



LINDSAY CITY COUNCIL REGULAR MEETING MINUTES

Lindsay Council Chambers
251 E Honolulu St., Lindsay CA 93247

Tuesday, August 27, 2024
6:00 p.m. – Regular Meeting

Proper notice of this meeting was given pursuant to Government Code Section 54954.2 and 54956.

STAFF PRESENT: City Manager Daymon Qualls, City Attorney Megan Crouch^(zoom), City Clerk Maegan Peton, Acting Director of Public Safety Ryan Heinks, Director of Finance Lacy Meneses, City Services Manager Joseph Avina, and Director of Recreation Services Armando da Silva.

6:00 p.m. – REGULAR MEETING

1. CALL TO ORDER

Mayor Serna called to order the regular meeting of the Lindsay City Council at 6:00 p.m. in the Council Chamber located at 251 E. Honolulu St.

2. ROLL CALL

Council Present: Mayor Serna
Mayor Pro Tem Yolanda Flores
Councilmember Hipolito Cerros
Councilmember Rosaena Sanchez
Councilmember Misty Villarreal

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Councilmember Villarreal and an invocation was given by Pastor Josh Treadway of the Harvest Center.

4. APPROVAL OF AGENDA

It was motioned by Councilmember Cerros, seconded by Councilmember Sanchez, and unanimously carried to approve the agenda.

5. PUBLIC COMMENT

Eric Coyne, representative from Senator Hurtado's office, provided legislative updates. Henry Villanueva encouraged City staff to revitalize the 9/11 mural.

6. COUNCIL REPORT

Councilmember Villarreal advised she attended the Bella Me Esthetics grand opening.

Mayor Pro Tem Flores advised she attend the East Kaweah Groundwater Sustainability Agency Meeting and provided a quick update thereto.

Councilmember Cerros advised he attended the Bella Me Esthetics grand opening and the Economic Development Committee meeting and there would be a report provided at a later date.

Councilmember Sanchez advised she had nothing to report.

Mayor Serna advised he attended the Visalia Rawhide baseball game, the Bella Me Esthetics grand opening, the Save the Children event, and a Kiwanis meeting.

7. **CITY MANAGER REPORT**

The City Manager reported on recent events and items of interest.

8. **STAFF UPDATES**

City staff provided updates for Council review.

9. **CONSENT CALENDAR**

It was motioned by Councilmember Cerros, seconded by Mayor Serna and unanimously carried to approve the items on the Consent Calendar as presented.

9.1 **Waive the Reading of Ordinance and Approve by Title Only.**

Action & Recommendation: Approve the reading by title only of all ordinances and that further reading of such ordinances be waived.

Submitted by: Maegan Peton, City Clerk

9.2 **Minutes of the Regular and/or Special Meeting of August 13, 2024.**

Action & Recommendation: Approve as submitted.

Submitted by: Maegan Peton, City Clerk

9.3 **Warrant List for August 5, 2024 through August 18, 2024.**

Action & Recommendation: Accept the Warrant List for transaction dates of August 5, 2024 through August 18, 2024.

Submitted by: Lacy Meneses, Director of Finance

10. **PUBLIC HEARINGS**

10.1 **Conditional Use Permit 24-02 Recycling Collection Center.**

Action & Recommendation: Approve Resolution 24-29 approving Conditional Use Permit No. 24-02 for a recycling center at 455 N. Mirage (APN 205-220-007).

Submitted by: Kira Stowell, Senior Planner for QK, Inc.

Public Hearing Open: The Public Hearing opened at 6:34 p.m.

Public Comment: Public comment was provided by Henry Villanueva asking for staff to ensure the project is needed and Mercy Herrera who stated she supported a recycling center in its proposed location.

Public Hearing Closed: The Public Hearing closed at 6:36 p.m.

Council Action: It was motioned by Councilmember Villarreal, seconded by Mayor Pro Tem Flores, and carried 4 to 1 (Councilmember Cerros abstained) to approve the item as presented.

11. **ACTION ITEMS**

11.1 **Award Contract for the Construction of the Olive Bowl/Kaku Park Expansion – Phase 12 Project.**

Action & Recommendation: Award and authorize the Mayor or Mayor Pro Tem to sign a contract with the lowest responsible bidder, Unified Field Management Services of Bakersfield, CA in the amount of \$7,798,767.55 for the construction of the City of Lindsay Olive Bowl/Kaku Park Expansion – Phase 1 Project; and authorize staff to value engineer the remaining phases of the project

Submitted by: Neyba Amezcua, Principal Project Manager-QK, Inc.

Public Comment: There were no public comments.

Council Action: It was motioned by Councilmember Cerros, seconded by Mayor Serna, and unanimously carried to approve the item as presented.

11.2 Purchase of a Prefabricated Restroom/Concession/Storage Building for the Olive Bowl/Kaku Park Renovation Project.

Action & Recommendation: Approve the purchase of a 24 X 40 prefabricated restroom/concession/storage building from Structure Cast of Bakersfield, CA for \$551,814 for the Olive Bowl/Kaku Park Renovation Project; and authorize the Mayor or Mayor Pro Tem to execute all related purchase documents.

Submitted by: Neyba Amezcua, Principal Project Manager-QK, Inc.

Public Comment: There were no public comments.

Council Action: It was motioned by Councilmember Cerros, seconded by Councilmember Sanchez, and unanimously carried to approve the item as presented.

11.3 GameTime Grant Funding and Purchase of Playground Equipment.

Action & Recommendation: Staff recommends that the City Council take the following actions:

- 1. Acknowledge the Grant:** Formally acknowledge the receipt of the grant award, which will fund the purchase of recreational equipment from GameTime.
- 2. Authorize the Purchase:** Authorize the City Manager to proceed with the purchase of the specified equipment through GameTime, in accordance with the grant terms.
- 3. Waive the bidding requirements due to GameTime pricing through OMNIA** – a Public Sector Program and a State of California Leveraged Procurement Agreement No. 4-20-00-0092B

Submitted by: Neyba Amezcua, Principal Project Manager-QK, Inc

Public Comment: There were no public comments.

Council Action: It was motioned by Councilmember Cerros, seconded by Mayor Pro Tem Flores, and unanimously carried to acknowledge the grant; authorize the City Manager to proceed with the purchase of the specified equipment; and waive the bidding requirements due to GameTime pricing through Omnia.

11.4 Award Contract for the Construction of the Tulare Road & Foothill Avenue Intersection and Pavement Rehabilitation Improvements Project.

Action & Recommendation: Award and authorize the Mayor or Mayor Pro Tem to sign a contract with the lowest responsible bidder, MAC General Engineering of Exeter, CA in the amount of \$1,814,791.67 for construction of the Tulare Road & Foothill Avenue Intersection and Pavement Rehabilitation Improvements Project

Submitted by: Neyba Amezcua, Principal Project Manager-QK, Inc

Public Comment: There were no public comments.

Council Action: It was motioned by Councilmember Sanchez, seconded by Councilmember Villarreal, and unanimously carried to approve the item as presented.

11.5 Extra Work Authorization for QK, Inc. for Construction Management Services.

Action & Recommendation: Authorize the Mayor or Mayor Pro Tem to execute an Extra Work Authorization with the City's contract City Engineer firm QK, Inc., in an amount not to exceed \$129,700 for construction management services for the Tulare Road & Foothill Avenue Intersection and Pavement Rehabilitation Improvement Project.

Submitted by: Joseph Avina, Acting Director of City Services

Public Comment: There were no public comments.

Council Action: It was motioned by Councilmember Sanchez, seconded by Councilmember Cerros, and unanimously carried to approve the item as presented.

11.6 Award Contract for the Installation of a Programmable Logic Controller (PLC) System at the Water Treatment Plant and at the Canal Intake.

Action & Recommendation: Award and authorize the Mayor or Mayor Pro Tem to sign a contract with the lowest responsible bidder, Telstar Instruments of Hanford, CA in the amount of \$80,973 for installation of a Programmable Logic Controller (PLC) system at the Water Treatment Plant and at the canal intake

Submitted by: Neyba Amezcua, Principal Project Manager-QK, Inc.

Public Comment: There were no public comments.

Council Action: It was motioned by Councilmember Sanchez, seconded by Mayor Pro Tem Flores, and unanimously carried to approve the item as presented.

11.7 Annual Enterprise Pavement Impact Cost Reimbursement Study.

Action & Recommendation: Accept and adopt the Annual Enterprise Pavement Impact Cost Reimbursement Study to take effect concurrently with the implementation of the new Water & Sewer Rates.

Submitted by: Neyba Amezcua, Principal Project Manager-QK, Inc.

Public Comment: There were no public comments.

Council Action: It was motioned by Councilmember Cerros, seconded by Councilmember Sanchez, and unanimously carried to approve the item as presented.

11.8 2024 Water and Wastewater Rate Study and Discussion Regarding Initiation of Proposition 218 Process.

Action & Recommendation: Staff recommends that the City Council take the following actions:

1. Receive the Water and Sewer Rate Draft Study Report prepared by Bartle Wells and Associates
2. Provide direction on the recommended rate adjustments for the Water Enterprise Fund
3. Provide direction on the recommended rate adjustments for the Wastewater Enterprise Fund
4. Authorize Resolution No. 24-30 setting a Proposition 218 Public Hearing date where the recommended rate adjustments will be considered for adoption
5. Authorize staff to send a Notice of Public Hearing to City of Lindsay water and wastewater customers

Submitted by: Lacy Meneses, Director of Finance
Neyba Amezcua, Principal Project Manager-QK, Inc.
Erik Helgeson, Bartle Wells Associates

Public Comment: There were no public comments.

Council Action: For action 1, it was motioned by Mayor Serna, seconded by Councilmember Sanchez, and unanimously carried to receive the Water and Sewer Rate Draft Study Report as presented.

For action 2, it was motioned by Councilmember Villarreal, seconded by Mayor Pro Tem Flores, and unanimously carried to move forward with option number two for the Water Enterprise Fund.

For action 3, it was motioned by Councilmember Cerros, seconded by Mayor Serna, and unanimously carried to move forward with option number two for the Wastewater Enterprise Fund.

For action 4, it was motioned by Councilmember Cerros, seconded by Councilmember Sanchez, and unanimously carried to authorize Resolution No. 24-30 setting a Proposition 218 Public Hearing date where the recommended rate adjustments will be considered for adoption.

For action 5, it was motioned by Councilmember Cerros, seconded by Councilmember Sanchez, and unanimously carried to authorize staff to send a Notice of Public Hearing to City of Lindsay Water and Wastewater customers.

11.9 Designation of League of California Cities Voting Delegate and Alternate(s).

Action & Recommendation: Designate a voting delegate and alternate(s) for the 2024 League of California Cities Annual Conference scheduled for October 16-18, 2024; and direct staff to submit the choice of delegates using the online submission portal.

Submitted by: Maegan Peton, City Clerk and Assistant to the City Manager

Public Comment: There were no public comments.

Council Action: It was motioned by Mayor Serna, seconded by Councilmember Sanchez, and unanimously carried to designate Councilmember Cerros as the voting delegate and Mayor Serna as the alternate for the League of California Cities Annual Conference General Assembly.

12. EXECUTIVE (CLOSED) SESSION

Council adjourned to closed session at 8:29 p.m.

Public Employment

Pursuant to Cal Gov. Code § 54957

Title: Director of Public Safety

Conference with Legal Counsel – Existing Litigation

Pursuant to Cal Gov. Code § 54956.9

City of Lindsay v. SQM North America, CASE NO. 1:11-cv-00046-DAD-EPG, Eastern District of California.

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation

Pursuant to § 54956.9(b): 1 Case

Council adjourned from closed session at 8:48 p.m.

EXECUTIVE (CLOSED) SESSION REPORT

City Attorney Megan Crouch advised there was no reportable action.

13. REQUEST FOR FUTURE ITEMS

Councilmember Cerros requested the Council consider an item for the City to establish a mobile app for the purpose of communication. There was no consensus to move forward with this item.

Councilmember Cerros requested the Council consider an item for a newsletter to be sent out and/or collaboration with the schools, for the purpose of communication. There was no consensus to move forward with the newsletter. Council provided consensus to discuss collaboration with the school district.

Councilmember Cerros requested the Council reconsider an item to move refuse charges from the tax roll to a month-to-month basis. There was no consensus to move forward with this item.

Councilmember Cerros requested that the minutes reflect more specifics on the Council Report section on the agenda and received consensus.

14. ADJOURNMENT

The regular meeting was adjourned at 8:53 p.m.

Approved by Council: September 10, 2024.

Ramiro Serna, Mayor Pro Tem

ATTEST:

Maegan Peton, City Clerk

The next Regular Meeting of the Lindsay City Council is scheduled to be held on [Click or tap to enter a date..](#)