



## LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

251 E. Honolulu St., Lindsay, CA 93247

Tuesday, April 23, 2019 @ 6:00PM

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CALL TO ORDER: 6:00pm  
ROLL CALL: Council Members Sanchez, Flores, Watson, Mayor Pro Tem Cortes & Mayor Kimball  
PLEDGE: Mayor Pro Tem Cortes  
INVOCATION: Mary Sybesma – The Spirit & The Bride Kingdom Coalition

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### Item 0: Public Comment

The public is invited to comment on any subject under the jurisdiction of the Lindsay City Council, including agenda items, other than noticed public hearings. Speakers shall be limited to three minutes. Unless otherwise indicated by the Mayor, Public Comment period will end after 30 minutes. Blank speaker cards are on the back table. Give the completed speaker card to the Clerk before standing at the podium. Speakers should clearly state their name before they begin.

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### Item 1: Council Reports

City Council Members report on recent or upcoming events

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### Item 2: LHS Student Representative Report

Student reports on recent or upcoming events

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### Item 3: Staff Report

City Manager or designee reports on recent or upcoming events

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### Item 4: Consent Calendar

[Roll Call Vote] Routine items approved in one motion unless item is pulled for discussion

Pages 1-32

1. Minutes from April 5, 2019 and April 9, 2019
2. Warrant List for April 15, 2019
3. Treasurer's Report for March 31, 2019
4. El Quinto Sol De America Citizenship/Fundraising Drive
5. Resolution 19-17 SB1 Streets List
6. T.U.P 19-13 Victory Outreach Horseshoe Tournament

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### Item 5: Resolution 19-21 Approving City Council Working Agreement

[Roll Call Vote] Presented by Mayor Kimball

Pages 33-34

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### Item 6: Public Hearing: Resolution 19-18 C.U.P Consideration of Trucking Business Located at 838 W. Tulare Road

[Roll Call Vote] Presented by QK Contract Planning Services

Pages 35-57

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*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 City Clerk at (559) 562-7102 x 8020. Notification 48 hours prior to the meeting will enable the City to ensure accessibility to this meeting and/or provision of an alternative format of the agenda and documents in the agenda packet.*



## LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

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- Item 7: Public Hearing: Ordinance 572 Amending Ch. 18 of the Lindsay Municipal Code Allowing for Cannabis Related Businesses in Permitted Zones with a Conditional Use Permit and Amending Other Used Within the IH Zoning Code  
[Roll Call Vote] Presented by City Manager Zigler  
Pages 58-68
- 
- Item 8: Public Hearing: Ordinance 573 Amending Ch. 5.28 of the Lindsay Municipal Code Allowing Cannabis Businesses and Establishing Permitted Procedures and Regulations.  
[Roll Call Vote] Presented by City Manager Zigler  
Pages 69-90
- 
- Item 9: Resolution 19-19 Regulatory Permit Requirements for Cannabis Business Owners  
[Roll Call Vote] Presented by City Manager Zigler  
Pages 91-95
- 
- Item 10: Resolution 19-20 Minimum Premises Security Requirements and Restrictions  
[Roll Call Vote] Presented by City Manager Zigler  
Pages 96-102
- 
- Item 11: Requests for Future Agenda Items  
[Minute Order] Presented by Councilmembers
- 
- Item 12: Adjourn  
The next regular Lindsay City Council meeting will be held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00PM on May 14, 2019
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## LINDSAY CITY COUNCIL GOAL SETTING MEETING

MEETING: CITY COUNCIL GOAL SETTING

LOCATION: 251 HONOLULU, LINDSAY, CA 93247

Community Development Conference Room

DATE: FRIDAY, APRIL 5, 2019

TIME: 8AM – 2PM

Page **8476**

CALL TO ORDER: 8:00AM

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

- All present

PLEDGE: Mayor Kimball

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### Item 0: Public Comment

- No public comment

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### Item 1: GOAL SETTING

1. Facilitator: Barry Sommer
  - Barry Sommer introduced himself and went over a PowerPoint presentation on team building and leadership skills.
  - Council established united objectives and goals.
  - Council pledged to abide by a working agreement to enhance efficiency, effectiveness, and decorum.

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### Item 2: ADJOURN

The next regular Lindsay City Council meeting will be held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00PM on April 9, 2019.

- Meeting was adjourned at 2:00pm by Mayor Kimball.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

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Bret Harmon, City Clerk

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Pamela Kimball, Mayor

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## LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

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Tuesday, April 9, 2019 @ 6:00PM

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CALL TO ORDER:	6:00pm
ROLL CALL:	Council Members Sanchez, Flores, Watson, Mayor Pro Tem Cortes & Mayor Kimball – all present
PLEDGE:	Council Member Sanchez
INVOCATION:	Pastor Job Lara – First Baptist Church of Lindsay

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Item 0:        Proclamation 1: Recognition of OBF Queen, Court and Honored Couple  
                 Proclamation 2: Recognition of Misty Villarreal and Students for Volunteer Work  
                 Presented by Mayor Kimball

- Mayor read proclamation for the Honored Couple, Queen and her Court. Queen thanked Council for having them. Court each introduced themselves. OBF couple also thanked Council and gave a little of their background.
- Mayor Kimball read proclamation for Misty Villarreal and students for volunteer work at the Olive Bowl. Misty thanked Council for having them and shared how proud of her students she was.

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Item 0:        Public Comment

- Eric Sinclair – Born and raised in Lindsay. Wants to address jobs and employment throughout the city. Wants to bring in business owners. He stated that he's business oriented and is very good at it.
- Ramona Caudillo – Runs Auto Customs and has been in town for a year. She will be doing a production of Boulevard Nights, the movie. She has many businesses and will be bringing actors to Lindsay and will offer merchandise and vendors. Hoping to build up the city by bringing in the actors.
- Cerilo Gill – Civic duty to speak about the mess the city is in. He's upset about the city's leadership and administration. He is frustrated because of the lack of transparency and is worried about the citizens who don't have voices. He stated that there was no accountability and wants leaders who do the right thing and asked Mayor Kimball to resign her position. He later came back to make another comment. He wanted a worker to come check his sewer line from City Services and was upset that someone couldn't come out at 4:00pm because workers go home at 2:30pm. He doesn't understand the schedule or why he would be charged a \$50 fee after 4:00pm.
- Starr Warson – Owns several buildings down town and wanted to address Friday night market. His understanding was that if Lindsay businesses wanted to participate they had preference. He's been told by one of his renters that she can't have the space in front of her business because it has already been given to someone else. She was told that she can put up her location somewhere else. He was told that it was going to be Lindsay businesses first and that has not been the case. He states that his tenants didn't receive notification of the meeting for the market and that the contractor is not putting Lindsay first or properly notifying businesses.

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Item 1:        Council Reports  
                 City Council Members report on recent or upcoming events

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- Flores – Concerned about what she’s hearing about the market. Wants market issues addressed. She stated that it is unacceptable that city workers are going home at 2:30pm. She went to a Well conference in Long Beach and learned about the water resources and how to help the cities. She wants to look for grants that can help replace pipes and infrastructure.
- Watson – Is on East Kaweah GSA, which is a new state mandated board. Many professional engineers and geologist are part of the board and will help fulfill the state’s mandate of developing a water plan for the area. He attended the vendors meeting for the Friday night market. It was a two-hour meeting that he feels went very well. There are close to 200 vendors already signed up. He understands were Starr is coming from and hopes they can work around it.
- Sanchez – Addressed Gil’s concern about the 2:30pm end date for service workers and wants to know if this is true and why. She Looked over the Jimora contract and has some questions that she will address with staff later. She went to the well conference with Councilmember Flores and wanted to stress that along with infrastructure, clean water was also important. She attended the health advisory program that had 53 members show up. The pound and taste is last Friday of every month. Gave info on Wellness Center events. She reported that the health fair is coming up October 19<sup>th</sup>.
- Cortes – Thanked city staff and volunteers that helped the Ono City activities. Attended DACA presentation last Wednesday which was very informative. She stated that DACA isn’t accepting new applicants but informed that current members may renew. Update on earth day and that Queen and court will be installing plants. There will be graffiti a cleanup event and competition for the best recycler for city council. Looking into senior citizen clean up event.
- Kimball – Attended public workshop in preparation of grant application. Consensus was they want baseball field, bleachers, and lighting and new bathroom/concession stand. Coronation was beautifully conducted.

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Item 2:        **LHS Student Representative Report**  
Student reports on recent or upcoming events

- Absent with notice.

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Item 3:        **Staff Report**  
City Manager or designee reports on recent or upcoming events

- Zigler – Thanked council for meeting at the retreat last Friday. Asked council to provide creed that they might want for their intro statements.

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Item 4:        **Consent Calendar**  
[Minute Order] Routine items approved in one motion unless item is pulled for discussion  
Pages 1-5

1. Minutes from March 26, 2019 Meeting

Motion:        To Approve Consent Calendar

1 <sup>st</sup>	2 <sup>nd</sup>	Result
Watson	Sanchez	5-0

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Item 5:        **Information Item – Proclamation Declaring April Child Abuse Awareness Month**  
Presented by Linda Ledesma – Healthy Start Family Resource Center



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- Gave history of child awareness month and how it came about. Blue ribbons signify the bruises given to the children of abuse. New study shows that 2 trillion dollars goes into child abuse cases. Asking everyone in the community to wear blue on Friday's and gave stats on child abuse cases in Tulare County.
- Mayor Kimball presented proclamation on Child Abuse Awareness.

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### Item 6: Resolution 19-14 Approval of ATM Kiosk for Bank of America at Olivewood Plaza Shopping Center located at 208 Highway 65

[Roll Call Vote] Presented by QK Contract Planning Services

Pages 6-14

- QK Contract Planning Services – Discussed site plan. Kimball wanted clarification on what kind of atm it would be, and Cortes asked how it came about and who asked for it, which was Bank of America.

Motion: To Approve Resolution 19-14

1 <sup>st</sup>	2 <sup>nd</sup>	Flores	Sanchez	Watson	Cortes	Kimball	Result
Cortes	Watson	Yes	Yes	Yes	Yes	Yes	5-0 approved

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### Item 7: Resolution 19-15 Approval of Daycare Located at 964 Maple Valley Way

[Roll Call Vote] Presented by QK Contract Planning Services

Pages 15-20

- QK Contract Planning Services – discussed site plan for the daycare. Council had a concern about adequate parking, but a carport will be added.
- Watson wanted to know about traffic issues but Zigler states there would be no issues.

Motion: To Approve Resolution 19-15

1 <sup>st</sup>	2 <sup>nd</sup>	Flores	Sanchez	Watson	Cortes	Kimball	Result
Watson	Flores	Yes	Yes	Yes	Recused	Yes	4-0 approved

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### Item 8: Resolution 19-16 Watson Tentative Parcel Map Located at 1030 Parkside Avenue

[Roll Call Vote] Presented by QK Contract Planning Services

Pages 21-31

- QK Contract Planning Services – discussed site plan for splitting one lot into two lots.
- Flores asked if lot had been divided before and Zigler responded that it had but it would not be in issue because request meets all legal requirements and conditions.

Motion: To Approve Resolution 19-16

1 <sup>st</sup>	2 <sup>nd</sup>	Flores	Sanchez	Watson	Cortes	Kimball	Result
Sanchez	Flores	Yes	Yes	Recused	Yes	Recused	3-0 approved

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### Item 9: Study Session – Housing Element

Presented by City Manager Zigler

- Zigler – Discussed the housing plan and highlighted importance of each plan. He discussed community image, special needs housing, housing market issues, above-moderate income housing, and suggested policy directions. He asked Council for their input and thoughts.
- Council – Expressed enthusiasm and asked some questions about pricing which is not available yet.



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### Item 10: Resolution 19-13 Transit Agreement with County of Tulare

[Roll Call Vote] Presented by City Services Director Camarena

Pages 32-46

- Camarena – Gave information to Council on resolution and discussed dial-a-ride coming to the city. He stated that funds come out of state transit money and the balance could be rolled into street program.

Motion: To Approve Resolution 19-13

1 <sup>st</sup>	2 <sup>nd</sup>	Flores	Sanchez	Watson	Cortes	Kimball	Result
Cortes	Flores	Yes	Yes	Yes	Yes	Yes	5-0 approved

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### Item 11: Requests for Future Agenda Items

[Minute Order] Presented by Councilmembers

- Flores asked that sports complex get porter potties. Cortes asked for it to be an agenda item. Zigler suggested an Ad hoc committee to discuss the issues rather than waiting for the next Council Meeting. Cortes and Flores agreed to be on the ad-hoc and will provide findings to Council.
- Sanchez wanted to discuss farmers market contract but Kimball and Zigler didn't want it to go back on as an agenda to avoid getting stuck and moving further behind with other work that needs to get done. Sanchez agreed to visit the market on Friday and report back with how it went.

Motion: No Motion Was Made

1 <sup>st</sup>	2 <sup>nd</sup>	Result

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### Item 12: Executive (Closed) Session

Conference with Legal Counsel regarding – GC §54956.9(d)(4)

Potential for Litigation

- Nothing to report.

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### Item 13: Adjourn

The next regular Lindsay City Council meeting will be held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00PM on April 23, 2019.

Motion: To Adjourn Meeting

1 <sup>st</sup>	2 <sup>nd</sup>	Result
Watson	Cortes	5-0 approved

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

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Bret Harmon, City Clerk

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Pamela Kimball, Mayor

TRANSACTION DATES: 03/14/2019 THROUGH 04/14/2019

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,012,255.09</b>
<b>92573</b>						<b>(\$100.00)</b>
	101 - GENERAL FUND	43297	4281	BRIAN E. WATSON	MAY AND JUNE 2018	(100.00)
<b>92575</b>						<b>(\$25.00)</b>
	400 - WELLNESS CENTER	43297	4912	BUSINESS RADIO LICE	ZUMBA	(25.00)
<b>94133</b>						<b>\$275.00</b>
	400 - WELLNESS CENTER	43538	6376	ANNA MAGDALENO	CLASS AT WELLNESS	275.00
<b>94134</b>						<b>\$960.00</b>
	400 - WELLNESS CENTER	43538	6039	DINA RESTIVO	CLASS AT WELLNESS	960.00
<b>94135</b>						<b>\$419.06</b>
	400 - WELLNESS CENTER	43538	3733	DIRECTV	3/9/19 059208625	209.22
	400 - WELLNESS CENTER	43538	3733	DIRECTV	2/9/19	209.84
<b>94136</b>						<b>\$200.00</b>
	400 - WELLNESS CENTER	43538	6040	ERMELINDA PUENTES	FIT AND TONE CLASS	200.00
<b>94137</b>						<b>\$1,431.90</b>
	779 - 00-HOME-0487	43538	5284	FARMERS	GUADALUPE STEVENS	1,431.90
<b>94138</b>						<b>\$250.00</b>
	400 - WELLNESS CENTER	43538	5804	KELSIE AVINA	ZUMBA CLASS	250.00
<b>94139</b>						<b>\$125.00</b>
	400 - WELLNESS CENTER	43538	5448	KIRBY D. MANNON	EXERCISE CLASS	125.00
<b>94140</b>						<b>\$922.19</b>
	101 - GENERAL FUND	43538	6377	POINT EMBLEMS	HARD ENAMEL.3D. PD	922.19
<b>94141</b>						<b>\$100.00</b>
	400 - WELLNESS CENTER	43538	3208	SHANNON PATTERSON	AQUA CLASS	100.00
<b>94142</b>						<b>\$630.00</b>
	400 - WELLNESS CENTER	43538	4914	STEPHANIE OROSCO	ZUMBA CLASS	630.00
<b>94143</b>						<b>\$971.00</b>
	400 - WELLNESS CENTER	43538	1664	TU CO ENVIRONMENTAL	POOL-HOT TUB	971.00
<b>94144</b>						<b>\$0.00</b>
	552 - WATER	43538	2960	UNITED STATES BUREA	5-07-20-W428L	324.08
	552 - WATER	43538	2960	UNITED STATES BUREA	5-07-20-W428L	(324.08)
	552 - WATER	43538	2960	UNITED STATES BUREA	5-07-20 W428L	8,827.85
	552 - WATER	43538	2960	UNITED STATES BUREA	5-07-20 W428L	(8,827.85)
<b>94145</b>						<b>\$324.08</b>
	552 - WATER	43538	2960	UNITED STATES BUREA		324.08
<b>94146</b>						<b>\$8,827.85</b>
	552 - WATER	43538	2960	UNITED STATES BUREA		8,827.85
<b>94147</b>						<b>\$449.47</b>
	101 - GENERAL FUND	43542	3977	AFLAC	DED:015 AFLAC	449.47
<b>94148</b>						<b>\$242.61</b>
	101 - GENERAL FUND	43542	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN	238.00
	101 - GENERAL FUND	43542	4660	CITY OF LINDSAY	DED:052 WELLNESS	4.61



TRANSACTION DATES: 03/14/2019 THROUGH 04/14/2019

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94149</b>						<b>\$1,128.09</b>
	101 - GENERAL FUND	43542	451	CITY OF LINDSAY EMP	DED:0503 SEC 125	1,119.09
	101 - GENERAL FUND	43542	451	CITY OF LINDSAY EMP	DED:0505 SEC 125	9.00
<b>94150</b>						<b>\$140.84</b>
	101 - GENERAL FUND	43542	3192	SEIU LOCAL 521	DED:DUES UNION DUES	140.84
<b>94151</b>						<b>\$5,508.77</b>
	101 - GENERAL FUND	43542	453	LINCOLN LIFE	DED:0500 DEF COMP	2,303.39
	101 - GENERAL FUND	43542	453	LINCOLN LIFE	DED:151 DEFERCOMP	2,417.79
	101 - GENERAL FUND	43542	453	LINCOLN LIFE	DED:0555 DC LOANPAY	787.59
<b>94152</b>						<b>\$50.82</b>
	101 - GENERAL FUND	43542	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	50.82
<b>94153</b>						<b>\$133.78</b>
	101 - GENERAL FUND	43542	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT	133.78
<b>94154</b>						<b>\$419.55</b>
	101 - GENERAL FUND	43542	457	PUBLIC EMPLOYEES RE	DED:0308 PERS PAID	419.55
<b>94155</b>						<b>\$437.07</b>
	101 - GENERAL FUND	43542	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	437.07
<b>94156</b>						<b>\$359.57</b>
	101 - GENERAL FUND	43542	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	359.57
<b>94157</b>						<b>\$150.00</b>
	101 - GENERAL FUND	43546	6378	TIENKEN REALTY	CREDIT REPORTS	150.00
<b>94158</b>						<b>\$6,854.00</b>
	552 - WATER	43549	5344	99 PIPE LINE INC.	LINDMORE MAIN REPAI	6,854.00
<b>94159</b>						<b>\$580.05</b>
	400 - WELLNESS CENTER	43549	3023	AAA SECURITY, INC.	3/1/19-3/03/19 GUAR	154.68
	400 - WELLNESS CENTER	43549	3023	AAA SECURITY, INC.	2/18/-2/24 GUARD SR	425.37
<b>94160</b>						<b>\$108.27</b>
	101 - GENERAL FUND	43549	4259	AAA TRUCK SERVICE I	TRUCK 60	54.89
	552 - WATER	43549	4259	AAA TRUCK SERVICE I	TRUCK 56	18.21
	552 - WATER	43549	4259	AAA TRUCK SERVICE I	TRUCK 56	35.17
<b>94161</b>						<b>\$150.27</b>
	552 - WATER	43549	2873	ADVANTAGE ANSWERING	00013-374-671	50.09
	553 - SEWER	43549	2873	ADVANTAGE ANSWERING	00013-374-671	50.09
	554 - REFUSE	43549	2873	ADVANTAGE ANSWERING	00013-374-671	50.09
<b>94162</b>						<b>\$103.87</b>
	101 - GENERAL FUND	43549	007	AG IRRIGATION SALES		21.91
	553 - SEWER	43549	007	AG IRRIGATION SALES		24.56
	553 - SEWER	43549	007	AG IRRIGATION SALES		57.40
<b>94163</b>						<b>\$541.43</b>
	101 - GENERAL FUND	43549	1858	ALL PRO FIRE AND SA	SERVICE EQUIPMENT	541.43
<b>94164</b>						<b>\$29.88</b>
	101 - GENERAL FUND	43549	5457	AUTO ZONE COMMERCIA	HEADLAMP FOR E87	11.41
	552 - WATER	43549	5457	AUTO ZONE COMMERCIA	PWER STEERING FLUID	18.47

TRANSACTION DATES: 03/14/2019 THROUGH 04/14/2019

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94165</b>						<b>\$474.99</b>
	552 - WATER	43549	076	CENTRAL VALLEY BUSI	310 WINDOW ENVELOPE	116.73
	552 - WATER	43549	076	CENTRAL VALLEY BUSI	#10 REG ENVELOPES	41.60
	553 - SEWER	43549	076	CENTRAL VALLEY BUSI	310 WINDOW ENVELOPE	116.73
	553 - SEWER	43549	076	CENTRAL VALLEY BUSI	#10 REG ENVELOPES	41.60
	554 - REFUSE	43549	076	CENTRAL VALLEY BUSI	310 WINDOW ENVELOPE	116.73
	554 - REFUSE	43549	076	CENTRAL VALLEY BUSI	#10 REG ENVELOPES	41.60
<b>94166</b>						<b>\$289.87</b>
	101 - GENERAL FUND	43549	3845	CHADS AUTO GLASS	LPD# 1366703	289.87
<b>94167</b>						<b>\$1,372.83</b>
	101 - GENERAL FUND	43549	279	CITY OF PORTERVILLE	99-017105 CNG JAN20	346.11
	101 - GENERAL FUND	43549	279	CITY OF PORTERVILLE	99-017105 CNG DEC20	242.25
	261 - GAS TAX FUND	43549	279	CITY OF PORTERVILLE	99-017105 CNG JAN20	115.35
	261 - GAS TAX FUND	43549	279	CITY OF PORTERVILLE	99-017105 CNG DEC20	80.76
	552 - WATER	43549	279	CITY OF PORTERVILLE	99-017105 CNG JAN20	115.37
	552 - WATER	43549	279	CITY OF PORTERVILLE	99-017105 CNG DEC20	80.75
	553 - SEWER	43549	279	CITY OF PORTERVILLE	99-017105 CNG JAN20	115.37
	553 - SEWER	43549	279	CITY OF PORTERVILLE	99-017105 CNG DEC20	80.75
	554 - REFUSE	43549	279	CITY OF PORTERVILLE	99-017105 CNG JAN20	115.37
	554 - REFUSE	43549	279	CITY OF PORTERVILLE	99-017105 CNG DEC20	80.75
<b>94168</b>						<b>\$45.00</b>
	101 - GENERAL FUND	43549	5518	COMPUTER SYSYEMS P	2/28/19 ANTIVIRUS	45.00
<b>94169</b>						<b>\$83.74</b>
	101 - GENERAL FUND	43549	4717	COUNTY OF TULARE /	1/19 PRINT	83.74
<b>94170</b>						<b>\$409.63</b>
	552 - WATER	43549	102	CULLIGAN	18869 AVE 240	110.31
	552 - WATER	43549	102	CULLIGAN	24158 AVE 240	62.99
	552 - WATER	43549	102	CULLIGAN	18899 AVE 240	63.10
	552 - WATER	43549	102	CULLIGAN	18829 AVE 240	78.84
	552 - WATER	43549	102	CULLIGAN	23965 RD 188	85.89
	553 - SEWER	43549	102	CULLIGAN	23611 RD 196	8.50
<b>94171</b>						<b>\$840.00</b>
	101 - GENERAL FUND	43549	316	DEPT OF JUSTICE	FEB BLOOD ANALYSIS	140.00
	101 - GENERAL FUND	43549	316	DEPT OF JUSTICE	FINGERPRINTS FEB201	700.00
<b>94172</b>						<b>\$921.60</b>
	261 - GAS TAX FUND	43549	3478	FRESNO PIPE & SUPPL		921.60
<b>94173</b>						<b>\$1,940.00</b>
	552 - WATER	43549	137	FRIANT WATER AUTHOR	MONTHLY SHARE OF FK	1,940.00
<b>94174</b>						<b>\$150.51</b>
	101 - GENERAL FUND	43549	1925	FRUIT GROWERS SUPPL	GOGGLES,GLASSES,MAS	75.26
	552 - WATER	43549	1925	FRUIT GROWERS SUPPL	GOGGLES,GLASSES,MAS	37.63
	553 - SEWER	43549	1925	FRUIT GROWERS SUPPL	GOGGLES,GLASSES,MAS	37.62

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94175</b>						<b>\$3,787.09</b>
	101 - GENERAL FUND	43549	148	GOMEZ AUTO & SMOG	2006 TOYO-OIL CHANG	137.83
	101 - GENERAL FUND	43549	148	GOMEZ AUTO & SMOG	07 FORD-CHECK ENGIN	181.61
	101 - GENERAL FUND	43549	148	GOMEZ AUTO & SMOG	2005 MITSUBISHI-OIL	128.36
	101 - GENERAL FUND	43549	148	GOMEZ AUTO & SMOG	06 TOYO-OIL CHANGE	70.10
	552 - WATER	43549	148	GOMEZ AUTO & SMOG	1991 BACK HOE	171.11
	552 - WATER	43549	148	GOMEZ AUTO & SMOG	2005 CHEV-TUNE UP	215.38
	552 - WATER	43549	148	GOMEZ AUTO & SMOG	1991 BACK HOE-HOSES	311.71
	552 - WATER	43549	148	GOMEZ AUTO & SMOG	2000 DODGE DAKOTA	64.18
	552 - WATER	43549	148	GOMEZ AUTO & SMOG	1991 BACK HOE	962.09
	552 - WATER	43549	148	GOMEZ AUTO & SMOG	2005 CHEV-REWIRE	99.83
	553 - SEWER	43549	148	GOMEZ AUTO & SMOG	1991 BACK HOE	171.10
	553 - SEWER	43549	148	GOMEZ AUTO & SMOG	1991 BACK HOE-HOSES	311.70
	553 - SEWER	43549	148	GOMEZ AUTO & SMOG	1991 BACK HOE	962.09
<b>94176</b>						<b>\$190.00</b>
	101 - GENERAL FUND	43549	149	GOVERNMENT FINANCE	5/1/2019-4/30/2020	190.00
<b>94177</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43549	6380	IRINEO HERNANDEZ	ARBOR DEPOSIT REFUN	100.00
<b>94178</b>						<b>\$500.00</b>
	101 - GENERAL FUND	43549	6346	JEFF PFEIFFER	SQUIRRELS TREATMENT	500.00
<b>94179</b>						<b>\$0.00</b>
	720 - HOME REVOLVING	43549	3202	JESUS HEREDIA	EXCESS FUNDS-OVRPMT	228.19
	720 - HOME REVOLVING	43549	3202	JESUS HEREDIA	EXCESS FUNDS-OVRPMT	(228.19)
<b>94180</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43549	6354	JOSE ESPINOZA	ARBOR DEPOSIT REFUN	100.00
<b>94181</b>						<b>\$949.77</b>
	101 - GENERAL FUND	43549	4378	JOSEPH H AVINA	BUILDING INSPECTOR	100.00
	101 - GENERAL FUND	43549	4378	JOSEPH H AVINA	CITY PARK-PLAYGROUN	849.77
<b>94182</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43549	6381	JUAN SALAS	ARBOR DEPOSIT REFUN	100.00
<b>94183</b>						<b>\$365.85</b>
	101 - GENERAL FUND	43549	5542	KRC SAFETY CO., INC	STREETS REPAIR MAIN	365.85
<b>94184</b>						<b>\$743.90</b>
	552 - WATER	43549	1457	LESLIE'S POOL SUPPL	00013-02-016845	371.95
	553 - SEWER	43549	1457	LESLIE'S POOL SUPPL	00013-02-016845	371.95
<b>94185</b>						<b>\$3,738.20</b>
	400 - WELLNESS CENTER	43549	5788	LINCOLN AQUATICS		1,058.31
	400 - WELLNESS CENTER	43549	5788	LINCOLN AQUATICS		1,227.14
	400 - WELLNESS CENTER	43549	5788	LINCOLN AQUATICS		232.73
	400 - WELLNESS CENTER	43549	5788	LINCOLN AQUATICS		559.73
	400 - WELLNESS CENTER	43549	5788	LINCOLN AQUATICS		660.29
<b>94186</b>						<b>\$2,323.04</b>
	101 - GENERAL FUND	43549	4067	LINCOLN NAT'L INSUR	APRIL 2019DENTAL PL	2,323.04
<b>94187</b>						<b>\$457.97</b>
	101 - GENERAL FUND	43549	078	LINDSAY CHAMBER OF	MEASURE O PRINTING	457.97

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94188</b>						<b>\$2,685.12</b>
	101 - GENERAL FUND	43549	1422	LINDSAY TRUE VALUE	CITY SERVICES	186.73
	101 - GENERAL FUND	43549	1422	LINDSAY TRUE VALUE	LATE FEE	34.53
	101 - GENERAL FUND	43549	1422	LINDSAY TRUE VALUE	PD	35.14
	101 - GENERAL FUND	43549	1422	LINDSAY TRUE VALUE	CITY SERVICES	359.69
	101 - GENERAL FUND	43549	1422	LINDSAY TRUE VALUE	CITY SERVICES	647.46
	101 - GENERAL FUND	43549	1422	LINDSAY TRUE VALUE	CITY SERVICES	90.53
	261 - GAS TAX FUND	43549	1422	LINDSAY TRUE VALUE	CITY SERVICES	21.18
	400 - WELLNESS CENTER	43549	1422	LINDSAY TRUE VALUE	WELLNESS	137.62
	552 - WATER	43549	1422	LINDSAY TRUE VALUE	CITY SERVICES	518.51
	553 - SEWER	43549	1422	LINDSAY TRUE VALUE	CITY SERVICES	653.73
<b>94189</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43549	6379	LORENZO BARRAZA	ARBOR DEPOSIT REFUN	100.00
<b>94190</b>						<b>\$46.17</b>
	101 - GENERAL FUND	43549	5409	MARIA KNUTSON	OVPRYMT 457 LOAN	46.17
<b>94191</b>						<b>\$1,948.80</b>
	101 - GENERAL FUND	43549	234	MARTIN'S TIRE & AUT	06FORD 1226636	1,281.80
	101 - GENERAL FUND	43549	234	MARTIN'S TIRE & AUT	11CHEV LP 1366705	593.83
	101 - GENERAL FUND	43549	234	MARTIN'S TIRE & AUT	06 TOYO-1179748	73.17
<b>94192</b>						<b>\$63,286.28</b>
	554 - REFUSE	43549	5852	MID VALLEY DISPOSAL	DEC 2018	63,286.28
<b>94193</b>						<b>\$151.00</b>
	101 - GENERAL FUND	43549	6280	MINERAL KING TOXICO	AUNTUNEZ ABEL,MAGAN	151.00
<b>94194</b>						<b>\$16.10</b>
	101 - GENERAL FUND	43549	6162	MUNISERVICES	SUTA TAX QTR 6/30/1	16.10
<b>94195</b>						<b>\$203.90</b>
	101 - GENERAL FUND	43549	1565	OACYS.COM INC	EMAIL ACCOUNT	13.95
	400 - WELLNESS CENTER	43549	1565	OACYS.COM INC	WELLNESS INTERNET	189.95
<b>94196</b>						<b>\$180.00</b>
	101 - GENERAL FUND	43549	3260	PACIFIC EMPLOYERS	HR SRV-QTR BILLING	180.00
<b>94197</b>						<b>\$201.15</b>
	101 - GENERAL FUND	43549	272	PITNEY BOWES INC.	CLEANING PACK -POST	108.73
	101 - GENERAL FUND	43549	272	PITNEY BOWES INC.	E-Z SEAL,MOISTENER	92.42
<b>94198</b>						<b>\$143.18</b>
	101 - GENERAL FUND	43549	276	PORTERVILLE RECORDER	ORDINANCE 571	71.09
	101 - GENERAL FUND	43549	276	PORTERVILLE RECORDER	ORDINANCE 570	72.09
<b>94199</b>						<b>\$25.00</b>
	400 - WELLNESS CENTER	43549	1849	PORTERVILLE VALLEY	LOBUE-DRUG SCREEN	25.00
<b>94200</b>						<b>\$170.00</b>
	553 - SEWER	43549	4618	PROVOST & PRITCHARD	FEB 2019	170.00
<b>94201</b>						<b>\$4,589.90</b>
	101 - GENERAL FUND	43549	399	QUAD KNOPF,INC.	ENGINEERING 1/27-2/	1,226.60
	101 - GENERAL FUND	43549	399	QUAD KNOPF,INC.	TPM-1832 RAUL OCHOA	199.00
	101 - GENERAL FUND	43549	399	QUAD KNOPF,INC.	WATSON T PARCEL MAP	477.50
	600 - CAPITAL IMPROVE	43549	399	QUAD KNOPF,INC.	1/27-2/23 ROUNDABOU	2,686.80

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94202</b>						<b>\$585.50</b>
	400 - WELLNESS CENTER	43549	285	QUILL CORPORATION	WIPES	203.22
	400 - WELLNESS CENTER	43549	285	QUILL CORPORATION	WELLNESS SUPPLIES	299.64
	400 - WELLNESS CENTER	43549	285	QUILL CORPORATION	TONER	82.64
<b>94203</b>						<b>\$175.00</b>
	101 - GENERAL FUND	43549	3622	RLH FIRE PROTECTION	FIRE ALARM MCD	175.00
<b>94204</b>						<b>\$513.78</b>
	101 - GENERAL FUND	43549	6266	SEQUOIA DOOR INC	DOOR CLOSRS ON 2 DO	513.78
<b>94205</b>						<b>\$226.88</b>
	101 - GENERAL FUND	43549	5314	SHRED-IT USA LLC	SHRED IT SERVICES	226.88
<b>94206</b>						<b>\$2,707.33</b>
	552 - WATER	43549	4555	THATCHER COMPANY IN		(1,500.00)
	552 - WATER	43549	4555	THATCHER COMPANY IN	CHLORINE	4,207.33
<b>94207</b>						<b>\$25.00</b>
	101 - GENERAL FUND	43549	598	SIERRA VIEW DISTRIC	2/1/19-2/28/19	25.00
<b>94208</b>						<b>\$1,981.35</b>
	101 - GENERAL FUND	43549	307	SILVAS OIL COMPANY	DIESEL FUEL	415.52
	552 - WATER	43549	307	SILVAS OIL COMPANY	DIESEL	1,150.32
	552 - WATER	43549	307	SILVAS OIL COMPANY	DIESEL FUEL	415.51
<b>94209</b>						<b>\$151.90</b>
	101 - GENERAL FUND	43549	4292	SMITH PROMOTIONS	4TALL POLO SPORT TE	151.90
<b>94210</b>						<b>\$28,693.70</b>
	101 - GENERAL FUND	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	1,166.18
	101 - GENERAL FUND	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	1,444.01
	101 - GENERAL FUND	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	24.18
	101 - GENERAL FUND	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	641.33
	101 - GENERAL FUND	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	89.72
	101 - GENERAL FUND	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	92.95
	261 - GAS TAX FUND	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	12,305.44
	400 - WELLNESS CENTER	43549	310	SOUTHERN CA. EDISON	3-031-5675-04	3,103.39
	552 - WATER	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	7,581.39
	553 - SEWER	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	236.97
	556 - VITA-PAKT	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	407.66
	883 - SIERRA VIEW ASSE	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	250.93
	884 - HERITAGE ASSESS	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	24.18
	886 - SAMOA	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	24.18
	887 - SWEETBRIER TOW	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	72.79
	888 - PARKSIDE	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	24.18
	889 - SIERRA VISTA ASSE	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	107.70
	890 - MAPLE VALLEY AS	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	311.52
	891 - PELOUS RANCH	43549	310	SOUTHERN CA. EDISON	2-00-424-8134	785.00
<b>94211</b>						<b>\$67.01</b>
	400 - WELLNESS CENTER	43549	5899	SUPPLYWORKS		33.43
	400 - WELLNESS CENTER	43549	5899	SUPPLYWORKS		33.58
<b>94212</b>						<b>\$746.13</b>
	101 - GENERAL FUND	43549	144	THE GAS COMPANY	115-454-6222-5	15.79
	101 - GENERAL FUND	43549	144	THE GAS COMPANY	033-515-9120-5	15.91
	400 - WELLNESS CENTER	43549	144	THE GAS COMPANY	092-375-2718-0	714.43

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94213</b>						<b>\$243.78</b>
	101 - GENERAL FUND	43549	5792	THOMSON REUTERS - W	2/1/19-2/28/19	243.78
<b>94214</b>						<b>\$311.94</b>
	400 - WELLNESS CENTER	43549	3396	THYSSENKRUPP ELEVAT	3/1/19-3/31/19	311.94
<b>94215</b>						<b>\$666.00</b>
	779 - 00-HOME-0487	43549	4922	TRAVELERS INDEMNITY	L202-21 LOPEZ ANDRE	666.00
<b>94216</b>						<b>\$258.64</b>
	101 - GENERAL FUND	43549	1513	UNITED RENTALS, INC	VESTS-LIM MESH	129.30
	261 - GAS TAX FUND	43549	1513	UNITED RENTALS, INC	VESTS-LIM MESH	43.09
	552 - WATER	43549	1513	UNITED RENTALS, INC	VESTS-LIM MESH	43.10
	553 - SEWER	43549	1513	UNITED RENTALS, INC	VESTS-LIM MESH	43.15
<b>94217</b>						<b>\$719.72</b>
	101 - GENERAL FUND	43549	5747	UNITED STAFFING	MARIO 2/25/19-3/3/1	239.90
	101 - GENERAL FUND	43549	5747	UNITED STAFFING	MARIO 2/25/19-3/3/1	479.82
<b>94218</b>						<b>\$278.06</b>
	552 - WATER	43549	356	USA BLUEBOOK	CURB STOP VALVE LOC	185.89
	553 - SEWER	43549	356	USA BLUEBOOK	OPERATING SUPPLIES	92.17
<b>94219</b>						<b>\$275.18</b>
	101 - GENERAL FUND	43549	1041	VERIZON WIRELESS		2.36
	101 - GENERAL FUND	43549	1041	VERIZON WIRELESS	642065758-00001	94.77
	101 - GENERAL FUND	43549	1041	VERIZON WIRELESS	642065758-00002	83.30
	552 - WATER	43549	1041	VERIZON WIRELESS	642065758-00001	31.59
	553 - SEWER	43549	1041	VERIZON WIRELESS	642065758-00001	31.59
	554 - REFUSE	43549	1041	VERIZON WIRELESS	642065758-00001	31.57
<b>94220</b>						<b>\$8,614.27</b>
	101 - GENERAL FUND	43549	368	VOLLMER EXCAVATION,	LOAD COLD MIX	537.14
	261 - GAS TAX FUND	43549	368	VOLLMER EXCAVATION,	LOAD COLD MIX	537.13
	553 - SEWER	43549	368	VOLLMER EXCAVATION,	LOAD TRUCKS	7,540.00
<b>94221</b>						<b>\$449.47</b>
	101 - GENERAL FUND	43553	3977	AFLAC	DED:015 AFLAC	449.47
<b>94222</b>						<b>\$242.61</b>
	101 - GENERAL FUND	43553	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN	238.00
	101 - GENERAL FUND	43553	4660	CITY OF LINDSAY	DED:052 WELLNESS	4.61
<b>94223</b>						<b>\$1,128.09</b>
	101 - GENERAL FUND	43553	451	CITY OF LINDSAY EMP	DED:0503 SEC 125	1,119.09
	101 - GENERAL FUND	43553	451	CITY OF LINDSAY EMP	DED:0505 SEC 125	9.00
<b>94224</b>						<b>\$140.84</b>
	101 - GENERAL FUND	43553	3192	SEIU LOCAL 521	DED:DUES UNION DUES	140.84
<b>94225</b>						<b>\$5,670.75</b>
	101 - GENERAL FUND	43553	453	LINCOLN LIFE	DED:0500 DEF COMP	2,303.39
	101 - GENERAL FUND	43553	453	LINCOLN LIFE	DED:151 DEFERCOMP	2,417.79
	101 - GENERAL FUND	43553	453	LINCOLN LIFE	DED:0555 DC LOANPAY	949.57
<b>94226</b>						<b>\$50.82</b>
	101 - GENERAL FUND	43553	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	50.82
<b>94227</b>						<b>\$145.32</b>
	101 - GENERAL FUND	43553	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT	145.32
<b>94228</b>						<b>\$437.07</b>
	101 - GENERAL FUND	43553	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	437.07

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94229</b>						<b>\$359.57</b>
	101 - GENERAL FUND	43553	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	359.57
<b>94230</b>						<b>\$222.00</b>
	101 - GENERAL FUND	43560	2307	RYAN HEINKS	MEALS- 4-8 4-11	222.00
<b>94231</b>						<b>\$109.62</b>
	101 - GENERAL FUND	43564	6362	AMERICAN BUSINESS M		104.50
	101 - GENERAL FUND	43564	6362	AMERICAN BUSINESS M		5.12
<b>94232</b>						<b>\$35.00</b>
	101 - GENERAL FUND	43564	4924	ASI ADMINISTRATIVE	COBRA ADMIN-FEB 201	35.00
<b>94233</b>						<b>\$93.63</b>
	101 - GENERAL FUND	43564	3428	AT&T MOBILITY	877432145-HUGHES LI	93.63
<b>94234</b>						<b>\$455.74</b>
	101 - GENERAL FUND	43564	5457	AUTO ZONE COMMERCIA	MINI BULB TRUCK 21	11.29
	101 - GENERAL FUND	43564	5457	AUTO ZONE COMMERCIA	BATTERY TRUCK 13	156.50
	101 - GENERAL FUND	43564	5457	AUTO ZONE COMMERCIA	FORKLIFT RADIATOR C	4.64
	101 - GENERAL FUND	43564	5457	AUTO ZONE COMMERCIA	BACKHOE- R & O OIL	43.49
	552 - WATER	43564	5457	AUTO ZONE COMMERCIA	TRUCK 46 -OIL	262.62
	552 - WATER	43564	5457	AUTO ZONE COMMERCIA	FILTER KIT-RETURN	(32.06)
	552 - WATER	43564	5457	AUTO ZONE COMMERCIA	FORKLIFT RADIATOR C	4.63
	553 - SEWER	43564	5457	AUTO ZONE COMMERCIA	FORKLIFT RADIATOR C	4.63
<b>94235</b>						<b>\$259.72</b>
	101 - GENERAL FUND	43564	4135	BILL WALL'S DIRECT	INTERNET CONNECTION	259.72
<b>94236</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43564	4281	BRIAN E. WATSON	COUNCIL STIPEND	100.00
<b>94237</b>						<b>\$1,102.94</b>
	101 - GENERAL FUND	43564	6389	BRIMAR INDUSTRIES	(50) NO SMOKING SIG	1,102.94
<b>94238</b>						<b>\$9,192.00</b>
	552 - WATER	43564	051	BSK	BACTI	600.00
	552 - WATER	43564	051	BSK	UCMR4	1,410.00
	552 - WATER	43564	051	BSK	TEST WELL	3,160.00
	552 - WATER	43564	051	BSK	SPECIAL TITLE 22 WE	1,705.00
	552 - WATER	43564	051	BSK	BACTI	190.00
	552 - WATER	43564	051	BSK	BACTI	600.00
	552 - WATER	43564	051	BSK	BACTI	270.00
	552 - WATER	43564	051	BSK	CRYPTOSPORIDIUM	515.00
	552 - WATER	43564	051	BSK	GENERAL	742.00
<b>94239</b>						<b>\$1,402.51</b>
	101 - GENERAL FUND	43564	6351	CANON FINANCIAL SER	CANON-EQUIPMENT	350.62
	101 - GENERAL FUND	43564	6351	CANON FINANCIAL SER	CANON-EQUIPMENT	1,051.89
<b>94240</b>						<b>\$99,416.00</b>
	101 - GENERAL FUND	43564	075	CSJVRMA	LIABILITY PROG 4TH	11,000.00
	101 - GENERAL FUND	43564	075	CSJVRMA	WRK COMP-4TH QTR	68,457.00
	101 - GENERAL FUND	43564	075	CSJVRMA	LIABILITY PROG 4TH	9,459.00
	552 - WATER	43564	075	CSJVRMA	LIABILITY PROG 4TH	6,000.00
	553 - SEWER	43564	075	CSJVRMA	LIABILITY PROG 4TH	4,500.00
<b>94241</b>						<b>\$17.00</b>
	101 - GENERAL FUND	43564	5825	CHRIS DEMPSIE	DRUG ENDANGERED CLA	17.00

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94246</b>						<b>\$2,619.33</b>
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	73.62
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	36.90
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	7.89
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	7.92
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	73.62
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPEATING SUPPLIES	157.65
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	327.42
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	171.42
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	228.48
	101 - GENERAL FUND	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	58.68
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.54
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.63
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.64
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.54
	552 - WATER	43564	5832	CINTAS CORPORATION	OPEATING SUPPLIES	52.55
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	109.14
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	57.14
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	76.16
	552 - WATER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	19.56
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.54
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.63
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.64
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.54
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPEATING SUPPLIES	52.55
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	109.14
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	57.14
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	76.16
	553 - SEWER	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	19.56
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.54
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.63
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.64
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.54
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPEATING SUPPLIES	52.55
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	109.14
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	57.14
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	76.16
	554 - REFUSE	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	19.56
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.58
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.61
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	2.67
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	24.59
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPEATING SUPPLIES	52.57
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	109.20
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	57.10
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	76.17
	556 - VITA-PAKT	43564	5832	CINTAS CORPORATION	OPERATING SUPPLIES	19.54



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Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94247</b>						<b>\$320.00</b>
	101 - GENERAL FUND	43564	279	CITY OF PORTERVILLE	01-000680 ANIMAL F	320.00
<b>94248</b>						<b>\$45.00</b>
	101 - GENERAL FUND	43564	2319	COMPUTER SYSTEMS PL	3/29/19	45.00
<b>94249</b>						<b>\$525.00</b>
	552 - WATER	43564	6118	CVIN LLC D.B.A. VAS	4/1/19-4/30/19	175.00
	553 - SEWER	43564	6118	CVIN LLC D.B.A. VAS	4/1/19-4/30/19	175.00
	554 - REFUSE	43564	6118	CVIN LLC D.B.A. VAS	4/1/19-4/30/19	175.00
<b>94250</b>						<b>\$5,530.60</b>
	552 - WATER	43564	388	DENNIS KELLER/JAMES	GENERAL	(173.70)
	552 - WATER	43564	388	DENNIS KELLER/JAMES	WELL NO 14	4,452.40
	552 - WATER	43564	388	DENNIS KELLER/JAMES	GENERAL	470.40
	552 - WATER	43564	388	DENNIS KELLER/JAMES	TEST WELL 14	781.50
<b>94251</b>						<b>\$105.00</b>
	101 - GENERAL FUND	43564	316	DEPT OF JUSTICE	BLOOD ALCOHOL ANALY	105.00
<b>94252</b>						<b>\$990.20</b>
	555 - RECYCLE/BOTTLED	43564	6327	DIRECT IMPRINT	240 RECYCLED SHOPPE	990.20
<b>94253</b>						<b>\$327,138.15</b>
	600 - CAPITAL IMPROVE	43564	6370	DOD CONSTRUCTION	ROUNDAABOUT	327,138.15
<b>94254</b>						<b>\$2,883.93</b>
	553 - SEWER	43564	5978	DOMINO SOLAR LTD	2/1/19-2/28/19 SOLA	2,883.93
<b>94255</b>						<b>\$2,326.62</b>
	101 - GENERAL FUND	43564	119	DOUG DELEO WELDING	SPARY GUN HOLSTER	284.58
	101 - GENERAL FUND	43564	119	DOUG DELEO WELDING	SECURITY GATE@C-TRA	1,238.40
	552 - WATER	43564	119	DOUG DELEO WELDING	2 WATER LIDS	390.83
	552 - WATER	43564	119	DOUG DELEO WELDING	SECURITY GATE@C-TRA	412.81
<b>94256</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43564	6384	EDGAR DE LA PAZ	ARBOR DEPOSIT	100.00
<b>94257</b>						<b>\$50.74</b>
	101 - GENERAL FUND	43564	4460	EVANS FEED & LIVEST	K9 DOG FOOD	50.74
<b>94258</b>						<b>\$37.00</b>
	101 - GENERAL FUND	43564	129	FEDEX	SHIPMENT SERVICE	37.00
<b>94259</b>						<b>\$3,463.31</b>
	552 - WATER	43564	137	FRIANT WATER AUTHOR	SLDMWA MARCH 2019	3,463.31
<b>94260</b>						<b>\$75.75</b>
	553 - SEWER	43564	6010	FRONTIER COMMUNICAT	ALARM-WWTP	75.75

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94262</b>						<b>\$2,937.66</b>
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	1995 FORD-OIL-SERVI	230.28
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	1995 FORD-OIL-SERVI	115.16
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	FALTBED-OIL CHANGE	124.18
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	SMOG,OIL 1366864 FO	124.90
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	SMOG.REPAIR 1366702	132.00
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	SMOG,OIL 06TOY12076	207.85
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	SMOG,OIL,1405529 FO	225.33
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	SMOG-06TOYO 1210112	275.58
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	SERVICE CAT-BACKUP	207.48
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	DAKOTA-SHOCKS,ROD	91.74
	101 - GENERAL FUND	43564	148	GOMEZ AUTO & SMOG	FROKLIFT-RAM REPLAC	283.20
	552 - WATER	43564	148	GOMEZ AUTO & SMOG	05 CHEV CHECK ENGIN	160.59
	552 - WATER	43564	148	GOMEZ AUTO & SMOG	SERVICE CAT-BACKUP	69.16
	552 - WATER	43564	148	GOMEZ AUTO & SMOG	00 DAKOTA-READJUST	88.18
	552 - WATER	43564	148	GOMEZ AUTO & SMOG	DAKOTA-SHOCKS,ROD	91.72
	552 - WATER	43564	148	GOMEZ AUTO & SMOG	FROKLIFT-RAM REPLAC	94.40
	553 - SEWER	43564	148	GOMEZ AUTO & SMOG	05 CHEV CHECK ENGIN	160.59
	553 - SEWER	43564	148	GOMEZ AUTO & SMOG	SERVICE CAT-BACKUP	69.16
	553 - SEWER	43564	148	GOMEZ AUTO & SMOG	DAKOTA-SHOCKS,ROD	91.72
	553 - SEWER	43564	148	GOMEZ AUTO & SMOG	FROKLIFT-RAM REPLAC	94.44
<b>94263</b>						<b>\$800.00</b>
	101 - GENERAL FUND	43564	5279	GREG MCQUEEN	BACKGROUND INVESTIG	100.00
	101 - GENERAL FUND	43564	5279	GREG MCQUEEN	FULL BACKGROUND CHE	700.00
<b>94264</b>						<b>\$3,254.30</b>
	101 - GENERAL FUND	43564	5647	GRISWOLD,LASSALLE,C	CITY MANAGER	102.50
	101 - GENERAL FUND	43564	5647	GRISWOLD,LASSALLE,C	FINANCE	172.95
	101 - GENERAL FUND	43564	5647	GRISWOLD,LASSALLE,C	CITY COUNCIL	1,912.65
	101 - GENERAL FUND	43564	5647	GRISWOLD,LASSALLE,C	POLICE DEPARTMENT	29.70
	101 - GENERAL FUND	43564	5647	GRISWOLD,LASSALLE,C	CITY ATTORNEY	410.00
	101 - GENERAL FUND	43564	5647	GRISWOLD,LASSALLE,C	CITY SERVICES	626.50
<b>94265</b>						<b>\$3,995.00</b>
	101 - GENERAL FUND	43564	5918	HAWK ANALYTICS INC.	7/1/19-6/30/20 SUBS	3,995.00
<b>94266</b>						<b>\$64.91</b>
	552 - WATER	43564	1391	HOME DEPOT	BACKUP BATTERIES WT	64.91
<b>94267</b>						<b>\$166.20</b>
	552 - WATER	43564	6386	JOE & DOLORES GARZA	OVERPMT-001590-05	166.20
<b>94268</b>						<b>\$96.51</b>
	101 - GENERAL FUND	43564	6382	JOSE R CORONA LEMUS	03/06/2019 POTHOLE	96.51
<b>94269</b>						<b>\$51,188.14</b>
	101 - GENERAL FUND	43564	6100	KEENAN & ASSOCIATES	COBRA-TRISTAO	1,493.11
	101 - GENERAL FUND	43564	6100	KEENAN & ASSOCIATES	RETIREE	2,185.05
	101 - GENERAL FUND	43564	6100	KEENAN & ASSOCIATES	MEDICAL PLAN	46,614.41
	101 - GENERAL FUND	43564	6100	KEENAN & ASSOCIATES	COMPLETE CARE	895.57
<b>94270</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43564	6103	LAURA CORTES	COUNCIL STIPEND	100.00
<b>94271</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43564	6385	LILIANA ARROLLO	ARBOR DEPOSIT	100.00

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94272</b>						<b>\$594.06</b>
	101 - GENERAL FUND	43564	4067	LINCOLN NAT'L INSUR	LIFE INSURANCE APRI	594.06
<b>94273</b>						<b>\$55.00</b>
	101 - GENERAL FUND	43564	5424	LINDSAY VETERINARY	ANIMAL CONTROL SRVS	55.00
<b>94274</b>						<b>\$798.90</b>
	552 - WATER	43564	1442	LLOYD ANDERSON ELEC	FLOOD LIGHT FIXTURE	616.40
	553 - SEWER	43564	1442	LLOYD ANDERSON ELEC	WORK A SEQUOIA LIFT	109.50
	553 - SEWER	43564	1442	LLOYD ANDERSON ELEC	SERVICE CALL -PUMP#	73.00
<b>94275</b>						<b>\$75.00</b>
	101 - GENERAL FUND	43564	6388	MARTIN LAND	ARBOR DEPOSIT	75.00
<b>94276</b>						<b>\$2,273.38</b>
	101 - GENERAL FUND	43564	234	MARTIN'S TIRE & AUT	LABOR-11/FORD/FUSIO	1,823.38
	101 - GENERAL FUND	43564	234	MARTIN'S TIRE & AUT	06FORDVIC -SERVICE	450.00
<b>94277</b>						<b>\$17.00</b>
	101 - GENERAL FUND	43564	5932	MATHEW MCMILLAN	DRUG ENDANGERED CLA	17.00
<b>94278</b>						<b>\$186.19</b>
	101 - GENERAL FUND	43564	509	MEDALLION SUPPLY	32W T8 4000K LAMP	186.19
<b>94279</b>						<b>\$63,527.05</b>
	554 - REFUSE	43564	5852	MID VALLEY DISPOSAL	JANUARY 2019	63,527.05
<b>94280</b>						<b>\$180.00</b>
	101 - GENERAL FUND	43564	6387	MIKE MARTINEZ	ENCROACHMENT CANCEL	180.00
<b>94281</b>						<b>\$115.00</b>
	101 - GENERAL FUND	43564	6280	MINERAL KING TOXICO	LAB FEES-JUAN CORON	55.00
	101 - GENERAL FUND	43564	6280	MINERAL KING TOXICO	LAB FEES-JUAN CORON	60.00
<b>94282</b>						<b>\$222.00</b>
	101 - GENERAL FUND	43564	2306	NICK NAVE	POST MANAGEMENT CLA	222.00
<b>94283</b>						<b>\$469.37</b>
	101 - GENERAL FUND	43564	5625	NGLIC-SUPERIOR VISI	APRIL-VISION PLAN	469.37
<b>94284</b>						<b>\$150.00</b>
	101 - GENERAL FUND	43564	1426	PAM KIMBALL	COUNCIL STIPEND	150.00
<b>94285</b>						<b>\$217.00</b>
	101 - GENERAL FUND	43564	272	PITNEY BOWES INC.	METER-POSTAGE	195.75
	101 - GENERAL FUND	43564	272	PITNEY BOWES INC.	INK PAD-POSTAGE MET	21.25
<b>94286</b>						<b>\$1,840.18</b>
	552 - WATER	43564	5796	PRESORT OF FRESNO L	UB 3/7/19	533.43
	552 - WATER	43564	5796	PRESORT OF FRESNO L	DELINQUENT 3/8/19	79.97
	553 - SEWER	43564	5796	PRESORT OF FRESNO L	UB 3/7/19	533.43
	553 - SEWER	43564	5796	PRESORT OF FRESNO L	DELINQUENT 3/8/19	79.97
	554 - REFUSE	43564	5796	PRESORT OF FRESNO L	UB 3/7/19	533.43
	554 - REFUSE	43564	5796	PRESORT OF FRESNO L	DELINQUENT 3/8/19	79.95
<b>94287</b>						<b>\$1,722.50</b>
	553 - SEWER	43564	5684	QUIK-ROOTER	WWTP-PUMP TRUCK	1,722.50
<b>94288</b>						<b>\$581.32</b>
	101 - GENERAL FUND	43564	285	QUILL CORPORATION	OFFICE SUPPLES PD	151.02
	101 - GENERAL FUND	43564	285	QUILL CORPORATION	OFFICE SUPPLIES C.S	178.04
	101 - GENERAL FUND	43564	285	QUILL CORPORATION	COPY PAPER	252.26
<b>94289</b>						<b>\$4,000.00</b>
	552 - WATER	43564	6095	RALPH GUTIERREZ WAT	3/2019 CPO TREATMEN	2,000.00
	553 - SEWER	43564	6095	RALPH GUTIERREZ WAT	3/2019 CPO TREATMEN	2,000.00

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94290</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43564	5511	ROSAENA SANCHEZ	COUNCIL STIPEND	100.00
<b>94291</b>						<b>\$1,807.35</b>
	552 - WATER	43564	4425	SERVICE SUPPLY SYST	BURKERT#292113 VALV	1,807.35
<b>94292</b>						<b>\$415.70</b>
	101 - GENERAL FUND	43564	2062	SIERRA VETERINARY C	K9	415.70
<b>94293</b>						<b>\$794.04</b>
	552 - WATER	43564	307	SILVAS OIL COMPANY	DIESEL FUEL	794.04
<b>94294</b>						<b>\$555.94</b>
	101 - GENERAL FUND	43564	310	SOUTHERN CA. EDISON	3-033-5943-68	22.16
	261 - GAS TAX FUND	43564	310	SOUTHERN CA. EDISON	2-31-363-1293	113.47
	261 - GAS TAX FUND	43564	310	SOUTHERN CA. EDISON	3-033-9591-42	135.02
	261 - GAS TAX FUND	43564	310	SOUTHERN CA. EDISON	3-033-9504-85	20.50
	261 - GAS TAX FUND	43564	310	SOUTHERN CA. EDISON	3-033-1133-77	43.47
	261 - GAS TAX FUND	43564	310	SOUTHERN CA. EDISON	3-033-9421-46	44.53
	261 - GAS TAX FUND	43564	310	SOUTHERN CA. EDISON	3-023-0081-92	48.42
	261 - GAS TAX FUND	43564	310	SOUTHERN CA. EDISON	3-033-1133-94	72.29
	553 - SEWER	43564	310	SOUTHERN CA. EDISON	3-035-4725-72	20.96
	891 - PELOUS RANCH	43564	310	SOUTHERN CA. EDISON	2-32-032-1755	35.12
<b>94295</b>						<b>\$512.00</b>
	779 - 00-HOME-0487	43564	3634	STATE FARM GENERAL	A.ANDRADE HOMEOWNER	512.00
<b>94296</b>						<b>\$3,370.34</b>
	101 - GENERAL FUND	43564	6146	SUPERION, LLC	APRIL GENERAL SERVI	842.57
	552 - WATER	43564	6146	SUPERION, LLC	APRIL GENERAL SERVI	842.59
	553 - SEWER	43564	6146	SUPERION, LLC	APRIL GENERAL SERVI	842.59
	554 - REFUSE	43564	6146	SUPERION, LLC	APRIL GENERAL SERVI	842.59
<b>94297</b>						<b>\$4,683.34</b>
	101 - GENERAL FUND	43564	5755	TELEPACIFIC COMMUNI	3/9/19-4/8-19	2,676.20
	400 - WELLNESS CENTER	43564	5755	TELEPACIFIC COMMUNI	3/9/19-4/8-19	669.05
	552 - WATER	43564	5755	TELEPACIFIC COMMUNI	3/9/19-4/8-19	669.04
	553 - SEWER	43564	5755	TELEPACIFIC COMMUNI	3/9/19-4/8-19	669.05
<b>94298</b>						<b>\$3,209.79</b>
	552 - WATER	43564	1921	TELSTAR INSTRUMENTS	LINDSAY WTP/19	3,209.79
<b>94299</b>						<b>\$2,909.94</b>
	101 - GENERAL FUND	43564	4849	U.S. BANK EQUIPMENT	MARCH & APRIL	581.98
	101 - GENERAL FUND	43564	4849	U.S. BANK EQUIPMENT	MARCH & APRIL	2,327.96
<b>94300</b>						<b>\$757.60</b>
	101 - GENERAL FUND	43564	5747	UNITED STAFFING	MARIO 3/4/19-3/10/1	568.20
	552 - WATER	43564	5747	UNITED STAFFING	MARIO 3/4/19-3/10/1	189.40
<b>94301</b>						<b>\$1,624.03</b>
	552 - WATER	43564	5413	UNIVAR USA INC	MATERIALS-WELL15	766.62
	552 - WATER	43564	5413	UNIVAR USA INC	MATERIALS-WELL 14	857.41
<b>94302</b>						<b>\$477.10</b>
	101 - GENERAL FUND	43564	356	USA BLUEBOOK	GLOW EXIT ONLY SIG	65.72
	552 - WATER	43564	356	USA BLUEBOOK	CHLORINE REAGENT SE	411.38
<b>94303</b>						<b>\$150.00</b>
	552 - WATER	43564	2912	VALLEY PUMP & DAIRY	WELL 15 -SERVICE CA	150.00
<b>94304</b>						<b>\$100.00</b>
	101 - GENERAL FUND	43564	4068	YOLANDA FLORES	COUNCIL STIPEND	100.00

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<b>TOTAL</b>						<b>1,012,255.09</b>
<b>94305</b>						<b>\$12,808.14</b>
	101 - GENERAL FUND	43567	5400	MOTOROLA SOLUTIONS	RADIO SOFTWARE	12,808.14
<b>94306</b>						<b>\$449.47</b>
	101 - GENERAL FUND	43567	3977	AFLAC	DED:015 AFLAC	449.47
<b>94307</b>						<b>\$242.61</b>
	101 - GENERAL FUND	43567	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN	238.00
	101 - GENERAL FUND	43567	4660	CITY OF LINDSAY	DED:052 WELLNESS	4.61
<b>94308</b>						<b>\$1,128.09</b>
	101 - GENERAL FUND	43567	451	CITY OF LINDSAY EMP	DED:0503 SEC 125	1,119.09
	101 - GENERAL FUND	43567	451	CITY OF LINDSAY EMP	DED:0505 SEC 125	9.00
<b>94309</b>						<b>\$140.84</b>
	101 - GENERAL FUND	43567	3192	SEIU LOCAL 521	DED:DUES UNION DUES	140.84
<b>94310</b>						<b>\$5,649.79</b>
	101 - GENERAL FUND	43567	453	LINCOLN LIFE	DED:0500 DEF COMP	2,303.39
	101 - GENERAL FUND	43567	453	LINCOLN LIFE	DED:151 DEFERCOMP	2,417.79
	101 - GENERAL FUND	43567	453	LINCOLN LIFE	DED:0555 DC LOANPAY	928.61
<b>94311</b>						<b>\$50.82</b>
	101 - GENERAL FUND	43567	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	50.82
<b>94312</b>						<b>\$140.71</b>
	101 - GENERAL FUND	43567	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT	140.71
<b>94313</b>						<b>\$437.07</b>
	101 - GENERAL FUND	43567	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	437.07
<b>94314</b>						<b>\$359.57</b>
	101 - GENERAL FUND	43567	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	359.57
<b>BSPYPERS</b>						<b>\$63,399.60</b>
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	14,496.99
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	31,784.72
	261 - GAS TAX FUND	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	1,985.89
	261 - GAS TAX FUND	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	4,354.07
	552 - WATER	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	1,985.89
	552 - WATER	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	4,354.07
	553 - SEWER	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	2,177.04
	553 - SEWER	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	992.94
	554 - REFUSE	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	397.18
	554 - REFUSE	43545	457	PUBLIC EMPLOYEES RE	SPAUNHURST 2012-201	870.81
<b>EDD31519</b>						<b>\$2,438.16</b>
	101 - GENERAL FUND	43544	687	STATE OF CALIFORNIA	EDD PRPD 3/15/19	2,438.16
<b>IRS31519</b>						<b>\$19,638.85</b>
	101 - GENERAL FUND	43544	2011	INTERNAL REVENUE SE	PRPD 3/15/19 941	13,475.58
	101 - GENERAL FUND	43544	2011	INTERNAL REVENUE SE	941 PRPD 3/15/19	6,163.27

TRANSACTION DATES: 03/14/2019 THROUGH 04/14/2019

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>TOTAL</b>						<b>1,012,255.09</b>
<b>MAR-UL</b>						<b>\$65,411.90</b>
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	1,406.00
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	1,988.00
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	2,175.06
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	24,065.55
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	4,178.00
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	418.45
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	8,587.00
	261 - GAS TAX FUND	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	3,010.69
	263 - TRANSPORTATION	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	273.35
	400 - WELLNESS CENTER	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	2,471.81
	552 - WATER	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	9,758.38
	553 - SEWER	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	5,115.44
	554 - REFUSE	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	1,573.68
	660 - RDA OBLIGATION F	43545	457	PUBLIC EMPLOYEES RE	MARCH UL	390.49
<b>MKPERs</b>						<b>\$258.02</b>
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	M.KNUTSON-FINAL	158.87
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	M.KNUTSON-FINAL	99.15
<b>SRV2194</b>						<b>\$18,646.42</b>
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL433	2,480.09
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL434	2,950.57
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL433	3,891.07
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL2633	586.47
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL2535	593.36
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL434	6,260.84
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL2535	899.41
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 2-2019-4 CL2633	984.61
<b>SRV3193</b>						<b>\$19,048.68</b>
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL2633	1,086.88
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL433	2,480.09
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL434	3,014.00
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL433	3,891.07
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL2535	586.47
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL2535	593.36
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL434	6,403.98
	101 - GENERAL FUND	43545	457	PUBLIC EMPLOYEES RE	SRV 3-2019-3 CL2633	992.83



# Monthly Treasurer's Report March 31, 2019 Cash Balances Classified by Depository

## CASH RESOURCES

LOCATION	GL ACCOUNT #	TYPE	BALANCE
Cash Register Funds (City Hall & Wellness)	100-102	RES	\$800
Bank of the Sierra - Payroll	100-106	GEN	\$363,678
Bank of the Sierra - AP/Operating	100-100	GEN	\$522,793
Bank of the Sierra - Wellness Center	100-500	GEN	\$41,352
Bank of the Sierra - Impound Account	100-120	RES	\$28,647
Bank of the Sierra - WWTP Project	100-553	RES	\$3,129
Bank of the Sierra - Water Project	100-552	RES	\$152
Bank of the Sierra- Depository Account	100-114	GEN	\$3,373,833
LAIF Savings: City & Successor Agency	100-103	INV-RES	\$424,770
<b>TOTAL</b>			<b>\$4,759,154</b>

## CASH EXPENDED

ACCOUNTS PAYABLE & PAYROLL	AMOUNT
Accounts Payable	\$701,527
Payroll (March 1st Payday)	\$169,624
Payroll (March 15th Payday)	\$174,990
Payroll (March 29th Payday)	\$176,804
<b>TOTAL</b>	<b>\$ 1,222,944</b>

DEBT SERVICE	AMOUNT
<b>TOTAL</b>	<b>\$ -</b>

## INVESTMENTS

### INVESTMENT POLICY COMPLIANCE

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

<b>INVESTED FUNDS</b>	<b>\$424,770</b>
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Respectfully submitted,

*Bret Harmon*

Director of Finance  
City of Lindsay

### ABBREVIATIONS

GEN: GENERAL UNRESTRICTED  
RES: RESTRICTED ACTIVITY  
INV: INVESTMENT



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.4  
STAFF: William Zigler, City Manager

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### AGENDA ITEM

TITLE	El Quinto Sol Cinco De Mayo Event
ACTION	Approve El Quinto Sol De America Event
PURPOSE	Council Vision/Priority Discretionary Action
COUNCIL OBJECTIVE(S)	Live in a safe, clean, comfortable and healthy environment. Increase our keen sense of identity in a physically connected and involved community. Dedicate resources to retain a friendly, small-town atmosphere. Stimulate, attract and retain local businesses. Advance economic diversity. Yield a fiscally self-reliant city government while providing effective, basic municipal services.

---

### RECOMMENDATION

Approve Event at El Quinto Sol De America

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### BACKGROUND / ANALYSIS

El Quinto Sol De America (EQS) will be working with the United Farmworkers Foundation (UFW) on Saturday May 4, 2019 in celebration of Cinco De Mayo. UFW will be helping community members with pre-evaluations for Citizenship and completing Citizenship applications. EQS will be setting up a table outside of their office at 115 N. Elmwood Ave., and will be selling waters, hotdogs and other snacks for all who come out to raise money for their Summer Arts program. EQS will also be giving out information regarding the free citizenship classes and the Summer Arts program that will begin in June. EQS will ensure ADA compliance by having an accessible path of travel along the sidewalk. Neither vehicular nor pedestrian traffic will be impacted.

### ALTERNATIVES

- Do not approve El Quinto Sol De America Event

### BENEFIT TO OR IMPACT ON CITY RESOURCES

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.4  
STAFF: William Zigler, City Manager

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This event will help inform the public about citizenship classes and what EQS does for the community.

### *ENVIRONMENTAL REVIEW*

None at this time.

### *POLICY ISSUES*

None at this time.

### *PUBLIC OUTREACH*

POSTED IN THIS AGENDA



## STAFF REPORT

AG-ENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.5  
STAFF: Michael Camarena, Director of City Services

---

### AGENDA ITEM

<i>TITLE</i>	Resolution 19-17 Resolution of the City of Lindsay to Adopt a List of Projects Funded by SB1, The Road Repair and Accountability Act.
<i>ACTION</i>	Approval of Resolution 19-17
<i>PURPOSE</i>	Statutory/Contractual Requirement Council Vision/Priority Discretionary Action Plan Implementation
<i>COUNCIL OBJECTIVE(S)</i>	Live in a safe, clean, comfortable and healthy environment. Nurture attractive residential neighborhoods and business districts. Dedicate resources to retain a friendly, small-town atmosphere. Stimulate, attract and retain local businesses. Advance economic diversity.

---

### RECOMMENDATION

Approve Resolution 19-17 and authorize staff to submit Resolution 19-17 as required.

---

### BACKGROUND / ANALYSIS

Senate Bill (SB) 1, Chapter 5, Statutes of 2017, created the Road Maintenance and Rehabilitation Program (RMRP) to address deferred maintenance on the State Highway System and the local street and road system, and the Road Maintenance and Rehabilitation Account (RMRA) for the deposit of various funds for the program. A percentage of this RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system. Cities and counties receiving RMRA funds must comply with all relevant federal and state laws, regulations, policies, and procedures.

The California Transportation Commission requires agencies project list to be adopted by resolution. This resolution must be submitted to the State prior to May 2019 and follow template language as provided.

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## STAFF REPORT

AG-ENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.5  
STAFF: Michael Camarena, Director of City Services

---

### *ALTERNATIVES*

- Pass Resolution 19-17 and authorize staff to submit Resolution 19-17 as required.
- Do not pass Resolution 19-17 and risk losing apportionment of RMRA funding.
- Take no action and provide direction to staff.

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

Approval of this request will benefit the City of Lindsay as it assists in meeting the Council Objectives Identified.

### *ENVIRONMENTAL REVIEW*

None at this time.

### *POLICY ISSUES*

None at this time.

### *PUBLIC OUTREACH*

POSTED IN THIS AGENDA

### *ATTACHMENTS*

- Resolution 19-17, a Resolution of the City of Lindsay to Adopt a List of Projects Funded by SB1, The Road Repair and Accountability Act.



## RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-17

TITLE **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY TO ADOPT A LIST OF PROJECTS FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on April 23, 2019 at 6:00PM at 251 E. Honolulu Street, Lindsay, CA 93247.

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City, will receive funding in RMRA funding in Fiscal Year 2019-20 from SB 1; and

**WHEREAS**, the City has undergone a robust public process to ensure public input into our community's transportation priorities/project list; and

**WHEREAS**, the City used a pavement management process to support the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities' priorities for transportation investment; and

**WHEREAS**, the funding from SB 1 will help the City maintain and rehabilitate local streets, support active transportation infrastructure throughout the City this year and hundreds of similar projects into the future; and

**WHEREAS**, the 2016 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in good, at-risk and poor condition and this revenue will help us increase the

RESOLUTION NO. 19-17  
Page 1 of 3



## RESOLUTION OF THE CITY OF LINDSAY

overall quality of our road system and over the next decade will bring our streets and roads into a more desirable condition; and

**WHEREAS**, if the Legislature and Governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on our community; and

**WHEREAS**, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

**WHEREAS**, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

**WHEREAS**, the local street and road system is also critical for farm to market needs, interconnectivity, multimodal needs, and commerce; and

**WHEREAS**, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

**WHEREAS**, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

**WHEREAS**, restoring roads before they fail also reduces construction time which results in less air pollution from heavy equipment and less water pollution from site run-off; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The City of Lindsay is adopting the following list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues:

RESOLUTION NO. 19-17  
Page 2 of 3



## RESOLUTION OF THE CITY OF LINDSAY

Description	Limits	Estimated Completion Date		Estimated Useful Life	
		Pre-construction	Construction	Minimum Years	Maximum Years
Ashland / Frazier / Eastwood surface seal of 0.28 miles & restripe effected area	Ashland / Frazier / Eastwood	04/2020	06/3021	5	8
Asphalt recycling and restriping of 0.1 miles on Burem Lane, and renovate concrete curbs, gutters and sidewalks	Westwood Avenue and 0.10 miles west	04/2020	10/2021	15	18

SECTION 3. This resolution shall be effective immediately upon its approval and adoption.

SECTION 4. The Mayor, or presiding officer, is hereby authorized to affix her/his signature to the Resolution signifying its adoption by the City Council of the City of Lindsay, and the City Clerk, or his duly appointed deputy, is directed to attest thereto.

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

MEETING DATE	April 23, 2019
MOTION	
2 <sup>nd</sup> MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

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

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

\_\_\_\_\_  
Mayor

RESOLUTION NO. 19-17  
Page 3 of 3



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.6  
FROM: Planning

---

### AGENDA ITEM

TITLE	Temporary Use Permit 19-13 Victory Outreach Horseshoe Tournament
ACTION	Requested Minute Order Approval of Temporary Use Permit
PURPOSE	Discretionary Action
COUNCIL OBJECTIVE(S)	Increase our keen sense of identity in a physically connected and involved community. Dedicate resources to retain a friendly, small-town atmosphere. Advance economic diversity.

---

### RECOMMENDATION

Staff recommends that the City Council grant Minute Order Approval of Temporary Use Permit No. 19-13, based on the findings and subject to the following conditions:

- Any applicable tents must be approved by the Building Department.
  - The event will abide by Title 8, Chapter 20 of the Municipal Code (Noise Control). Accordance with this chapter may be determined by a City of Lindsay Police Officer or Code Enforcement Officer.
  - Any food served will be subject to the appropriate permitting as determined by the Health and Safety code of the state.
  - The site area will be free of trash and debris within 8 hours of the conclusion of the event.
- 

### BACKGROUND / ANALYSIS

Temporary use permit 19-13 is a request by Victory Outreach Porterville to hold a City Outreach and Horseshoe Tournament at Lindsay City Park. The event will take place on April 28<sup>th</sup>. The event will include free food, water, face painting, music, and an information booth.

The purpose of the event is to reach the community with the message of hope for the hurting families and individuals dealing with drugs, gangs, and a history of violence. Victory Outreach seeks to offer services to restore individuals and families to become productive in their community.

### ALTERNATIVES

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## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.6  
FROM: Planning

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- Approve
- Approve with alterations
- Deny Temporary Use Permit

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

Approval of this request will benefit the City of Lindsay as it assists in meeting the Council Objectives Identified

No impacts are anticipated

### *ENVIRONMENTAL REVIEW*

This is a temporary event that would not result in permanent physical changes to the existing environment and facilities. This project is exempt per CEQA Article 19, Section 15301 "Existing Facilities".

### *POLICY ISSUES*

None

### *PUBLIC OUTREACH*

Posted in this agenda

### *ATTACHMENTS*

- Site Plan of Event
- Aerial Imagery of Site

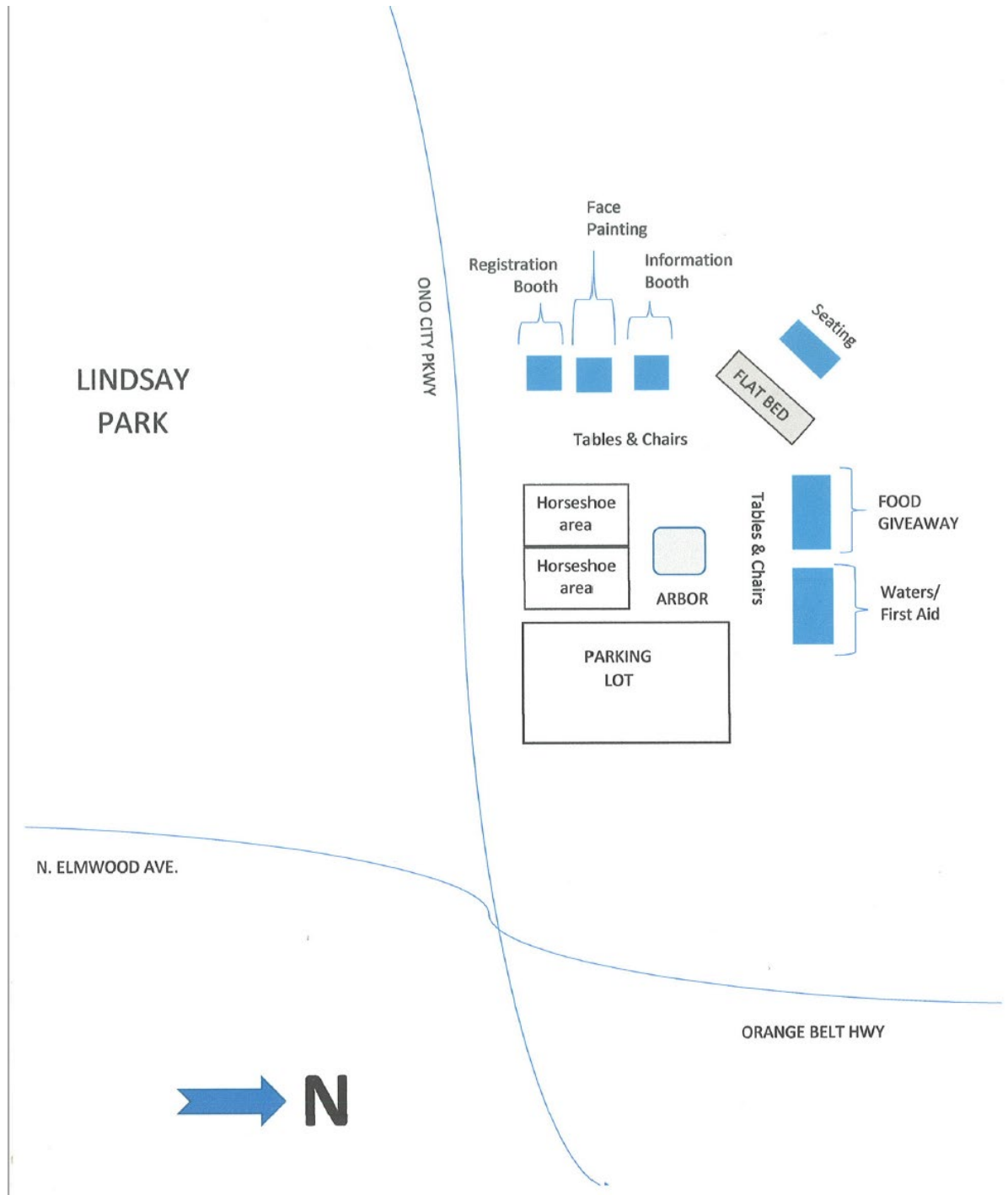




## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.6  
FROM: Planning

### Event Site Plan:





## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 4.6  
FROM: Planning

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Aerial Imagery of Site:





## RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-21

TITLE **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING THE WORKING AGREEMENT DEVELOPED BY THE CITY COUNCIL AT THE COUNCIL RETREAT/GOAL-SETTING SESSION ON APRIL 5, 2019**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on April 23, 2019, at 6:00PM at 251 E. Honolulu Street, Lindsay, CA 93247.

**WHEREAS**, the City Council of the City of Lindsay desires an efficient, harmonious and respectful working environment among Councilmembers, City staff and the public, especially during City Council meetings; and

**WHEREAS**, the City Council of the City of Lindsay directed staff to arrange for a publicly-noticed, Brown Act-governed Council retreat/goal-setting session to help formulate a working agreement; and

**WHEREAS**, the City Council of the City of Lindsay understands and believes that a Council Working Agreement that defines its parameters and boundaries will help achieve the following:

- Establish a healthy culture
- Ensure respect for each member
- Support productivity and raise standards
- Recognize different points of view to enhance team problem solving and decision making
- Contribute to balanced participation and a shared sense of ownership

**WHEREAS**, the City Council of the City of Lindsay unanimously agreed upon the importance of defining parameters and boundaries and has created a list of actions to be included in the City Council Working Agreement as described below.

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

The City Council of the City of Lindsay shall, in the conduct of City business:

1. Use real time
2. Maintain confidentiality when applicable
3. Listen actively - One person talks at a time – Practice Parliamentary procedure
4. Take in public comments and maintain structure and focus on Council business
5. Be respectful – avoid judgement
6. Be honest, and kind with feedback

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

MEETING DATE	April 23, 2019
MOTION	
2 <sup>nd</sup> MOTION	



## RESOLUTION OF THE CITY OF LINDSAY

AYES	
ABSENT	
ABSTAIN	
NAYS	

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

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

\_\_\_\_\_  
Mayor

## **RULES FOR CITY OF LINDSAY PUBLIC HEARING PROCEDURES**

### **1. OPENING**

Mayor opens the public hearing.

### **2. ARGUMENTS**

Proponents (those in favor) are permitted to speak first. The Council may ask questions of the proponents and they may respond.

Opponents (those against) are permitted to speak second. The Council may ask questions of the opponents and they may respond.

### **3. REBUTTALS**

Proponents and Opponents are permitted to offer rebuttals.

### **4. COUNCIL QUESTIONS**

Council may ask additional questions. However, the parties may not engage in further debate.

### **5. CLOSING**

Mayor closes the Public Hearing

Council discusses the subject of the public hearing

Council members make a motion, if necessary

Council votes



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

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### AGENDA ITEM

TITLE Conditional Use Permit 18-33 Trucking Business on West Tulare Road

ACTION Adoption of Resolution No. 19-18 approving Conditional Use Permit 18-33

PURPOSE Discretionary Action

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

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### RECOMMENDATION

Staff recommends that the City Council approve conditional use permit No. 18-33, based on these findings and subject to the following conditions, which are included in the attached resolution:

- Operate in accordance with the Site Plan as submitted
  - Operate in accordance with the Operations Statement as submitted
  - Build a block wall, 6 or 7 feet tall around the perimeter of 3 sides of the property
  - Comply with all applicable regulations listed in Chapter 20 of Title 8 of the City of Lindsay Municipal Code
  - A separate planning entitlement is required for the second residence, in accordance with Section 18.07 of the Lindsay Zoning Code
  - Upon approval, compliance with the zoning ordinance and use permit conditions of approval would be reviewed by staff at the following intervals:
    - 6 months
    - 12 months
    - And yearly thereafter
  - Any infractions of the zoning ordinance or use permit conditions or approval would result in the automatic suspension of the use permit and require a review by Council within 30 days where it could revoke the use permit or impose requirements to ensure full compliance.
  - Any new exterior signs would require separate review and approval by City staff.
- 

### BACKGROUND / ANALYSIS

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## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

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Mr. Castaneda owns 838 W. Tulare Road, which is zoned R-1-7 (single family residential). He has used this land for his trucking business. After complaints from neighbors regarding the noise of said business, he has submitted an application for a Conditional Use Permit to allow his business where it currently operates.

Part IV: Community Development Element, Section A – Land Use (Page 33) of the Lindsay General Plan states:

The existing concentration of family trucking firms which operate in conjunction with existing single-family residences south of Tulare Road to properties along the south side of Fresno Street, west of Westwood Avenue is recognized as a condition requiring special policy and zoning treatment apart from policies affecting other Low Density areas. Within this area, Conditional Use Permit applications will be accepted for consideration of establishing new family trucking firms, or of expanding existing firms. Each application is to be judged on its own merits in consideration of the number of trucks proposed, location of truck parking and other factors appropriate to a given application.

The site is within the area described in the General Plan suitable for family trucking firms. The construction of a block wall will reduce impacts to surrounding residential uses.

It is anticipated that there would be a maximum of four (4) trucks and a maximum of four (4) trailers on the site at a given time. An existing garage building will be removed. A new maintenance shop will be constructed on the southeast corner of the site. The building will be a maximum of 16 feet tall and will be of metal construction. Also, two sea-train type storage containers (roughly 10' by 40' each) will be placed on the southwest corner of the site to be used for equipment storage. A pole shed will cover the two storage containers.

The site is proposed to have a mixed commercial and residential use. Two residences are proposed near the front of the site. The residences would be occupied by the property owner or a family member of the property owner. The existing drive approach would be used by the residences. One single family residence is allowed by right. Prior to construction of a second residence, the applicant shall seek and obtain the appropriate planning entitlements.

The site has a combination of wood and chain link fencing on the south, west, and east sides of the site. The applicant proposes building a block wall, 6 to 7 feet tall, around 3 sides of the site in order to mitigate potential noise. The noise report recommends a zig-zagged, angled block wall in order to mitigate as much noise as possible. Staff is in support of a straight block wall.

The hours of the business vary, depending on the destinations of the trucks. The maximum range of time that the trucks could be operating is 4:00 am to 11:00 pm. In colder seasons, trucks idle for approximately 10 minutes before they leave the site. Otherwise, idling lasts about 5 minutes to pressurize breaks. This could potentially cause noise in the neighborhood, but the block wall is proposed to mitigate any loud sounds. Drivers will also be instructed to not idle longer than is needed.

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## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

---

No goods or produce will be stored at the site. The site is used only as a base for the trucks to return to and to be stored. The current trucks are parking in the middle of the site where there is decomposed granite surface. As that decomposed granite surface is expanded, trucks will park in the back of the site, roughly in the middle of the lot between the east and west property lines. This is the furthest point from all existing residences.

### *ALTERNATIVES*

- Approve the Conditional Use Permit with the conditions listed in this staff report and the following resolution.
- Table item and direct staff to gather additional information.
- Deny Conditional Use Permit

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

The proposed trucking business would have a minimal impact on city resources as the business can run self sufficiently and won't require a large amount of city resources.

### *ENVIRONMENTAL REVIEW*

California Environmental Quality Act (CEQA) Article 19 §15301 identifies the minor alteration of an existing private facility as Categorical Exempt.

### *POLICY ISSUES*

Chapter 8.20 of the City of Lindsay Municipal Code explains the regulations regarding noise in the city. The City of Lindsay requires that the sound level not exceed 87 dB(A) at 50 feet and 93 dB(A) at 25 feet away from the site. A sound study, commissioned by the applicant (attached), measured sound levels at 64 dB(A) and 70dB(A) respectively. Therefore, the sound source is within the required range and is not out of compliance.

The policy issue at hand is the current City standard that requires the sound level to not exceed 50dB(A) at the property line between the hours of 10p.m. and 7a.m. Currently, the sound level *does* exceed the maximum allowable limit intermittently during those hours, specifically the early morning hours. Therefore, the operation does not currently comply with the city requirements. In order to mitigate this issue, the applicant proposes to build a 6 or 7 foot tall solid block wall to be constructed around three sides of the perimeter of the property. The block wall would cause the sound levels at the property line to go below the threshold permitted per the code, therefore complying with the code.

### *PUBLIC OUTREACH*

---





## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

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Posted in this agenda and noticed in newspaper.

### *ATTACHMENTS*

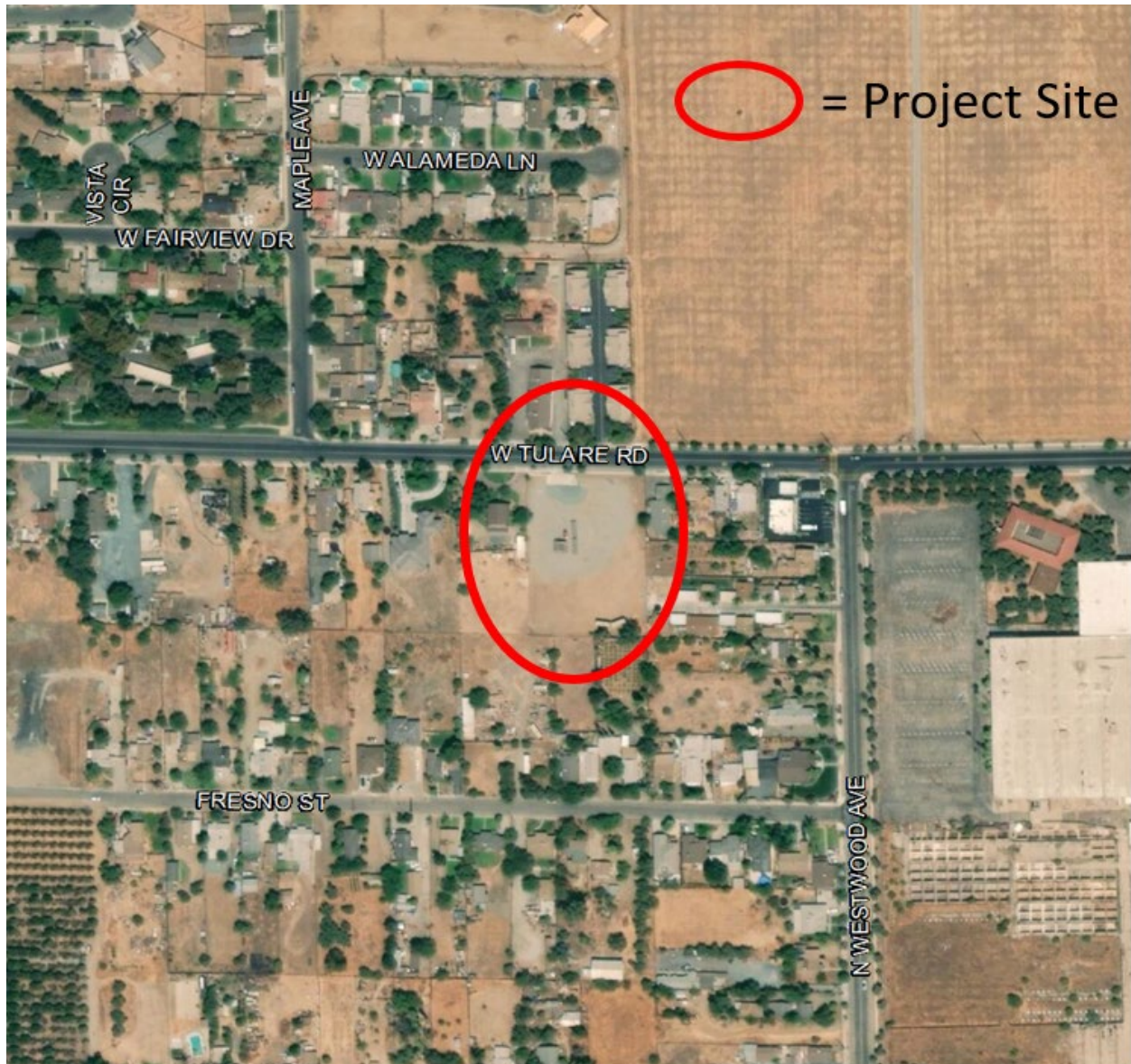
- Aerial Imagery of Site
- Site Plan
- Operations Statement
- Noise Report
- Draft Resolution



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

Aerial Imagery of Site:







## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

### Site Plan:





## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

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### Operations Statement:

**Francisco Castaneda - 838 W. Tulare Avenue**

#### **Conditional Use Permit Application Supplement – Operations Statement**

The site is proposed to have a mixed commercial and residential use. Two residences are proposed near the front of the site. The residences would be occupied by the property owner or a family member of the property owner. The specific footprint, design, and timeline of the new dwellings has not yet been determined. The existing drive approach would be used by the residences.

The commercial business is a family-operated produce trucking business. The site would be used to store trucks for the business. No produce or other goods would be stored on the site. There are several other similar family trucking firms in the neighborhood. The relatively large lots in the neighborhood make this type of mixed use of residential and commercial uses feasible. The site basically used only for parking the trucks and trailers when not in use. The Lindsay General Plan states on page 33 that:

The existing concentration of family trucking firms which operate in conjunction with existing single-family residences south of Tulare Road to properties along the south side of Fresno Street, west of Westwood Avenue is recognized as a condition requiring special policy and zoning treatment apart from policies affecting other Low Density areas. Within this area, Conditional Use Permit applications will be accepted for consideration of establishing new family trucking firms, or of expanding existing firms. Each application is to be judged on its own merits in consideration of the number of trucks proposed, location of truck parking and other factors appropriate to a given application.

It is anticipated that there would be a maximum of four (4) trucks and a maximum of four (4) trailers on the site at a given time. An existing garage building will be removed. A new maintenance shop will be constructed on the southeast corner of the site. The building will be a maximum 16 feet tall and will be of metal construction. Also, two sea-train type storage containers (roughly 10' x 40' each) will be placed on the southwest corner of the site to be used for equipment storage. A pole shed will cover the two storage containers.

The site has a combination of wood and chain link fencing on the south, west, and east sides of the site. Nine additional trees, four on the west side and five on the east side, will be planted to screen the site visually from adjacent property owners.

Trucks typically operate year-round. Hours vary depending on where the trucks are going. The earliest is 4:00am and the latest is 11:00pm. In colder seasons, trucks idle for approximately 10 minutes before they leave the site. Otherwise, idling lasts about 5 minutes to pressurize brakes. Drivers will be instructed to not idle longer than is needed.



## STAFF REPORT

TO: CITY COUNCIL OF THE CITY OF LINDSAY, CALIFORNIA  
DATE: April 23, 2019  
AGENDA #: 6  
FROM: Planning

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No goods or produce will be stored at the site. The site is used only as a base for the trucks to return to and to be stored. There are future plans to purchase a forklift, but it will only be stored on the site and then taken to job sites. It will not be used at the site to load or unload.

Trucks are currently parking in the middle of the site where there is decomposed granite surface. As that decomposed granite surface is expanded, trucks will park in the back of the site, roughly in the middle between the east and west property lines. This is the furthest point from all existing residences.

### Noise Mitigation by Design

The improvements of new buildings around the perimeter of the site will provide some noise mitigation by blocking the direct travel of sound. Where there are no buildings planned, trees will be planted.

### Noise Mitigation by Operations

Truck parking will be relocated to the rear of the property, between new buildings. Idling will only occur only as necessary to warm engines and pressurize brakes



## RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-18

TITLE **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING CONDITIONAL USE PERMIT NO. 18-33, A REQUEST BY FRANCISCO CASTANEDA TO APPROVE A TRUCKING BUSINESS WITHIN AN R ONE-FAMILY RESIDENTIAL (R-1-7) ZONING DISTRICT, FOR PROPERTY LOCATED AT 838 WEST TULARE ROAD (APN 199-070-008)**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on April 23, 2019 at 6:00PM at 251 E. Honolulu Street, Lindsay, CA 93247.

**WHEREAS**, Conditional use Permit No. 18-33 was filed pursuant to the regulations contained in Ordinance No. 437, the Zoning Ordinance of the City of Lindsay; and

**WHEREAS**, the City Council of the City of Lindsay, after ten (10) days published notice, did hold a public hearing before said Council on April 23, 2019; and

**WHEREAS**, the Community Development Department staff has prepared necessary investigations and prepared a staff report of information bearing upon the conditional use permit application; and

**WHEREAS**, the project is categorically exempt from the California Environmental Quality Act as the minor alteration of an existing private facility (Class 1).

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

- SECTION 1. The project is exempt from further environmental review pursuant to CEQA Article 19, Section §15301.
- SECTION 2. The City Council of the City of Lindsay finds that the proposed conditional use permit application is consistent with the provisions of the City of Lindsay Zoning Ordinance (Municipal Code Title 18). Specifically, the application meets all applicable city codes and ordinances, per the requirements of Sections 18.17.030 and 18.17.070.C.
- SECTION 2. The City Council of the City of Lindsay hereby approves Conditional Use Permit Application No. 18-33, subject to the following conditions:
- Operate in accordance with the Site Plan as submitted
  - Operate in accordance with the Operations Statement as submitted
  - Build a block wall, 6 or 7 feet tall around the perimeter of 3 sides of the property
  - Comply with all applicable regulations listed in Chapter 20 of Title 8 of the City of Lindsay Municipal Code
  - A separate planning entitlement is required for the second residence, in accordance with Section 18.07 of the Lindsay Zoning Code



## RESOLUTION OF THE CITY OF LINDSAY

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

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

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

MEETING DATE	April 23, 2019
MOTION	
2 <sup>nd</sup> MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

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

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

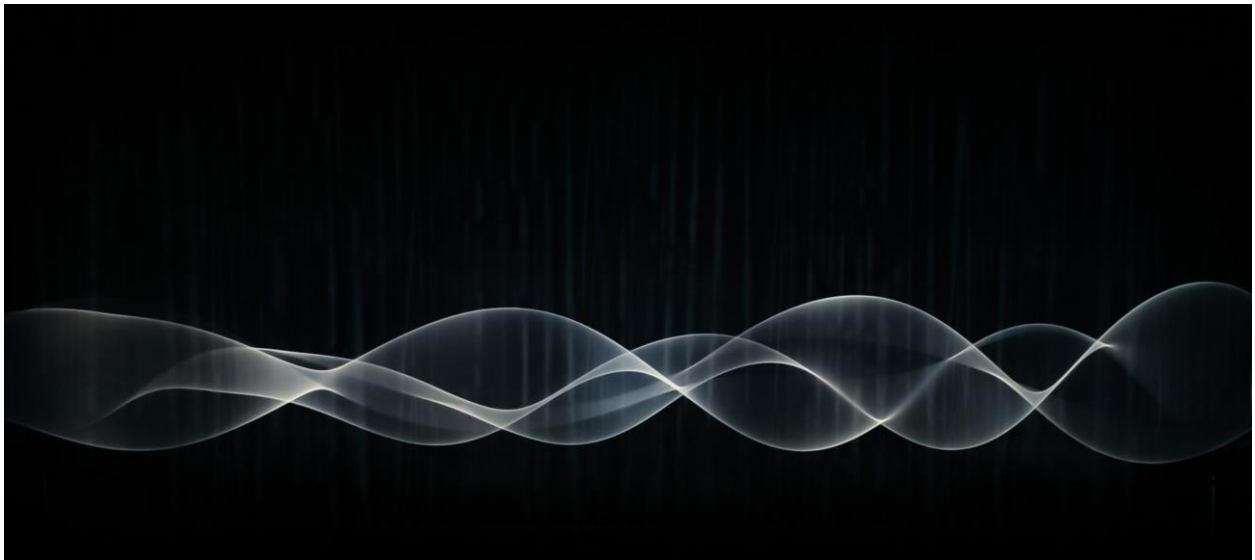
\_\_\_\_\_  
Mayor



## ACOUSTICAL SURVEY

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# **CASTANEDA PROPERTY CONDITIONAL USE PERMIT**



**AUGUST 2018**

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## ACOUSTICAL SURVEY

# CASTANEDA PROPERTY CONDITIONAL USE PERMIT

### **Prepared for:**

Francisco Castaneda  
836 W. Tulare Rd.  
Lindsay, CA 93247

### **Consultant:**



901 East Main Street  
Visalia, CA 93292  
Contact: Steve Brandt or Stephen Anderson  
Phone: (559) 733-0440

August 2018

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Project #170265

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## SECTION 1 - INTRODUCTION

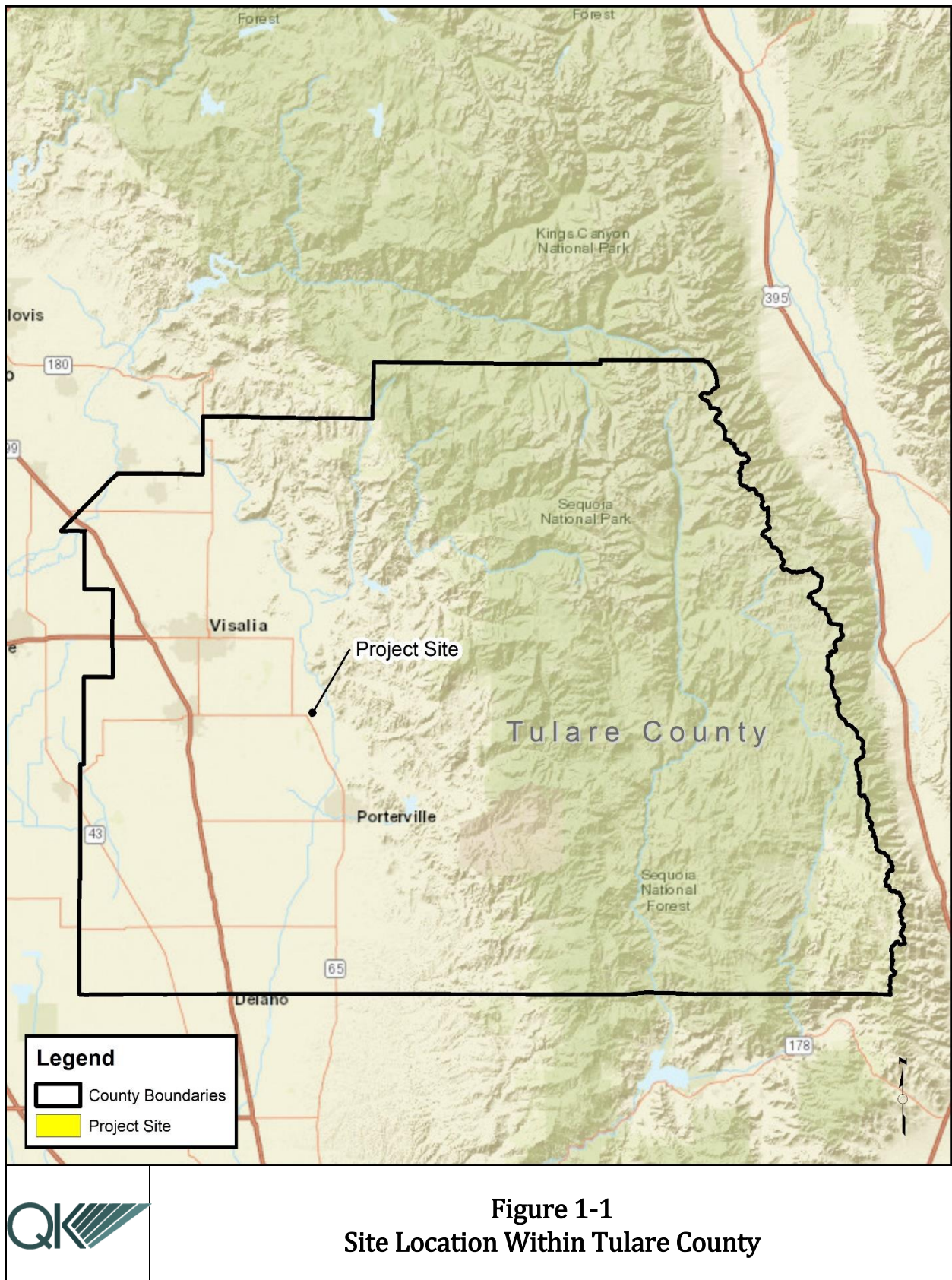
### ***1.1 - Description and Background***

The Project site is a 1.41-acre parcel located within the city limits of Lindsay, CA (APN 199-070-008) (see Figures 1-1 and 1-2). The property owner is using a portion of the property to park commercial trucks for his business. Trucks must idle for a few minutes on site to pressurize the brake system before they leave the site. This study is intended to determine whether the measured sound level produced by the trucks while on the site lies within the acceptable limits defined by the City of Lindsay.

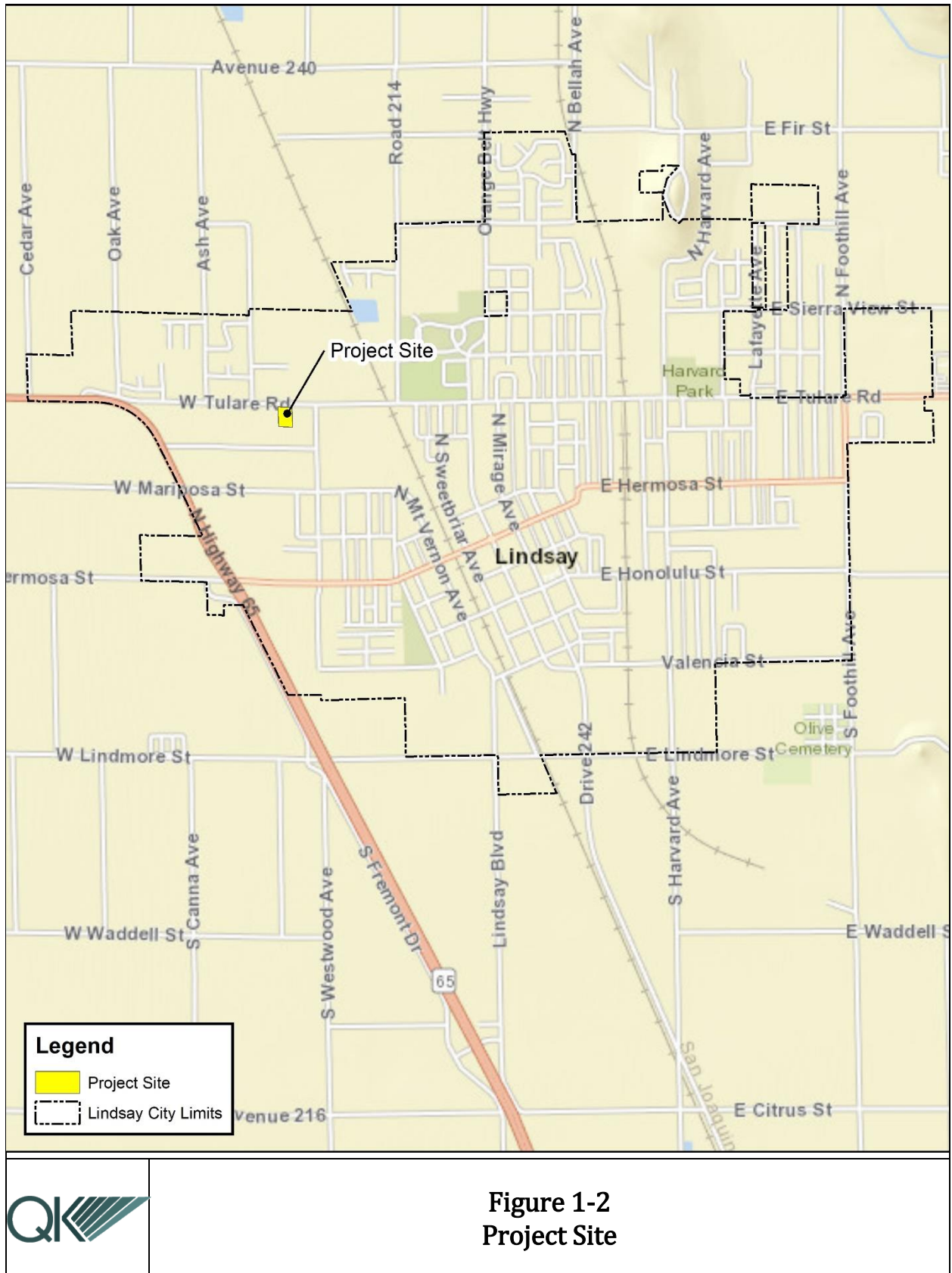
Table 1-1 shows the maximum allowable volume at the property line for the City of Lindsay during specified time periods during the day. It is also required that any truck over 10,000 pounds cannot produce sound that exceeds the limits defined in Table 1-2. These tables are based on City of Lindsay Municipal Code Chapter 8.20.

**Table 1-1  
Noise Level Limits**

<b>District</b>	<b>Time</b>	<b>Sound Level (dB(A))</b>
Residential	10:00 p.m. to 7:00 a.m.	50
	7:00 a.m. to 10:00 p.m.	70
Commercial	10:00 p.m. to 7:00 a.m.	60
	7:00 a.m. to 10:00 p.m.	70
Public Parks and City Facilities	10:00 p.m. to 10:00 a.m.	60
	10:00 a.m. to 10:00 p.m.	85



**Figure 1-1**  
**Site Location Within Tulare County**



**Figure 1-2**  
**Project Site**



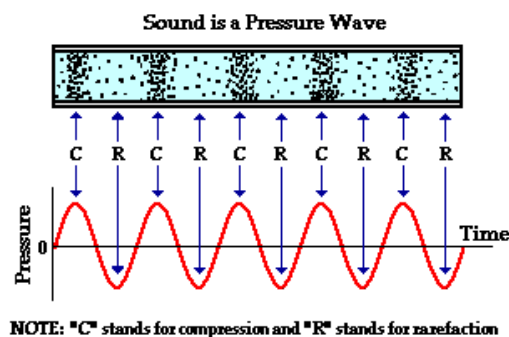
**Table 1-2**  
**Limiting Noise Levels for Motor Vehicles**

Vehicle Type	Distance	Maximum Allowable Limit
1. Trucks and Buses		
Over 10,000 pounds:	Measured at 50 feet	87 dB(A)
	Measured at 25 feet	93 dB(A)
Under 10,000 pounds:	Measured at 50 feet	80 dB(A)
	Measured at 25 feet	86 dB(A)
2. Passenger Cars:		
	Measured at 50 feet	78 dB(A)
	Measured at 25 feet	86 dB(A)
3. Motorcycles, Including Other Vehicles		
	Measured at 50 feet	87 dB(A)
	Measured at 25 feet	93 dB(A)

## 1.2 - A Brief Description of Sound

Sound is a mechanical wave that results from the back and forth vibration of the particles of the medium through which the sound wave is moving. If a sound wave is moving from left to right through air, then particles of air will be displaced both rightward and leftward as the energy of the sound wave passes through it. The motion of the particles is parallel to the direction of the energy transport. This is what characterizes sound waves in air as longitudinal waves. Because of the longitudinal motion of the air particles, there are regions in the air where the air particles are compressed together and other regions where the air particles are spread apart. These regions are known as **compressions** and **rarefactions** respectively. The compressions are regions of high air pressure while the rarefactions are regions of low air pressure. Figure 1-3 shows a schematic of a sound wave.

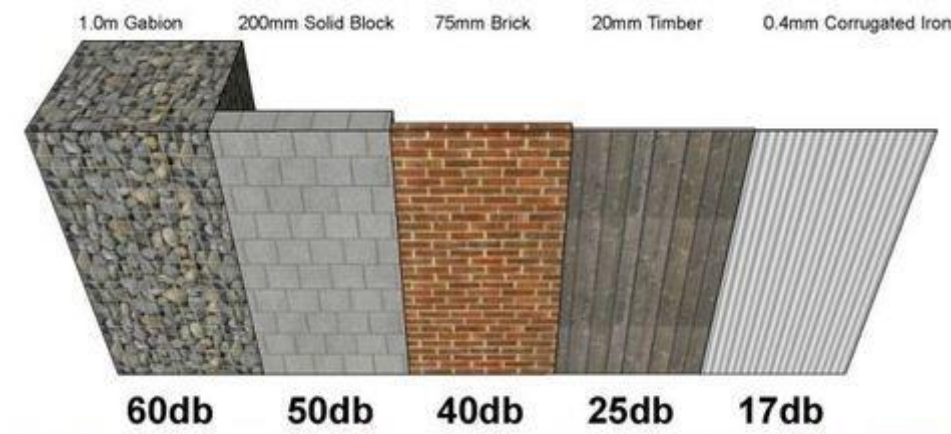
**Figure 1-3**  
**Sound Wave Schematic**



A sound source displaces the neighboring particles of air and initiates propagation of a pressure wave through the elastic medium of air. Similar to water ripples, pressure waves move outwards from the sound source. Sound Level relates to the maximum pressure produced as particles are compressed together. Sound level is measured in decibels (dB). A decibel is based on a logarithmic scale and relates to the intensity or energy of a wave. As the distance from the source increases, the sound pressure level decreases exponentially. In other words, increased distance from the source results in a lower decibel measurement. The sound wave will eventually transform into other forms of energy, such as heat. This is a brief glimpse into the physics of sound and does not fully explain the nature of mechanical vibrations through elastic medium.

It is possible to treat a space through geometry to change the acoustical characteristics of that space. A sound wave may transmit through a material, be reflected off the material, or be absorbed by the material. Depending on the material properties, varying degrees of reflection, absorption, and transmission can be achieved. Figure 1-4 shows some common construction materials and their effectiveness for sound reduction. As shown, a solid block wall can provide 50 dB of sound reduction, a brick wall can provide 40 dB of sound reduction, and a single-sided wood fence can provide 25 dB of sound reduction.

**Figure 1-4**  
**Acoustic Materials and Decibel Reduction Values**



Geometry also plays a vital role in the acoustic properties of a space. If two parallel walls exist, a sound wave will be reflected between the surfaces and a standing wave will manifest. The existence of a standing wave means that amplification of sound will occur at a frequency fundamental to the distance between the surfaces. A standing wave may be eliminated by offsetting one of the surfaces so that the surfaces are not parallel.

## SECTION 2 - TESTING

### 2.1 - Methodology and Results

The following steps were taken to measure the sound of the trucks at the site for compliance with the City standards.

#### Step1: Calibrate the Sound Level Meter

The sound meter was calibrated in order to insure accurate data acquisition. The calibration instructions were followed in the user manual for the device. The device was used for the analysis was a Bruel & Kjaer Model 2219.



Bruel & Kjaer Model 2219

#### Step 2: Take Measurements

A reading of ambient sound was taken at the site before starting the truck. With a 100-foot tape measure, sound level measurements were taken from 10' to 100' at 10' intervals from the source. A measurement was also taken at 25'. Measurements were also taken at various points on the property boundary as shown in Figure 2-1. Measurements should be taken so as to provide a true representation of the noise. The microphone should be positioned so that volume augmentation or diminution does not occur. It is noted that the adjacent property has goats that would affect the reading when they would make noise, however, the readings were not taken when the goats would sound.

#### Step 3: Analyze the Data

With the data obtained, refer to the City requirements and determine whether the sound level lies within the limits determined by the City. If not, acoustical treatment may be required.



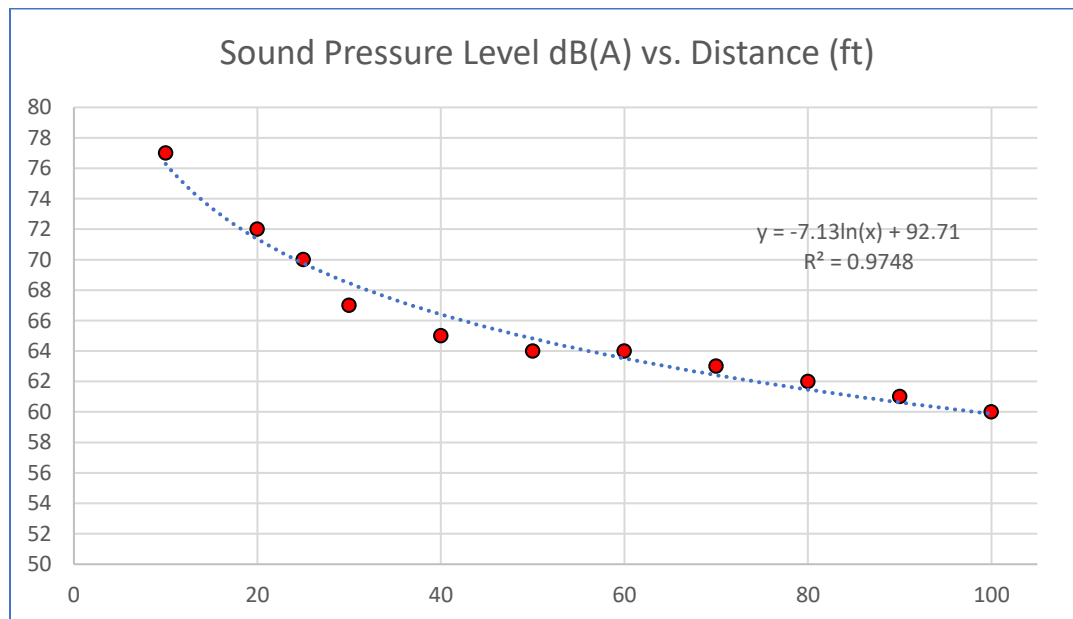
## 2.2 - Results

The results of the analysis are shown in the following table and plotted in the following chart (Table 2-1 and Figure 2-1):

Table 2-1  
Results Table

Distance (ft.)	Ambient	10	20	25	30	40	50	60	70	80	90	100
Sound Pressure Level dB(A)	44	77	72	70	67	65	64	64	63	62	61	60

Figure 2-1  
Results Figure



As shown, the data trend follows the expected result in depicting a decrease in volume with increased distance. The City of Lindsay requires that the sound level not exceed 87 dB(A) at 50 feet and 93 dB(A) at 25 feet. The measured sound levels at 50 feet and 25 feet are 64 dB(A) and 70 dB(A) respectively. Therefore, *the sound source is well within the required range and is not out of compliance.*

The other City standard requires that the sound level not exceed 50 dB(A) at the property line between the hours of 10p.m. and 7a.m. or 70 dB(A) between 7a.m. and 10p.m. As depicted in Figure 2-1, *the sound level does exceed the maximum allowable limit* for the 10p.m to 7a.m time period. Therefore, the sound source *does not comply* with the City requirements. However, the sound source is compliant for the hours between 7a.m. and 10p.m.

## SECTION 3 - RECOMMENDATION

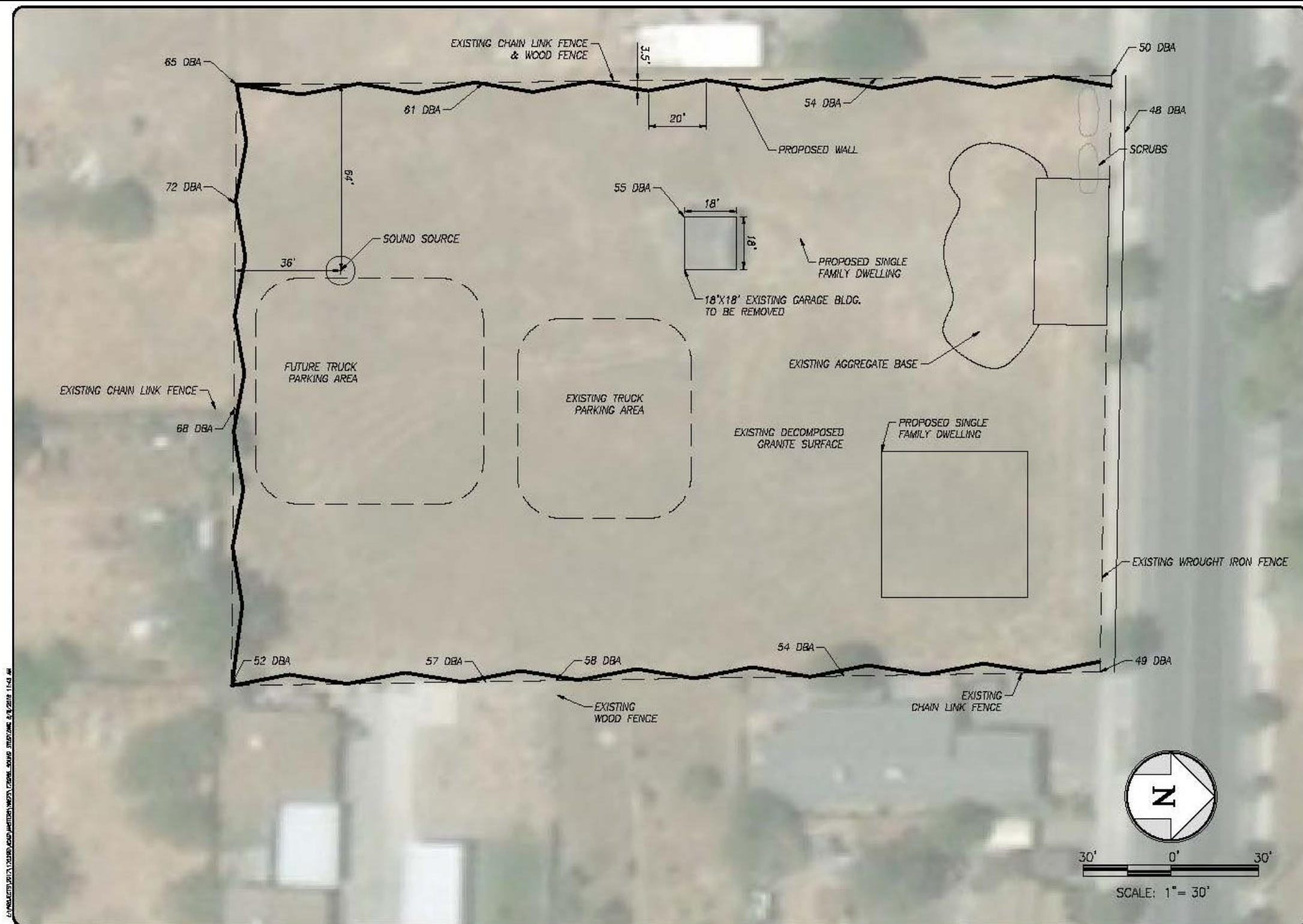
In order to comply with the City sound level requirements, it is recommended that a sound barrier be constructed around the perimeter of the property on the east, west, and south sides. This will reduce the sound level to acceptable levels before crossing into adjacent properties.

### Option 1: Add Block Wall

- A solid block wall should be constructed to be at 6 to 7 feet tall around the perimeter of the property.
- The wall should be offset 10 degrees from the property line for 20 feet, then offset - 10 degrees for another 20 feet. Refer to the proposed wall in Figure 3-1. This method will reduce or eliminate modal frequency buildup and development of standing waves. If this is not done, a standing wave will develop, and amplification of sound will occur.
- As depicted in Figure 1-4, this method will reduce the sound level by approximately 50db.

### Option 2: Add Double-sided Wood Fence

- The material should be solid wood at 6 to 7 feet tall, with no gaps between each sheet or picket.
- The wood pickets should be at least .75 inches thick.
- Pickets should be applied to both sides of the fence.
- The fence should be offset 10 degrees from the property line for 20 feet, then offset - 10 degrees for another 20 feet. This method will reduce or eliminate modal frequency buildup and development of standing waves. If this is not done, a standing wave will develop, and amplification of sound will occur.
- Through a relationship between the thickness of the wood in Figure 3-1, and the resulting reduction in sound level, this method will reduce the sound level by approximately 48db. This is twice the amount depicted in Figure 1-4 because the fence would be double-sided.



**Figure 3-1**  
Sounds Reading Locations and Recommended Wall/Fence Location



## **RULES FOR CITY OF LINDSAY PUBLIC HEARING PROCEDURES**

### **1. OPENING**

Mayor opens the public hearing.

### **2. ARGUMENTS**

Proponents (those in favor) are permitted to speak first. The Council may ask questions of the proponents and they may respond.

Opponents (those against) are permitted to speak second. The Council may ask questions of the opponents and they may respond.

### **3. REBUTTALS**

Proponents and Opponents are permitted to offer rebuttals.

### **4. COUNCIL QUESTIONS**

Council may ask additional questions. However, the parties may not engage in further debate.

### **5. CLOSING**

Mayor closes the Public Hearing

Council discusses the subject of the public hearing

Council members make a motion, if necessary

Council votes



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
AGENDA #: 7  
STAFF: WILLIAM ZIGLER, CITY MANAGER, 559.562.7102,  
WZIGLER@LINDSAY.CA.US

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### AGENDA ITEM

**TITLE** Ordinance No. 572, first reading; an ordinance amending chapter 18 of the Lindsay Municipal Code allowing for Cannabis Related Businesses in permitted zones with a conditional use permit and amending other uses within the IH zoning code.

**ACTION** Request approval of Ordinance No. 572, First Reading

**PURPOSE** Discretionary Action

**COUNCIL OBJECTIVE(S)** Advance economic diversity.  
Yield a fiscally self-reliant city government while providing effective, basic municipal services.

---

### RECOMMENDATION

Staff recommends approval of Ordinance No. 572, first reading, an ordinance amending chapter 18 of the Lindsay Municipal Code allowing for Cannabis Related Businesses in permitted zones with a conditional use permit and amending other uses within the IH zoning code.

---

### BACKGROUND / ANALYSIS

On February 12, 2019 the Lindsay City Council directed staff to develop ordinances governing the retail sales, delivery and distribution of cannabis within the City. This direction followed the approval by resolution of cannabis growth, manufacturing and testing.

Per Council direction attached Ordinance No. 572, first reading, an ordinance “An ordinance amending chapter 18 of the Lindsay Municipal Code allowing for Cannabis Related Businesses in permitted zones with a conditional use permit and amending other uses within the IH zoning code” has been prepared and is outlined below.

Additions are shown in red underlined text. Deletions are shown with a ~~blue strikethrough~~:

**Title 18 Zoning, Chapter 18.10 C Commercial Districts, Section 18.10.030. CC central commercial district, Subsection D is hereby amended to read in its entirety as follows:**

D. Conditional Uses - City Council Approval.

The following uses may be permitted in accordance with the provisions of Chapter 18.17:

Bars, cocktail lounges and nightclubs;

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## STAFF REPORT

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DATE: APRIL 23, 2019  
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Cannabis delivery service from an authorized cannabis dispensary;

Cannabis dispensaries;

Car washing, self-service and coin-operated;

Churches;

City, county, state or federal administrative offices, libraries, police and fire stations;

Convenience store/mini mart;

Dance halls;

Entertainment venue permitting the sale for on-site consumption of cannabis, including comedy clubs, as authorized by, and which meet the requirements of, the State of California;

Farmers' markets, including indoor and outdoor facilities;

Mini-storage facilities;

Pool halls;

Residential use in conjunction with a permitted use in accordance with requirements of the RM-1.5 district;

Service commercial uses designated by an asterisk (\*) as listed under Section 18.10.040(B) of this chapter, which include incidental retail and office use;

Temporary revival church services;

Modest expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent or less of the assessed value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with a assessed value of less than one hundred dollars, and nonconforming fences, walls and hedges;

Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Chapter 18.21.

Other uses which are added to this list according to the procedure in Chapter 18.15. (Ord. 546, Art. 1, 2014; Ord. 542, Art. 1, 2013; Ord. 533, Art. 2, 2011; Ord. 489 § 1 (part), 1998; Ord. 486 §§ 2, 3, 1997; Ord. 479 § 2, 1996; Ord. 437 § 1 (part), 1989)

**Title 18 Zoning, Chapter 18.11 I Industrial Districts, Section 18.11.030 IH heavy industrial district, Subsection D is hereby amended to read in its entirety as follows:**

D. Conditional uses – City council approval.

The following uses and other uses may be approved according to the procedures in Chapter 18.17; provided, however, that for uses which involve nuisances, dangers of fire or

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## STAFF REPORT

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DATE: APRIL 23, 2019  
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WZIGLER@LINDSAY.CA.US

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explosion or other hazards to health and safety, the city council shall make a specific finding that the use can be expected to conform with each of the required conditions prescribed for an IH district in Section 18.11.040. The council may require submission of reports by technical consultants or other evidence in addition to the data prescribed in Chapter 18.17:

Asphalt and asphalt products manufacture;

Cannabis distribution;

Cannabis nursery;

Cannabis manufacturer;

Cannabis production;

Cannabis products testing laboratory;

Cannabis testing laboratory;

Cement, lime, gypsum and plaster of paris manufacture;

Charcoal, lampblack and fuel briquettes manufacture;

Chemical products manufacture including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, cleaning and polishing preparations, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates of an explosive nature, potash, pyroxlin, rayon yarn, and carbolic, hydrochloric, picric and sulfuric acids;

Coal, coke and tar products manufacture;

Commercial Cannabis Business, excluding retail sales;

Commercial Cannabis Cultivation;

Drop forges;

Dumps and slag piles;

Electroplating shops;

Explosives manufacture and storage;

Fertilizer manufacture;

Film manufacture;

Fireworks manufacture and storage;

Fish products processing and packaging;

Garbage and refuse dumps;

Gas and oil wells;

Gas manufacture or storage;

Gelatin, glue and size manufacture from animal or fish refuse;

Grain rolling and storage;

Incineration or reduction of garbage, offal and dead animals;

Junk yards;





## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
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Lard manufacture;  
Linoleum and oil cloth manufacture;  
Liquefied petroleum gas bulk storage and delivery;  
Magnesium foundries;  
Manure, peat and topsoil processing and storage;  
Metal and metal ores reduction, refining, smelting and alloying;  
~~Motor vehicles wrecking yards;~~  
Paint manufacture including enamel, lacquer, shellac, turpentine and varnish;  
Paper mills;  
Petroleum and petroleum products refining and storage;  
Public buildings and grounds;  
Rifle and pistol ranges, indoor only;  
Rubber manufacture or processing including natural or synthetic rubber and gutta-percha;  
Soap manufacture including fat rendering;  
Steam plants;  
Stock yards, stock feeding yards and slaughter houses;  
~~Stone quarries, gravel pits, mines and s~~Stone mills;  
Storage of inflammable liquids;  
Storage of used building materials;  
Tallow manufacture;  
Tanneries and curing and storage of rawhides;  
Wood and bones distillation;  
Wood pulp and fiber reduction and processing;  
Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Chapter 18.24;  
Modest expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent or less of the assessed value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation less than one hundred dollars, and nonconforming fences, walls and hedges;  
Other uses which are added to this list according to the procedure in Chapter 18.15. (Ord. 570. § 2 (part), 2019; Ord. 437 § 1 (part), 1989)





## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
AGENDA #: 7  
STAFF: WILLIAM ZIGLER, CITY MANAGER, 559.562.7102,  
WZIGLER@LINDSAY.CA.US

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### *ALTERNATIVES*

- Approve the first reading of Ordinance 572 as submitted.
- Approve the first reading of Ordinance 572 with amendments.
- Do not approve the first reading of Ordinance 572.
- Direct staff to take some other action.

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

Approval of Ordinance No. 572, first reading, in and of itself will have no impact on City resources. Efforts have been taken in its development to minimize impacts on public safety and our community by those businesses and activities governed by its regulations. Following approval of Ordinance No. 572, first reading, each application for the growth, manufacturing and testing of cannabis will be reviewed individually for public safety, community, environmental and public utility impacts.

### *ENVIRONMENTAL REVIEW*

Ordinance No. 572, first reading, is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemption, the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment].

### *POLICY ISSUES*

There are no policy issues related to the approval of Ordinance No. 572, first reading.

### *PUBLIC OUTREACH*

Several public meetings were held with Council beginning in June 2018. A public hearing was held on June 12, 2018 and again on February 12, 2019 for public comment. The most recent notice of Public Hearing was posted in the Porterville Recorder on April 12, 2019.

### *ATTACHMENT*

- Ordinance No. 572, first reading

# ORDINANCE NO. 572

**AN ORDINANCE OF THE CITY OF LINDSAY AMENDING CHAPTER  
18 OF THE LINDSAY MUNICIPAL CODE ALLOWNG FOR CANNABIS  
RELATED BUSINESSES IN PERMITTED ZONES WITH A  
CONDITIONAL USE PERMIT AND AMENDING OTHER USES  
WITHIN THE IH ZONING CODE.**

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

**Section 1. PURPOSE.** The provisions of this ordinance are intended to amend the Lindsay Municipal Code to allow for cannabis related businesses within the Lindsay City Limits within certain zones with a Conditional Use Permit and to modify the uses allowed in the IH heavy industrial zone district.

**Section 2.** CODE AMENDMENT. The following sections within Title 18 of the Lindsay Municipal Code are hereby amended to read in their entirety as follows:

**Title 18 Zoning, Chapter 18.10 C Commercial Districts, Section 18.10.030. CC central commercial district, Subsection D is hereby amended to read in its entirety as follows:**

#### D. Conditional Uses - City Council Approval.

The following uses may be permitted in accordance with the provisions of Chapter 18.17:

Bars, cocktail lounges and nightclubs;

Cannabis delivery service from an authorized cannabis dispensary:

## Cannabis dispensaries;

Car washing, self-service and coin-operated;

Churches;

City, county, state or federal administrative offices, libraries, police and fire stations;

Convenience store/mini mart:

Dance halls;

Entertainment venue permitting the sale for on-site consumption of cannabis, including comedy clubs, as authorized by, and which meet the requirements of, the State of California;

Farmers' markets, including indoor and outdoor facilities;

Mini-storage facilities:

Pool halls;

Residential use in conjunction with a permitted use in accordance with requirements of the RM-1.5 district;

Service commercial uses designated by an asterisk (\*) as listed under Section 18.10.040(B) of this chapter, which include incidental retail and office use;

Temporary revival church services:

Modest expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent or less of the assessed value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with a assessed value of less than one hundred dollars, and nonconforming fences, walls and hedges;

Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Chapter 18.21.

Other uses which are added to this list according to the procedure in Chapter 18.15. (Ord. 546, Art. 1, 2014; Ord. 542, Art. 1, 2013; Ord. 533, Art. 2, 2011; Ord. 489 § 1 (part), 1998; Ord. 486 §§ 2, 3, 1997; Ord. 479 § 2, 1996; Ord. 437 § 1 (part), 1989)

**Title 18 Zoning, Chapter 18.11 I Industrial Districts, Section 18.11.030 IH heavy industrial district, Subsection D is hereby amended to read in its entirety as follows:**

**D. Conditional uses – City council approval.**

The following uses and other uses may be approved according to the procedures in Chapter 18.17; provided, however, that for uses which involve nuisances, dangers of fire or explosion or other hazards to health and safety, the city council shall make a specific finding that the use can be expected to conform with each of the required conditions prescribed for an IH district in Section 18.11.040. The council may require submission of reports by technical consultants or other evidence in addition to the data prescribed in Chapter 18.17:

Asphalt and asphalt products manufacture;

Cannabis distribution;

Cannabis nursery;

Cannabis manufacturer;

Cannabis production;

Cannabis products testing laboratory-;

Cannabis testing laboratory-;

Cement, lime, gypsum and plaster of paris manufacture;

Charcoal, lampblack and fuel briquettes manufacture;

Chemical products manufacture including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, cleaning and polishing preparations, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates of an explosive nature, potash, pyroclin, rayon yarn, and carbolic, hydrochloric, picric and sulfuric acids;

Coal, coke and tar products manufacture;

Commercial Cannabis Business, excluding retail sales;

Commercial Cannabis Cultivation;

Drop forges;

Dumps and slag piles;

Electroplating shops;

Explosives manufacture and storage;

Fertilizer manufacture;

Film manufacture;

Fireworks manufacture and storage;

Fish products processing and packaging;

Garbage and refuse dumps;

Gas and oil wells;

Gas manufacture or storage;

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Gelatin, glue and size manufacture from animal or fish refuse;

Grain rolling and storage;  
~~Incineration or reduction of garbage, offal and dead animals;~~  
 Junk yards;  
 Lard manufacture;  
 Linoleum and oil cloth manufacture;  
 Liquefied petroleum gas bulk storage and delivery;  
 Magnesium foundries;  
 Manure, peat and topsoil processing and storage;  
 Metal and metal ores reduction, refining, smelting and alloying;  
~~Motor vehicles wrecking yards;~~  
 Paint manufacture including enamel, lacquer, shellac, turpentine and varnish;  
 Paper mills;  
 Petroleum and petroleum products refining and storage;  
 Public buildings and grounds;  
 Rifle and pistol ranges, indoor only;  
 Rubber manufacture or processing including natural or synthetic rubber and gutta-percha;  
 Soap manufacture including fat rendering;  
 Steam plants;  
 Stock yards, stock feeding yards and slaughter houses;  
~~Stone quarries, gravel pits, mines and s~~Stone mills;  
 Storage of inflammable liquids;  
 Storage of used building materials;  
 Tallow manufacture;  
 Tanneries and curing and storage of rawhides;  
 Wood and bones distillation;  
 Wood pulp and fiber reduction and processing;  
 Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Chapter 18.24;  
 Modest expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent or less of the assessed value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation less than one hundred dollars, and nonconforming fences, walls and hedges;  
 Other uses which are added to this list according to the procedure in Chapter 18.15. (Ord. 570. § 2 (part), 2019; Ord. 437 § 1 (part), 1989)

**Section 3. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment] and 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general

exemptions, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a Notice of Exemption is filed pursuant to CEQA Guidelines section 15062 [14 CCR. 15062].

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

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

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

**Section 7. CONSTRUCTION.** The City Council intends this ordinance to supplement, not to duplicate, contradict or otherwise conflict with, applicable State and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Lindsay Municipal Code as amended by this ordinance are substantially the same as provisions in the Lindsay Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

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

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Lindsay, State of California, on April 23, 2019, at a regular meeting of said Council duly and regularly convened on said day by the following vote:

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

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

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

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

CITY COUNCIL OF THE CITY OF LINDSAY

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

ATTEST:

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

## **RULES FOR CITY OF LINDSAY PUBLIC HEARING PROCEDURES**

### **1. OPENING**

Mayor opens the public hearing.

### **2. ARGUMENTS**

Proponents (those in favor) are permitted to speak first. The Council may ask questions of the proponents and they may respond.

Opponents (those against) are permitted to speak second. The Council may ask questions of the opponents and they may respond.

### **3. REBUTTALS**

Proponents and Opponents are permitted to offer rebuttals.

### **4. COUNCIL QUESTIONS**

Council may ask additional questions. However, the parties may not engage in further debate.

### **5. CLOSING**

Mayor closes the Public Hearing

Council discusses the subject of the public hearing

Council members make a motion, if necessary

Council votes



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
AGENDA #: 8  
STAFF: WILLIAM ZIGLER, CITY MANAGER, 559.562.7102,  
WZIGLER@LINDSAY.CA.US

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### AGENDA ITEM

TITLE Ordinance No. 573, first reading; an ordinance allowing cannabis businesses and establishing permitting procedures and regulations.

ACTION Request approval of Ordinance No. 573, First Reading

PURPOSE Discretionary Action

COUNCIL OBJECTIVE(S) Advance economic diversity.  
Yield a fiscally self-reliant city government while providing effective, basic municipal services.

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### RECOMMENDATION

Staff recommends approval of Ordinance No. 573, first reading, an ordinance allowing cannabis businesses and establishing permitting procedures and regulations.

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### BACKGROUND / ANALYSIS

On February 12, 2019 the Lindsay City Council directed staff to develop ordinances governing the retail sales, delivery and distribution of cannabis within the City. This direction followed the approval by resolution of cannabis growth, manufacturing and testing.

Per Council direction attached Ordinance No. 573, first reading, an ordinance "Amending chapter 5.28 of the Lindsay Municipal Code Allowing Cannabis Businesses and Establishing Permitting Procedures and Regulations" has been prepared and is outlined below.

Additions are shown in red underlined text. Deletions are shown with a ~~blue strikethrough~~:

#### 5.28.010 - Definitions

"Cannabis business" or "cannabis industry" means any business activity in the City relating to cannabis, including but not limited to cultivation (including nurseries), transportation, distribution, manufacture, compounding, conversion, processing, preparation, testing, storage, packaging, delivery and sales (wholesale and/or retail sales) of cannabis or cannabis products, whether or not carried on for gain or profit. Cannabis business includes an entertainment venue permitting the sale for on-site consumption of cannabis, including comedy clubs, as authorized by, and which meet the requirements of, the State of

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
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California. A cannabis business does not include any business whose only relationship to cannabis or cannabis products is the production or sale of cannabis accessories.

### **5.28.020 Cannabis Production Permitted Uses and Zoning.**

Business Owners meeting the requirements of this section shall be allowed to conduct the following Commercial Cannabis activities in the IH – Heavy Industrial zoning district of the City:

- Cultivation – Indoor or Mixed Light Only
- Distribution.
- Manufacturing.
- Testing.
- Transportation.

Business Owners meeting the requirements of this section shall be allowed to conduct testing of Commercial Cannabis in the PO – Professional Office zoning district and in the IL – Light Industrial zoning district of the City:

- Testing.

The Commercial Cannabis Operations shall at all times be in compliance with this ~~section~~ chapter as it may be amended from time to time or repealed and replaced by another section governing the Commercial Cannabis Operations.

### **5.28.040 Cannabis Dispensaries Permitted Uses and Zoning.**

~~Cannabis Dispensaries shall not be permitted within the City of Lindsay.~~ A. Business Owners meeting the requirements of this chapter shall be allowed to conduct Cannabis Dispensary Operations within the Central Business District of the CC-Central Commercial zone district of the City upon approval of a conditional use permit in accordance with Title 18 of the Municipal Code: The Cannabis Dispensary Operation shall at all times be in compliance with this chapter as it may be amended from time to time or repealed and replaced by another chapter governing the Cannabis Dispensary operation.

B. A Commercial Cannabis Business meeting the requirements of this chapter that includes an entertainment venue permitting the sale for on-site consumption of cannabis, including comedy clubs, shall be allowed to conduct operations within the Central Business District of the CC-Central Commercial zone district of the City upon approval of a conditional use permit in accordance with Title 18 of the Municipal Code. The Commercial Cannabis Business shall at all times be in compliance with this chapter as it may be amended from time to time or repealed and replaced by another chapter governing the Cannabis Dispensary operation and shall at all times which meet the requirements of the State of California.

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
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### 5.28.160 Water Availability.

- A. As a condition of opening for business, the Premises Owner, Business Owner, Operator, and all Responsible Parties shall be deemed to have acknowledged and agreed to the following if the Cannabis Operation is connected to the City's water system.
- B. The City cannot provide any guarantees that City water will be available for operations. Under circumstance where the City cannot or elects to not provide water, the Cannabis Operation may be required to find alternative sources of water supply. The Premises Owner, Business Owner, and Operator assume all risk associated with water supply to the Site, including all costs associated therewith.
- C. The Premises Owner, Business Owner, Operator, and all Responsible Parties shall hold harmless, release, indemnify, and defend the City, its officers, employees, and agents, from any liability associated with the curtailment of water because of the foregoing. This release includes any damages to the Premises Owner, Business Owner, Operator, and all Responsible Parties, its employees and contractors, and third parties, and includes the risk of lost revenue, profits and consequential damages.
- D. If the Premises Owner, Business Owner, Operator, or Responsible Party procures their own source of water they must comply with all State and Federal water reporting laws and procedures.

### ALTERNATIVES

- Approve the first reading of Ordinance 573 as submitted.
- Approve the first reading of Ordinance 573 with amendments.
- Do not approve the first reading of Ordinance 573.
- Direct staff to take some other action.

### BENEFIT TO OR IMPACT ON CITY RESOURCES

Approval of Ordinance No. 573, first reading, in and of itself will have no impact on City resources. Efforts have been taken in its development to minimize impacts on public safety and our community by those businesses and activities governed by its regulations. Following approval of Ordinance No. 573, first reading, each application for the growth, manufacturing and testing of cannabis will be reviewed individually for public safety, community, environmental and public utility impacts.

### ENVIRONMENTAL REVIEW

Ordinance No. 573, first reading, is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
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may have a significant effect on the environment]. In addition to the foregoing general exemption, the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment].

### *POLICY ISSUES*

There are no policy issues related to the approval of Ordinance No. 573, first reading.

### *PUBLIC OUTREACH*

Several public meetings were held with Council beginning in June 2018. A public hearing was held on June 12, 2018 and again on February 12, 2019 for public comment. The most recent notice of Public Hearing was posted in the Porterville Recorder on April 12, 2019.

### *ATTACHMENT*

- Ordinance No. 573, first reading

## ORDINANCE NO. 573

### AN ORDINANCE AMENDING CHAPTER 5.28 OF THE LINDSAY MUNICIPAL CODE ALLOWING CANNABIS BUSINESSES AND ESTABLISHING PERMITTING PROCEDURES AND REGULATIONS

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

**Section 1. PURPOSE.** The provisions of this ordinance are intended to permit and regulate legal cannabis businesses in the City of Lindsay.

**Section 2. CODE ENACTMENT.** Lindsay Municipal Code Chapter 5.28 Cannabis Businesses is hereby amended to read as follows:

#### **Chapter 5.28 CANNABIS BUSINESSES**

##### **5.28.010 – Definitions**

"Applicant" means a person who is required to file an application for a permit under this section.

"Business Owner" means the owner(s) of the Cannabis Business. For publicly traded companies, owner means the chief executive officer or any person or entity with an aggregate ownership interest of 5% or more. For all other businesses, other than publicly traded companies, an owner is an individual that has an aggregate ownership of interest other than a lien or encumbrance, of 20% or more in the commercial cannabis business.

"Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof. "Cannabis" also means cannabis as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972, and amended by the California Control, Regulate and Tax Adult Use of Cannabis Initiative, and as defined by other applicable State law.

"Cannabis business" or "cannabis industry" means any business activity in the City relating to cannabis, including but not limited to cultivation (including nurseries), transportation, distribution, manufacture, compounding, conversion, processing, preparation, testing, storage, packaging, delivery and sales (wholesale and/or retail sales) of cannabis or cannabis products, whether or not carried on for gain or profit. Cannabis business includes an entertainment venue permitting the sale for on-site consumption of cannabis, including comedy clubs, as authorized by, and which meet the requirements of, the State of California. A cannabis business does not include any business whose only relationship to cannabis or cannabis products is the production or sale of cannabis accessories.

“Cannabis cultivation area” means the total aggregate area(s) of cannabis cultivation by a cannabis business as measured around the outermost perimeter of each separate and discrete area of cannabis cultivation at the dripline of the canopy expected at maturity and includes, but is not limited to, the space between plants within the cultivation area, the exterior dimensions of garden beds, garden plots, hoop houses, green houses, and each room or area where cannabis plants are grown, excluding non-production areas, as determined by the City Manager or his or her designee.

"Cannabis product" means any product containing cannabis, including, but not limited to, flowers, buds, oils, tinctures, concentrates, extractions, edibles and those products described in Section 11018.1 of the Health and Safety Code.

"Canopy" means all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether the areas are contiguous or noncontiguous. The plant canopy need not be contained to a single parcel of land in determining the total square footage that will be subject to tax under this Chapter. If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation.

“City” means the City of Lindsay, either the entity or its territorial limits, as the context requires.

“City Council” or “Council” means the City Council of the City of Lindsay.

"Collector" means the City’s Director of Finance or Chief Financial Officer or his or her designee.

"Commercial cannabis cultivation" means cultivation conducted by, for, or as part of a cannabis business. Commercial cannabis cultivation does not include personal medical cannabis cultivation, or cultivation for personal recreational use as authorized under the "Control, Regulate and Tax Adult Use of Marijuana Act" approved by the State’s voters on November 8, 2016, for which the individual receives no compensation whatsoever.

“Commercial Cannabis Business” or “Cannabis Business” or “Cannabis Operation” means any commercial marijuana activity allowed under State Law and the implementing regulations, as State Law and the implementing regulations may be amended from time to time, and all uses permitted under any subsequently enacted State law pertaining to the same or similar uses for recreational cannabis.

“Cannabis production” means the processes associated with the processing, extraction, manufacturing, testing, distribution and transportation of medical and non-medical cannabis products.

"Commercial Cannabis Regulatory Permit" or "Regulatory Permit" means the permit required under this section to have a Cannabis Business.

“Commingling” means the physical aggregation of harvest batches or nonmanufactured cannabis products by a licensee.

"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis. “Cultivation” also includes nurseries. In addition, and without

limiting the foregoing, “cultivation” includes “cultivation” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted and amended from time to time.

“Delivery” means the commercial transfer of marijuana cannabis or marijuana cannabis products to a customer. “Delivery” also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed under this division, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.

“Delivery employee” means an individual employed by a licensed dispensary who delivers cannabis goods from the licensed dispensary premises to a physical address.

"Dispensary" means a facility where cannabis or cannabis products, are offered, either individually or in combination, for retail sale, including an establishment that engages in delivery of cannabis or cannabis products as part of a retail sale. In addition, and without limiting the foregoing, “dispensary” includes “dispensary” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

"Distributor" means a person engaged in procuring cannabis from a cultivator, and/or procuring cannabis products from a manufacturer, for sale to a licensed commercial cannabis business. In addition, and without limiting the foregoing, “distributor” includes “distributor” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

"Distribution" means the procurement, sale, and transport of cannabis or cannabis products between licensees.

"Employee" means each and every person engaged in the operation or conduct of any cannabis business, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and each and every other person employed or working in such cannabis business for a wage, salary, commission, barter or any other form of compensation.

"Gross Receipts" means the total amount of revenue a Cannabis Operation received from all sources during its accounting period, without subtracting any costs or expenses.

“Indoor cultivation” means the cultivation of cannabis within a structure using artificial light, at a rate greater than 25 watts per square foot.

"Manufacturer" means a person who conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, or that packages or repackages cannabis or cannabis products or labels or re-labels its container. In addition, and without limiting the foregoing, “manufacturer” includes “manufacturer” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

“Mixed-light cultivation” means the cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.”

"Nursery" means a person who produces cannabis clones, immature plants, and/or seeds for wholesale distribution, used specifically for the planting, propagation, and cultivation of cannabis. In addition, and without limiting the foregoing, “nursery” includes “nursery” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

"Operator" means the Business Owner and any other person designated by the Business Owner as responsible for the day to day Cannabis business operation.

"Personal medical cannabis cultivation" means cultivation, by either a qualified patient who cultivates cannabis exclusively for his or her personal medical use or by a caregiver who cultivates cannabis exclusively for medical use by qualified patients and who is exempt from State licensing requirements under the State Medical Cannabis Regulation and Safety Act.

“Premises” means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee.

"Responsible Party" shall mean the Business Owner, Operator, manager(s), and any employee having significant control over the cannabis businesses operations.

"State" means the State of California.

“State Law” means all regulations and laws in the State of California.

"State license," means a State license issued pursuant to California Business & Professions Code Sections 19300, et seq. or other applicable State law.

“Testing means a laboratory, facility, or entity in the State, that offers or performs tests of cannabis or cannabis products and that is both of the following:

- 1) Accredited by an accrediting body that is independent from all other persons involved in commercial marijuana cannabis activity in the State.
- 2) Registered and Licensed by the State Department of Public Health.

“Transport” means the transfer of cannabis or cannabis products from the permitted business location of one licensee to the permitted business location of another licensee, for the purposes of conducting commercial cannabis activity authorized pursuant to this chapter.

### **5.28.020 Cannabis Production Permitted Uses and Zoning.**

Business Owners meeting the requirements of this section shall be allowed to conduct the following Commercial Cannabis activities in the IH – Heavy Industrial zoning district of the City:

- Cultivation – Indoor or Mixed Light Only
- Distribution.
- Manufacturing.
- Testing.
- Transportation.

Business Owners meeting the requirements of this section shall be allowed to conduct testing of Commercial Cannabis in the PO – Professional Office zoning district and in the IL – Light Industrial zoning district of the City:

- Testing.

The Commercial Cannabis Operations shall at all times be in compliance with this ~~section~~ chapter as it may be amended from time to time or repealed and replaced by another section governing the Commercial Cannabis Operations.

### **5.28.030 Commercial Cannabis Business Minimum Operational Requirements and Restrictions.**

The following operational requirements and restrictions shall apply to all commercial cannabis manufacturing, testing, distribution, transportation and cultivation and as described in 5.28.020.

- A. State Law. The Commercial Cannabis Business shall at all times be in compliance with State Law and the implementing regulations, as they may be amended from time to time, as well as all required State license(s) under State Law, and any other applicable State law. The Operator shall obtain required licenses under State Law prior to opening for business. If the Operator uses the approved Cannabis operations for commercial recreational cannabis, the Operator shall meet or exceed the health and safety requirements of State Law in any operations relating to recreational cannabis.
- B. Register of Employees. The Operator shall maintain a current register of the names of persons required to have Employee Permits. The register shall be available to the City Manager or their designee at all times, and immediately upon request.
- C. Signage. There shall be no signage or markings on the Premises, or off-site, which in any way evidences that Commercial Cannabis Businesses are occurring on the property. Interior building signage is permissible provided the signage is not visible outside of the building.
- D. Cannabis Consumption. No cannabis shall be smoked, ingested or otherwise consumed on the Premises. Adequate signage of this prohibition shall be displayed throughout the facility.



- E. Alcoholic Beverages. Alcohol for personal consumption shall not be provided, stored, kept, located, sold, dispensed, or used on the Premises.
- F. Transportation. Transportation shall only be conducted according to activity permitted by State law.
- G. Distribution. There shall be no deliveries from the Premises of cannabis or cannabis containing products except to another licensed or permitted cannabis business.
- H. Public Access. There shall be no public access to the Premises without prior written authorization from the Public Safety Director or the Public Safety Director's designee.
- I. Minors. It shall be unlawful for any Operator to employ any person who is not at least twenty-one (21) years of age, or any older age if set by the State.
- J. Distance separation from schools. Commercial Cannabis Business shall comply with the distance separation requirements from schools as required by State law. In addition, a Cannabis operation shall not be located within 600 feet from any existing school or proposed school site as identified in the General Plan. Measurements shall be from property boundary to property boundary. For purposes of this section, school means any public or private school providing instruction in kindergarten or grades 1-12, inclusive, but does not include any private school in which education is primarily conducted in private homes.
- K. Hours of Operation. Commercial cannabis operations shall be allowed to operate per the requirements of the underlying zone district and subject to the City's noise and nuisance ordinances. Deliveries to the commercial cannabis business may only take place during regular business hours.
- L. Building and Related Codes. Commercial cannabis operations shall be subject to the following requirements:
  - 1. The Premises in which the Cannabis business occur shall comply with all applicable local, State and federal laws, rules, and regulations including, but not limited to, building codes and the Americans with Disabilities Act, as certified by the Building Official of the City. The Operator shall obtain all required building permits and comply with all applicable City standards.
  - 2. The Responsible Party shall ensure that the Premises has sufficient electrical load for the Cannabis production. The use of generators is prohibited other than for temporary emergency use.
  - 3. Butane and other flammable materials are permitted to be used for extraction and processing provided the Operator complies with all applicable fire and building codes, and any other laws and regulations relating to the use of those products, to ensure the safety of that operation. Employee training records and safety equipment must be maintained, and all equipment must be compliant with State safety regulations in §§40100 – 41099 and as they may be amended. The Lindsay Public Safety Department shall inspect and approve the Premises for use of the

products prior to City's issuance of a certificate of occupancy, or otherwise prior to opening for business, to ensure compliance with this requirement.

4. The Operator shall comply with all laws and regulations pertaining to use of commercial kitchen facilities for the Cannabis production.
  5. The Operator shall comply with all environmental laws and regulations pertaining to the Cannabis production, including the use, storage, and disposal of water and pesticides, and shall otherwise use best practices to avoid environmental harm. The cannabis business must provide proof of a California Department of Tax and Fee Administration (CDTFA) Seller's Permit.
- M. Odor control. Cannabis businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the Premises, outside the building housing the Cannabis business, or anywhere on adjacent property or public rights-of-way. As such, Cannabis businesses must install and maintain the following equipment or any other equipment which the City's Building Official determines has the same or better effectiveness, if a smell extends beyond a property line:
1. An exhaust air filtration system with odor control that prevents internal odors and pollen from being emitted externally; or an air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.
- N. Consumable Products. Cannabis businesses that manufacture products in the form of food or other comestibles shall obtain and maintain the appropriate approvals from the State Department of Public Health for the provision of food or other comestibles, unless otherwise governed by State Law and licensed by the State. The distance specified in this section shall be measured in the same manner as provided in subdivision (c) of Section 11362.768 of the Health and Safety Code unless otherwise provided by law.
- O. The City does not allow the outdoor commercial cultivation of cannabis products.
- P. Secure Building. All commercial cannabis operations shall occur entirely inside of a building that shall be secure, locked, and fully enclosed, with a ceiling, roof or top. The building shall include a burglar alarm monitored by an alarm company or private security company. The building, including all walls, doors, and the roof, shall be of solid construction meeting the minimum building code requirements for industrial structures (including, without limitation, commercial greenhouse structures), and include material strong enough to prevent entry except through an open door. Notwithstanding the foregoing, the roof may be of solid translucent material provided other security measures exist to ensure that the Cannabis Operation cannot be seen, heard or smelled beyond the property line. The precise building construction and material to be used shall be identified and provided to the City prior to construction and provided with the application.
- Q. Premises Security. The City Council shall set Premises Security requirements by resolution and the Public Safety Director shall enforce.

#### **5.28.040 Cannabis Dispensaries Permitted Uses and Zoning.**

~~Cannabis Dispensaries shall not be permitted within the City of Lindsay.~~ A. Business Owners meeting the requirements of this chapter shall be allowed to conduct Cannabis Dispensary Operations within the Central Business District of the CC-Central Commercial zone district of the City upon approval of a conditional use permit in accordance with Title 18 of the Municipal Code: The Cannabis Dispensary Operation shall at all times be in compliance with this chapter as it may be amended from time to time or repealed and replaced by another chapter governing the Cannabis Dispensary operation.

B. A Commercial Cannabis Business meeting the requirements of this chapter that includes an entertainment venue permitting the sale for on-site consumption of cannabis, including comedy clubs, shall be allowed to conduct operations within the Central Business District of the CC-Central Commercial zone district of the City upon approval of a conditional use permit in accordance with Title 18 of the Municipal Code. The Commercial Cannabis Business shall at all times be in compliance with this chapter as it may be amended from time to time or repealed and replaced by another chapter governing the Cannabis Dispensary operation and shall at all times which meet the requirements of the State of California.

#### **5.28.050 Regulatory Permit Required**

The City Council shall set Regulatory Permit requirements by resolution and the Public Safety Director shall enforce.

#### **5.28.060 Employee Permit Required**

- A. Every employee or independent contractor working at a Cannabis Operation or involved in transportation/delivery related services for a Cannabis Business shall obtain an Employee Permit. It shall be the duty of the Operator to ensure that Employee Permits are obtained from the Public Safety Department prior to the employee or independent contractor commencing work. Persons who are listed as a Business Owner on a Regulatory Permit shall not be required to obtain an Employee Permit if such person also serves as an employee or contractor. All Responsible Parties, except the Business Owner, shall be required to obtain an Employee Permit.
- B. Each employee and independent contractor shall be required to provide the following information under penalty of perjury, so that the Public Safety Department can perform a background check:
  - 1. Name, current resident address, and telephone number.
  - 2. Date of birth.
  - 3. Tax identification number.
  - 4. Height, weight, color of eyes, and hair.

5. Photographs for identification purposes (photographs shall be taken by the Public Safety Department).
6. Be fingerprinted by the Public Safety Department.
7. Such other identification and information as deemed necessary by the Public Safety Director and pertinent to the Employee Permit.
8. Authorization for the City, its agents and employees to seek verification of the information contained within the application.
9. The name of the Business Owner holding the Regulatory Permit and the Operator for which such person is proposed to work.

#### **5.28.070 Application Fees**

Every new application for a Regulatory Permit, Employee Permit, or renewal shall be accompanied by a nonrefundable fee, as established by resolution of City Council. This fee shall be in addition to any other business license, tax, or permit fee imposed by this Code or other governmental agencies. The fee shall include an amount to cover the costs of fingerprinting, photographing, background checks as well as general ongoing monitoring for compliance and processing of the application.

#### **5.28.080 Investigation and Action on Application.**

- A. Upon the filing of a properly completed application and the payment of the fee, the Public Safety Director shall conduct an investigation of the application, including a background check of the applicant and all employees and independent contractors. All applicants for a Regulatory Permit and Employee Permit shall be required to submit to a fingerprint-based criminal history records check conducted by the Lindsay Public Safety Department.
- B. For Regulatory Permits, after the background checks and investigation are complete, and in no case later than ninety (90) days after receipt of a properly completed application, the City shall issue a recommendation that the City Council approve or deny a Regulatory Permit in accordance with the provisions of this section. The recommendation for approval shall include conditions the City deems reasonable under the circumstances to protect the public health, safety, and welfare of the community. The recommendation shall be forwarded to the City Council for action following any required noticing and public hearings and may be processed concurrently with any other entitlements necessary for the Cannabis Operation.
- C. For Employee Permits, after the background checks and investigation are complete, and in no case later than thirty (30) days after receipt of a properly completed application, the Public Safety Director shall either approve or deny an Employee Permit. At the discretion of the Public Safety Director, Employee Permits may be conditionally approved pending the background investigation.

#### **5.28.90 Term of Permits and Renewals.**

- A. Regulatory Permits issued under this Chapter shall expire on December 31<sup>st</sup> each year. Applications for renewal shall be made at least forty-five (45) days prior to the expiration date of the permit and shall be accompanied by the nonrefundable fee referenced in this section. When made less than forty-five (45) days before the expiration date, the expiration of the permit will not be stayed. Applications for renewal shall be acted on similar to applications for permits except that the Public Safety Director shall renew annual permits for additional one-year periods if the circumstances and information provided with the initial application have not materially changed. Regulatory fees may be pro-rated based on the term of the Regulatory Permit.

#### **5.28.100 Grounds for Denial of Regulatory Permit.**

The grounds for denial of a Regulatory Permit shall be one or more of the following:

- A. The business or conduct of the business at a particular location is prohibited by any local or State law, statute, rule or regulation.
- B. The Business Owner or Operator has been issued a local or State permit related to Cannabis operations at any other location in California, or another state, and that permit was suspended or revoked, or the Business Owner or Operator has had disciplinary action relating to the permit.
- C. The Business Owner or Operator has knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the application.
- D. Consistent with State Law or other applicable State law, the Business Owner or Operator, or any Responsible Person, has been:
  - 1. Convicted of a serious or violent offense as listed under California Penal Code sections 667.5 and 1192.7(c); or
  - 2. Convicted of any of the offenses listed in Business and Professions Code section 19323; or
  - 3. Convicted of a misdemeanor involving moral turpitude as defined under State law (generally crimes relating to theft and dishonesty) within the five (5) years preceding the date of the application; or
  - 4. Convicted of a felony involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, unless the individual has received a Certificate of Rehabilitation as defined in the Act; or
  - 5. Has engaged in misconduct related to the qualifications, functions or duties of a permittee, such as lying on an application, falsifying legal documents, or anything that would otherwise ban the permittee from obtaining a State license under State Law.
  - 6. Consistent with State Law or other applicable State law, the Business Owner or Operator has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

7. The Business Owner or Operator is under twenty-one (21) years of age, or any older other age set by the State.
8. The Cannabis Operation does not comply with the zoning ordinance standards of the City of Lindsay or the development standards set forth in this Title.
9. The required annual business license fee, annual regulatory fee or revenue raising fee has not been paid.

#### **5.28.110 Grounds for Denial of Employee Permit.**

The grounds for denial of an Employee Permit shall be one or more of the following:

- A. The applicant has been issued a local or State permit related to Cannabis production at any other location in California, or another state, and that permit was suspended or revoked, or the applicant has had disciplinary action relating to the permit.
- B. Consistent with State Law or other applicable law, the applicant has been:
  1. Convicted of a serious or violent offense as listed under California Penal Code sections 667.5 and 1 192.7(c); or
  2. Convicted of any of the offenses listed in Business and Professions Code section 19323; or
  3. Convicted of a misdemeanor involving moral turpitude as defined under State law (generally crimes relating to theft and dishonesty) within the five (5) years preceding the date of the application; or
  4. Convicted of a felony involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, unless the individual has received a Certificate of Rehabilitation as defined in State Law; or has engaged in misconduct related to the qualifications, functions or duties of a permittee.
  5. Consistent with State Law or other applicable State law, the applicant has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.
  6. The applicant has committed any act, which, if done by a permittee, would be grounds for suspension or revocation of a permit.
  7. An applicant is under twenty-one (21) years of age, or any older age set by the State.

#### **5.28.120 Notice of Decision and Final Action.**

- A. Regulatory Permit. Action on the Regulatory Permit shall be as follows:

1. The Public Safety Director shall cause a written notice of his or her recommendation on the issuance or denial of a Regulatory Permit, and the date and time when the City Council will consider action on the Regulatory Permit, to be personally delivered or mailed to the applicant by certified U.S. mail, postage prepaid.
2. Following a public hearing before the City Council, the Council may grant the Regulatory Permit subject to such conditions as it deems reasonable under the circumstances to protect the public health, safety, and welfare of the community, or it may deny the issuance of the Regulatory Permit for any of the grounds specified in this section. The decision of the Council shall be final, subject to judicial review.

B. Employee Permit. Action on the Employee Permit shall be as follows:

1. The Public Safety Director shall cause a written notice of his or her determination on the issuance or denial of an Employee Permit to be personally delivered or mailed to the applicant by certified U.S. mail, postage prepaid. The Public Safety Director's decision on an Employee permit shall be final, subject to judicial review.

#### **5.28.130 Suspension and Revocation of Regulatory Permit or Employee Permit.**

A. Regulatory Permit. The City Council may suspend or revoke the Regulatory Permit of a Commercial Cannabis Operation when any of the following occur:

1. The Cannabis Operation is conducted in violation of any provision of this section, State Law, or any other applicable State law.
2. The Cannabis Operation is conducted in such a manner as to create a public or private nuisance.
3. A failure to pay the Regulatory Fee or Revenue Raising Fee required by this section.
4. A failure to take reasonable measures to control patron conduct, where applicable, resulting in disturbances, vandalism, or crowd control problems occurring inside of or outside the Premises, traffic control problems, or obstruction of the operation of another business.
5. A failure to comply with the terms and conditions of the Regulatory Permit or any conditional use permit issued in connection therewith.
6. Any act which would be considered grounds for denial of the Regulatory Permit in the first instance.

B. Employee Permit. The Public Safety Director may suspend or revoke an Employee Permit when the permittee or the employee has committed any one or more of the following acts:

1. Any act which would be considered a ground for denial of the permit in the first instance.
2. Violates any provision of this section, State Law, or any other applicable law relating to the Cannabis Operation.

3. Violates or fails to comply with the terms and conditions of the Employee Permit.
- C. Procedures for Revoking Regulatory Permits. For Regulatory Permits, the procedures for revoking conditional use permits shall be utilized except that the matter shall be heard by the City Council in the first instance and shall be subject to the same judicial process as applied to a Conditional Use Permit. (See, Lindsay Municipal Code section 18.17.130).
- D. Procedures/or Revoking Employee Permits. Prior to suspension or revocation of an Employee Permit, the Public Safety Director shall conduct a hearing. Written notice of the time and place of such hearing shall be served upon the permittee at least five (5) calendar days prior to the date set for such hearing. The notice shall contain a brief statement of the grounds to be relied upon for revoking or suspending the permit. Notice may be given either by personal delivery or by certified U.S. mail, postage prepaid. Any permittee aggrieved by the decision of the Public Safety Director in suspending or revoking an Employee Permit shall have no appeal rights and the Public Safety Directors decision shall be final, subject to judicial review as set forth in this section.
- E. Immediate Suspension. The Public Safety Director may immediately suspend or revoke a Regulatory Permit and an Employee Permit without notice or a hearing, subject to the appeal rights set forth herein, under either of the following circumstances:
  1. The Business Owner or Operator is convicted of a public offense in any court for the violation of any law which relates to the Cannabis Operation, or in the case of an Employee Permit, the employee is convicted of a public offense in any court for the violation of any law which relates to the permit.
  2. The Public Safety Director determines that immediate suspension is necessary to protect the public health, safety, and welfare of the community. The Public Safety Director shall articulate the grounds for the immediate suspension in writing and the suspension shall only be for as long as necessary to address the circumstances which led to the immediate suspension.

#### **5.28.140 Effect of Denial or Revocation.**

When the City Council shall have denied a Regulatory Permit or revoked a Regulatory Permit, or the Public Safety Director shall have denied or revoked an Employee Permit, no new application for a Regulatory Permit and no new application for an Employee Permit shall be accepted and no Regulatory Permit or Employee Permit shall be issued to such person or to any corporation in which he or she shall have any beneficial interest for a period of one (1) year after denying or revoking the Regulatory Permit or Employee Permit.

#### **5.28.150 Abandonment.**

In addition to the suspension or revocation of a Regulatory Permit, a Regulatory Permit shall be deemed abandoned if Cannabis production ceases for a period of more than ninety (90) consecutive days. Before restarting operations, a new Regulatory Permit shall be secured. The 90-day period shall be tolled during periods of force majeure, which shall be defined as follows: war; insurrection;



strikes; lock-outs; riots; floods; earthquakes; fires; casualties; supernatural causes; acts of the "public enemy"; epidemics; quarantine restrictions; freight embargoes; lack of transportation; unusually severe weather; inability to secure necessary labor, materials or tools; delays of any contractor, subcontractor or supplier; or any other causes beyond the reasonable control of the permittee.

#### **5.28.160 Water Availability.**

- A.** As a condition of opening for business, the Premises Owner, Business Owner, Operator, and all Responsible Parties shall be deemed to have acknowledged and agreed to the following if the Cannabis Operation is connected to the City's water system.
- B.** The City cannot provide any guarantees that City water will be available for operations. Under circumstance where the City cannot or elects to not provide water, the Cannabis Operation may be required to find alternative sources of water supply. The Premises Owner, Business Owner, and Operator assume all risk associated with water supply to the Site, including all costs associated therewith.
- C.** The Premises Owner, Business Owner, Operator, and all Responsible Parties shall hold harmless, release, indemnify, and defend the City, its officers, employees, and agents, from any liability associated with the curtailment of water because of the foregoing. This release includes any damages to the Premises Owner, Business Owner, Operator, and all Responsible Parties, its employees and contractors, and third parties, and includes the risk of lost revenue, profits and consequential damages.
- D.** If the Premises Owner, Business Owner, Operator, or Responsible Party procures their own source of water they must comply with all State and Federal water reporting laws and procedures.

#### **5.28.170 Other Licenses, Permits, Taxes, Fees, or Charges.**

Except as expressly provided in this Chapter, nothing contained in this Chapter shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any permit or license required by, under or by virtue of any provision of any other title or Chapter of this Code or any other ordinance or resolution of the City, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other title or Chapter of this Code or any other ordinance or resolution of the City. Any references made or contained in any other title or Chapter of this Code to any permits, licenses, taxes, fees, or charges, or to any schedule of license fees, shall be deemed to refer to the permits, licenses, taxes, fees or charges, or schedule of license fees, provided for in other titles or Chapters of the Lindsay City Code unless otherwise expressly provided.

#### **5.28.180 Violation Deemed Misdemeanor.**

Any person who violates any provision of this Chapter or who other than by a sworn statement, knowingly or intentionally misrepresents to any officer or employee of the City any material fact herein required to be provided is guilty of a misdemeanor punishable as provided in Section 5.04.610 of this Code. A person who on a sworn statement states as true a material fact that he or she knows to be false is guilty of perjury.

#### **5.28.190 Actions to Collect.**

The amount of any tax, fee, penalty and/or interest imposed pursuant to this Chapter shall be deemed a debt owed to the City. An action may be commenced in the name of the City in any court of competent jurisdiction, for the amount of any delinquent tax, fees, penalties and interest thereon.

#### **5.28.200 Severability.**

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

#### **5.28.210 Remedies Cumulative.**

All remedies prescribed under this Chapter shall be cumulative and the use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions hereof.

#### **5.28.220 Amendment or Repeal.**

This Chapter may be repealed or amended by ordinance of the Lindsay City Council.

#### **5.28.230 Penalties.**

Any entity that fails to pay the fees required by this chapter within fifteen (15) days after the due date shall pay in addition to the taxes a penalty for nonpayment in the sum equal to twenty-five percent (25%) of the total amount due. Additional penalties will be assessed in the following manner: ten percent (10%) shall be added on the first day of each calendar month following the month of the imposition of the twenty-five percent (25%) penalty if the fee remains unpaid – up to a maximum of one hundred percent (100%) of the fee payable on the due date. Receipt of the fee payment by the City shall govern the determination of whether the fee is delinquent. Postmarks will not be accepted as adequate proof of a timely payment.

**Section 3. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemption, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

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

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

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

**Section 7. CONSTRUCTION.** The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Lindsay Municipal Code as amended by this ordinance are substantially the same as provisions in the Lindsay Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

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

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Lindsay, State of California, on April 23, 2019, at a regular meeting of said Council duly and regularly convened on said day by the following vote:

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

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

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

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

CITY COUNCIL OF THE CITY OF LINDSAY

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

ATTEST:

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



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
AGENDA #: 9  
STAFF: WILLIAM ZIGLER, CITY MANAGER, 559.562.7102,  
WZIGLER@LINDSAY.CA.US

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### AGENDA ITEM

TITLE	Resolution 19-19, a resolution establishing regulatory permit requirements for cannabis business owners.
ACTION	Request approval of Resolution 19-19
PURPOSE	Discretionary Action
COUNCIL OBJECTIVE(S)	Advance economic diversity. Yield a fiscally self-reliant city government while providing effective, basic municipal services.

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### RECOMMENDATION

Staff recommends approval of Resolution 19-19, a resolution establishing regulatory permit requirements for cannabis business owners.

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### BACKGROUND / ANALYSIS

Tonight, Council has considered and approved the first reading of Ordinance 573, an ordinance allowing for cannabis businesses and establishing permitting procedures and regulations. Ordinance 573, section 5.28.050 requires that "The City Council shall set Regulatory Permit requirements by resolution and the Public Safety Director shall enforce." Resolution 19-19 satisfies this requirement.

### ALTERNATIVES

- Approve Resolution 19-19.
- Approve Resolution 19-19 with amendments.
- Do not approve Resolution 19-19.
- Direct staff to take some other action.

### BENEFIT TO OR IMPACT ON CITY RESOURCES

Approval of Resolution 19-19 will have no impact on City resources. Efforts have been taken in its development to minimize impacts on public safety and our community by those businesses and activities governed by its regulations.

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
AGENDA #: 9  
STAFF: WILLIAM ZIGLER, CITY MANAGER, 559.562.7102,  
WZIGLER@LINDSAY.CA.US

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### *ENVIRONMENTAL REVIEW*

Resolution 19-19 is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemption, the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment].

### *POLICY ISSUES*

There are no policy issues related to the approval of Resolution 19-19.

### *PUBLIC OUTREACH*

Resolution 19-19 is a component of the Ordinance 573, which was reviewed and approved at a noticed public hearing.

### *ATTACHMENT*

- Resolution 19-19



## RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-19

TITLE **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY ESTABLISHING REGULATORY PERMIT REQUIREMENTS FOR CANNABIS BUSINESS OWNERS.**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on April 23, 2019 at 6:00PM at 251 E. Honolulu Street, Lindsay, CA.

**WHEREAS**, on November 8, 2016, the voters of California adopted Proposition 64 which legalized the use of cannabis for adult use and established maximum cultivation allowance of six (6) plants for personal use. The "Control, Regulate and Tax Adult Use of Marijuana Act," approved by the State's voters, allows for local control of adult use cannabis land uses, and reasonable regulation of personal cultivation of up to six (6) plants within a residence; and

**WHEREAS**, the City Council of the City of Lindsay approved Ordinance 571, an ordinance repealing Chapter 8.06 of the Lindsay Municipal Code and adding Chapter 5.28 allowing cannabis businesses and establishing permitting procedures and regulations on February 26, 2019; and

**WHEREAS**, to provide for adaptability in a rapidly changing and uncharted environment related to cannabis regulations Section 5.28.030.Q of Ordinance 571 requires that the City shall set cannabis minimum premises security requirements by resolution and that the Public Safety Director shall enforce said requirements; and

**WHEREAS**, in conferring with other area jurisdictions on cannabis minimum premises security requirements, it is felt that the following cannabis minimum premises security requirements would best serve to protect the interests and safety of Lindsay residents.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Lindsay does hereby resolve, determine and order as follows:

A. Applications for Regulatory Permits shall be filed by the proposed Business Owner(s) with the City and include the information set forth herein. The City may request such additional information as they deem necessary to determine who the applicant is.

The applicant shall certify under penalty of perjury that all the information contained in the application is true and correct. The application shall contain the following items for the Business Owner, Operator and all Responsible Parties known at the time (if different than the Business Owner), and any other party designated below, to the extent the same shall apply:

1. The full name, present address, and telephone number, including such information to the Premises Owner.
2. Date of birth.
3. Tax identification number.



## RESOLUTION OF THE CITY OF LINDSAY

4. The address to which notices relating to the application is to be mailed.
  5. Previous addresses for the five (5) years immediately preceding the present.
  6. The height, weight, color of eyes and hair.
  7. Photographs for identification purposes (photographs shall be taken by the Public Safety Department).
  8. All business, occupation, or employment for the five (5) years immediately preceding the date of submittal of the application form.
  9. The Cannabis Operation business history, including whether the Business Owner and Responsible Parties while previously operating in this or another city, county or state has had a cannabis related license revoked or suspended, the reason therefore, and the business or activity or occupation subsequent to such action of suspension or revocation.
  10. Complete property ownership and lease details, where applicable. If the Business Owner is not the Premises Owner, the application form must be accompanied with a notarized acknowledgment from the Premises Owner that Cannabis sales will occur on its property.
  11. A descriptive business plan for the Cannabis Operation, including a detailed list of all Cannabis Business activities proposed to occur on the Premises.
  12. A diagram and floor plan of the entire Premises, denoting all the use of areas proposed for Cannabis production, including, but not necessarily limited to, cultivation, processing, manufacturing, testing, transportation, deliveries, and storage.
  13. The name or names of the Operator. The Operator shall designate one or more Responsible Parties, one of which shall at all times be available as a point of contact for the City, 24 hours per day. The contact information and schedule of the Operator and Responsible Parties shall be provided to the Public Safety Director and updated within twenty-four (24) hours of any changes.
  14. The proposed security arrangements for insuring the safety of persons and to protect the Premises from theft.
  15. An accurate straight-line drawing prepared within thirty (30) days prior to the application depicting the building and the portion thereof to be occupied by the Cannabis Operation and the property line of any school or any other sensitive use as set forth in the Operational Requirements.
  16. Authorization for the City, its agents and employees to seek verification of the information submitted.
- B. Improper or Incomplete Application. If the applicant has completed the application improperly, or if the application is incomplete, the Public Safety Director shall, within thirty (30) days of receipt of the original application, notify the applicant of such fact. The Applicant shall have fifteen (15) days to remedy or correct the application. After fifteen (15) days, the application will be deemed abandoned and the Applicant shall begin the application process again.





## RESOLUTION OF THE CITY OF LINDSAY

C. Changes in Information. Except as may otherwise be provided, the information provided in this subsection shall be updated to the Public Safety Director upon any change within ten (10) days.

Other Permits or Licenses. The fact that an applicant possesses other types of State or City permits or licenses does not exempt the applicant from the requirement of obtaining a Regulatory Permit.

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

MEETING DATE	April 23, 2019
MOTION	
2 <sup>nd</sup> MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

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

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

\_\_\_\_\_  
Mayor



## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
DATE: APRIL 23, 2019  
AGENDA #: 10  
STAFF: WILLIAM ZIGLER, CITY MANAGER, 559.562.7102,  
WZIGLER@LINDSAY.CA.US

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### AGENDA ITEM

TITLE	Resolution 19-20, a resolution establishing commercial cannabis business minimum premises security requirements and restrictions.
ACTION	Request approval of Resolution 19-20
PURPOSE	Discretionary Action
COUNCIL OBJECTIVE(S)	Advance economic diversity. Yield a fiscally self-reliant city government while providing effective, basic municipal services.

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### RECOMMENDATION

Staff recommends approval of Resolution 19-20, a resolution establishing commercial cannabis business minimum premises security requirements and restrictions.

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### BACKGROUND / ANALYSIS

Tonight, Council has considered and approved the first reading of Ordinance 573, an ordinance allowing for cannabis businesses and establishing permitting procedures and regulations. Ordinance 573, section 5.28.030.Q requires that "The City Council shall set Premises Security requirements by resolution and the Public Safety Director shall enforce." Resolution 19-20 satisfies this requirement.

### ALTERNATIVES

- Approve Resolution 19-20.
- Approve Resolution 19-20 with amendments.
- Do not approve Resolution 19-20.
- Direct staff to take some other action.

### BENEFIT TO OR IMPACT ON CITY RESOURCES

Approval of Resolution 19-20 will have no impact on City resources. Efforts have been taken in its development to minimize impacts on public safety and our community by those businesses and activities governed by its regulations.

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## STAFF REPORT

AGENCY: CITY OF LINDSAY, CALIFORNIA  
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### *ENVIRONMENTAL REVIEW*

Resolution 19-20 is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemption, the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment].

### *POLICY ISSUES*

There are no policy issues related to the approval of Resolution 19-20.

### *PUBLIC OUTREACH*

Resolution 19-20 is a component of the Ordinance 573, which was reviewed and approved at a noticed public hearing.

### *ATTACHMENT*

- Resolution 19-20



## RESOLUTION OF THE CITY OF LINDSAY

NUMBER 19-20

TITLE **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY ESTABLISHING COMMERCIAL CANNABIS BUSINESS MINIMUM PREMISES SECURITY REQUIREMENTS AND RESTRICTIONS.**

Q1 At a regularly scheduled meeting of the City of Lindsay City Council held on April 23, 2019, at 6:00PM at 251 E. Honolulu Street, Lindsay, CA.

**WHEREAS**, on November 8, 2016, the voters of California adopted Proposition 64 which legalized the use of cannabis for adult use and established maximum cultivation allowance of six (6) plants for personal use. The "Control, Regulate and Tax Adult Use of Marijuana Act," approved by the State's voters, allows for local control of adult use cannabis land uses, and reasonable regulation of personal cultivation of up to six (6) plants within a residence; and

**WHEREAS**, the City Council of the City of Lindsay approved Ordinance 571, an ordinance repealing Chapter 8.06 of the Lindsay Municipal Code and adding Chapter 5.28 allowing cannabis businesses and establishing permitting procedures and regulations on February 26, 2019; and

**WHEREAS**, to provide for adaptability in a rapidly changing and uncharted environment related to cannabis regulations Section 5.28.030.Q of Ordinance 571 requires that the City shall set cannabis minimum premises security requirements by resolution and that the Public Safety Director shall enforce said requirements; and

**WHEREAS**, in conferring with other area jurisdictions on cannabis minimum premises security requirements, it is felt that the following cannabis minimum premises security requirements would best serve to protect the interests and safety of Lindsay residents.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Lindsay does hereby resolve, determine and order as follows:

Cannabis Minimum Premises Security Requirements.

1. The following security conditions shall apply to all premises that are issued commercial cannabis permits:
  - a) Use of alarm system (both perimeter, fire and panic).
  - b) Use of remote monitoring of alarm systems.
  - c) Use of perimeter security and lighting systems (motion sensor) for after-hours security, as approved by the Public Safety Director and City Services Director.
  - d) Use of drive gates with card key access or similar security device to access the facility.



## RESOLUTION OF THE CITY OF LINDSAY

- e) Entrance areas shall be locked at all times and under the control of a designated Responsible Party.
- f) Use of access control systems to limit access to grow and processing areas.
- g) Exterior and interior camera systems approved by the Public Safety Director. The camera systems shall meet the minimum requirements of State Law, include interior monitoring of all access points of the site from the interior, and be of a minimum 5 mega pixel in resolution.
- h) All security systems at the site are attached to an uninterruptable power supply that provide 24 hours of power.
- i) Use of 24-hour security patrols by a recognized security company licensed by the California Department of Consumer Affairs or otherwise acceptable to the Public Safety Director.
- j) All current contact information regarding the security company shall be provided to the Public Safety Director.
- k) Lindsay Public Safety Department or Department designee shall have access to all security systems.
- l) Subject to the provisions below regarding the use and handling of Confidential Information, IP access shall be provided for remote monitoring of security cameras by the Lindsay Public Safety Department or Department designee.
- m) Subject to the provisions below regarding the use and handling of Confidential Information, any and all video or audio tape recordings made for security or other purposes shall be marked with the date and time made and shall be kept, in an unaltered state, for a period of thirty (30) days and must be made available to the Lindsay Public Safety Department or Department designee for duplication upon demand. In addition, upon request by the Lindsay Public Safety Department the Responsible Party shall duplicate the records for the Lindsay Public Safety Department or Department designee.
- n) Hardened bullet resistant windows for exterior windows as part of any new or existing construction.
- o) Accounting software systems shall be in place to provide audit trails of both product and cash, where applicable.
- p) Electronic track and trace systems for cannabis products as approved by the Public Safety Director or Public Safety Director's designee as required by State law.
- q) Premises may be inspected, and records of the Business Owner audited by the City for compliance on a quarterly basis.



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- r) State of the art network security protocols and equipment need to be in place to protect computer information.
2. The foregoing requirements shall be approved by the Public Safety Director or the Public Safety Director's designee prior to commencing operations. The Public Safety Director may supplement these security requirements once operations begin, subject to review by the City Council if requested by the Business Owner.
3. The City, Public Safety Director, Public Safety Department employees, and any other law enforcement official acting under the direction of the Public Safety Director who access the Premises and video and/or audio feeds or recordings of the Premises ("Recipients") may receive or be provided with confidential information relating to the Cannabis business, which may include the following: data, records, plans, and matters relating to customers, vendors, tenants, agreements, and business records (collectively "Confidential Information").
4. To the extent Confidential Information is acquired without a warrant from access to the Premises and video and/or audio feeds or recordings as authorized under this section, the Recipients shall, to the maximum extent possible, keep such Confidential Information confidential and not disclose the Confidential Information to any third parties. Provided, however, that the Recipients may disclose Confidential Information to the State or Federal courts in California in connection with any criminal law enforcement action against the Business Owner or Operator, (including its employees, contractors and agents conducting business within the Premises) arising from or related to the Cannabis business, but only to the extent it is necessary and relevant to such criminal prosecution , and the Recipients shall file any such documents under seal to the extent they contain any Confidential Information. Notwithstanding the foregoing, the City may disclose Confidential Information:
  - a) As may be required by the California Public Records Act or pursuant to a civil subpoena, provided however, the City shall notify the Operator and provide the Operator with a reasonable opportunity to obtain a protective order before disclosing the Confidential Information.
  - b) In connection with any City enforcement proceeding relating to compliance with City's Municipal Code and this section, but only to the extent the Confidential Information is relevant to the proceeding.
5. Deliveries of Supplies and Transportation of Product. The following rules apply to the deliveries and transportation:
  - a) Deliveries to the Premises of supplies shall only occur as provided for in the diagram and floor plan on file with the City as part of the application process. Delivery vehicles shall not have any markings indicating that deliveries are being made to a commercial cannabis operation. During business hours, any shipment of cannabis goods accepted by the licensed dispensary shall not enter the premises through an entrance that is available for use by the public to enter or exit the premises. During business hours, any shipment of medical cannabis goods accepted by the licensed dispensary shall not enter the premises through an entrance that is available for use by the public to enter or exit the premises.



## RESOLUTION OF THE CITY OF LINDSAY

- b) The transportation of cannabis samples and product to and from the Premises shall be in unmarked vehicles with no indication that the vehicles are transporting cannabis samples and products. The Responsible Party shall stagger transportation times, vary routes from the facility, and take other security measures as requested by the Public Safety Director.

6. Premises Maintenance. The Business Owner, Operator, and all Responsible Parties shall continually maintain the Premises and its infrastructure so that it is visually attractive and not dangerous to the health, safety and general welfare of employees, patrons, surrounding properties, and the general public. The Premises or Commercial Cannabis Operation shall not be maintained in a manner that causes a public or private nuisance.

7. Location of Uses. The Commercial Cannabis Operation permitted by this section shall only be allowed in the locations designated on the diagram and floor plan of the Premises submitted with the application for a Regulatory Permit. The Commercial Cannabis Operation shall not operate at any place other than the address of the Cannabis Operation stated in the Regulatory Permit.

8. Commercial Cannabis Regulatory Permit. No person or entity shall operate a Commercial Cannabis Operation within the City of Lindsay without first obtaining a Commercial Cannabis Regulatory Permit from the City. The Regulatory Permit shall be site specific and shall specifically identify the commercial cannabis activity that will be allowed at that site. No commercial cannabis activity will be allowed unless specifically identified in the Regulatory Permit.

9. Commercial Cannabis Conditional Use Permit. Prior to, or concurrently with, applying for a Regulatory Permit, the Applicant shall process a Commercial Cannabis Conditional Use Permit. Information that may be duplicative in the two applications can be incorporated by reference. The Cannabis Conditional Use Permit shall run with the Regulatory Permit and not the land.

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

MEETING DATE	April 23, 2019
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## RESOLUTION OF THE CITY OF LINDSAY

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

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City Clerk

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Mayor