereafter
  - Any infractions of the zoning ordinance or use permit conditions or approval would result in the automatic suspension of the use permit and require a review by Council within 30 days where it could revoke the use permit or impose requirements to ensure full compliance
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## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 8  
FROM: City Manager Bill Zigler

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- Any new exterior signs would require separate review and approval by City Staff
- 

### *BACKGROUND | ANALYSIS*

Conditional Use Permit No. 19-05 is a request by Reynaldo Orozco to establish a recycling center at 455 S. Mirage Ave. located in a shopping center at the SW corner of S. Mirage and Elmwood. The portion of this parcel proposed for this project is currently unutilized. The Lindsay General Plan designates the project site for mixed use development, and the site is zoned MXU (Mixed Use), consistent with the General Plan land use designation. The MXU zoning district is intended primarily for application to areas characterized by a mixture of uses that include: residential, commercial, and industrial.

The site is currently developed as a commercial shopping center with Lindsay Food Center adjacent to the proposed project site. The applicant proposes to collect bottles, cans, and plastic containers for recycling. The conditions of approval will ensure the proposed use is compatible with surrounding uses and protect the aesthetics of the site.

### *ALTERNATIVES*

- Deny Conditional Use Permit 19-05
- Approve Conditional Use Permit 19-05 with modified conditions of approval

### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

The site is within a convenient response time of public safety services. Existing water supply and conveyance facilities would provide adequate fire suppression capabilities. The project site is currently served by all City utilities.

### *ENVIRONMENTAL REVIEW*

This project is categorically exempt from CEQA per Article 19, Section 15301 "Existing Facilities".

### *PUBLIC OUTREACH*

Public hearing notice posted in the Porterville Recorder and this agenda. The notice was mailed out to all property owners within 300 feet of the project site.

### *ATTACHMENTS*

- Resolution
-



## RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-49

TITLE **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING  
CONDITIONAL USE PERMIT NO. 19-05, A REQUEST BY REYNALDO OROZCO**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on August 13, 2019 at 6:00PM at 251 E. Honolulu Street, Lindsay, CA 93247.

**WHEREAS**, Conditional Use Permit Application No. 19-05 was filed pursuant to the regulations contained in Ordinance No. 437, the Zoning Ordinance of the City of Lindsay; and

**WHEREAS**, the City Council of the City of Lindsay, after ten (10) days published notice, did hold a public hearing before said Council on April 24, 2018; and

**WHEREAS**, planning staff has prepared necessary investigations and prepared a staff report of information bearing upon the Conditional Use Permit application; and

**WHEREAS**, the project is categorically exempt from the provisions of the California Environmental Quality Act, as a project within existing facilities.

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Article 19, Section §15301.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of Lindsay finds the proposed Conditional Use Permit to be consistent with the provisions of the City of Lindsay Zoning Ordinance (Municipal Code Title 18).

**BE IT FURTHER RESOLVED** The City Council of the City of Lindsay hereby approves the above described Conditional Use Permit application, subject to the following conditions:

- SECTION 1.
- Operate in accordance with the Site Plan as submitted
  - Operate in accordance with the Operations Statement as submitted
  - A seven-foot-tall screening shall be installed on all four sides of the recycling facility, and shall achieve a screening level of at least 90%. Durable screening materials would be required, subject to the approval of the City Planning Department
  - To ensure a dust-free environment is maintained, the recycling center site shall contain a dust-free drivable surface, as deemed adequate by the San Joaquin Valley Air Pollution Control District
  - Recycling materials collected will be properly stored and removed daily to a sister facility. Under no circumstances would the recycle materials accumulate and/or become a nuisance.
  - Employee restroom access shall be provided by the property owner at the Lindsay Food Mart.
  - Comply with all applicable regulations listed in Chapter 20 of Title 8 of the City of Lindsay Municipal Code

RESOLUTION NO. 19-49  
Page 1 of 2



## RESOLUTION OF THE CITY OF LINDSAY

- Upon approval, compliance with the zoning ordinance and use permit conditions of approval would be reviewed by staff at the following intervals:
  - 6 months
  - 12 months
  - And yearly thereafter
- Any infractions of the zoning ordinance or use permit conditions or approval would result in the automatic suspension of the use permit and require a review by Council within 30 days where it could revoke the use permit or impose requirements to ensure full compliance

SECTION 2. This resolution shall be effective immediately upon its approval and adoption.

SECTION 3. The Mayor, or presiding officer, is hereby authorized to affix her/his signature to the Resolution signifying its adoption by the City Council of the City of Lindsay, and the City Clerk, or his duly appointed deputy, is directed to attest thereto.

**PASSED AND ADOPTED** by the City Council of the City of Lindsay as follows:

MEETING DATE	
MOTION	
2 <sup>nd</sup> MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

CERTIFICATION OF THE FOREGOING RESOLUTION AS FULL, TRUE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDSAY AS DETAILED.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 9  
FROM: City Manager Bill Zigler

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### AGENDA ITEM

TITLE	Annexation No. 19-27 and Rezoning No. 19-28: a request by the City of Lindsay for annexation of 110 acres into the City of Lindsay comprised of the City Wastewater Treatment Plant.
ACTION	Initiate Annexation No. 19-27 and approve Rezoning No. 19-28 by adoption of Resolution No. 19-46 and Introduction (first reading) of Ordinance No. 577
PURPOSE	Discretionary Action
COUNCIL OBJECTIVE(S)	Yield a fiscally self-reliant city government while providing effective, basic municipal services.

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### RECOMMENDATION

Staff recommends that City Council initiate Annexation No. 19-27 and approve Rezoning No. 19-28 by adoption of Resolution 19-46 and Introduction (first reading) of Ordinance 577.

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### BACKGROUND | ANALYSIS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act) establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations. The City of Lindsay wishes to initiate proceedings to this Act, commencing with section 5600 of the California Government Code.

There are three parcels (APNs 197-090-017, 153-210-049, & 153-250-001) about a mile and a half west of the City of Lindsay that contain the Lindsay Wastewater Treatment Plan. The City of Lindsay owns these parcels, but they are under County jurisdiction because they are not inside the city limits. The City would like to officially annex the land into the city. As previously stated, the parcels are outside of the city limits and the city's sphere of influence. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, specifically Government Code Section 56742 (a), states that noncontiguous territory not exceeding 300 acres may be annexed into the city when it is located within the same county, is owned by the city, and is being used for municipal purposes. Therefore, the city can legally annex the properties.

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## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 9  
FROM: City Manager Bill Zigler

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Government Code Section 56375(a)(7) requires that applicants to the Local Agency Formation Commission for annexation include rezoning for the territory. The territory will be rezoned with the Resource, Conservation, & Open Space (RCO) zone.

The annexation process involves the following formal steps:

1. The City Council must adopt the project's CEQA document and a resolution that initiates the annexation proceedings. The council must also rezone the sites to be annexed, so that LAFCo and public are made aware of the zoning that will be on the sites once they are annexed.
2. Applications and information are submitted to LAFCo staff, LAFCo holds a hearing and decides on the annexation.
3. Unless waived by LAFCo, another hearing is held by LAFCo to see if any property owners want to protest the annexation. The City resolution includes a request to LAFCo that the protest hearing be waived.
4. After the hearings are completed LAFCo staff records a document that formally brings the properties into the city limits.

### *ALTERNATIVES*

- Approve with modification
- Deny the initiation of the annexation and rezoning
- Instruct Staff to provide additional information

### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

Bringing City-owned property has a number of benefits. When City-owned property is inside its city limits that property is not subject to the payment of property taxes. Also, the City instead of the County would have jurisdiction over zoning, land use regulations, and building code enforcement.

### *ENVIRONMENTAL REVIEW*

A Categorical Exemption has been prepared and adopted in accordance with the California Environmental Quality Act (CEQA)



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 9  
FROM: City Manager Bill Zigler

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### *POLICY ISSUES*

Annexation of the territory is consistent with the General Plan, Lindsay Municipal Code, and the Zoning Ordinance, and would not be detrimental to the public interest, health, safety, convenience, and welfare of the city.

### *PUBLIC OUTREACH*

A notice of this meeting was mailed to adjacent property owners.

### *ATTACHMENTS*

- Resolution initiating the annexation process
- Ordinance rezoning the site to RCO
- Exhibit "A" – legal description of the property to be annexed
- Exhibit "B" - map of property to be annexed



**ORDINANCE NO. 577**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY ADOPTING PREZONE 19-28, PREZONING TERRITORY COMPRISING OF THE CITY WASTEWATER TREATMENT PLANT LOCATED AT A PORTION OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 26 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE IN THE STATE OF CALIFORNIA (APNS 197-090-017, 153-210-049, & 153-250-001)**

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

**ARTICLE 1:** The real property owned by the City of Lindsay, described as follows: Being a portion of the South half of Section 34, Township 19 South, Range 26 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, more particularly described in Exhibit "A" (attached); said area containing approximately 130 acres in area, more or less, shall be and is hereby designated RCO (Resource, Conservation, & Open Space).

**ARTICLE 2:** Government Code Section 56375(a)(7) requires that applicants to the Local Agency Formation Commission for annexation include rezoning of the territory proposed for annexation.

**ARTICLE 3:** This ordinance is consistent with the City of Lindsay General Plan, Lindsay Municipal Code, and the Zoning Ordinance, and would not be detrimental to the public interest, health, safety, convenience, and welfare of the City.

**ARTICLE 4:** A Categorical Exemption has been prepared and adopted in accordance with the California Environmental Quality Act (CEQA)

**ARTICLE 5:** The City Planner of the City of Lindsay is hereby authorized, instructed and directed to make the changes to the official Zoning Map of the City of Lindsay made by Article One of this Ordinance, by outlining the boundaries of the described parcel of the Zoning Map adopted by Ordinance 437 of the City of Lindsay.

**ARTICLE 6:** The official Zoning Map shall be amended to reflect this change upon completion of annexation proceedings.

**ARTICLE 7:** This Ordinance shall be in full force and effect on and after the 30th day after its adoption by the City Council. Within 15 days after its adoption by the City Council, this Ordinance shall be published in full text or in summary in a newspaper of general circulation in the City of Lindsay.

The foregoing ordinance, read by title only with waiving of the reading in full, was introduced at a regularly scheduled meeting on the 23rd day of July 2019.

**APPROVED** at a regular meeting of the City Council held the 13th day of August 2019.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

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Bret Harmon, City Clerk

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Pamela Kimball, Mayor



## STAFF REPORT

TO: City of Lindsay City Council  
DATE: August 13, 2019  
AGENDA #: 10  
FROM: City Manager Bill Zigler

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### AGENDA ITEM

<i>TITLE</i>	Ordinance No. 578 of the Lindsay Zoning Code
<i>ACTION</i>	Request approval of Ordinance No. 578
<i>PURPOSE</i>	Discretionary Action
<i>OBJECTIVE(S)</i>	<ul style="list-style-type: none"><li>• To provide an affordable housing option for residents.</li><li>• To expedite the process for permitting Accessory Dwelling Units.</li></ul>

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### RECOMMENDATION

Staff recommends approval of Ordinance No. 578, an ordinance amending Chapter 18.14, Section 18.14.060 of Title 18 Subdivisions of the Lindsay Zoning Code, replacing the entire chapter (18.14.060) for Secondary Dwelling Units and adding procedures and standards of Accessory Dwelling Units.

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### BACKGROUND | ANALYSIS

Ordinance No. 578 is a request by City Staff to amend Section 18.14.060 of Title 18 Secondary Dwelling Units of the Lindsay Zoning Code. The original ordinance pertains to Secondary Dwellings Units. Although similar, this ordinance will update the Secondary Dwelling Unit section, in order to conform with Government Code Section 65852.2

#### **18.14.060 Accessory Dwelling Units**

- A. **Applicability.** The provisions of this section shall apply to all accessory dwelling units approved on or after the effective date of the ordinance codified in this section. This section provides standards by which the city shall evaluate building permit applications for permitted accessory dwelling units in the UR, RA, R, RM, and PO zoning districts.
- B. **Lot Requirements.** An accessory dwelling unit shall be permitted on a lot or parcel that meets the following:
1. Contains an existing or proposed single-family main dwelling.
  2. Meets the minimum lot size of the applicable zoning district.
  3. Is served by municipal water and sewer service.
  4. Does not currently contain an accessory dwelling unit.
-



## STAFF REPORT

TO: City of Lindsay City Council  
DATE: August 13, 2019  
AGENDA #: 10  
FROM: City Manager Bill Zigler

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- C. Development Standards. All accessory dwelling units shall meet the following standards:
1. Floor Area. An accessory dwelling unit shall not exceed 1,200 square feet of floor area if separated from the existing main dwelling. If attached to the existing main dwelling, the floor area of the accessory dwelling unit also shall not exceed fifty percent of the existing living area of the existing main dwelling. A manufactured home shall not be less than eight feet wide by 40 feet long and 320 square feet in floor area.
  2. Location. An accessory dwelling unit shall be located either to the side or to the rear of the existing single-family residence and shall be either attached to the existing main dwelling or be separated from the existing main dwelling by not less than 10 feet or, alternatively, the separation allowed by the Uniform Building Code, whichever is less.
  3. Owner Occupancy. Either the existing main dwelling or the accessory dwelling unit shall be occupied by the owner of the property. Prior to issuance of a building permit for the accessory dwelling unit, the owner shall record a deed restriction in a form approved by the city that: includes a prohibition on the sale of the accessory dwelling unit separate from the sale of the main dwelling; requires owner occupancy consistent with the above; and restricts the size and attributes of the accessory dwelling unit to those that conform with this section.
  4. Off-Street Parking. If the accessory dwelling unit is to be detached from the main dwelling and the site is more than ½ mile from a public transit stop then one additional parking space is required on the site. The parking space is not required to be covered and may be located in the front yard setback area. The addition of the accessory dwelling unit shall not decrease the amount of existing on-site parking.
  5. Utility Services. Accessory dwelling units shall be provided with water, sewer, and other utilities as determined by the building official. A separate connection from the main dwelling is not required.

### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

The project will streamline the entitlement process The project will not impact city resources.

### *ENVIRONMENTAL REVIEW*

The proposed addition is exempt from the California Environmental Quality Act (CEQA) according to Article 19 §15060(c)(2), §15061(b)(3), and §15378(b)(2).

### *PUBLIC OUTREACH*

Public hearing notice posted in the Porterville Recorder and this agenda.

### *ATTACHMENTS*

Ordinance 578

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## ORDINANCE NO. 578

### AN ORDINANCE AMENDING CHAPTER 18.14 OF TITLE 18 OF THE LINDSAY MUNICIPAL CODE, REMOVING AND ADDING PROCEDURES FOR ACCESSORY DWELLING UNITS

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

**Section 1. PURPOSE.** The ordinance intends to provide standards by which the city shall evaluate building permit applications for permitted accessory dwelling units.

**Section 2. CODE AMENDMENT.** Lindsay Zoning Code Section 18.14.060 of Title 18 is hereby amended to read as follows (the original text of Section 18.14.060, shall be deleted entirely and replaced:

#### **18.14.060 Accessory Dwelling Units**

A. **Applicability.** The provisions of this section shall apply to all accessory dwelling units approved on or after the effective date of the ordinance codified in this section. This section provides standards by which the city shall evaluate building permit applications for permitted accessory dwelling units in the UR, RA, R, RM, and PO zoning districts.

B. **Lot Requirements.** An accessory dwelling unit shall be permitted on a lot or parcel that meets the following:

1. Contains an existing or proposed single-family main dwelling.
2. Meets the minimum lot size of the applicable zoning district.
3. Is served by municipal water and sewer service.
4. Does not currently contain an accessory dwelling unit.

C. **Development Standards.** All accessory dwelling units shall meet the following standards:

1. **Floor Area.** An accessory dwelling unit shall not exceed 1,200 square feet of floor area if separated from the existing main dwelling. If attached to the existing main dwelling, the floor area of the accessory dwelling unit also shall not exceed fifty percent of the existing living area of the existing main dwelling. A manufactured home shall not be less than eight feet wide by 40 feet long and 320 square feet in floor area.
2. **Location.** An accessory dwelling unit shall be located either to the side or to the rear of the existing single-family residence and shall be either attached to the existing main dwelling or be separated from the existing main dwelling by not less than 10 feet or, alternatively, the separation allowed by the Uniform Building Code, whichever is less.

3. Owner Occupancy. Either the existing main dwelling or the accessory dwelling unit shall be occupied by the owner of the property. Prior to issuance of a building permit for the accessory dwelling unit, the owner shall record a deed restriction in a form approved by the city that: includes a prohibition on the sale of the accessory dwelling unit separate from the sale of the main dwelling; requires owner occupancy consistent with the above; and restricts the size and attributes of the accessory dwelling unit to those that conform with this section.

4. Off-Street Parking. If the accessory dwelling unit is to be detached from the main dwelling and the site is more than ½ mile from a public transit stop then one additional parking space is required on the site. The parking space is not required to be covered and may be located in the front yard setback area. The addition of the accessory dwelling unit shall not decrease the amount of existing on-site parking.

5. Utility Services. Accessory dwelling units shall be provided with water, sewer, and other utilities as determined by the building official. A separate connection from the main dwelling is not required.

**Section 3. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical changes in the environment] Section 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemptions, the City Council further finds that the ordinance is exempt from review under CEQA because the ordinance involves continuing administrative activities in accordance with CEQA Guidelines Section 15378(b)(2). The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

**Section 4. NO LIABILITY.** The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Lindsay, or any official, employee or agent thereof.

**Section 5. PENDING ACTIONS.** Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Lindsay hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**Section 7. CONSTRUCTION.** The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent, the provisions of the Lindsay Zoning Code as amended by this ordinance is similar in comparison to the provisions in the Lindsay Zoning Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as a replacement of the earlier provisions.

**Section 8. EFFECTIVE DATE.** The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Porterville Recorder, a newspaper printed and published in the City of Porterville, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Lindsay, State of California, on August 20, 2019, at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

CITY COUNCIL OF THE CITY OF LINDSAY

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

ATTEST:

\_\_\_\_\_  
Bret Harmon, City Clerk



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 11  
STAFF: Director of City Services Mike Camarena

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### AGENDA ITEM

**TITLE** Proclamation Declaring September Railroad Safety Month

**ACTION** Approval of Proclamation Declaring September Railroad Safety Month

**PURPOSE** Council Vision/Priority  
Discretionary Action

**COUNCIL OBJECTIVE(S)** Live in a safe, clean, comfortable and healthy environment.  
Increase our keen sense of identity in a physically connected and involved community.  
Yield a fiscally self-reliant city government while providing effective, basic municipal services.

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### RECOMMENDATION

Staff recommends approval of Proclamation Declaring September Railroad Safety Month

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### BACKGROUND | ANALYSIS

Operation Lifesaver (<https://oli.org/>), a nationwide railroad safety organization, continues to request that all agencies within Tulare County support their initiative of increasing railroad crossing danger awareness. Several agencies will be adopting a Proclamation supporting September as Railway Safety Month.

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. According to Federal Railroad Administration statistics, 2,214 highway-rail grade crossing collisions occurred in 2018. The highest number of highway-rail grade crossing collisions occurred in these states:

RANK	STATE	COLLISIONS	DEATHS	INJURIES
1.	Texas	246	13	113
2.	California	190	39	63
3.	Indiana	150	17	54
4.	Georgia	113	11	38
5.	Illinois	109	17	34

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 11  
STAFF: Director of City Services Mike Camarena

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### **Decline in collisions.**

Operation Lifesaver efforts along with all supporting jurisdictions have helped to reduce the number of train/motor vehicle collisions from a 1972 high of roughly 12,000 annual incidents to 2,214 incidents in 2018.

### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

None

### *ENVIRONMENTAL REVIEW*

None necessary

### *POLICY ISSUES*

None

### *PUBLIC OUTREACH*

Posted in this agenda

### *ATTACHMENTS*

- Proclamation Declaring September Railroad Safety Month

### *VIDEO PRESENTATIONS*

- Find the Blue and White Sign, Public Service Announcement (:15 duration)
- Emergency Notification System (7:00 duration)



# Proclamation

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Pam Kimball, Mayor

Whereas, The State of California is a leader in supporting safety programs at rail grade crossings.

Whereas, During 2018 there were 2,214 highway-rail grade crossing related collisions nationwide resulting in 270 deaths and 819 injuries and there were 190 highway-rail grade crossing incidents in the State of California with 39 fatalities.

Whereas, Such crossing crashes are more severe than highway collisions and are more likely to result in death and severe injury.

Whereas, Many of these crashes could have been prevented by increased public awareness of the crossing dangers and the appropriate driving safety laws.

Whereas, Operation Lifesaver is the foremost public information and education program dedicated to preventing grade crossing crashes.

Whereas, For the month of September and reaffirmed all Septembers following, all citizens are encouraged to observe added caution when approaching grade crossings

Whereas, This important observance should lead to greater safety awareness and a reduction in rail grade crossing collisions..

Now, therefore, the City of Lindsay hereby proclaims that September is Rail Safety Month and encourages all citizens to participate in activities to reduce trespass casualties and crossing collisions.

In Witness Whereof, I hereby set my hand and caused the Seal of the City of Lindsay to be affixed on this 13th day of August 2019.

City Council of the City of Lindsay

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Pamela Kimball, Mayor



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 12  
STAFF: City Manager Bill Zigler

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### AGENDA ITEM

<i>TITLE</i>	Housing Element Draft
<i>ACTION</i>	Review and comment on Draft; direct staff to post for public review and comment
<i>PURPOSE</i>	Council Vision/Priority
<i>COUNCIL OBJECTIVE(S)</i>	Nurture attractive residential neighborhoods and business districts; Dedicate resources to retain a friendly, small-town environment; Increase our keen sense of identity in a physically connected and involved community

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### RECOMMENDATION

Staff is presenting this information for Council review and comment and recommends releasing the document for public review and comment as soon as possible. Formal action by Council on the Element is anticipated in December, after completion of other required General Plan Elements, further public review and comment, and preparation of required environmental review documents.

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### BACKGROUND | ANALYSIS

The current Element was last updated and accepted by the state in 2017, two years past the state-mandated review period. That Element is considered by the State to be a 2015 Element. The State is now requiring a four-year revision period for the City, beginning in 2015 and ending in 2019. After this update, the Element will next need to be updated in 2023. State law also requires the City to revise other portions of its General Plan at the same time as the Housing Element update. This includes:

- Environmental Justice Element (a new element required by State law)
- Land Use Element (minor revisions to existing Community Development Element, to reflect environmental justice concerns)
- Safety Element (a total revision of the existing 1989 Safety Element)

Work on these other Elements is well underway and will be released for Council and public review and input in the next few months. This work incorporates results from past community input, staff knowledge of current community issues, and will address significant State legal requirements.

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 12  
STAFF: City Manager Bill Zigler

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### *ALTERNATIVES*

- Comment and review; direct staff to make available for public comment and review
- Suggest changes prior to releasing for public comment and review

### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

With this action, staff will continue its process in developing the Housing Element of the General Plan. After receiving and responding to feedback from Council, affected entities and agencies, and the public, staff will present the Element for formal Council action in December.



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 13  
STAFF: City Manager Bill Zigler

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### AGENDA ITEM

TITLE	Appointment of City Clerk
ACTION	Resolution 19-47
PURPOSE	Council Vision/Priority
COUNCIL OBJECTIVE(S)	Build a fiscally self-reliant city government while providing effective, basic municipal services.

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### RECOMMENDATION

The City Manager respectfully recommends the City Council approve Resolution 19-47 appointing Jack Urquhart as City Clerk.

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### BACKGROUND | ANALYSIS

Section 5.01 of the City Charter states that the City Manager shall recommend the person to be appointed as the City Clerk and the Council shall make the appointment.

Bret Harmon currently serves as the City Clerk. He is also the Director of Finance. He will become the interim City Manager on September 1, 2019. Bret Harmon will maintain the Director of Finance role while serving as Interim City Manager. It would be appropriate to relieve Bret Harmon of his City Clerk duties considering the additional responsibility he will be undertaking.

The City Manager recommends Jack Urquhart, who presently serves as the Deputy City Clerk, become the City Clerk. He has proven capable and ready to assume the role of City Clerk.

For Council information, Bret Harmon will assume the role of Deputy City Clerk to ensure there is an authorized individual to attest to resolutions, ordinances and other documents if the City Clerk is away from the office.

### ALTERNATIVES

- Appoint Jack Urquhart as City Clerk
  - Do not appoint Jack Urquhart as City Clerk (Bret Harmon would continue as City Clerk)
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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: August 13, 2019  
AGENDA #: 13  
STAFF: City Manager Bill Zigler

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### *BENEFIT TO OR IMPACT ON CITY RESOURCES*

The City will benefit from not hiring a new individual for the position of City Clerk.

### *ENVIRONMENTAL REVIEW*

Appointment of a City Clerk is considered an administrative activity by a governmental agency and does not constitute a “project” pursuant to Section 15378(b)(2) of the CEQA’s Guidelines and therefore is exempt from CEQA review.

### *POLICY ISSUES*

The City Council is vested with the sole authority to appoint the City Clerk.

### *PUBLIC OUTREACH*

Posted in this agenda.

### *ATTACHMENTS*

- Resolution 19-47



# RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-47

TITLE **APPOINTMENT OF JACK URQUHART AS CITY CLERK PURSUANT TO CITY OF LINDSAY CHARTER ARTICLE V SECTION 5.01**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on August 13, 2019 at 6:00PM at 251 E. Honolulu Street, Lindsay, CA 93247.

**WHEREAS**, according to Article V Section 5.01 of the City Charter of the City of Lindsay, the City Manager shall recommend the person to be appointed City Clerk and the Council shall appoint.

**WHEREAS**, the City Manager recommends Jack Urquhart become City Clerk.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINDSAY DOES HEREBY RESOLVE AS FOLLOWS:**

- SECTION 1. Jack Urquhart is appointed to the position of City Clerk pursuant to City of Lindsay Charter Article V Section 5.01.
- SECTION 2. The effective date of the appointment will be August 13, 2019.
- SECTION 3. This resolution shall be effective immediately upon its approval and adoption.
- SECTION 4. The Mayor, or presiding officer, is hereby authorized to affix her/his signature to the Resolution signifying its adoption by the City Council of the City of Lindsay, and the City Clerk, or his duly appointed deputy, is directed to attest thereto.

**PASSED AND ADOPTED** by the City Council of the City of Lindsay as follows:

MEETING DATE	
MOTION	
2 <sup>nd</sup> MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

CERTIFICATION OF THE FOREGOING RESOLUTION AS FULL, TRUE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDSAY AS DETAILED.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor