



# LINDSAY CITY COUNCIL REGULAR MEETING AGENDA

City Hall, 251 E. Honolulu St., Lindsay, CA 93247

Notice is hereby given that the Lindsay City Council will hold a Regular Meeting on June 22, 2021 at 5:30pm in person and via webinar. The webinar address for members of the public is [https://www.bigmarker.com/griswold\\_lasalle/June-22-2021-Lindsay-Council-Meeting](https://www.bigmarker.com/griswold_lasalle/June-22-2021-Lindsay-Council-Meeting).

Persons with disabilities who may need assistance should contact the City Clerk at least 24 hours prior to the meeting at (559) 562-7102 ext. 8011 or via email at [lindsay.cityclerk@lindsay.ca.us](mailto:lindsay.cityclerk@lindsay.ca.us).

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE**

Led by Councilmember CERROS.

4. **APPROVAL OF AGENDA**
5. **EXECUTIVE (CLOSED) SESSION**

- 5.1 Government Code Section 54957.6. Negotiating Parties: Joseph M. Tanner (City Manager), Mario Zamora (City Attorney); Mari Carrillo (Human Resources Manager).

Conference with Labor Negotiators:

LPOA UNION EMPLOYEES  
MISCELLANEOUS UNION EMPLOYEES  
ASSISTANT TO THE CITY MANAGER / CITY CLERK  
HUMAN RESOURCES MANAGER  
RECREATION 1  
CITY MANAGER  
FINANCE DIRECTOR  
ADMINISTRATIVE SUPERVISOR  
PUBLIC SAFETY LIEUTENANT  
CITY SERVICES ASSISTANT DIRECTOR  
BUILDING INSPECTOR  
DIRECTOR OF CITY SERVICES  
RECREATION-LIFEGUARD  
RECREATION SERVICES DIRECTOR  
PART TIME ADMIN SECRETARY  
INTERN / SEASONAL

## 6. PRESENTATIONS

### 6.1 Tulare County Economic Development Corporation (EDC) Update

*Presented by Nathan Ahle, President & CEO*

## 7. PUBLIC COMMENT

The public is invited to comment on any subject under the jurisdiction of the Lindsay City Council. Please note that speakers that wish to comment on a Regular Item or Public Hearing on tonight's agenda will have an opportunity to speak when public comment for that item is requested by the Mayor. Comments shall be limited to three (3) minutes per person, with thirty (30) minutes for the total comment period, unless otherwise indicated by the Mayor. The public may also choose to submit a comment before the meeting via email. Public comments received via email will be distributed to the Council prior to the start of the meeting and incorporated into the official minutes; however, they will not be read aloud.

Under state law, matters presented under public comment cannot be acted upon by the Council at this time.

## 8. COUNCIL REPORT

## 9. CITY MANAGER REPORT

## 10. CONSENT CALENDAR

Routine items approved in one motion unless an item is pulled for discussion.

10.1 Minutes from June 8, 2021 City Council Regular Meeting (pp. 4-8)

10.2 Warrant List for June 1, 2021 – June 13, 2021 (p. 9-12)

10.3 Consider Approval of **Resolution 21-27** Authorizing Adjustments to the Fiscal Year 2021-2022 Salary Schedule to Reflect State-Mandated Minimum Wage Increase Effective January 1, 2021 and Authorizing Retroactive Pay Disbursements for the period of January 1, 2021 through June 30, 2021; Citywide Two-Percent Increase Effective July 1, 2021; State-Mandated Minimum Wage Increase Effective January 1, 2022 and Citywide Three-Percent or Seventy-Five Cents Increase Effective January 1, 2022; Compliance with Public Employees' Retirement Law Government Code Section 20636; and Approving Step Structure for Executive Positions and Citywide Single Tier Step Structure (pp. 13-20)

10.4 Consider Approval of **Resolution 21-28** Approving the City of Lindsay's Participation in the Employment Risk Management Authority (ERMA) and Authorizing the City Manager to Execute Documents Thereto (pp. 21-23)

## 11. ACTION ITEMS

11.1 Consider Approval of **Resolution 21-29** Granting Preliminary Approval of Engineer's Report for Fiscal Year 2021-2022 for Landscape and Lighting Maintenance Districts; and **Resolution 21-30** Declaring its Intention to Levy and Collect Assessments for Fiscal Year

2021-2022 Landscape & Lighting Maintenance Assessment Districts, Declaring the Work to be of More than Local or Ordinary Public Benefit, Specifying the Exterior Boundaries of the Areas within the Landscape Maintenance Districts to be Assessed and the Cost and Expense Thereof, Designating Said Districts as Landscape & Lighting Maintenance Districts, Determining that these Proceedings Shall be Taken Pursuant to the Landscaping and Lighting Act of 1972, and Offering a Time and Place for Hearing Objections Thereto (pp. 24-41)

*Presented by Neyba Amezcua, Assistant Director of City Services*

11.2 Consider Approval of Memorandum of Understanding by and between the City of Lindsay and the County of Tulare for the Application, Acceptance, and Disbursement of State Department of Housing and Community Development Grant Funding and Authorizing City Manager to Execute Documents Thereto (pp. 42-47)

*Presented by Mayra Espinoza-Martinez, City Clerk*

## **12. REQUEST FOR FUTURE ITEMS**

## **13. ADJOURNMENT**

Lindsay City Council meetings are held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00 P.M. on the second and fourth Tuesday of every month unless otherwise noticed. Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection in the office of the City Clerk during normal business hours. Complete agenda is available at [www.lindsay.ca.us](http://www.lindsay.ca.us). In compliance with the Americans with Disabilities Act & Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the office of the Deputy City Clerk at (559) 562-7102 x 8025. Notification 48 hours prior to the meeting will enable the City to ensure accessibility to this meeting and/or provision of an alternative format of the agenda and documents in the agenda packet.



**LINDSAY CITY COUNCIL  
REGULAR MEETING AGENDA  
MINUTES**

City Hall, 251 E. Honolulu St., Lindsay, CA 93247

Notice is hereby given that the Lindsay City Council will hold a Regular Meeting on June 8, 2021 in person and via webinar. The webinar address for members of the public is [https://www.bigmarker.com/griswold\\_lasalle/June-8-2021-Lindsay-Council-Meeting](https://www.bigmarker.com/griswold_lasalle/June-8-2021-Lindsay-Council-Meeting).

Persons with disabilities who may need assistance should contact the City Clerk at least 24 hours prior to the meeting at (559) 562-7102 ext. 8011 or via email at [lindsay.cityclerk@lindsay.ca.us](mailto:lindsay.cityclerk@lindsay.ca.us).

**1. CALL TO ORDER**

**2. ROLL CALL**

<b>Present</b>	Mayor Pro Tem FLORES Mayor CAUDILLO Councilmember CERROS** Councilmember SANCHEZ
<b>Absent with Notice</b>	Councilmember SERNA
<b>Absent</b>	N/A

\*\*Councilmember Cerros joined via webinar.

**3. PLEDGE**

Led by Mayor CAUDILLO.

**4. APPROVAL OF AGENDA**

<b>Motion to Approve Agenda</b>							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
FLORES	CAUDILLO	(4-0) Approved	Absent	Aye	Aye	Aye	Aye

**5. PUBLIC COMMENT**

- Lali Moheno extended an invitation to council to attend scheduled meetings regarding the 2021 Advisory Commission on Supervisorial Redistricting. The process is ongoing. Lindsay is part of District 1 under Supervisor Larry Micari. The District 1 informational meeting will be held on June 17<sup>th</sup> at a location to be determined.
- Jessica Nardiello is a senior at UC Santa Barbara studying Feminist Studies and a community organizer. She spoke as part of the LGBTQ community in Lindsay and expressed support for the

Proclamation on tonight's agenda. Ms. Nardillo spoke of past experiences of intolerance in Lindsay and asked that the City consider holding a Pride Flag raising ceremony.

## 6. **COUNCIL REPORT**

- Mayor CAUDILLO shared Lindsay Healthy Start Family Resource Center updates; offerings include several recreation and informational classes. Kaweah Delta Hospital Health Navigator Program offers dietary and health/wellness programs for the uninsured. The Sequoias Adult Education Consortium help adults continue their education, obtain their diplomas or high school equivalency. The Mayor shared reports from the most recent EKGSA and Tech meetings; farm recharge policies and projects were discussed; allocation, monitoring, and metering for large ag areas. On June 7<sup>th</sup>, the Mayor, City Manager, and Director of City Services met with CalTrans to discuss the Highway 65 re alignment process, they are hoping for more information in August. CalTrans is offering a litter program under the Clean California Project; there are available entry level positions for this clean up program along Highway 65; CalTrans is also looking to hire artists to participate in a graffiti abatement program.

## 7. **CITY MANAGER REPORT**

- CITY MANAGER reported regarding monthly city managers' meeting; County is looking into high speed broadband internet project. If there's an opportunity for Lindsay to get involved, it will be presented to Council for consideration.
- Next week, GoBIZ economic development team will be coming to Tulare County; City Manager will be in attendance.
- Dollars for Scholars and Lindsay's Got Talent events are coming up, along with ongoing vaccination efforts.

## 8. **RECOGNITION ITEMS**

8.1 Proclamation Recognizing June 2021 as LGBTQ Pride Month (p. 4)

## 9. **CONSENT CALENDAR**

Routine items approved in one motion unless an item is pulled for discussion.

9.1 Minutes from May 25, 2021 City Council Regular Meeting (pp. 5-10)

9.2 Warrant List for May 19, 2021 through May 31, 2021 (p. 11)

9.3 Treasurer's Report for May 2021 (p. 12)

9.4 Consider Approval of **Resolution 21-17.5**, Declaring Its Intention to Levy for Annual Billings for City of Lindsay Sewer Services, and Setting a Public Hearing for July 27, 2021 (pp. 13-71)

9.5 Consider Approval of **Resolution 21-18**, Declaring Its Intention to Levy for Annual Billings for Mid-Valley Disposal, LLC Solid Waste Refuse Services, and Setting a Public Hearing for July 27, 2021 (p. 72-129)

9.6 Consider Approval of **Resolution 21-19**, Declaring Its Intention to Add Delinquent Charges for Sewer, Refuse, and Water Collection Services to the Tax Roll and to Set a Public Hearing for any Protest on July 27, 2021 (pp. 130-152)

- 9.7 Consider Approval of **Resolution 21-20**, Authorizing the City Manager to Execute an Agreement with the Tulare County Association of Government (TCAG) for the Purpose of Funding the Pedestrian Pathways Program Study (pp. 153-158)
- 9.8 Consider Approval of **Resolution 21-21**, Authorizing the City Manager to Execute an Agreement with the Tulare County Association of Government (TCAG) for the Purpose of Funding the Linda Vista Loop Pedestrian Project (pp. 159-163)
- 9.9 Consider Authorization to Bid Seal & Cape Seal Projects for Fiscal Years 2020-2021 & 2021-2022 (pp. 164-166)
- 9.10 Consider Approval of Job Descriptions for Executive Assistant/Deputy City Clerk and Records/IT Clerk Positions (pp. 167-174)
- 9.11 Consider the Approval of **Resolution 21-25** Authorizing Staff to Submit a Claim to Tulare County Association of Governments (TCAG) for Excess Local Transportation Funds for Fiscal Year 2020-2021 (pp. 175-178)

Motion to Approve Consent Calendar							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CAUDILLO	SANCHEZ	(4-0) Approved	Absent	Aye	Aye	Aye	Aye

- Councilmember SANCHEZ had a question regarding sewer service addresses listed in the exhibit to Item 9.4. CITY CLERK explained that the addresses listed in this exhibit are not delinquent; they are sewer account holders that will be receiving the notice regarding the change to billing procedures.

**10. ACTION ITEMS**

- 10.1 Consider Authorization for City Manager to Execute an Agreement Between the City of Lindsay and Lindsay Unified School District for a School Resource Officer (pp. 179-199)  
*Presented by Joseph Tanner, City Manager*

Motion to Approve Item 10.1							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
FLORES	SANCHEZ	(4-0) Approved	Absent	Aye	Aye	Aye	Aye

- Councilmember CERROS asked whether the SRO would have weapons or look like any other police officer. Lt. HEINKS responded that the SRO is currently Officer Adriana Nave; outfitted the same as any other public safety officer. The program has been operational and had great success over the last 10 years. Councilmember CERROS asked what kind of services the SRO would provide; is it just for protection or are there any sorts of classes or instruction offered to youth? Lt. HEINKS responded that Officer Nave is there as a first responder, also mentors youth, and serves as a nexus between the Public Safety Department and the school district.

10.2 Consider the Approval of **Resolution 21-22** (Centro Cristiano, La Puerta Abierta); **Resolution 21-23** (Lindsay Cultural Arts Council/Fire Museum); and **Resolution 21-24** (Foothill Rotary of Lindsay) for Temporary Use Permit(s) to Operate a Temporary Fireworks Sales Stand (pp. 200-215)

*Presented by Edward Real, Assistant City Planner*

<b>Motion to Approve Resolution 21-22</b>							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
SANCHEZ	CAUDILLO	(4-0) Approved	Absent	Aye	Aye	Aye	Aye

<b>Motion to Approve Resolution 21-23</b>							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CAUDILLO	SANCHEZ	(4-0) Approved	Absent	Aye	Aye	Aye	Aye

<b>Motion to Approve Resolution 21-24</b>							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CAUDILLO	SANCHEZ	(4-0) Approved	Absent	Aye	Aye	Aye	Aye

## 11. PUBLIC HEARINGS

11.1 Consider Approval of **Resolution 21-26** Adopting the Fiscal Year 2021-2022 Operating Budget and the Fiscal Years 2022-2026 Five-Year Capital Improvement Plan (pp. 216-304)

*Presented by Juana Espinoza, Director of Finance*

<b>Motion to Approve Resolution 21-26</b>							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	CAUDILLO	(4-0) Approved	Absent	Aye	Aye	Aye	Aye

- Mayor CAUDILLO asked about Wellness Center revenue and the amount of shortfall this last year. DIRECTOR responded that the numbers presented are based on actual numbers instead of projections.
- Mayor CAUDILLO opened the public hearing at 6:41pm. Receiving no public comment, Mayor CAUDILLO closed the public hearing at 6:41pm.

## **12. REQUEST FOR FUTURE ITEMS**

- None.

## **13. ADJOURNMENT**

Lindsay City Council meetings are held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00 P.M. on the second and fourth Tuesday of every month unless otherwise noticed. Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection in the office of the City Clerk during normal business hours. Complete agenda is available at [www.lindsay.ca.us](http://www.lindsay.ca.us). In compliance with the Americans with Disabilities Act & Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the office of the Deputy City Clerk at (559) 562-7102 x 8025. Notification 48 hours prior to the meeting will enable the City to ensure accessibility to this meeting and/or provision of an alternative format of the agenda and documents in the agenda packet.



Check#	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>\$ 416,679.85</b>
<b>18877</b>						<b>\$1,910.13</b>
	101 - GENERAL FUND	06/02/21	4259	AAA TRUCK SERVICE I	LIC1300058 REPAIR P	1,910.13
<b>18878</b>						<b>\$1,266.37</b>
	101 - GENERAL FUND	06/02/21	6591	ADVANCED EQUIPMENT	SWEEPSTER-MAINT	848.13
	552 - WATER	06/02/21	6591	ADVANCED EQUIPMENT	BACKHOE-REPAIR	418.24
<b>18879</b>						<b>\$6.14</b>
	101 - GENERAL FUND	06/02/21	6362	AMERICAN BUSINESS M	TONER	6.14
<b>18880</b>						<b>\$782.20</b>
	101 - GENERAL FUND	06/02/21	6600	AMERICAN HERITAGE L	ACCIDENT PLAN -JUNE	782.20
<b>18881</b>						<b>\$6,699.18</b>
	101 - GENERAL FUND	06/02/21	3898	AMERICAN INCORPORAT	SEMI ANNUAL INSPECT	780.00
	400 - WELLNESS CENTER	06/02/21	3898	AMERICAN INCORPORAT	WELLNESS AC UNIT RE	5,919.18
<b>18882</b>						<b>\$281.68</b>
	101 - GENERAL FUND	06/02/21	3428	AT&T MOBILITY	287297286867X51021	281.68
<b>18883</b>						<b>\$97.00</b>
	101 - GENERAL FUND	06/02/21	3428	AT&T MOBILITY	877432145X5162021	97.00
<b>18884</b>						<b>\$93.62</b>
	101 - GENERAL FUND	06/02/21	5457	AUTO ZONE COMMERCIA	ANTIFREEZE	5.44
	101 - GENERAL FUND	06/02/21	5457	AUTO ZONE COMMERCIA	ANTIFREEZE	5.44
	101 - GENERAL FUND	06/02/21	5457	AUTO ZONE COMMERCIA	ANTIFREEZE	5.44
	101 - GENERAL FUND	06/02/21	5457	AUTO ZONE COMMERCIA	BATTERY	124.96
	101 - GENERAL FUND	06/02/21	5457	AUTO ZONE COMMERCIA	MAINT SUPPLIES	96.74
	101 - GENERAL FUND	06/02/21	5457	AUTO ZONE COMMERCIA	REPAIR & MAINT	7.17
	101 - GENERAL FUND	06/02/21	5457	AUTO ZONE COMMERCIA	RETURN-BATTERY	(156.99)
	552 - WATER	06/02/21	5457	AUTO ZONE COMMERCIA	ANTIFREEZE	5.42
<b>18885</b>						<b>\$66.52</b>
	101 - GENERAL FUND	06/02/21	3232	BIG BEN'S	7 PIN DOOR STOPS	57.52
	101 - GENERAL FUND	06/02/21	3232	BIG BEN'S	9 -TRIM SPECIAL	9.00
<b>18886</b>						<b>\$2,114.30</b>
	101 - GENERAL FUND	06/02/21	6351	CANON FINANCIAL SER	CANON LEASE	528.56
	101 - GENERAL FUND	06/02/21	6351	CANON FINANCIAL SER	CANON LEASE	528.58
	101 - GENERAL FUND	06/02/21	6351	CANON FINANCIAL SER	CANON LEASE	528.58
	101 - GENERAL FUND	06/02/21	6351	CANON FINANCIAL SER	CANON LEASE	528.58
<b>18887</b>						<b>\$2,495.43</b>
	101 - GENERAL FUND	06/02/21	5832	CINTAS CORPORATION	GLVS NITRL	34.96
	101 - GENERAL FUND	06/02/21	5832	CINTAS CORPORATION	GLVS NITRL	34.96
	101 - GENERAL FUND	06/02/21	5832	CINTAS CORPORATION	GLVS NITRL	34.96
	101 - GENERAL FUND	06/02/21	5832	CINTAS CORPORATION	UNIFORMS	32.05
	101 - GENERAL FUND	06/02/21	5832	CINTAS CORPORATION	UNIFORMS	32.05
	101 - GENERAL FUND	06/02/21	5832	CINTAS CORPORATION	UNIFORMS	32.05
	305 - COVID-19 EMERGENCY FUND	06/02/21	5832	CINTAS CORPORATION	DISNFACT	102.01
	305 - COVID-19 EMERGENCY FUND	06/02/21	5832	CINTAS CORPORATION	DISNFACT	47.05
	305 - COVID-19 EMERGENCY FUND	06/02/21	5832	CINTAS CORPORATION	DISNFACT	47.05
	305 - COVID-19 EMERGENCY FUND	06/02/21	5832	CINTAS CORPORATION	DISNFACT	47.05
	305 - COVID-19 EMERGENCY FUND	06/02/21	5832	CINTAS CORPORATION	ULTRACLEAN	891.60
	305 - COVID-19 EMERGENCY FUND	06/02/21	5832	CINTAS CORPORATION	ULTRACLEAN	891.60
	552 - WATER	06/02/21	5832	CINTAS CORPORATION	GLVS NITRL	34.96
	552 - WATER	06/02/21	5832	CINTAS CORPORATION	UNIFORMS	32.05
	553 - SEWER	06/02/21	5832	CINTAS CORPORATION	GLVS NITRL	34.96
	553 - SEWER	06/02/21	5832	CINTAS CORPORATION	UNIFORMS	32.05
	554 - REFUSE	06/02/21	5832	CINTAS CORPORATION	GLVS NITRL	34.96
	554 - REFUSE	06/02/21	5832	CINTAS CORPORATION	UNIFORMS	32.05
	556 - VITA-PAKT	06/02/21	5832	CINTAS CORPORATION	GLVS NITRL	34.93
	556 - VITA-PAKT	06/02/21	5832	CINTAS CORPORATION	UNIFORMS	32.08

<b>18888</b>						<b>\$544.84</b>
	101 - GENERAL FUND	06/02/21	102	CULLIGAN	185 N GALE HILL 4/3	19.50
	552 - WATER	06/02/21	102	CULLIGAN	18829 AVE 240	132.61
	552 - WATER	06/02/21	102	CULLIGAN	18869 AVE 240	180.50
	552 - WATER	06/02/21	102	CULLIGAN	18899 AVE 240	117.92
	552 - WATER	06/02/21	102	CULLIGAN	23965 RD 188	47.00
	552 - WATER	06/02/21	102	CULLIGAN	24158 AVE 240	(48.00)
	552 - WATER	06/02/21	102	CULLIGAN	251 E HONOLULU	86.81
	553 - SEWER	06/02/21	102	CULLIGAN	23611 RD 196	8.50
<b>18889</b>						<b>\$1,000.00</b>
	781 - CAL HOME RLF	06/02/21	2540	DEPT.OF HOUSING & C	CALHOME 5/15/21	1,000.00
<b>18890</b>						<b>\$2,992.83</b>
	700 - CDBG REVOLVING LN FUND	06/02/21	2540	DEPT.OF HOUSING & C	CDBG 5/15/21	2,992.83
<b>18891</b>						<b>\$41,302.28</b>
	720 - HOME REVOLVING LN FUND	06/02/21	2540	DEPT.OF HOUSING & C	HOME 5/15/21	41,302.28
<b>18892</b>						<b>\$108.49</b>
	400 - WELLNESS CENTER	06/02/21	3733	DIRECTV	059208625X210509	108.49
<b>18893</b>						<b>\$5,177.21</b>
	553 - SEWER	06/02/21	5978	DOMINO SOLAR LTD	4/1/21-4/30/21	5,177.21
<b>18894</b>						<b>\$823.22</b>
	101 - GENERAL FUND	06/02/21	119	DOUG DELEO WELDING	2 VALVE CAGES	740.95
	101 - GENERAL FUND	06/02/21	119	DOUG DELEO WELDING	OPERATING SUPPLIES	32.27
	553 - SEWER	06/02/21	119	DOUG DELEO WELDING	VALVE	50.00
<b>18895</b>						<b>\$100.00</b>
	101 - GENERAL FUND	06/02/21	6641	ESMERALDA MARTINEZ	ARBOR DEPOSIT REFUN	100.00
<b>18896</b>						<b>\$103.32</b>
	101 - GENERAL FUND	06/02/21	4460	EVANS FEED & LIVEST	FC 8769	1.00
	101 - GENERAL FUND	06/02/21	4460	EVANS FEED & LIVEST	FC 8829	1.98
	101 - GENERAL FUND	06/02/21	4460	EVANS FEED & LIVEST	FC8798	1.78
	101 - GENERAL FUND	06/02/21	4460	EVANS FEED & LIVEST	FC8859	1.90
	101 - GENERAL FUND	06/02/21	4460	EVANS FEED & LIVEST	K-9 SUPPLIES	48.33
	101 - GENERAL FUND	06/02/21	4460	EVANS FEED & LIVEST	K-9 SUPPLIES	48.33
<b>18897</b>						<b>\$2,071.78</b>
	101 - GENERAL FUND	06/02/21	1391	HOME DEPOT	C.S BLINDS	96.37
	101 - GENERAL FUND	06/02/21	1391	HOME DEPOT	FLOORING	1,318.34
	101 - GENERAL FUND	06/02/21	1391	HOME DEPOT	PAINT	295.39
	101 - GENERAL FUND	06/02/21	1391	HOME DEPOT	PAINT	36.85
	101 - GENERAL FUND	06/02/21	1391	HOME DEPOT	PURE WHITE PAINT	113.18
	101 - GENERAL FUND	06/02/21	1391	HOME DEPOT	TABLE,BLINDS	211.65
<b>18898</b>						<b>\$100.00</b>
	101 - GENERAL FUND	06/02/21	6638	JAVIER HARO	ARBOR DEPOSIT REFUN	100.00
<b>18899</b>						<b>\$57,735.77</b>
	101 - GENERAL FUND	06/02/21	6100	KEENAN & ASSOCIATES	COMPLETE CARE PLAN	428.00
	101 - GENERAL FUND	06/02/21	6100	KEENAN & ASSOCIATES	JUNE HEALTH PLAN	54,720.75
	101 - GENERAL FUND	06/02/21	6100	KEENAN & ASSOCIATES	PPO RETIREE PLAN	2,587.02
<b>18900</b>						<b>\$1,432.34</b>
	101 - GENERAL FUND	06/02/21	5542	KRC SAFETY CO., INC	ST PROJECT-SIGNS	1,432.34
<b>18901</b>						<b>\$3,140.00</b>
	101 - GENERAL FUND	06/02/21	6448	LEXIPOL LLC	ANNUAL FIRE MANUAL	3,140.00
<b>18902</b>						<b>\$3,713.03</b>
	400 - WELLNESS CENTER	06/02/21	5788	LINCOLN AQUATICS	CHEMICAL POOLS	1,240.59
	400 - WELLNESS CENTER	06/02/21	5788	LINCOLN AQUATICS	CHEMICAL SHELL DEPO	1,552.42
	400 - WELLNESS CENTER	06/02/21	5788	LINCOLN AQUATICS	GAL BULK CHLORINE	419.55
	400 - WELLNESS CENTER	06/02/21	5788	LINCOLN AQUATICS	GAL BULK CHLORINE	500.47
<b>18903</b>						<b>\$3,267.39</b>
	101 - GENERAL FUND	06/02/21	4067	LINCOLN NAT'L INSUR	6/1/21-6/30/21DENTA	2,497.49
	101 - GENERAL FUND	06/02/21	4067	LINCOLN NAT'L INSUR	MAY 2021 LIFE INSUR	769.90
<b>18904</b>						<b>\$150.01</b>
	101 - GENERAL FUND	06/02/21	6425	LINDSAY TIRE & AUTO	NEW TIRE-LANDSACPE	150.01
<b>18905</b>						<b>\$80.00</b>
	101 - GENERAL FUND	06/02/21	5424	LINDSAY VETERINARY	ANIMAL CONTROL CHAR	80.00
<b>18906</b>						<b>\$187.50</b>
	553 - SEWER	06/02/21	6550	MARIO SAGREDO ELECT	WWT PUMP REPAIR	187.50

<b>18907</b>						<b>\$68,206.36</b>
	554 - REFUSE	06/02/21	5852	MID VALLEY DISPOSAL	MARCH-REFUSE SERVIC	68,206.36
<b>18908</b>						<b>\$82,719.63</b>
	554 - REFUSE	06/02/21	5852	MID VALLEY DISPOSAL	FEB- REFUSE CONTRAC	82,719.63
<b>18909</b>						<b>\$22,272.04</b>
	460 - CA STATE PARKS	06/02/21	6639	MOORE IACOFANO GOLT	3/1/21-3/31/21	7,420.00
	460 - CA STATE PARKS	06/02/21	6639	MOORE IACOFANO GOLT	4/1/21-4/30/21	8,702.50
	460 - CA STATE PARKS	06/02/21	6639	MOORE IACOFANO GOLT	DESIGN-OLIVEBOWL FE	6,149.54
<b>18910</b>						<b>\$380.00</b>
	101 - GENERAL FUND	06/02/21	6437	MORINDA MEDICAL GRO	APRIL 2021 CLAIMS	380.00
<b>18911</b>						<b>\$2,381.66</b>
	101 - GENERAL FUND	06/02/21	6162	MUNISERVICES	SUTA QTR ENDING 12/	2,381.66
<b>18912</b>						<b>\$3,660.00</b>
	101 - GENERAL FUND	06/02/21	6579	MV CHENG & ASSOCIAT	FINANCE -CONSULTING	3,660.00
<b>18913</b>						<b>\$100.00</b>
	101 - GENERAL FUND	06/02/21	6642	NEW LIFE CHURCH	ARBOR DEPOSIT REFUN	100.00
<b>18914</b>						<b>\$446.12</b>
	101 - GENERAL FUND	06/02/21	5625	NGLIC-SUPERIOR VISI	JUNE 2021-VISION PL	446.12
<b>18915</b>						<b>\$10.00</b>
	400 - WELLNESS CENTER	06/02/21	4323	OASIS	LATE CHARGE	10.00
<b>18916</b>						<b>\$13.95</b>
	101 - GENERAL FUND	06/02/21	1565	OACYS.COM INC	LINDSAY DOMAIN	13.95
<b>18917</b>						<b>\$255.00</b>
	101 - GENERAL FUND	06/02/21	3260	PACIFIC EMPLOYERS	HR QTRLY MEMBERSHIP	255.00
<b>18918</b>						<b>\$1,988.62</b>
	552 - WATER	06/02/21	6498	PACWEST DIRECT	5/7 UB	551.73
	552 - WATER	06/02/21	6498	PACWEST DIRECT	DELINQUENT BILL 5/7	111.15
	553 - SEWER	06/02/21	6498	PACWEST DIRECT	5/7 UB	551.73
	553 - SEWER	06/02/21	6498	PACWEST DIRECT	DELINQUENT BILL 5/7	111.14
	554 - REFUSE	06/02/21	6498	PACWEST DIRECT	5/7 UB	551.73
	554 - REFUSE	06/02/21	6498	PACWEST DIRECT	DELINQUENT BILL 5/7	111.14
<b>18919</b>						<b>\$2,587.23</b>
	101 - GENERAL FUND	06/02/21	272	PITNEY BOWES INC.	POSTAGE	2,587.23
<b>18920</b>						<b>\$705.83</b>
	101 - GENERAL FUND	06/02/21	276	PORTERVILLE RECORDE	ORANGE BLOSSOM AD	555.00
	101 - GENERAL FUND	06/02/21	276	PORTERVILLE RECORDE	ORD 587	150.83
<b>18921</b>						<b>\$1,265.30</b>
	552 - WATER	06/02/21	4618	PROVOST & PRITCHARD	WATER & SEWER RATES	632.65
	553 - SEWER	06/02/21	4618	PROVOST & PRITCHARD	WATER & SEWER RATES	632.65
<b>18922</b>						<b>\$29,680.00</b>
	460 - CA STATE PARKS	06/02/21	399	QUAD KNOPF,INC.	SURVEY-OLIVE B-KAKU	4,000.00
	460 - CA STATE PARKS	06/02/21	399	QUAD KNOPF,INC.	TOPOGRAPHIC SURVEY	6,000.00
	600 - CAPITAL IMPROVEMENT	06/02/21	399	QUAD KNOPF,INC.	SURVEY-LINDA VISTA	9,770.00
	600 - CAPITAL IMPROVEMENT	06/02/21	399	QUAD KNOPF,INC.	SUVERY-LINDAVISTA L	9,910.00
<b>18923</b>						<b>\$1,138.31</b>
	101 - GENERAL FUND	06/02/21	285	QUILL CORPORATION	ENVELOPES P.S	289.21
	400 - WELLNESS CENTER	06/02/21	285	QUILL CORPORATION	BOARD CORK, INK	407.75
	400 - WELLNESS CENTER	06/02/21	285	QUILL CORPORATION	ENMOTION TWL DISPEN	255.52
	400 - WELLNESS CENTER	06/02/21	285	QUILL CORPORATION	INK CART	185.83
<b>18924</b>						<b>\$100.00</b>
	101 - GENERAL FUND	06/02/21	6640	REYNA PARAMO	ARBOR DEPOSIT REFUN	100.00
<b>18925</b>						<b>\$296.00</b>
	400 - WELLNESS CENTER	06/02/21	3622	RLH FIRE PROTECTION	MAINT-WELLNESS	296.00
<b>18926</b>						<b>\$2,998.31</b>
	552 - WATER	06/02/21	4555	THATCHER COMPANY IN	CHLORINE	4,498.31
	552 - WATER	06/02/21	4555	THATCHER COMPANY IN	DEPOSIT	(1,500.00)
<b>18927</b>						<b>\$4,892.37</b>
	101 - GENERAL FUND	06/02/21	310	SOUTHERN CA. EDISON	700291172119	14.05
	261 - GAS TAX FUND	06/02/21	310	SOUTHERN CA. EDISON	700271196179	17.27
	261 - GAS TAX FUND	06/02/21	310	SOUTHERN CA. EDISON	700345129983	41.75
	261 - GAS TAX FUND	06/02/21	310	SOUTHERN CA. EDISON	700439853113	62.46
	261 - GAS TAX FUND	06/02/21	310	SOUTHERN CA. EDISON	700506806452	33.72
	400 - WELLNESS CENTER	06/02/21	310	SOUTHERN CA. EDISON	700470455603	4,703.25
	553 - SEWER	06/02/21	310	SOUTHERN CA. EDISON	700152858405	19.87

<b>18928</b>						<b>\$3,715.72</b>
	101 - GENERAL FUND	06/02/21	6146	SUPERION, LLC	6/1/21-6/30/21	928.93
	552 - WATER	06/02/21	6146	SUPERION, LLC	6/1/21-6/30/21	928.93
	553 - SEWER	06/02/21	6146	SUPERION, LLC	6/1/21-6/30/21	928.93
	554 - REFUSE	06/02/21	6146	SUPERION, LLC	6/1/21-6/30/21	928.93
<b>18929</b>						<b>\$4,679.55</b>
	101 - GENERAL FUND	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.95
	101 - GENERAL FUND	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.95
	101 - GENERAL FUND	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.95
	101 - GENERAL FUND	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.95
	400 - WELLNESS CENTER	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.90
	552 - WATER	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.95
	553 - SEWER	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.95
	554 - REFUSE	06/02/21	5755	TELEPACIFIC COMMUNI	5/9/21-6/8/21	584.95
<b>18930</b>						<b>\$3,085.00</b>
	552 - WATER	06/02/21	1921	TELSTAR INSTRUMENTS	MTNCE SERVICES	1,207.00
	552 - WATER	06/02/21	1921	TELSTAR INSTRUMENTS	MTNCE SERVICES	671.00
	553 - SEWER	06/02/21	1921	TELSTAR INSTRUMENTS	MTNCE SERVICES	1,207.00
<b>18931</b>						<b>\$76.77</b>
	101 - GENERAL FUND	06/02/21	6551	TIME WARNER CABLE	106076601-051421 P.	76.77
<b>18932</b>						<b>\$85.00</b>
	400 - WELLNESS CENTER	06/02/21	6123	TOW PRO	TOW -WELLNESS PRIUS	85.00
<b>18933</b>						<b>\$55.00</b>
	101 - GENERAL FUND	06/02/21	6413	TRANS UNION LLC	BASIC SERVICE-CRDT	55.00
<b>18934</b>						<b>\$75.00</b>
	101 - GENERAL FUND	06/02/21	6015	TULARE COUNTY CLERK	RELEASE LIEN M. CRU	75.00
<b>18935</b>						<b>\$75.00</b>
	101 - GENERAL FUND	06/02/21	6015	TULARE COUNTY CLERK	REINI-RELEASE LIEN	75.00
<b>18936</b>						<b>\$3,225.60</b>
	101 - GENERAL FUND	06/02/21	5747	UNITED STAFFING	FRANCO 5/10/21-5/16	806.40
	101 - GENERAL FUND	06/02/21	5747	UNITED STAFFING	FRANCO&JESUS5/17-5/	537.60
	101 - GENERAL FUND	06/02/21	5747	UNITED STAFFING	FRANCO&JESUS5/17-5/	537.60
	101 - GENERAL FUND	06/02/21	5747	UNITED STAFFING	FRANCO&JESUS5/17-5/	537.60
	101 - GENERAL FUND	06/02/21	5747	UNITED STAFFING	JESUS 5/10/21-5/16/	806.40
<b>18937</b>						<b>\$938.34</b>
	261 - GAS TAX FUND	06/02/21	382	ZUMAR INDUSTRIES IN	5 OBJCT MRKS BLK BR	260.94
	261 - GAS TAX FUND	06/02/21	382	ZUMAR INDUSTRIES IN	ONE WAY SIGNS	677.40
<b>18938</b>						<b>\$370.40</b>
	101 - GENERAL FUND	06/04/21	3977	AFLAC	DED:015 AFLAC	370.40
<b>18939</b>						<b>\$584.34</b>
	101 - GENERAL FUND	06/04/21	4660	CITY OF LINDSAY	DED:052 WELLNESS	4.62
	101 - GENERAL FUND	06/04/21	4660	CITY OF LINDSAY	DED:CDBG CDBG PMT	182.72
	101 - GENERAL FUND	06/04/21	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN	397.00
<b>18940</b>						<b>\$9.00</b>
	101 - GENERAL FUND	06/04/21	451	CITY OF LINDSAY EMP	DED:0505 SEC 125	9.00
<b>18941</b>						<b>\$114.73</b>
	101 - GENERAL FUND	06/04/21	3192	SEIU LOCAL 521	DED:DUES UNION DUES	114.73
<b>18942</b>						<b>\$7,349.72</b>
	101 - GENERAL FUND	06/04/21	6452	GREAT-WEST TRUST	DED:0500 DEF COMP	2,859.97
	101 - GENERAL FUND	06/04/21	6452	GREAT-WEST TRUST	DED:0555 DC LOANPAY	1,418.55
	101 - GENERAL FUND	06/04/21	6452	GREAT-WEST TRUST	DED:151 DEFERCOMP	2,846.20
	101 - GENERAL FUND	06/04/21	6452	GREAT-WEST TRUST	DED:ROTH ROTH	225.00
<b>18943</b>						<b>\$94.15</b>
	101 - GENERAL FUND	06/04/21	6409	BERNARD HEALTH LEGA	DED:MET MET LAW	94.15
<b>18944</b>						<b>\$50.82</b>
	101 - GENERAL FUND	06/04/21	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	50.82
<b>18945</b>						<b>\$189.23</b>
	101 - GENERAL FUND	06/04/21	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	189.23
<b>18946</b>						<b>\$391.21</b>
	101 - GENERAL FUND	06/04/21	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	391.21
<b>EDD642</b>						<b>\$3,081.58</b>
	101 - GENERAL FUND	06/08/21	687	STATE OF CALIFORNIA	EDD PRPD 6/4/21	3,081.58
<b>IRS642</b>						<b>\$22,494.38</b>
	101 - GENERAL FUND	06/08/21	2011	INTERNAL REVENUE SE	PRPD 6/4/2021 941	15,305.46
	101 - GENERAL FUND	06/08/21	2011	INTERNAL REVENUE SE	PRPD 6/4/2021 941	7,188.92



## STAFF REPORT

TO: Lindsay City Council  
FROM: Joseph Tanner, City Manager  
Juana Espinoza, Finance Director  
Mayra Espinoza-Martinez, City Clerk  
DEPARTMENT: City Manager  
Finance Department  
ITEM NO.: 10.3  
MEETING DATE: June 22, 2021

### **ACTION & RECOMMENDATION**

Consider Approval of Resolution 21-27 Authorizing Adjustments to the Fiscal Year 2021-2022 Salary Schedule to Reflect State-Mandated Minimum Wage Increase Effective January 1, 2021 and Authorizing Retroactive Pay Disbursements for the period of January 1, 2021 through June 30, 2021; Citywide Two-Percent Increase Effective July 1, 2021; State-Mandated Minimum Wage Increase Effective January 1, 2022 and Citywide Three-Percent or Seventy-Five Cents Increase Effective January 1, 2022; Compliance with Public Employees' Retirement Law Government Code Section 20636; and Approving Step Structure for Executive Positions and Citywide Single Tier Step Structure.

### **BACKGROUND | ANALYSIS**

- I. State-Mandated Minimum Wage Increase Effective January 1, 2021 and Retroactive Pay Disbursements for the period of January 1, 2021 through June 30, 2021**

The State of California sets minimum wage requirements for all industries. On January 1, 2021, California minimum wage for all employers with 26 or more employees increased to \$14.00/hour. On January 1, 2021, California minimum wage for exempt employees increased to \$58,240 annually. The salary schedule is being adjusted to reflect this change. Retroactive pay for the period January 1, 2021 to June 30, 2021 will be disbursed to eligible employees in accordance with the state-mandated minimum wage increases.
- II. Citywide Two-Percent Increase Effective July 1, 2021**

On June 8, 2021, Lindsay City Council approved Resolution 21-26 Adopting the Fiscal Year 2021-2022 Operating Budget wherein City Council approved a two-percent (2%) Citywide increase to employee salaries beginning on July 1, 2021. The salary schedule is being adjusted to reflect this change.
- III. State-Mandated Minimum Wage Increase Effective January 1, 2022**

The State of California sets minimum wage requirements for all industries. On January 1, 2022, California minimum wage for all employers with 26 or more employees will increase to



## STAFF REPORT

\$15.00/hour. On January 1, 2022, California minimum wage for exempt employees will increase to \$62,400 annually. The salary schedule will be adjusted to reflect this change effective January 1, 2022

#### **IV. Citywide Three-Percent or Seventy-Five Cents Increase Effective January 1, 2022**

On June 8, 2021, Lindsay City Council approved Resolution 21-26 Adopting the Fiscal Year 2021-2022 Operating Budget wherein City Council approved a permanent three percent (3%) or minimum increase of seventy-five cents (\$0.75) an hour to all salaries beginning January 1, 2022. The salary schedule is being adjusted to reflect this change.

#### **V. Compliance with Public Employees' Retirement Law Government Code Section 20636**

On June 8, 2021 Lindsay City Council approved job descriptions for the positions of Executive Assistant/Deputy City Clerk and Records/IT Clerk Positions. Public Employees' Retirement Law Government Code Section 20636 for public agency members defines compensable earnings for calculating retirement benefits and requires that an agency's pay schedule be made publicly available under the guidelines of CCR 570.5. In accordance with CCR 570.5, the publicly available pay schedule must include the position title for every employee position. The salary schedule is being adjusted to include these position titles.

#### **VI. Approving Step Structure for Executive Positions and Citywide Single Tier Step Structure.**

In the interest of transparency, consistency, and fairness, the salary schedule is being adjusted to reflect a uniform step structure for all positions. Executive salaries were previously in a "range." Additionally, the salary schedule is being adjusted to reflect one single tier (formerly Tier 1) for all positions. A second tier (Tier 2) was introduced on July 1, 2018 as a cost savings measure; staff proposes the elimination of Tier 2. City employees will progress annually up one step on the adjusted salary schedule on the anniversary of the employee's hire date unless otherwise not recommended by the Department Head or City Manager in accordance with the City's personnel rules. These changes are recommended to reduce legal exposure, reduce employee turnover and increase retention.

### **FISCAL IMPACT**

**Items I through V.** These changes have been previously approved by Council under Resolution 21-26 Fiscal Year 2021-2022 Operating Budget. The salary schedule is merely being adjusted to reflect the Fiscal Year 2021-222 Operating Budget.



## **STAFF REPORT**

**Item VI.** The fiscal impact of transitioning to a uniform single tier step structure for all positions is \$29,865.69. The amount will be spread across all funds per the approved salary allocation plan in the Fiscal Year 2021-2022 Operating Budget.

### **ATTACHMENTS**

- Resolution 21-27
- Proposed salary schedule effective July 1, 2021
- Proposed salary schedule effective January 1, 2022





## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

**NUMBER** 21-27

**TITLE** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY ADJUSTING THE FISCAL YEAR 2021-2022 SALARY SCHEDULE TO REFLECT STATE-MANDATED MINIMUM WAGE INCREASE EFFECTIVE JANUARY 1, 2021 AND AUTHORIZING RETROACTIVE PAY DISBURSEMENTS FOR THE PERIOD OF JANUARY 1, 2021 THROUGH JUNE 30, 2021; CITYWIDE TWO-PERCENT INCREASE EFFECTIVE JULY 1, 2021; STATE-MANDATED MINIMUM WAGE INCREASE EFFECTIVE JANUARY 1, 2022 AND CITYWIDE THREE-PERCENT OR SEVENTY-FIVE CENTS INCREASE EFFECTIVE JANUARY 1, 2022; COMPLIANCE WITH PUBLIC EMPLOYEES' RETIREMENT LAW GOVERNMENT CODE SECTION 20636; AND APPROVING STEP STRUCTURE FOR EXECUTIVE POSITIONS AND CITYWIDE SINGLE TIER STEP STRUCTURE.

**MEETING** At a regularly scheduled meeting of the City of Lindsay City Council held on June 22, 2021 at 6:00 PM at 251 E. Honolulu Street, Lindsay, CA 93247

**WHEREAS**, the State of California's minimum wage on January 1, 2021 is set at \$14.00 per hour; and the State of California's minimum wage for exempt employees on January 1, 2021 is set at \$58,240 annually; and

**WHEREAS**, the State of California's minimum wage on January 1, 2022 is set at \$15.00 per hour; and the State of California's minimum wage for exempt employees on January 1, 2022 is set at \$62,400 annually; and

**WHEREAS**, on June 8, 2021, City Council approved Resolution 21-26 Adopting the Fiscal Year 2021-2022 Operating Budget wherein City Council adopted California minimum wage pay increases effective January 1, 2021 and January 1, 2022; a citywide two-percent increase to employee salaries effective July 1, 2021; and a permanent three percent (3%) or minimum increase of seventy-five cents (\$0.75) an hour to all employee salaries effective January 1, 2022; and

**WHEREAS**, City Council authorizes pay for all staff in accordance with each employee's step on the salary schedule for the position that employee holds;

**WHEREAS**, employees will automatically progress up one step on the approved salary schedule on the employee's anniversary date unless otherwise not recommended by the Department Head or City Manager in accordance with the City's personnel rules; and





## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

**WHEREAS**, Public Employees' Retirement Law Government Code Section 20636 for public agency members and CCR 570.5 sets requirements for publicly available pay rate schedules; and

**WHEREAS**, City Council directs staff to publish the City of Lindsay adopted salary schedule; and

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

- SECTION 1. The City of Lindsay shall adjust employee salaries to conform to minimum wage laws effective January 1, 2021 and again on January 1, 2022.
- SECTION 2. The City of Lindsay shall issue retroactive pay disbursements to eligible employees for the time period of January 1, 2021 through June 30, 2021 starting on July 1, 2021.
- SECTION 3. The schedule shall be adjusted to reflect a two-percent (2%) citywide increase to staff pay rates beginning July 1, 2021 as approved under Resolution 21-26.
- SECTION 4. The schedule shall be adjusted to reflect a three-percent (3%) citywide increase or minimum increase of seventy-five cents (\$0.75) to staff pay rates effective January 1, 2022 as approved under Resolution 21-26
- SECTION 5. The schedule shall be adjusted in conformity with Public Employees' Retirement Law Government Code Section 20636 for public agency members and CCR 570.5 guidelines for publicly available pay rate schedules.
- SECTION 6. The schedule shall be adjusted to reflect a single tier pay structure for all positions.
- SECTION 7. The schedule shall be adjusted to reflect a step pay rate structure for all positions with five-percent (5%) increases between steps. Pay rates for employees on contract will be automatically matched to the single tier pay rate structure.
- SECTION 8. This resolution shall be effective immediately upon its approval and adoption.



## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

SECTION 9. The Mayor, or presiding officer, is hereby authorized to affix their signature to the Resolution signifying its adoption by the City Council to the City of Lindsay, and the City Clerk, or their appointed deputy, is directed to attest thereto.

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

MEETING DATE	June 22, 2021
MOTION	
SECOND 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.

\_\_\_\_\_  
MAYRA ESPINOZA-MARTINEZ  
CITY CLERK

\_\_\_\_\_  
RAMONA CAUDILLO  
MAYOR

City of Lindsay  
Salary Matrix (As of July 1, 2021)

HOURLY

<b>Miscellaneous TIER 1</b>	STEPS						
	1	2	3	4	5	6	7
Interns / Seasonal	14.00	14.00	14.00	14.00	14.00	14.00	14.00
Recreation - Lifeguard	14.28	14.99	15.74	16.53	17.36	18.23	19.14
Recreation I	14.28	14.99	15.74	16.53	17.36	18.23	19.14
Maintenance	14.28	14.99	15.74	16.53	17.36	18.23	19.14
Account Clerk I	14.28	14.99	15.74	16.53	17.36	18.23	19.14
Code Enforcement Officer	14.28	14.99	15.74	16.53	17.36	18.23	19.14
Records Clerk	15.15	15.91	16.70	17.54	18.42	19.34	20.30
Maintenance Senior I	15.15	15.91	16.70	17.54	18.42	19.34	20.30
Com. Dev. Specialist II	16.37	17.19	18.05	18.95	19.90	20.89	21.94
Administrative Secretary	16.37	17.19	18.05	18.96	19.90	20.90	21.94
Executive Assistant / Deputy City Clerk	19.05	20.00	21.00	22.05	23.16	24.31	25.53
Records / IT Clerk	19.05	20.00	21.00	22.05	23.16	24.31	25.53
Maintenance Senior II	19.33	20.30	21.31	22.38	23.50	24.67	25.91
Account Clerk III	19.43	20.40	21.42	22.49	23.62	24.80	26.04
Engineering Technician	24.32	25.53	26.81	28.15	29.56	31.04	32.59
Assistant City Planner	24.32	25.53	26.81	28.15	29.56	31.04	32.59
Building Inspector I	24.32	25.53	26.81	28.15	29.56	31.04	32.59
Administrative Supervisor (Exempt)	28.56	29.99	31.49	33.06	34.71	36.45	38.27
Maintenance Senior III (Exempt)	28.56	29.99	31.49	33.06	34.71	36.45	38.27
Assistant to the City Manager / City Clerk (Exempt)	28.56	29.99	31.49	33.06	34.71	36.45	38.27
City Services Assistant Director (Exempt)	28.56	29.99	31.49	33.06	34.71	36.45	38.27
Human Resources Manager (Exempt)	32.80	34.44	36.16	37.97	39.87	41.86	43.96
Planning Manager (Exempt)	32.80	34.44	36.16	37.97	39.87	41.86	43.96
Finance & Accounting Manager (Exempt)	32.80	34.44	36.16	37.97	39.87	41.86	43.96

<b>Public Safety</b>	STEPS						
	1	2	3	4	5	6	7
Animal Control Officer	19.33	20.30	21.31	22.38	23.50	24.67	25.91
Public Safety Officer	23.42	24.59	25.82	27.11	28.46	29.89	31.38
Public Safety Sergeant	28.57	29.99	31.49	33.07	34.72	36.46	38.28
Fire Engineer (Fire Lieutenant)	28.57	29.99	31.49	33.07	34.72	36.46	38.28
Public Safety Lieutenant (Exempt)	37.05	38.90	40.85	42.89	45.03	47.28	49.65

<b>Executives</b>	STEPS						
	1	2	3	4	5	6	7
City Manager (Exempt)	54.45	57.17	60.03	63.03	66.19	69.49	72.97
Director of Public Safety (Exempt)	40.25	42.26	44.38	46.60	48.93	51.37	53.94
Director of Finance (Exempt)	38.58	40.51	42.53	44.66	46.89	49.24	51.70
Director of City Services (Exempt)	36.21	38.02	39.92	41.92	44.01	46.21	48.52
Recreation Services Director (Exempt)	34.40	36.12	37.92	39.82	41.81	43.90	46.10

City of Lindsay  
Salary Matrix (As of Jan 1, 2022)

HOURLY

Miscellaneous TIER 1	STEPS						
	1	2	3	4	5	6	7
Interns / Seasonal	15.00	15.00	15.00	15.00	15.00	15.00	15.00
Recreation - Lifeguard	15.75	16.54	17.36	18.23	19.14	20.10	21.11
Recreation I	15.75	16.54	17.36	18.23	19.14	20.10	21.11
Maintenance	15.75	16.54	17.36	18.23	19.14	20.10	21.11
Account Clerk I	15.75	16.54	17.36	18.23	19.14	20.10	21.11
Code Enforcement Officer	15.75	16.54	17.36	18.23	19.14	20.10	21.11
Records Clerk	15.90	16.70	17.53	18.41	19.33	20.29	21.31
Maintenance Senior I	15.90	16.70	17.53	18.41	19.33	20.29	21.31
Com. Dev. Specialist II	17.12	17.97	18.87	19.82	20.81	21.85	22.94
Administrative Secretary	17.12	17.98	18.88	19.82	20.82	21.86	22.95
Executive Assistant / Deputy City Clerk	19.80	20.79	21.83	22.92	24.07	25.27	26.53
Records / IT Clerk	19.80	20.79	21.83	22.92	24.07	25.27	26.53
Maintenance Senior II	20.08	21.09	22.14	23.25	24.41	25.63	26.91
Account Clerk III	20.18	21.19	22.25	23.36	24.53	25.76	27.04
Engineering Technician	25.07	26.32	27.64	29.02	30.47	31.99	33.59
Assistant City Planner	25.07	26.32	27.64	29.02	30.47	31.99	33.59
Building Inspector I	25.07	26.32	27.64	29.02	30.47	31.99	33.59
Administrative Supervisor (Exempt)	30.90	32.45	34.07	35.77	37.56	39.44	41.41
Maintenance Senior III (Exempt)	30.90	32.45	34.07	35.77	37.56	39.44	41.41
Assistant to the City Manager / City Clerk (Exempt)	30.90	32.45	34.07	35.77	37.56	39.44	41.41
City Services Assistant Director (Exempt)	30.90	32.45	34.07	35.77	37.56	39.44	41.41
Human Resources Manager (Exempt)	33.78	35.47	37.25	39.11	41.07	43.12	45.27
Planning Manager (Exempt)	33.78	35.47	37.25	39.11	41.07	43.12	45.27
Finance & Accounting Manager (Exempt)	33.78	35.47	37.25	39.11	41.07	43.12	45.27

Public Safety	STEPS						
	1	2	3	4	5	6	7
Animal Control Officer	19.91	20.91	21.95	23.05	24.20	25.41	26.68
Public Safety Officer	24.12	25.32	26.59	27.92	29.32	30.78	32.32
Public Safety Sergeant	29.42	30.89	32.44	34.06	35.76	37.55	39.43
Fire Engineer (Fire Lieutenant)	29.42	30.89	32.44	34.06	35.76	37.55	39.43
Public Safety Lieutenant (Exempt)	38.16	40.07	42.07	44.17	46.38	48.70	51.14

Executives	STEPS						
	1	2	3	4	5	6	7
City Manager (Exempt)	56.08	58.89	61.83	64.92	68.17	71.58	75.16
Director of Public Safety (Exempt)	41.46	43.53	45.71	47.99	50.39	52.91	55.56
Director of Finance (Exempt)	39.74	41.72	43.81	46.00	48.30	50.71	53.25
Director of City Services (Exempt)	37.29	39.16	41.12	43.17	45.33	47.60	49.98
Recreation Services Director (Exempt)	35.43	37.20	39.06	41.01	43.06	45.22	47.48



## STAFF REPORT

TO: Lindsay City Council  
FROM: Mari Carrillo, Human Resource Manager  
DEPARTMENT: City Manager  
ITEM NO.: 10.4  
MEETING DATE: June 22, 2021

### **ACTION & RECOMMENDATION**

Consider Approval of **Resolution 21-28** Approving the City of Lindsay's Participation in the Employment Risk Management Authority (ERMA) and Authorizing the City Manager to Execute Documents Thereto.

### **BACKGROUND | ANALYSIS**

The City is a participant of the Central San Joaquin Risk Management Authority (CSJVRMA) JPA, which provides several types of insurance coverage for the members. Currently, the City has insurance coverage through the CJSVRMA for Worker's Compensation, Liability, Vehicle and City Property.

ERMA is a statewide joint powers authority designed to provide broad coverage tailored loss prevention services to reduce the employment practices liability (EPL) exposures of California public entities. ERMA began providing coverage to California in July 1999, and it covers over 200 public entities. ERMA provides services to members addressing matters related to workplace harassment, discrimination, and employment practices training, and risk management strategies.

As a condition to participate in ERMA coverage, the City is required to approve and adopt a resolution expressing the desire and commitment of the City to participate in ERMA, which requires a three-year minimum participation (Fiscal Years 2021-2024).

### **FISCAL IMPACT**

The estimated cost for the City to participate in ERMA for the Fiscal Year 2021-2022 is \$26,183.00. This amount has already been included in the adopted budget General Fund.

### **ATTACHMENTS**

- Resolution 21-28



## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

**NUMBER** 21-28

**TITLE** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING THE CITY OF LINDSAY'S PARTICIPATION IN THE EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA) AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS THERETO.

**MEETING** At a regularly scheduled meeting of the City of Lindsay City Council held on June 22, 2021 at 6:00 PM at 251 E. Honolulu Street, Lindsay, CA 93247

**WHEREAS**, the City of Lindsay wishes to obtain Employment Practices Liability coverage for the period (July 1, 2021); and

**WHEREAS**, the Employment Risk Management Authority (ERMA) is a self-insured joint powers authority created for the sole purpose of Employment Practices Liability Coverage. ERMA is comprised of various public entities who risk share up to \$1 million against potentially unlawful employment practices and discrimination claims; and

**WHEREAS**, ERMA formed primarily due to the fact that government entities have not historically been able to secure Employment Practices Liability (EPL) coverage at a competitive cost through the commercial insurance marketplace; and

**WHEREAS**, ERMA has met all of the high professional standards established by the California Association of Joint Powers Authorities (CAJPA) in the areas of governance, finance, claims control, safety and loss control and ERMA is fully accredited by CAJPA. CAJPA's accreditation process requires reviews by independent consultants in the areas of accounting, claims adjusting, and actuarial analysis; and

**WHEREAS**, ERMA provides services to both Joint Powers Insurance Authorities and individual public entities; and

**WHEREAS**, the City of Lindsay has determined that it is in the best interest to become a member of ERMA for the purpose of obtaining Employment Practices Liability coverage; and

**WHEREAS**, ERMA requires the City of Lindsay to pass a resolution expressing the desire and commitment of the City of Lindsay's participation in ERMA, which requires a three-year minimum participation period. City of Lindsay also understands our entity will be bound by the provisions in the ERMA Joint Powers Agreement just as though it were fully set forth and incorporated herein whether our entity had signed it individually or through an underlying Joint Powers Insurance Authority.



## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

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

SECTION 1. The City of Lindsay approves participation in ERMA beginning in the Fiscal Year 2021-2022 and continuing through Fiscal Year 2022-2023 and Fiscal Year 2023-2024.

SECTION 2. The City Manager is hereby authorized to implement the foregoing resolution and execute documents thereto.

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

MEETING DATE	June 22, 2021
MOTION	
SECOND 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.

\_\_\_\_\_  
MAYRA ESPINOZA-MARTINEZ  
CITY CLERK

\_\_\_\_\_  
RAMONA CAUDILLO  
MAYOR



## STAFF REPORT

TO: Lindsay City Council  
FROM: Neyba Amezcua, City Services Assistant Director  
DEPARTMENT: City Services  
ITEM NO.: 11.1  
MEETING DATE: June 22, 2021

### ACTION & RECOMMENDATION

Consider Approval of **Resolution 21-29** Granting Preliminary Approval of Engineer's Report for Fiscal Year 2021-2022 for Landscape and Lighting Maintenance Districts; and **Resolution 21-30** Declaring its Intention to Levy and Collect Assessments for Fiscal Year 2021-2022 Landscape & Lighting Maintenance Assessment Districts, Declaring the Work to be of More than Local or Ordinary Public Benefit, Specifying the Exterior Boundaries of the Areas within the Landscape Maintenance Districts to be Assessed and the Cost and Expense Thereof, Designating Said Districts as Landscape & Lighting Maintenance Districts, Determining that these Proceedings Shall be Taken Pursuant to the Landscaping and Lighting Act of 1972, and Offering a Time and Place for Hearing Objections Thereto.

### BACKGROUND | ANALYSIS

On May 25, 2021, Council approved Resolution No. 21-16 Ordering the preparation of an engineer's report for Landscape and Lighting Maintenance Districts for Fiscal Year 2021-2022.

Staff respectfully request the City Council to accept the Engineer's Report for each of the Districts and approve the referenced Resolutions and set the Public Hearing for July 13, 2021

Each year, the Engineer of Work (State Approved Title) is ordered to prepare the report for the upcoming Fiscal Year in accordance with Article 4, Division 15, of the Streets and Highways Code, "Landscaping and Lighting Act of 1972" of the State of California.

The Engineer's report outlines the budgeted expenses for the present fiscal year, the actual expenses through May-June, and the projected expenses for the upcoming fiscal year. Each year there are adjustments made due to increases and/or actual expenses.

Attached are the engineer's reports for the Assessment Districts. Said reports identify the cost for maintenance and administration of the districts for the 2021-2022 fiscal year based on 2020-2021 expenses.

It is projected that all monies will be expended in these funds by the end of the fiscal year. Summary of Charges per District:





## STAFF REPORT

Landscape & Lighting Assessment Districts	No. Lots	Maximum Allowed		Budgeted 2020-2021 FY		Proposed 2021-2022 FY		Increase/ Decrease per month
		Amount per Year/lot	Amount per Month/lot	Amount per Year/lot	Amount per Month/lot	Amount per Year/lot	Amount per Month/lot	
1 Sierra View Estates Assessment District 92-01	92	\$ 295.40	\$ 24.62	\$ 194.04	\$ 16.17	\$ 204.74	\$ 17.06	\$ 0.89
2 Heritage Park Assessment District 96-01	37	\$ 260.30	\$ 21.69	\$ 190.14	\$ 15.85	\$ 212.98	\$ 17.75	\$ 1.90
3 Parkside Estates Assessment District 01-01	44	\$ 307.72	\$ 25.64	\$ 137.28	\$ 11.44	\$ 154.32	\$ 12.86	\$ 1.42
4 Sweet Brier Plaza (Samoa) Assessment District 02-01	6	\$ 1,929.83	\$ 160.82	\$ 706.28	\$ 58.86	\$ 767.32	\$ 63.94	\$ 5.09
5 Sweet Brier Plaza (Hermosa) Assessment District 02-02	12	\$ 1,923.33	\$ 160.28	\$ 807.30	\$ 67.28	\$ 966.42	\$ 80.54	\$ 13.26
6 Sierra Vista Assessment District 07-01	19	\$ 502.84	\$ 41.90	\$ 502.84	\$ 41.90	\$ 502.84	\$ 41.90	\$ -
7 Maple Valley Assessment District 07-02	42	\$ 120.00	\$ 10.00	\$ 40.00	\$ 3.33	\$ 86.46	\$ 7.21	\$ 3.87
8 Pelous Ranch Assessment District 09-01	105	\$ 200.62	\$ 16.72	\$ 100.00	\$ 8.33	\$ 100.00	\$ 8.33	\$ -

### FISCAL IMPACT

Fund No.	Description	Budget
883	Sierra View Estates Assessment District 92-01	\$18,836.08
884	Heritage Park Assessment District 96-01	\$ 7,880.26
888	Parkside Estates Assessment District 01-01	\$ 6,790.08
886	Sweet Brier Plaza (Samoa) Assessment District 02-01	\$ 4,603.92
887	Sweet Brier Plaza (Hermosa) Assessment District 02-02	\$11,597.04
889	Sierra Vista Assessment District 07-01	\$ 9,553.96
890	Maple Valley Assessment District 07-02	\$ 3,631.32
891	Pelous Ranch Assessment District 09-01	\$10,500.00

### ATTACHMENTS

- Resolution 21-29
- Resolution 21-30
- Attachment A: Engineer's Report for Sierra View Estates
- Attachment B: Engineer's Report for Heritage Park Estates
- Attachment C: Engineer's Report for Parkside Estates
- Attachment D: Engineer's Report for Sweet Brier Plaza (Samoa)
- Attachment E: Engineer's Report for Sweet Brier Plaza (Hermosa)
- Attachment F: Engineer's Report for Sierra Vista Estates
- Attachment G: Engineer's Report for Maple Valley Estates
- Attachment H: Engineer's Report for Pelous Ranch
- Attachment I: LLAD's Location Map



# A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

**NUMBER** 21-29

**TITLE** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY GRANTING PRELIMINARY APPROVAL OF ENGINEER’S REPORT FOR FISCAL YEAR 2021-2022 FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS

**MEETING** At a regularly scheduled meeting of the City of Lindsay City Council held on June 22, 2021 at 6:00 PM at 251 E. Honolulu Street, Lindsay, CA 93247

**WHEREAS**, on the 25<sup>nd</sup> day of May, 2021 said City Council did adopt a Resolution directing the Engineer of Work to make and file with the City Clerk of said City a report in writing for Fiscal Year 2021-2022 as required by the Landscaping and Lighting Act of 1972; and

**WHEREAS**, said Engineer of Work has made and filed with the City Clerk of said City a report in writing as called for in said Resolution and under and pursuant to said Act, which report has been presented to this Council for consideration; and

**WHEREAS**, said Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that said report, nor any part thereof, requires or should be modified.

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

- SECTION 1. The Engineer’s Estimate of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby preliminarily approved and confirmed.
- SECTION 2. The diagram showing the Assessment Districts referred to and described in said report (the boundaries of the subdivision of land within each said Assessment District), are approved and confirmed as the same as existed at the time of passage of Resolution originally establishing each District.
- SECTION 3. The proposed assessments upon the subdivisions of land in said Assessment Districts are in proportion to the estimated benefit to be received by said subdivisions, respectively, from said normal and customary maintenance and of the incidental expenses thereof, as contained in said report, and are hereby preliminarily approved and confirmed.



## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

SECTION 4. Said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed district.

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

MEETING DATE	June 22, 2021
MOTION	
SECOND 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.

\_\_\_\_\_  
MAYRA ESPINOZA-MARTINEZ  
CITY CLERK

\_\_\_\_\_  
RAMONA CAUDILLO  
MAYOR



# A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

**NUMBER** 21-30

**TITLE** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2021-2022 LANDSCAPE & LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, DECLARING THE WORK TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREAS WITHIN THE LANDSCAPE MAINTENANCE DISTRICTS TO BE ASSESSED AND THE COST AND EXPENSE THEREOF, DESIGNATING SAID DISTRICTS AS LANDSCAPE & LIGHTING MAINTENANCE DISTRICTS, DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

**MEETING** At a regularly scheduled meeting of the City of Lindsay City Council held on June 22, 2021 at 6:00 PM at 251 E. Honolulu Street, Lindsay, CA 93247

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

**SECTION 1. DESCRIPTION OF WORK**

That the public interest and convenience requires it and is the intention of the City Council of the City of Lindsay, California, to order the following work be done, to wit:

1. Maintenance and servicing of facilities and landscaping as authorized by Section 22525 of the Streets and Highways Code.
2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

**SECTION 2. LOCATION OF WORK**

The foregoing described work is to be located within the following areas:

1. Right of way and easement along Sierra View St frontage from Harvard to Lafayette and Harvard Avenue frontage from Sierra View St to the North subdivision boundary, more particularly described on maps which are on file in the City Clerk's office as "Sierra View Estates".



## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

2. Right of way and easement along Tulare Rd frontage from Oak to the Eastern subdivision boundary, more particularly described on maps which are on file in the City Clerk's office as "Heritage Park".
3. Right of way and easement along Parkside Ave frontage from Hickory to the North subdivision boundary, more particularly described on maps which are on file in the City Clerk's office as "Parkside Estates".
4. Right of way and easement along Samoa St frontage from Sweet Brier east to the alley, on Sweet Brier Ave from Samoa St to the North subdivision boundary, and areas identified as reciprocal easement for ingress and egress & easement for public utilities and landscaping, more particularly described on maps which are on file in the City Clerk's office as "Sweet Brier Plaza-Samoa".
5. Right of way and easement along Hermosa St frontage from Sweet Brier Ave to the western subdivision boundary, on Sweet Brier Ave frontage from Hermosa St to the Southern subdivision boundaries, and areas identified as reciprocal easement for ingress and egress & easement for public utilities and landscaping, more particularly described on maps which are on file in the City Clerk's office as "Sweet Brier Plaza-Hermosa".
6. Right of way and easement along Orange Ave Lot A and traffic circle located at Sierra View St and Orange Ave, more particularly described on maps which are on file in the City Clerk's office as "Sierra Vista".
7. Right of way and easement at intersections of Maple Valley Way & Maple Valley and Maple Valley Way & Ash Ave, more particularly described on maps which are on file in the City Clerk's office as "Maple Valley".
8. Right of way and easement along Hickory frontage from Hamlin Way to West subdivision boundary, at lots B & C on Bellah Ave, Right of way along Plum Drive, lot A, Right of Way along "Pond Area" and Parkside Ave from Southern subdivision boundary ("Pond Area") to the Northern boundary, more particularly described on maps which are on file in the City Clerk's office as "Pelous Ranch".

Reference is hereby made to said maps for further work, in the opinion of said City Council, is to be of more than local or ordinary public benefit, and the said City Council hereby makes the expense of the said work chargeable upon a district, which said district is described as follows:

### SECTION 3. DESCRIPTION OF ASSESSMENT DISTRICTS

That the contemplated work, in the opinion of said City Council, is to be of more than local or ordinary public benefit, and the said City Council hereby makes the expense of the said work chargeable upon a districts, which said districts are described as follows:

1. All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain "Map of Landscape and Lighting Maintenance District Sierra View Estates" heretofore approved by the City



## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

Council of said City by Resolution No. 92-37, indicating that by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

2. All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting Maintenance District Heritage Park” heretofore approved by the City Council of said City by Resolution No. 96-11, indicating that by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

3. All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting Maintenance District Parkside Estates” heretofore approved by the City Council of said City by Resolution No. 01-74, indicating that by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

4. All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting Maintenance District Sweet Brier Plaza-Samoa” heretofore approved by the City Council of said City by Resolution No. 02-12, indicating that by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

5. All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting Maintenance District Sweet Brier Plaza-Hermosa” heretofore approved by the City Council of said City by Resolution No. 02-15, indicating that by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

6. All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting Maintenance District Sierra Vista” heretofore approved by the City Council of said City by Resolution No. 07-17, indicating that by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

7. All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting Maintenance District Maple Valley” heretofore approved by the City Council of said City by Resolution No. 07-30, indicating that by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

All that certain territory of the City of Lindsay, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting Maintenance District Pelous Ranch” heretofore approved by the City Council of said City by Resolution No. 09- 59 and Resolution No. 11-56, indicating that by said boundary line the extent of the territory included within the



## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

assessment district and which map is on file in the Office of the City Clerk of said City.

### SECTION 4. REPORT OF ENGINEER

The City Council of said City has ordered preparation of the annual report of the Engineer of Work, which report indicates the amount of the proposed assessment, the district boundary, detailed description of improvements, and the method of assessment. The report titled “Engineer’s Report, Landscape and Lighting Maintenance Districts 2021-2022 Fiscal Year” will be filed in the Office of the City Clerk of said City and prepared for the 2021-2022 Fiscal Year in accordance with the Landscaping and Lighting Act of 1972.

Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

### SECTION 5. COLLECTION OF ASSESSMENTS

The assessment shall be collected at the time and in the same manner as County taxes are collected.

### SECTION 6. TIME AND PLACE OF HEARING

Notice is hereby given that on the 13<sup>th</sup> day of July, 2021, at the hour of 6:00 p.m. or as soon thereafter as the matter may be heard in the City Council Chambers at 251 E. Honolulu, in the City of Lindsay, any and all persons having any objections to the work or extent of the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

### SECTION 7. LANDSCAPING AND LIGHTING ACT OF 1972

All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated The Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

### SECTION 8. PUBLICATION OF RESOLUTION OF INTENT

Published notice shall be made pursuant to Section 6061 of the Government Code. The publication of the Notice of Hearing shall be completed at least 10 days prior to the date of the hearing.





## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY

---

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

MEETING DATE	June 22, 2021
MOTION	
SECOND 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.

\_\_\_\_\_  
MAYRA ESPINOZA-MARTINEZ  
CITY CLERK

\_\_\_\_\_  
RAMONA CAUDILLO  
MAYOR



Sierra View Estates Financial Status Report

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 92-01

Maintenance cost breakdown based on 92 lots with an estimated maint. Area of 46,096 square feet.

	Budgeted 2020-2021			Spent 2020-2021	Projected 2021-2022		
<b>COUNTY FEES</b>							
Assessment Fee	92	\$ 1.00	\$ 92.00	\$ 92.00	92	\$ 1.00	\$ 92.00
Roll Corrections	0	\$ 25.00	\$ -		0	\$ 25.00	\$ -
Reporting Fee	1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00
<b>TOTAL</b>			\$ 292.00	\$ 292.00			\$ 292.00
<b>CITY COSTS*</b>							
<b>Engineering</b>		\$ per hr			\$ per hr		
Office Support Staff		\$ 33.41	7	\$ 233.87	\$ 50.56	3	\$ 151.68
City Services Director		\$ 69.85	3	\$ 209.55	\$ 113.29	1.5	\$ 169.94
Associate Engineer		\$ 55.95	5	\$ 279.75	\$ 82.96	5	\$ 414.80
<b>Administration</b>							
City Manager		\$ 86.77	1	\$ 86.77	\$ 131.92	1.5	\$ 197.88
City Attorney		\$ 210.00	0.5	\$ 105.00	\$ 190.00	1.5	\$ 285.00
Finance Manager		\$ 64.45	1	\$ 64.45	\$ 93.70	3.5	\$ 327.95
City Clerk					\$ 61.28	4.5	\$ 275.76
<b>TOTAL</b>			\$ 979.39	\$ 866.62			\$ 1,823.01
<b>WALL MAINTENANCE</b>							
Graffiti Incidents							
<b>TOTAL</b>			\$ -				\$ -
<b>UTILITIES</b>		\$ per month	# months		\$ per month	# months	
Water used for irrigation		# Street Lights		\$ 1,440.00	\$ 1,464.17	12	\$ 1,464.00
SCE (Irrigation + Lighting)		19	12	\$ 1,596.00	\$ 1,667.05	12	\$ 1,710.00
<b>TOTAL</b>				\$ 3,036.00	\$ 3,131.22		\$ 3,174.00
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>		\$/hr	hrs		\$/hr	hrs	
Senior Employee				\$ -			\$ -
Regular Employee				\$ -			\$ -
Regular Employee				\$ -			\$ -
Specialty Contract Maintenance		\$ 1,129.00	12	\$ 13,548.00	\$ 13,923.25	12	\$ 13,548.00
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)		\$ -	1	\$ -			\$ -
<b>TOTAL</b>				\$ 13,548.00	\$ 13,923.25		\$ 13,548.00
<b>SUBTOTAL COSTS</b>				\$ 17,855.39	\$ 18,213.09		\$ 18,837.01
Total Capital Improvement							\$ -
Total assets				\$ 4,963.78			
<b>TOTAL COSTS</b>				\$ 17,855.39			\$ 18,837.01
Costs per square foot of area		46096		\$ 0.39			\$ 0.41
				\$ 194.08			\$ 204.75
Assessment per Lot:		92		\$ 194.04			\$ 204.74

\$ 10.70 Proposed decrease/increase per lot/year  
 \$ 0.89 Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 17,851.68
Received as of April 30, 2021	\$ 17,463.60
Balance deducting the County Fees	\$ 388.08
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ -
Total Owed to the City	\$ 388.08

Heritage Park Financial Status Report

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 96-01

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

			Budgeted 2020-2021			Spent 2020-2021			Projected 2021-2022		
<b>COUNTY FEES</b>											
Assessment Fee			37	\$ 1.00	\$ 37.00	\$ 37.00	37	\$ 1.00	\$ 37.00		
Roll Corrections			0	\$ 25.00	\$ -	\$ -	0	\$ 25.00	\$ -		
Reporting Fee			1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00		
<b>TOTAL</b>					\$ 237.00	\$ 237.00			\$ 237.00		
<b>CITY COSTS*</b>											
<b>Engineering</b>			\$ per hr	# hr			\$ per hr	# hr			
Office Support Staff			\$ 33.41	6	\$ 200.46		\$ 50.56	1.5	\$ 75.84		
City Services Director			\$ 69.85	1	\$ 69.85		\$ 113.29	1	\$ 113.29		
Associate Engineer			\$ 55.95	10	\$ 559.50		\$ 82.96	3	\$ 248.88		
<b>Administration</b>											
City Manager			\$ 86.77	1	\$ 86.77		\$ 131.92	1	\$ 131.92		
City Attorney			\$ 210.00	0.5	\$ 105.00		\$ 190.00	1	\$ 190.00		
Finance Director			\$ 64.45	1	\$ 64.45		\$ 93.70	2	\$ 187.40		
City Clerk							\$ 61.28	3	\$ 183.84		
<b>TOTAL</b>					\$ 1,086.03	\$ 670.35			\$ 1,131.17		
<b>WALL MAINTENANCE</b>											
Graffiti Incidents						\$ -					
<b>TOTAL</b>					\$ -	\$ -			\$ -		
<b>UTILITIES</b>											
			\$ per month	# months		\$ per month	# months				
Water used for irrigation		# Street Lights	\$ 106.00	12	\$ 1,272.00	\$ 1,145.84	\$ 106.00	12	\$ 1,272.00		
SCE (Irrigation + Lighting)		6	\$ 16.00	12	\$ 1,152.00	\$ 1,152.00	\$ 16.00	12	\$ 1,152.00		
<b>TOTAL</b>					\$ 2,424.00	\$ 2,297.84			\$ 2,424.00		
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>											
			\$/hr	hrs		\$/hr	hrs				
Senior Employee			\$ 18.92	0	\$ -		\$ 18.92	0	\$ -		
Regular Employee			\$ 14.50	0	\$ -		\$ 14.50	0	\$ -		
Regular Employee			\$ 14.50	0	\$ -		\$ 14.50	0	\$ -		
Specialty Contract Maintenance			\$ 274.00	12	\$ 3,288.00	\$ 3,835.75	\$ 274.00	12	\$ 3,288.00		
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)					\$ -				\$ 800.00		
<b>TOTAL</b>					\$ 3,288.00	\$ 3,835.75			\$ 4,088.00		
<b>SUBTOTAL COSTS</b>											
					\$ 7,035.03	\$ 7,040.94			\$ 7,880.17		
<b>Total Capital Improvement</b>											
<b>Total assets</b>											
					\$ 13,560.52						
<b>TOTAL COSTS</b>											
					\$ 7,035.03	\$ 7,040.94			\$ 7,880.17		
Costs per square foot of area		13635			\$ 0.61				\$ 0.68		
					\$ 190.14				\$ 212.98		
Assessment per Lot;		37			\$ 190.14				\$ 212.98		

\$ 22.84 Proposed decrease/increase per lot/year  
 \$ 1.90 Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 7,035.18
Received as of April 30, 2021	\$ 6,940.11
Balance deducting the County Fees	\$ (95.07)
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ (938.88)
Total Owed to the City	\$ (1,033.95)

Parkside Estates Financial Status Report

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 01-01

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

	Budgeted 2020-2021			Spent 2020-2021		Projected 2021-2022		
<b>COUNTY FEES</b>								
Assessment Fee	44	\$ 1.00	\$ 44.00	\$ 44.00	44	\$ 1.00	\$ 44.00	
Roll Corrections	0	\$ 25.00	\$ -	\$ -	0	\$ 25.00	\$ -	
Reporting Fee	1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
<b>TOTAL</b>			\$ 244.00	\$ 244.00			\$ 244.00	
<b>CITY COSTS*</b>								
<b>Engineering</b>		\$ per hr	# hr			\$ per hr	# hr	
Office Support Staff		\$ 33.41	4	\$ 133.64		\$ 50.56	2	\$ 101.12
City Services Director		\$ 69.85	1.5	\$ 104.78		\$ 113.29	1	\$ 113.29
Associate Engineer		\$ 55.95	7	\$ 391.65		\$ 82.96	4	\$ 331.84
<b>Administration</b>								
City Manager		\$ 86.77	0.5	\$ 43.39		\$ 131.92	1	\$ 131.92
City Attorney		\$ 210.00	0.5	\$ 105.00		\$ 190.00	1	\$ 190.00
Finance Director		\$ 64.45	0.5	\$ 32.23		\$ 93.70	2	\$ 187.40
City Clerk						\$ 61.28	3	\$ 183.84
<b>TOTAL</b>				\$ 810.68	\$ 415.07			\$ 1,239.41
<b>WALL MAINTENANCE</b>								
Graffiti Incidents				\$ -	\$ -			\$ -
<b>TOTAL</b>				\$ -	\$ -			\$ -
<b>UTILITIES</b>		\$ per month	# months			\$ per month	# months	
Water used for irrigation		\$ 130.61	12	\$ 1,567.32	\$ 1,263.86	\$ 105.32	12	\$ 1,263.86
SCE (Irrigation + Lighting)	6	\$ 87.91	12	\$ 1,054.92	\$ 179.14	\$ 14.93	12	\$ 179.14
<b>TOTAL</b>				\$ 2,622.24	\$ 1,443.00			\$ 1,443.00
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>		\$/hr	hrs			\$/hr	hrs	
Senior Employee		\$ 18.92		\$ -				
Regular Employee		\$ 14.50		\$ -				
Regular Employee		\$ 14.50		\$ -				
Specialty Contract Maintenance		\$ 197.00	12	\$ 2,364.00	\$ 2,364.00	\$ 197.00	12	\$ 2,364.00
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)				\$ -	\$ 1,336.50			\$ 1,500.00
<b>TOTAL</b>				\$ 2,364.00	\$ 3,700.50			\$ 3,864.00
<b>SUBTOTAL COSTS</b>				\$ 6,040.92	\$ 5,802.57			\$ 6,790.41
<b>Total Capital Improvement</b>				\$ -				\$ -
<b>Total assets</b>				\$ 9,215.61				
<b>TOTAL COSTS</b>				\$ 6,040.92				\$ 6,790.41
Costs per square foot of area	7368			\$ 0.82				\$ 0.92
				\$ 137.29				\$ 154.33
Assessment per Lot:	44			\$ 137.28				\$ 154.32

\$ 17.04 Proposed decrease/increase per lot/year  
 \$ 1.42 Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 6,040.32
Received as of April 30, 2021	\$ 5,697.12
Balance deducting the County Fees	\$ 343.20
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ (2,611.86)
Total Owed to the City	\$ 2,955.06

Sweet Brier-Samoa Financial Status Report

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 02-01

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

		Budgeted 2020-2021			Spent 2020-2021		Projected 2021-2022		
<b>COUNTY FEES</b>									
Assessment Fee		6	\$ 1.00	\$ 6.00	\$ 6.00	6	\$ 1.00	\$ 6.00	
Roll Corrections		0	\$ 25.00	\$ -	\$ -	0	\$ 25.00	\$ -	
Reporting Fee		1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
<b>TOTAL</b>				\$ 206.00	\$ 206.00			\$ 206.00	
<b>CITY COSTS*</b>									
<b>Engineering</b>			\$ per hr	# hr			\$ per hr	# hr	
Office Support Staff			\$ 33.41	3	\$ 100.23		\$ 50.56	1	\$ 50.56
City Services Director			\$ 69.85	1	\$ 69.85		\$ 113.29	1	\$ 113.29
Associate Engineer			\$ 55.95	5	\$ 279.75		\$ 82.96	3	\$ 248.88
<b>Administration</b>									
City Manager			\$ 86.77	0.5	\$ 43.39		\$ 131.92	1	\$ 131.92
City Attorney			\$ 210.00	0.5	\$ 105.00		\$ 190.00	1	\$ 190.00
Finance Director			\$ 64.45	0.5	\$ 32.23		\$ 93.70	2	\$ 187.40
City Clerk							\$ 61.28	3	\$ 183.84
<b>TOTAL</b>				\$ 630.44	\$ 186.06			\$ 1,105.89	
<b>WALL MAINTENANCE</b>									
Graffiti Incidents				\$ -	\$ -			\$ -	
<b>TOTAL</b>				\$ -	\$ -			\$ -	
<b>UTILITIES</b>									
			\$ per month	# months			\$ per month	# months	
Water used for irrigation			\$ 32.50	12	\$ 390.00	\$ 371.41	\$ 32.00	12	\$ 384.00
SCE (Irrigation + Lighting)			\$ 22.00	12	\$ 264.00	\$ 319.46	\$ 26.00	12	\$ 312.00
<b>TOTAL</b>				\$ 654.00	\$ 690.87			\$ 696.00	
<b>ASPHALT FEES</b>									
			SF	\$/SF			SF	\$/SF	
Resurfacing			3,128.00	\$ -	\$ -	\$ -	3,128.00	\$ -	
Striping			1.00	\$ -	\$ -	\$ -	1.00	\$ -	\$ -
<b>TOTAL</b>				\$ -	\$ -	\$ -		\$ -	\$ -
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>									
			\$/hr	hrs			\$/hr	hrs	
Senior Employee			\$ 18.92	0	\$ -	\$ -	\$ 18.92	0	\$ -
Regular Employee			\$ 14.50	0	\$ -	\$ -	\$ 14.50	0	\$ -
Regular Employee			\$ 14.50	0	\$ -	\$ -	\$ 14.50	0	\$ -
Specialty Contract Maintenance			\$ 133.00	12	\$ 1,596.00	\$ 1,596.00	\$ 133.00	12	\$ 1,596.00
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)					\$ 400.00				
<b>TOTAL</b>					\$ 1,996.00	\$ 1,596.00			\$ 1,596.00
<b>SUBTOTAL COSTS</b>					\$ 3,486.44	\$ 2,678.93			\$ 3,603.89
Total Capital Improvement	For Asphalt Resurfacing				\$ 751.30				\$ 1,000.00
Total assets					\$ 2,872.52				
<b>TOTAL COSTS</b>					\$ 4,237.74	\$ 2,678.93			\$ 4,603.89
Costs per square foot of area	4924				\$ 706.29				\$ 767.32
Assessment per Lot;	6				\$ 706.28				\$ 767.32

\$ 61.04 Proposed decrease/increase per lot/year  
 \$ 5.09 Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 4,237.68
Received as of April 30, 2021	\$ 4,237.68
Balance deducting the County Fees	\$ -
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ -
Total Owed to the City	\$ -

Sweet Brier-Hermosa Financial Status Report

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 02-02

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

		Budgeted 2020-2021			Spent 2020-2021		Projected 2021-2022		
<b>COUNTY FEES</b>									
Assessment Fee		12	\$ 1.00	\$ 12.00	\$ 12.00	12	\$ 1.00	\$ 12.00	
Roll Corrections		0	\$ 25.00	\$ -	\$ -	0	\$ 25.00	\$ -	
Reporting Fee		1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
<b>TOTAL</b>				\$ 212.00	\$ 212.00			\$ 212.00	
<b>CITY COSTS*</b>									
<b>Engineering</b>									
		\$ per hr	# hr			\$ per hr	# hr		
Office Support Staff		\$ 33.41	1.5	\$ 66.67		\$ 50.56	2	\$ 101.12	
City Services Director		\$ 69.85	1	\$ 69.40		\$ 113.29	1	\$ 113.29	
Associate Engineer		\$ 55.95	3	\$ 248.76		\$ 82.96	3	\$ 248.88	
<b>Administration</b>									
City Manager		\$ 86.77	0.5	\$ 52.05		\$ 131.92	1	\$ 131.92	
City Attorney		\$ 210.00	0.5	\$ -		\$ 190.00	1	\$ 190.00	
Finance Director		\$ 64.45	0.5	\$ 32.23		\$ 93.70	2	\$ 187.40	
City Clerk						\$ 61.28	3	\$ 183.84	
<b>TOTAL</b>				\$ 469.10	\$ 123.61			\$ 1,156.45	
<b>WALL MAINTENANCE</b>									
Graffiti Incidents				\$ -	\$ -			\$ -	
<b>TOTAL</b>				\$ -	\$ -			\$ -	
<b>UTILITIES</b>									
		\$ per month	# months			\$ per month	# months		
SCE (Irrigation + Lighting)		\$ 62.82	12	\$ 753.84	\$ 797.73	\$ 66.48	12	\$ 797.73	
Water used for irrigation		\$ 64.21	12	\$ 770.52	\$ 775.56	\$ 64.63	12	\$ 775.56	
<b>TOTAL</b>				\$ 1,524.36	\$ 1,573.29			\$ 1,573.29	
<b>ASPHALT FEES</b>									
		SF	\$/SF			SF	\$/SF		
Resurgacing		11,542.00	0	\$ -	\$ -	11,542.00	\$ -	\$ -	
Striping		1.00	0	\$ -	\$ -	1.00	\$ -	\$ -	
<b>TOTAL</b>				\$ -	\$ -			\$ -	
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>									
		\$/hr	hrs			\$/hr	hrs		
Senior Employee		\$ -	14	\$ -		\$ -	14	\$ -	
Regular Employee		\$ -	80	\$ -		\$ -	80	\$ -	
Regular Employee		\$ -	80	\$ -		\$ -	80	\$ -	
Specialty Contract Maintenance		\$ 475.00	12	\$ 5,700.00	\$ 5,700.00	\$ 475.00	12	\$ 5,700.00	
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)				\$ 1,782.74	\$ 581.00			\$ 1,000.00	
<b>TOTAL</b>				\$ 7,482.74	\$ 6,281.00			\$ 6,700.00	
<b>SUBTOTAL COSTS</b>				\$ 9,688.20	\$ 8,189.90			\$ 9,641.74	
Total Capital Improvement					\$ -				
Total assets				\$ (1,955.32)				\$ 1,955.32	
<b>TOTAL COSTS</b>				\$ 9,688.20	\$ 8,189.90			\$ 11,597.06	
Costs per square foot of area		6317.5		\$ 1.53				\$ 1.84	
Assessment per Lot;		12		\$ 807.35				\$ 966.42	
				\$ 807.30				\$ 966.42	

\$ 159.12 Proposed decrease/increase per lot/year  
 \$ 13.26 Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 9,687.60
Received as of April 30, 2021	\$ 9,687.60
Balance deducting the County Fees	\$ -
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ -
Total Owed to the City	\$ -

**Sierra Vista Estates Financial Status Report**

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 07-01

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

COUNTY FEES		Projected in 2007-2008 Maintenance			Budgeted 2020-2021			Spent 2020-2021		Projected 2021-2022		
Assessment Fee		19	\$ 1.00	\$ 19.00	19	\$ 1.00	\$ 19.00	\$ 19.00	19	\$ 1.00	\$ 19.00	
Roll Corrections		1	\$ 25.00	\$ 25.00	0	\$ 25.00	\$ -	\$ -	0	\$ 25.00	\$ -	
Reporting Fee		1	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
<b>TOTAL</b>				\$ 244.00			\$ 219.00	\$ 219.00			\$ 219.00	
<b>CITY COSTS*</b>												
<b>Engineering</b>		\$ per hr	# hr		\$ per hr	# hr			\$ per hr	# hr		
Office Support Staff		\$ 33.34	8	\$ 266.72	\$ 33.41	0	\$ -	\$ -	\$ 50.56		\$ -	
City Services Director		\$ 82.99	5	\$ 414.95	\$ 69.85	6.5	\$ -	\$ -	\$ 113.29		\$ -	
Associate Engineer		\$ 43.97	17	\$ 747.49	\$ 55.95	19	\$ -	\$ -	\$ 82.96	4	\$ 331.84	
<b>Administration</b>							\$ -	\$ -				
City Manager		\$ 114.06	1	\$ 114.06	\$ 86.77	1	\$ -	\$ -	\$ 131.92	4	\$ 527.68	
City Attorney		\$ 125.00	1	\$ 125.00	\$ 210.00	0.5	\$ -	\$ -	\$ 190.00	5	\$ 950.00	
Finance Director		\$ 69.98	1	\$ 69.98	\$ 64.45	1	\$ -	\$ -	\$ 93.70	1	\$ 93.70	
City Clerk									\$ 61.28	3	\$ 183.84	
<b>TOTAL</b>				\$ 1,738.20			\$ -	\$ -			\$ 2,087.06	
<b>WALL MAINTENANCE</b>												
Graffiti Incidents				\$ 1,140.00			\$ -	\$ -			\$ -	
<b>TOTAL</b>				\$ 1,140.00			\$ -	\$ -			\$ -	
<b>UTILITIES</b>												
	No. of Street Lights	\$ per month	# months		\$ per month	# months			\$ per month	# months		
Irrigation Timer Electrical costs (Will discontinue in FY17-18)		\$ 70.00	12	\$ 840.00	\$ -	12	\$ -	\$ -	\$ -	12	\$ -	
Water used for irrigation		\$ 140.00	12	\$ 1,680.00	\$ -	12	\$ -	\$ -	\$ -	12	\$ -	
SCE (Irrigation + Lighting)	4	\$ 58.50	12	\$ 2,808.00	\$ 58.55	12	\$ 702.60	\$ 701.96	\$ 58.50	12	\$ 701.96	
<b>TOTAL</b>				\$ 5,328.00			\$ 702.60	\$ 701.96			\$ 701.96	
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>												
		\$/hr	hrs		\$/hr	hrs			\$/hr	hrs		
Senior Employee		\$ 18.92	27.5	\$ 520.30	\$ -	40	\$ -	\$ -	\$ -	40	\$ -	
Regular Employee		\$ 14.50	70	\$ 1,015.00	\$ -	70	\$ -	\$ -	\$ -	70	\$ -	
Regular Employee		\$ 14.50	70	\$ 1,015.00	\$ -	70	\$ -	\$ -	\$ -	70	\$ -	
Specialty Contract Maintenance					\$ 83.33	12	\$ 999.96	\$ 999.96	\$ 83.33	12	\$ 999.96	
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)				\$ 837.76			\$ -	\$ -			\$ -	
<b>TOTAL</b>				\$ 3,388.06			\$ 999.96	\$ 999.96			\$ 999.96	
<b>SUBTOTAL COSTS</b>				\$ 11,838.26			\$ 1,921.56	\$ 1,920.92			\$ 4,007.98	
<b>Total Capital Improvement</b>				\$ 90,000.00								
<b>Total assets</b>				\$ -			\$ 19,707.64					
<b>Loan Amount</b>				\$ 11,838.26			\$ 72,213.92					
Costs per square foot of area				22200			\$ 0.53					
				\$ 623.07			\$ 3,800.73					
Assessment per Lot;				19			\$ 502.84				\$ 502.84	

\$0.00 Proposed decrease/increase per lot/year  
 \$0.00 Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 9,553.96
Received as of April 30, 2021	\$ 9,553.96
Balance deducting the County Fees	\$ -
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ -
Total Owed to the City	\$ -

\*City Costs. Hourly Salary Rates include a 48.19% Overhead Cost

Maple Valley Estates Financial Status Report

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 07-02

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

COUNTY FEES	Budgeted 2020-2021			Spent 2020-2021		Projected 2021-2022		
Assessment Fee	42	\$ 1.00	\$ 42.00	\$ 42.00	42	\$ 1.00	\$ 42.00	
Roll Corrections	0	\$ 25.00	\$ -		0	\$ 25.00	\$ -	
Reporting Fee	1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
<b>TOTAL</b>			<b>\$ 242.00</b>	<b>\$ 242.00</b>				<b>\$ 242.00</b>
<b>CITY COSTS*</b>								
<b>Engineering</b>		\$ per hr	# hr			\$ per hr	# hr	
Office Support Staff		\$ 33.41	0.5	\$ 16.67		\$ 50.56	2	\$ 101.12
City Services Director		\$ 69.85	0.5	\$ 34.70		\$ 113.29	1	\$ 113.29
Associate Engineer		\$ 55.95	2	\$ 82.92		\$ 82.96	3	\$ 248.88
<b>Administration</b>								
City Manager		\$ 86.77	0.5	\$ 52.05		\$ 131.92	1	\$ 131.92
City Attorney		\$ 210.00	0	\$ -		\$ 190.00	1	\$ 190.00
Finance Director		\$ 64.45	0.25	\$ 16.11		\$ 93.70	2	\$ 187.40
City Clerk						\$ 61.28	3	\$ 183.84
<b>TOTAL</b>			<b>\$ 202.46</b>	<b>\$ -</b>				<b>\$ 1,156.45</b>
<b>WALL MAINTENANCE</b>								
Graffiti Incidents			\$ -	\$ -				\$ -
<b>TOTAL</b>			<b>\$ -</b>	<b>\$ -</b>				<b>\$ -</b>
<b>UTILITIES</b>	No. of Street Lights	\$ per month	# months			\$ per month	# months	
Water used for irrigation		\$ 42.33	12	\$ 507.96	\$ 508.08	\$ 42.34	12	\$ 508.08
SCE (Irrigation + Lighting)	4	\$ 23.82	12	\$ 1,143.53	\$ 834.92	\$ 17.39	12	\$ 834.92
<b>TOTAL</b>			<b>\$ 1,651.49</b>	<b>\$ 1,343.00</b>				<b>\$ 1,343.00</b>
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>		\$/hr	hrs			\$/hr	hrs	
Senior Employee		\$ 18.92		\$ -		\$ 18.92		\$ -
Regular Employee		\$ 14.50		\$ -		\$ 14.50		\$ -
Regular Employee		\$ 14.50		\$ -		\$ 14.50		\$ -
Specialty Contract Maintenance		\$ 45.00	12	\$ 540.00	\$ 540.00	\$ 45.00	12	\$ 540.00
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)				\$ -	\$ 343.00			\$ 350.00
<b>TOTAL</b>			<b>\$ 540.00</b>	<b>\$ 883.00</b>				<b>\$ 890.00</b>
<b>SUBTOTAL COSTS</b>			<b>\$ 2,635.95</b>	<b>\$ 2,468.00</b>				<b>\$ 3,631.45</b>
Total Capital Improvement								
Total assets			<b>\$ 1,925.16</b>					
<b>TOTAL COSTS</b>			<b>\$ 2,635.95</b>	<b>\$ 2,468.00</b>				<b>\$ 3,631.45</b>
Costs per square foot of area	1720		\$ 62.76					\$ 86.46
Assessment per Lot;	42		\$ 40.00					\$ 86.46

\$ 46.46 Proposed decrease/increase per lot/year  
 \$ 3.87 Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 1,680.00
Received as of April 30, 2021	\$ 1,680.00
Balance deducting the County Fees	\$ -
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ (222.66)
Total Owed to the City	\$ 222.66

Pelous Ranch Financial Status Report

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 09-01

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

	Budgeted 2020-2021			Spent 2020-2021		Projected 2021-2022				
<b>COUNTY FEES</b>										
Assessment Fee	105	\$ 1.00	\$ 105.00	\$ 105.00		105	\$ 1.00	\$ 105.00		
Roll Corrections	0	\$ 25.00	\$ -			0	\$ 25.00	\$ -		
Reporting Fee	1	\$ 200.00	\$ 200.00	\$ 200.00		1	\$ 200.00	\$ 200.00		
<b>TOTAL</b>			\$ 305.00	\$ 305.00				\$ 305.00		
<b>CITY COSTS*</b>										
<b>Engineering</b>		\$ per hr	# hr			\$ per hr	# hr			
Office Support Staff		\$ 33.41	1	\$ 33.34		\$ 50.56	10	\$ 505.60		
City Services Director		\$ 69.85	1.5	\$ 124.48		\$ 113.29	4	\$ 453.16		
Associate Engineer		\$ 55.95	8	\$ 351.77		\$ 82.96	16	\$ 1,327.36		
<b>Administration</b>										
City Manager		\$ 86.77	0.5	\$ 57.03		\$ 131.92	4	\$ 527.68		
City Attorney		\$ 210.00	0.5	\$ 62.50		\$ 190.00	4	\$ 760.00		
Finance Director		\$ 64.45	0.5	\$ 34.99		\$ 93.70	6	\$ 562.20		
City Clerk						\$ 61.28	9	\$ 551.52		
<b>TOTAL</b>				\$ 664.10	\$ 540.29			\$ 4,687.52		
<b>WALL MAINTENANCE</b>										
Graffiti Incidents				\$ -	\$ -			\$ -		
<b>TOTAL</b>				\$ -	\$ -			\$ -		
<b>UTILITIES</b>		\$ per month	# months			\$ per month	# months			
Water used for irrigation		# Street Lights		\$ 269.00	12	\$ 3,228.00	\$ 1,936.78	\$ 161.40	12	\$ 1,936.78
SCE (Irrigation + Lighting)		29		\$ 507.50	12	\$ 6,090.00	\$ 7,103.07	\$ 591.92	12	\$ 7,103.07
<b>TOTAL</b>				\$ 9,318.00		\$ 9,039.85			\$ 9,039.85	
<b>CITY MAINTENANCE (Landscaping &amp; Irrigation Maintenance/plants)</b>		\$/hr	hrs			\$/hr	hrs			
Senior Employee		\$ 18.92		\$ -		\$ 18.92		\$ -		
Regular Employee		\$ 14.50		\$ -		\$ 14.50		\$ -		
Regular Employee		\$ 14.50		\$ -		\$ 14.50		\$ -		
Specialty Contract Maintenance		\$ 509.00	12	\$ 6,108.00	\$ 6,108.00	\$ 509.00	12	\$ 6,108.00		
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)				\$ -	\$ 423.50			\$ 500.00		
<b>TOTAL</b>				\$ 6,108.00	\$ 6,531.50			\$ 6,608.00		
<b>SUBTOTAL COSTS</b>				\$ 16,395.10	\$ 16,416.64			\$ 20,640.37		
<b>Total Capital Improvement</b>										
<b>Total assets</b>				\$ 23,566.78						
<b>TOTAL COSTS</b>				\$ 16,395.10	\$ 16,416.64			\$ 20,640.37		
Costs per square foot of area	25877			\$ 0.63				\$ 0.80		
Assessment per Lot;	105			\$ 156.14				\$ 196.57		
				\$ 100.00				\$ 100.00		

\$ - Proposed decrease/increase per lot/year  
 \$ - Proposed decrease/increase per lot/month

Budgeted 20-21	\$ 10,500.00
Received as of April 30, 2021	\$ 10,450.00
Balance deducting the County Fees	\$ (50.00)
Per County Report as of April 30, 2021, Unpaid Balance from previous years	\$ -
Total Owed to the City	\$ (50.00)



# CITY OF LINDSAY

PARKSIDE  
ESTATES 01-01

PELOUS RANCH  
09-01

SIERRA VIEW  
ESTATES 92-01

MAPLE VALLEY  
07-02

SIERRA VISTA  
ESTATES 07-01

HERITAGE PARK  
96-01

SWEET BRIER PLAZA-  
SAMOA 02-01

SWEET BRIER PLAZA-  
HERMOSA 02-02

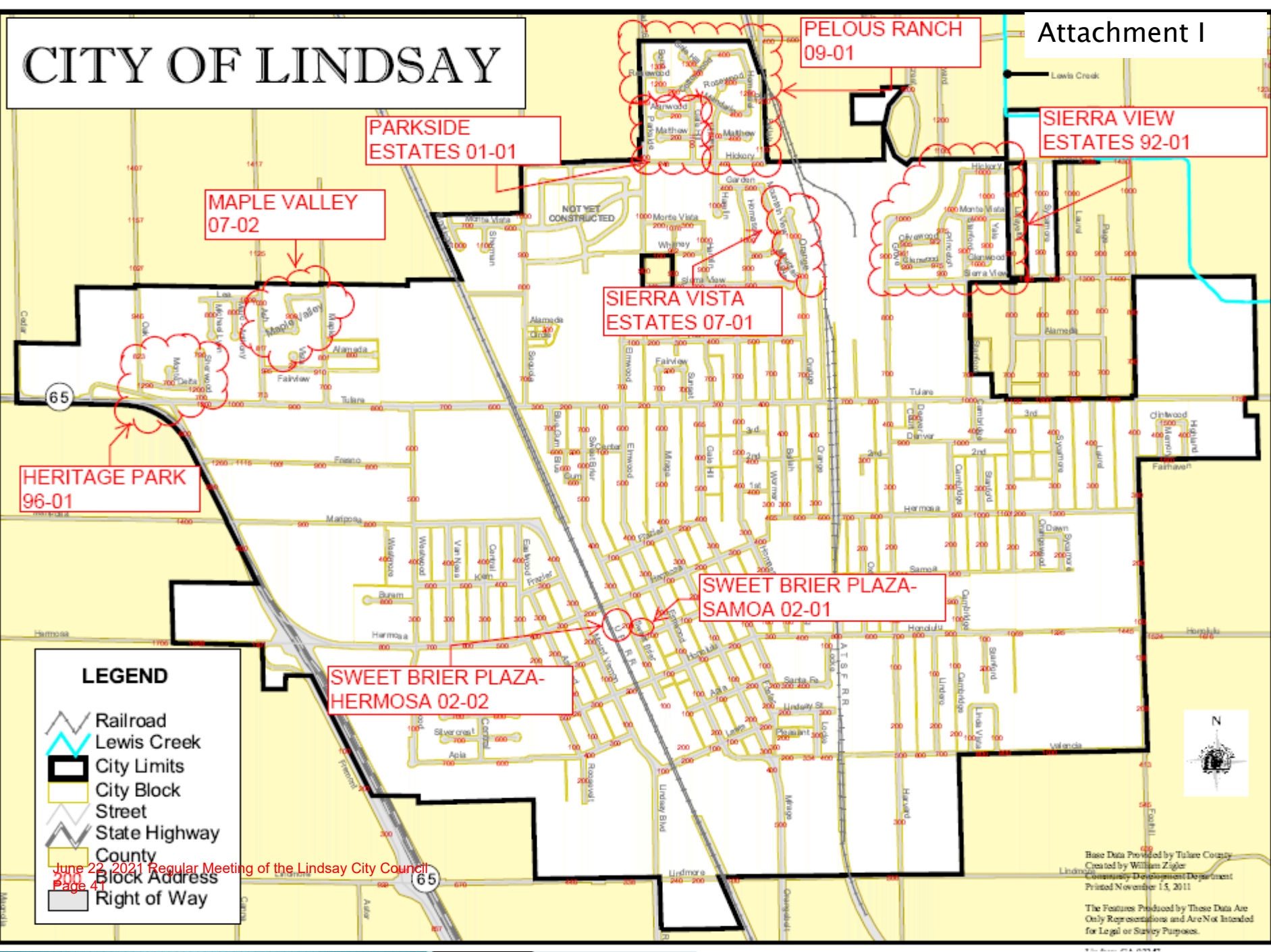
**LEGEND**

- Railroad
- Lewis Creek
- City Limits
- City Block
- Street
- State Highway
- County
- Block Address
- Right of Way

June 23, 2021 Regular Meeting of the Lindsay City Council  
Page 41

Base Data Provided by Tulare County  
Created by William Ziegler  
Lindsay City Development Department  
Printed November 15, 2011

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





## STAFF REPORT

TO: Lindsay City Council  
FROM: Mayra Espinoza-Martinez, City Clerk  
DEPARTMENT: City Manager  
ITEM NO.: 11.2  
MEETING DATE: June 22, 2021

### **ACTION & RECOMMENDATION**

Consider Approval of Memorandum of Understanding by and between the City of Lindsay and the County of Tulare for the Application, Acceptance, and Disbursement of State Department of Housing and Community Development Grant Funding and Authorizing City Manager to Execute Documents Thereto.

### **BACKGROUND | ANALYSIS**

The City of Lindsay entered into a settlement agreement with the State of California on September 8, 2020 that precluded the City from applying for and receiving grants funds under various programs administered by HCD. At that time, a workaround solution was provided for the City to apply for and receive grant funds given that the City “and an eligible entity jointly apply for such funding and agree to be jointly and severally liable for the performance of all obligations and the satisfaction of all conditions of the grant funding, as set forth in an executed standard agreement with HCD, and the eligible entity agrees to act as the lead agency in the application and administration of such funding.”

A final MOU is attached to this staff report for the consideration of Council.

### **FISCAL IMPACT**

The MOU in consideration would enable the City of Lindsay to apply for grant funding during the 5-year controlling period during which, per the September 8, 2020, the City would otherwise not be eligible to receive HCD grant funds.

### **ATTACHMENTS**

- Memorandum of Understanding by and between the City of Lindsay and the County of Tulare

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between the City of Lindsay (“City”) and the County of Tulare (“County”).

### RECITALS

WHEREAS, the City entered into a settlement agreement on September 8, 2020 (“Settlement Agreement”) with the California Department of Housing and Community Development (“HCD”) regarding limits on the City’s ability to apply for and receive grant funds under various programs administered by the HCD.

WHEREAS, the Settlement Agreement requires that the City “and an eligible entity jointly apply for such funding and agree to be jointly and severally liable for the performance of all obligations and the satisfaction of all conditions of the grant funding, as set forth in an executed standard agreement with HCD, and the eligible entity agrees to act as the lead agency in the application and administration of such funding.”

WHEREAS, the County agrees to enter into the grant funding standard agreement with HCD (the “Standard Agreement”) to act as the joint eligible entity for the City in order to apply for or receive funding from any state or federal program operated by HCD and by execution of the Standard Agreement, agrees to abide by all terms and recitals contained therein.

WHEREAS, the County agrees to act as the lead applicant and accepts that it shall have the lead responsibility for administering the Standard Agreement, financial management, and activity reporting.

WHEREAS, the City and the County would like to designate each entities roles and responsibilities for the application, acceptance and disbursement of grant funding.

NOW THEREFORE, the parties agree as follows:

#### **I. Roles and Responsibilities.**

A. The County shall be responsible for the following:

1. The County shall deliver to HCD all final invoices pursuant to Exhibit B, Section 3 of the Standard Agreement.
2. The County shall monitor the project and timeliness of draws within the specified dates.
3. The County shall use no more than 5 percent of the total grant amount for costs related to administration of the project.
4. The County shall take such actions, pay such expenses, and do all things necessary to complete the scope of work pursuant to provisions outlined in future Standard Agreements.
5. The County shall maintain records and submit reimbursement documentation pursuant to provisions outlined in future Standard Agreements.

6. The County shall accept all reimbursements from HCD directly for all allowable project costs.
7. The County shall submit, upon request of HCD, a performance report that demonstrates satisfaction of all requirements identified in the Standard Agreement.
8. Upon completion of all objectives and deliverables required, the County shall submit a final close out report pursuant to provisions outlined in future Standard Agreements.
9. The County shall establish and maintain an accounting system pursuant to provisions outlined in future Standard Agreements.
10. The County shall provide a financial audit prepared by a certified accountant at the request of HCD pursuant to provisions outlined in future Standard Agreements.
11. The County shall coordinate the procurement and hiring of any contractors or subcontractors as necessary for the project, shall maintain records of such relationships and shall act as the day-to-day contact for any contractors or subcontractors for the project.
12. The City acknowledges that the County's obligations under this MOU are in addition to its other critical tasks. The City acknowledges that the County may become unavailable to perform all obligations under this MOU due to insufficient resources. "Insufficient Resources" includes, but is not limited to, a lack of staff capacity or manpower, or other event which prevents the County from performing obligations under this MOU. If the County has insufficient resources to perform any of the obligations under this MOU, the County will notify the City in writing of the specific event that prevents County's performance, and also state which obligations that it cannot perform. The City specifically acknowledges that some applications may be denied by the County due to insufficient resources.

B. The City shall be responsible for the following:

1. The City shall cooperate with the County in providing any information or documentation to complete the above requirements under the Standard Agreement.
2. The City shall hold public hearings and any necessary community outreach for the project.

C. Any further work required to be completed and not specifically covered in this Agreement shall be agreed to by the Parties and shall be in writing prior to any further work commencing.

**II. Termination.** This Agreement may be terminated by either party for cause upon ninety (90) days' written notice of termination to the other party.

**III. Indemnification.** The City agrees to indemnify, defend and hold harmless the County and its officials, officers, employees, agents and volunteers from and against all claims, demands, actions, injuries, liabilities, losses, costs or damages, direct or indirect, and any and all attorneys' fees and other expenses which County or its officials, officers, employees, agents or volunteers may sustain or incur as a consequence of or are in any way related to the City's or its owners, directors, officers, managers, employees, agents, contractors' and subcontractors' willful or negligent acts or omissions in the performance of the services and the City's responsibilities and obligations to be performed under this agreement or its failure to perform or comply with any of its obligations or responsibilities contained in this agreement; excluding, however, such liability, claims, losses, damages or expenses arising from County's sole or active negligence or willful acts. This duty to indemnify, defend, and hold harmless shall survive the termination of this agreement.

**IV. Independent Contractor Status.** It is understood and agreed that the County and by extension, its employees, in the performance of the services pursuant to this Agreement, shall not act as employees of the City. The County shall obtain no retirement benefits or other benefits which accrue to City's employees and the County hereby expressly waives any claim it may have to any such rights.

It is understood and agreed that the City and by extension, its employees, in the performance of the services pursuant to this Agreement, shall not act as employees of the County. The City shall obtain no retirement benefits or other benefits which accrue to County's employees and the City hereby expressly waives any claim it may have to any such rights.

Nothing in this Agreement shall create or be construed as creating a partnership, joint venture or any other relationship between City and the County.

**V. Compliance with Laws.** Both parties shall use the proper standard of care in performing under this Agreement and shall comply with all applicable federal, state and local laws, codes, ordinances and regulations in effect at the time the Agreement is executed.

**VI. Attorneys' Fees.** If an action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other reasonable relief to which they may be entitled. With respect to any suit, action or proceeding arising out of or related to this Agreement, or the documentation related hereto, the parties hereby submit to the jurisdiction and venue of the Superior Court for the County of Tulare, State of California for any proceeding arising hereunder.

**VII. Sole and Only Agreement.** This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding said matters. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party or anyone acting on behalf of any party which are not embodied in this Agreement and no other agreement, statement or promise shall be valid or binding.

**VIII. Invalidity.** If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

**IX. Amendment.** No change, amendment or modification of this Agreement shall be valid unless the same be in writing and signed by the parties hereto.

**X. Governing Law.** This Agreement shall be construed and governed pursuant to the laws of the State of California. Any action to enforce this Agreement is to be brought in Tulare County, California.

**XI. Waiver.** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.

**XII. Mediation.** The parties agree to make a good faith attempt to resolve any disputes arising out of this Agreement through mediation prior to commencing litigation. The parties shall mutually agree upon the mediator and shall divide the costs of mediation equally. If the parties are unable to agree upon a mediator, the dispute shall be submitted to JAMS/ENDISPUTE (“JAMS”) or its successor in interest. JAMS shall provide the parties with the names of five qualified mediators. Each party shall have the option to strike two of the five mediators selected by JAMS and thereafter the mediator remaining shall hear the dispute. If the dispute remains unresolved after mediation, either party may commence litigation.

**XIII. Authority to Enter Agreement.** Each party has all requisite power and authority to conduct its business and to execute, deliver and perform this Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

**XIV. Notice.** Except as otherwise expressly provided herein, any notice, consent, authorization or other communication to be given hereunder shall be in writing and shall be deemed duly given and received when delivered personally, when transmitted by facsimile or e-mail if receipt is acknowledged by the addressee, one business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or three business days after being mailed by first class mail, charges and postage prepaid, property addressed to the party to receive such notice at the last address furnished for such purpose by the party to whom notice is directed and addressed as follows:

**CITY:**

Joseph M. Tanner, City Manager  
City of Lindsay  
251 E. Honolulu St.  
Lindsay, CA 93247

**COUNTY:**

Amy Shuklian, Chair  
County of Tulare  
2800 W. Burrel Ave  
Visalia, CA 93291

IN WITNESS WHEREOF, the parties have executed this Agreement effective on the day and in the year first set forth above.

CITY:

COUNTY:

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Joseph M. Tanner, City Manager

By: \_\_\_\_\_  
Amy Shuklian, Chair

ATTEST:

ATTEST:

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

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