



LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

251 E. Honolulu St., Lindsay, CA 93247

Tuesday, February 25, 2020 @ 6:00PM

Page 1

LINDSAY CITY COUNCIL MEETING: REGULAR MEETING AGENDA

CALL TO ORDER:	6:00pm
ROLL CALL:	Council Members Sanchez, Flores, Watson, Mayor Pro Tem Cortes & Mayor Kimball (All present)
PLEDGE:	Councilmember Flores
INVOCATION:	(please remain standing) Moment of Silence for Firefighters Jones and Figueroa

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.

Item 1: Council Reports

City Council Members report on recent or upcoming events

Item 2: Staff Report

City Manager or designee reports on recent or upcoming events

Item 3: Consent Calendar

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

Pages 1-24

1. Minutes from February 11, 2020 City Council Meeting
2. Warrant List for February 8, 2020 through February 19, 2020
3. Transportation Development Act Funds and Measure R SAS 114 for Fiscal Year Ended June 30, 2019
4. Resolution 20-10, 2020-2024 Unreleased Restoration Flow Agreement 20-WC-20-5456

Item 4: City of Lindsay Charter and Municipal Code Review Update

Presented by Mario Zamora, City of Lindsay Attorney

Item 5: Ordinance 581 - Zoning Re-Designation Second Reading

Presented by Michael Camarena, Interim City Manager

Pages 25-28

Item 6: Ordinance 580, 2019 Building Code Update Second Reading

Presented by Michael Camarena, Interim City Manager

Pages 29-35

Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection in the office of the City Clerk during normal business hours. Complete agenda is available at www.lindsay.ca.us. In compliance with the Americans with Disabilities Act & Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the office of the City Clerk at (559) 562-7102 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: SPECIAL MEETING

251 E. Honolulu St., Lindsay, CA 93247

Page 2

Item 7: Request to Reschedule the March 24, 2020 Council Meeting

Presented by Pamela Kimball, Mayor

Page 36

Item 8: Executive (Closed) Session

1. Conference with Legal Counsel according to Government Code Section 54957 (Personnel)
2. Conference with Legal Counsel according to Government Code Section 54957 (Potential Litigation)

Item 9: City Manager Contract

Presented by Mario Zamora, City of Lindsay Attorney

Item 10: Requests for Future Agenda Items

Presented by Councilmembers

Item 11: 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 March 10, 2020.



LINDSAY CITY COUNCIL MEETING: REGULAR MEETING

251 E. Honolulu St., Lindsay, CA 93247

Tuesday, February 11, 2020 @ 6:00PM

Page 8551

LINDSAY CITY COUNCIL MEETING: REGULAR MEETING AGENDA

CALL TO ORDER:	6:00pm
ROLL CALL:	Council Members Sanchez, Flores, Watson, Mayor Pro Tem Cortes & Mayor Kimball (All present)
PLEDGE:	Councilmember Sanchez
INVOCATION:	To Be Announced

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.

- Eric Sinclair thanked our current president for securing national airports and borders; thanked the CDC for their prompt response to the coronavirus

Item 1: Council Reports

City Council Members report on recent or upcoming events

- Flores – Prom Dresses will be donated by the Vida de Oro Foundation to schools across Tulare County. Prom Dress Giveaway Event will be held Saturday, February 22, 2020 from 10AM-4PM at JJ Cairns (290 Harvard Ave)
- Sanchez – Wellness Center (WC) Programming Committee is working on their calendar. The WC would like to boost overall attendance from their Silversneakers members. Lifeguarding classes will begin in March and Swimming will begin in April. Humana and Silversneakers appreciation event February 27 from 10AM-1PM at the WC. Pound Fitness class is held every last Friday of the month - \$5 for nonmembers, free for members. The Lindsay Local Hospital District is focusing on their vision, mission, and values. Their next meeting is March 9 at 5:30PM
- Kimball – would like to see a full community calendar developed. A total of 150 students are participating in the Step-Up program. The Migrant Program has a current enrollment of 1,000 migrant learners. The Museum Gala is Saturday February 29.
- Sanchez – requested ideas for Wellness Center activities and/or exercise programs

Item 2: Staff Report

City Manager or designee reports on recent or upcoming events

- HCD housing element approved by state. TCAG mini grant has been approved which will provide 7 banners regarding the upcoming census.

Item 3: Consent Calendar

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

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LINDSAY CITY COUNCIL MEETING: SPECIAL MEETING

251 E. Honolulu St., Lindsay, CA 93247

Page 8552

Pages 1-26

1. Minutes from January 28, 2020 City Council Special Meeting
2. Warrant List for January 7, 2020 through February 7, 2020
3. Treasurer's Report for January 2020
4. 2019 Asphalt Rubber Cape Seal Road Project Acceptance
5. TUP 20-02 Angel Gardens Valentine's Day Sales

- No discussion

Motion:	To Approve						
1 st	2 nd	Result Motion	Kimball	Cortes	Watson	Flores	Sanchez
Cortes	Watson	5-0 approved	Yes	Yes	Yes	Yes	Yes

- Announcement made by Mike Camarena - request made by a member of the public to move item 7 and item 8 to the next agenda items. Request accepted by Council.

Item 7: Public Hearing – Resolution 20-06 General Plan Amendment – Shropshire

Presented by Michael Camarena, Director of City Services & Planning

Pages 28-33

- Watson – will the amendment allow for 4-plexes to be built? Camarena – yes, and area already houses several multiplexes or houses with add-ons
- Kimball – will this present a significant impact on traffic? Camarena/Zamora – clarified that negative declaration document contains a typo and should state that it will not present a significant impact
- Watson – density needs to be considered if multi-story buildings will be allowed. Camarena – concerns regarding presentation of potential developments would be completed during the site plan review.
- Kimball – multi-family and multi-story buildings have an undeniable impact on single family neighborhoods
- Cortes – to date there has been no noticeable impact on Westwood with existing apartments.
- Kimball – housing element was intended to encourage single family home developments. Would prefer that lot be split into two lots with one reserved for single family development. Would require amended documents.
- Public comment, Eric Sinclair– in favor
- Public comment, Jim Shopshire – in favor, holds an economic interest in the project, would like to see the empty lot developed into nice housing
- Closing comments: Camarena – development details can be addressed during site plan review and recommends approval, Kimball – is in favor of single family development or split lot, Watson – there is only an additional margin of impact on density, Flores/Sanchez – prefer development of property over an empty lot, Cortes – does not foresee a significant impact to traffic

Motion:	To Approve						
1 st	2 nd	Result Motion	Kimball	Cortes	Watson	Flores	Sanchez
Cortes	Flores	4-1 approved	No	Yes	Yes	Yes	Yes



LINDSAY CITY COUNCIL MEETING: SPECIAL MEETING

251 E. Honolulu St., Lindsay, CA 93247

Page 8553

Item 8: Ordinance 581 Zoning Re-Designation

Presented by Michael Camarena, Director of City Services & Planning

Pages 34-147

- See item 7 for discussion

Motion:	To Approve						
1 st	2 nd	Result Motion	Kimball	Cortes	Watson	Flores	Sanchez
Cortes	Flores	4-1 approved	No	Yes	Yes	Yes	Yes

Item 4: Executive (Closed) Session

1. Conference with Legal Counsel according to Government Code Section 54957 (Personnel)
2. Conference with Legal Counsel according to Government Code Section 54957 (Potential Litigation)

Item 5: City Manager Contract

Presented by Mario Zamora, City of Lindsay Attorney

- Nothing to report.

Item 6: City of Lindsay Charter and Municipal Code Review

Presented by Mario Zamora, City of Lindsay Attorney

Page 27

- Zamora – all changes to charter must go through an election process. Charter supersedes but may not conflict with the City's municipal code. Recommends three items in charter pertaining to City Manager and Human Resources for review by ad hoc committee for presentation in 2022 election, if budget allows. Recommends nine items in municipal code for revision at the same time.

Item 9: Public Hearing for Ordinance 580, 2019 Building Code Updates

Presented by Michael Camarena, Director of City Services & Planning

Pages 148-155

- Public comment, Eric Sinclair – in favor

Motion:	To Approve						
1 st	2 nd	Result Motion	Kimball	Cortes	Watson	Flores	Sanchez
Watson	Cortes	5-0 approved	Yes	Yes	Yes	Yes	Yes

Item 10: Public Hearing – Resolution 20-08 Building Permit and Related Activity Fees Update

Presented by Michael Camarena, Director of City Services & Planning

Pages 156-165

- Camarena – last update was in 2014
- Public comment, Eric Sinclair – in favor



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Page 8554

Motion:	To Approve						
1 st	2 nd	Result Motion	Kimball	Cortes	Watson	Flores	Sanchez
Cortes	Flores	5-0 approved	Yes	Yes	Yes	Yes	Yes

Item 11: Public Hearing – Resolution 20-09 Amended Planning Fees

Presented by Michael Camarena, Director of City Services & Planning

Pages 166-170

- Camarena – confirmed that simple displays would typically fall under a TUP
- Public comment, Eric Sinclair – in favor

Motion:	To Approve						
1 st	2 nd	Result Motion	Kimball	Cortes	Watson	Flores	Sanchez
Watson	Sanchez	5-0 approved	Yes	Yes	Yes	Yes	Yes

Item 12: Requests for Future Agenda Items

Presented by Councilmembers

- Flores would like input on which roads will be repaired next Camarena responded this would be addressed during upcoming budget sessions.

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 February 25, 2020.

Motion:	To Adjourn						
1 st	2 nd	Result Motion	Kimball	Cortes	Watson	Flores	Sanchez
Cortes	Flores	5-0 approved	Yes	Yes	Yes	Yes	Yes

Check #	Fund	Date	Vendor #	Vendor Name	Description	Amount
TOTAL						17,151.02
16470						338
	101 - GENERAL FUND	2/13/2020	6449	D-PREP	RYAN H. 2/18-2/20/2	338
16471						392.77
	101 - GENERAL FUND	2/14/2020	3977	AFLAC	DED:015 AFLAC	392.77
16472						477.88
	101 - GENERAL FUND	2/14/2020	4660	CITY OF LINDSAY	DED:052 WELLNESS	12.47
	101 - GENERAL FUND	2/14/2020	4660	CITY OF LINDSAY	DED:CDBG CDBG PMT	218.41
	101 - GENERAL FUND	2/14/2020	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN	247
16473						1078.7
	101 - GENERAL FUND	2/14/2020	451	CITY OF LINDSAY EMP	DED:0503 SEC 125	1068.7
	101 - GENERAL FUND	2/14/2020	451	CITY OF LINDSAY EMP	DED:0505 SEC 125	10
16474						130.95
	101 - GENERAL FUND	2/14/2020	3192	SEIU LOCAL 521	DED:DUES UNION DUES	130.95
16475						5875.42
	101 - GENERAL FUND	2/14/2020	6452	GREAT-WEST TRUST	DED:0500 DEF COMP	2544.85
	101 - GENERAL FUND	2/14/2020	6452	GREAT-WEST TRUST	DED:ROTH ROTH	75
	101 - GENERAL FUND	2/14/2020	6452	GREAT-WEST TRUST	DED:151 DEFERCOMP	2362.61
	101 - GENERAL FUND	2/14/2020	6452	GREAT-WEST TRUST	DED:0555 DC LOANPAY	892.96
16476						82.74
	101 - GENERAL FUND	2/14/2020	6409	BERNARD HEALTH LEGA	DED:MET MET LAW	82.74
16477						50.82
	101 - GENERAL FUND	2/14/2020	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	50.82
16478						124.58
	101 - GENERAL FUND	2/14/2020	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT	124.58
16479						437.07
	101 - GENERAL FUND	2/14/2020	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	437.07
16480						360.57
	101 - GENERAL FUND	2/14/2020	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	360.57
16481						200
	400 - WELLNESS CENTER	2/18/2020	6376	ANA MAGDALENO	FIT & TONE	200
16482						1100
	400 - WELLNESS CENTER	2/18/2020	6039	DINA RESTIVO	YOGA CLASS	1100
16483						3626.52
	400 - WELLNESS CENTER	2/18/2020	6411	GREG MORENTIN	MARTIAL ARTS	3626.52
16484						225
	400 - WELLNESS CENTER	2/18/2020	5804	KELSIE AVINA	ZUMBA	225
16485						60
	400 - WELLNESS CENTER	2/18/2020	6520	MADISON BOWER	SUB FOR AQUA FITNES	60
16486						125
	400 - WELLNESS CENTER	2/18/2020	6499	MARGARITA BENITEZ B	ZUMBA	125
16487						125
	400 - WELLNESS CENTER	2/18/2020	3208	SHANNON PATTERSON	AQUA CLASS	125
16488						2340
	400 - WELLNESS CENTER	2/18/2020	4914	STEPHANIE OROSCO	FITNESS INSTRUCTOR	1300
	400 - WELLNESS CENTER	2/18/2020	4914	STEPHANIE OROSCO	LUSD INSTRUCTOR	1040

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #:
FROM: Juan Espinoza, Finance and Accounting Manager

TRANSPORTATION DEVELOPMENT ACT FUNDS AND MEASURE R SAS 114 FOR FISCAL YEAR ENDED JUNE 30, 2019

ACTION Acknowledge receipt of the report and approve via consent calendar

PURPOSE

<input checked="" type="checkbox"/>	Statutory/Contractual Requirement
<input checked="" type="checkbox"/>	Council Vision/Priority
<input checked="" type="checkbox"/>	Discretionary Action
<input type="checkbox"/>	Plan Implementation

OBJECTIVE(S)

<input type="checkbox"/>	Live in a safe, clean, comfortable and healthy environment.
<input type="checkbox"/>	Increase our keen sense of identity in a connected and involved community.
<input type="checkbox"/>	Nurture attractive residential neighborhoods and business districts.
<input checked="" type="checkbox"/>	Dedicate resources to retain a friendly, small-town atmosphere.
<input type="checkbox"/>	Stimulate, attract and retain local businesses.
<input type="checkbox"/>	Advance economic diversity.
<input checked="" type="checkbox"/>	Yield a self-reliant city government that provides effective, basic services.

RECOMMENDATION

Staff respectfully recommends review and acknowledge receipt of the TDA/Measure R Audited Financial Statements for Fiscal Year ended June 30, 2019

BACKGROUND | ANALYSIS

Transportation Development Act (TDA) and Measure R Funds Audited Financial Statements for Fiscal Year ended June 30, 2019 as prepared by the independent audit firm of Brown Armstrong in accordance with TCAG and State requirements has been completed with copies available upon request. There were no findings; the City has used the funds received and/or allocated for Transportation & Transit Projects appropriately. The City is continuing as a going concern. Management is making every effort to live within its means not only to repay borrowed funds, but also to build a reserve for the future. The report was completed and forwarded to TCAG on January 29, 2020 meeting the filing deadline.

ALTERNATIVES

- None presented

BENEFIT TO OR IMPACT ON CITY RESOURCES

The City continues to operate without interruption.

ENVIRONMENTAL REVIEW

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #:
FROM: Juan Espinoza, Finance and Accounting Manager

POLICY ISSUES

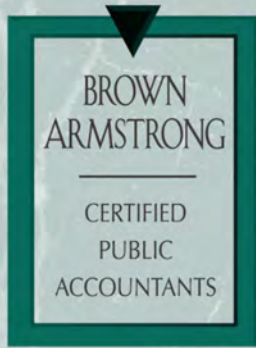
☒ No policy issues
☐ Policy issues:

PUBLIC OUTREACH

☒ Posted in this agenda
☐ Additional public outreach:

ATTACHMENTS

- Brown Armstrong Statement on Auditing Standards Correspondence



BROWN ARMSTRONG

Certified Public Accountants

To the Board of Directors of the
Tulare County Association of Governments and
City Council of the City of Lindsay

We have audited the financial statements of the Local Transportation Special Revenue Fund, including Measure R, and the Transit Special Revenue Fund (collectively, the Transportation Development Act (TDA) and Measure R Funds) of the City of Lindsay (the City) as of and for the year ended June 30, 2019. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated July 22, 2019. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statement. As described in Note 1 to the financial statements, the City adopted Governmental Accounting Standards Board (GASB) Statement No. 83, *Certain Asset Retirement Obligations*; and GASB Statement No. 88, *Certain Disclosures Related to Debt*, including Direct Borrowings and Direct Placements, during the year ended June 30, 2019. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There were no sensitive estimates.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was:

The disclosure regarding doubt that the City will be able to continue as a going concern in Note 3. We noted that the General Fund shows a significant deficit and there are significant advances to the General Fund, including one from the Local Transportation Fund. We have doubts as to the General Fund's ability to repay these loans.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

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STOCKTON OFFICE

1919 GRAND CANAL BLVD
SUITE C6
STOCKTON, CA 95207
TEL 888.565.1040

WWW.BACPAS.COM

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated January 15, 2020.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's TDA and Measure R Funds financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

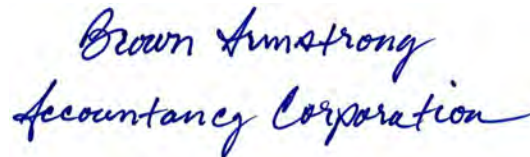
Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Restriction on Use

This information is intended solely for the information and use of Board of Directors and management of the Tulare County Association of Governments, and the City Council and management of the City of Lindsay, and is not intended to be, and should not be, used by anyone other than these specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

A handwritten signature in blue ink that reads "Brown Armstrong" on the first line and "Accountancy Corporation" on the second line, written in a cursive style.

Bakersfield, California
January 15, 2020

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 3.4
FROM: Michael Camarena, Interim City Manager

2020-2024 Unreleased Restoration Flow Agreement 20-WC-20-5456

ACTION Approval of Resolution 20-10

PURPOSE

<input checked="" type="checkbox"/>	Statutory/Contractual Requirement
<input checked="" type="checkbox"/>	Council Vision/Priority
<input checked="" type="checkbox"/>	Discretionary Action
<input type="checkbox"/>	Plan Implementation

OBJECTIVE(S)

<input checked="" type="checkbox"/>	Live in a safe, clean, comfortable and healthy environment.
<input type="checkbox"/>	Increase our keen sense of identity in a connected and involved community.
<input type="checkbox"/>	Nurture attractive residential neighborhoods and business districts.
<input type="checkbox"/>	Dedicate resources to retain a friendly, small-town atmosphere.
<input checked="" type="checkbox"/>	Stimulate, attract and retain local businesses.
<input type="checkbox"/>	Advance economic diversity.
<input checked="" type="checkbox"/>	Yield a self-reliant city government that provides effective, basic services.

RECOMMENDATION

Staff respectfully recommends approval of Resolution 20-10

BACKGROUND | ANALYSIS

Unreleased Restoration Flows (URF) are generated at Friant Dam (Millerton). If conditions prevent the full release of the Restoration Flow allocation in a given year and this contract allows use, sale, transfer, banking or exchange of UFR water.

As previous years, it is required that Council review and approve the agreement to allow the City to participate in any URF water that may become available within the specified contract years.

ALTERNATIVES

- Approve Resolution 20-10 as recommended
- Do not approve Resolution 20-10 as recommended and provide direction to staff

BENEFIT TO OR IMPACT ON CITY RESOURCES

Approval of this URF agreement allows access to water as it becomes declared. In the past, the city has utilized URF water and been able to delay the use of our Class 1 contract water.

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 3.4
FROM: Michael Camarena, Interim City Manager

ENVIRONMENTAL REVIEW

☒ Not required by CEQA
☐ If required by CEQA:

POLICY ISSUES

☒ No policy issues
☐ Policy issues:

PUBLIC OUTREACH

☒ Posted in this agenda
☐ Additional public outreach:

ATTACHMENTS

- Resolution No. 20-10, a Resolution of the City Council of the City of Lindsay Authorizing the Mayor to Execute 2020-2024 Contract Year Unreleased Restoration Flow Agreement No. 20-WC-20-5456, City of Lindsay, Friant Division, Central Valley project;
- 2020-2024 Contract Year Unreleased Restoration Flow Agreement No. 20-WC-20-5456.



RESOLUTION OF THE CITY OF LINDSAY

NUMBER **20-10**

TITLE **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY
AUTHORIZING THE MAYOR TO SIGN 2020-2024 CONTRACT YEAR
UNRELEASED RESTORATION FLOW AGREEMENT NO. 20-WC-20-5456,
FRIANT DIVISION, WITH THE UNITED STATE DEPARTMENT OF THE
INTERIOR, BUREAU OF RECLAMATION**

MEETING At a regularly scheduled meeting of the City of Lindsay City Council held on
February 25, 2020 at 6:00 PM at 251 E. Honolulu Street, Lindsay, CA 93247

WHEREAS, City Staff and Legal Counsel have reviewed the document and determined that the terms and conditions of the contract are in the best interests of the City of Lindsay,

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

SECTION 1. The City Council of the City of Lindsay hereby approves the Unreleased Restoration Flow Agreement with the United States Department of Interior, Bureau of Reclamation for Friant Division Water Year 2020-2024; and

SECTION 2. That the terms and conditions of the contract are in the best interests of the City of Lindsay and now therefore directs the Mayor to execute the document herein referenced as 20-WC-20-5456, on behalf of the City of Lindsay.

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

MEETING DATE	February 25, 2020
MOTION	
2 nd 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.

Juana Espinoza, Interim City Clerk

Pamela Kimball, Mayor

RESOLUTION NO. 20-10
Page 1 of 1



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Region
South-Central California Area Office
1243 N Street
Fresno, California 93721-1813
JAN 27 2020

IN REPLY REFER TO:

SCC-444

2.2.4.23



Mr. Michael Camarena
City Service Director
City of Lindsay
P.O. Box 369
Lindsay, CA 93247-0369

Subject: 2020-2024 Contract Year Period Unreleased Restoration Flow Agreement
No. 20-WC-20-5456 (Agreement) - City of Lindsay (City) – Friant Division, Central Valley Project, California

Dear Mr. Camarena:

Enclosed are three blue bound originals of the subject Agreement providing for Unreleased Restoration Flows (URF). The URF water will be delivered under this Agreement pursuant to Paragraph 13(i) of the San Joaquin River Restoration Settlement Act. If the enclosed Agreement is acceptable to the City, please have the authorized official of the City sign each of the blue bound originals and return all originals to this office at the address shown at the top of this letter, Attention: SCC-444 (MPrieto), as expeditiously as possible. Please note that this Agreement will be dated after execution by the Area Manager. In addition, an original resolution approving this Agreement as to form and authorizing the designated official to sign the Agreement is to be submitted along with the signed originals of the Agreement.

By signing this Agreement, the City agrees to pay for all URF water made available to it under the Agreement for its own use or transfer. The City may also waive some or all of the URF water made available to it by notifying Reclamation staff in the San Joaquin River Restoration Program and/or Mr. Prieto of this office after the declaration has been made and before the block has been released. Failure to respond to an offer of URF water prior to release of a block will result in the City being excluded from the offering.

Execution of this Agreement by the Bureau of Reclamation is contingent upon the City being in compliance with all terms and conditions of its existing Central Valley Project Contract No. 5-07-20-W0428-LTR1. Upon completion of final processing, an original of this Agreement will be sent to the City for its records.

The acre-foot rate for the Tier 1 URF water is \$23.00. Payment for URF water must be made separate from the City's other Contract water supplies, and must be accompanied by a payment recap and water delivery schedule. Payments are to be mailed to:

DOI – BOR – Region: Mid Pacific
P.O. Box 6200-24
Portland, OR 97228-6200

If you have any questions about this letter or the Agreement, please feel free to contact me by phone at (559) 262-0346, by electronic mail at mlebarre@usbr.gov, or for the hearing impaired at TTY (800) 877-8339.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael LeBarre", written in a cursive style.

Michael LeBarre
Chief, Contracts Administration Branch

Enclosures – 3

cc: Mr. Douglas DeFlitch
Chief Operating Officer
Friant Water Authority
854 North Harvard Avenue
Lindsay, CA 93247-1715
(w/o enclosures)

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Central Valley Project, California**

**SALES AGREEMENT BETWEEN THE UNITED STATES
AND
CITY OF LINDSAY
FOR SALE OF UNRELEASED RESTORATION FLOWS**

THIS AGREEMENT, made this ____ day of _____, 2020, is entered into pursuant to the Act of June 17, 1902, (32 Stat. 388), and acts amendatory or supplementary thereto, including but not limited to Section 3406 (c) (1) of the Reclamation Projects Authorization and Adjustment Act of 1992 (PL 102-575; 106 Stat. 4721), Title X, Subtitle A, of the Act of March 30, 2009, (PL 111-11; 123 Stat. 1349), also referred to as the San Joaquin River Restoration Settlement Act, hereinafter referred to as SJRRSA, all collectively hereinafter referred to as Federal Reclamation law, between the UNITED STATES OF AMERICA, hereinafter referred to as the United States, and the CITY OF LINDSAY, hereinafter referred to as the Contractor, a Central Valley Project (Project), Friant Division long-term contractor.

WITNESSETH, That:

[1st] WHEREAS, pursuant to the Stipulation of Settlement in *Natural Resources Defense Council, et. al., v. Kirk Rodgers, et. al.*, hereinafter referred to as Settlement, and the SJRRSA, the Secretary of the Interior, acting through the Bureau of Reclamation, hereinafter referred to as Contracting Officer, is directed to implement a program that releases Restoration Flows from Friant Dam; and

[2nd] WHEREAS, consistent with Paragraph 13(i) of the Settlement, if, for any reason, full Restoration Flows are not released in any year beginning January 1, 2014, the Contracting

Officer shall release as much of the Restoration Flows as possible, in consultation with the Restoration Administrator, in light of then-existing channel capacity and without delaying completion of the Phase 1 improvements; and

[3rd] WHEREAS, the Contracting Officer, in consultation with the Restoration Administrator, shall use the amount of the Restoration Flows not released in any such year, hereinafter referred to as Unreleased Restoration Flows or URFs, by taking one or more of the steps prescribed in Paragraph 13(i) of the Settlement to best achieve the Restoration Goal, as determined by the Contracting Officer; and

[4th] WHEREAS, the Contractor and the United States have entered into Contract No. 5-07-20-W0428-LTR1, hereinafter referred to as Contract, for the delivery of Project Water; and

[5th] WHEREAS, Article 3(f) of the Contract provides for, following the declaration of Water Made Available under Article 4 of the Contract, the Contracting officer to make a determination whether Project Water, or other water available to the Project, can be made available to the Contractor in addition to the Contractor Total provided in Article 3(a) of the Contract during the Year without adversely impacting the Project or other Project Contractors and consistent with the Secretary of the Interior's legal obligations.

NOW, THEREFORE, in consideration of the mutual and dependent covenants herein contained, the parties mutually agree as follows:

DEFINITIONS

1. When used herein unless otherwise distinctly expressed, or manifestly incompatible with the intent of the parties as expressed in this Agreement, the term:

(a) “Operating Non-Federal Entity” shall mean the Friant Water Authority, its successors or assigns, which has the obligation to operate and maintain Project facilities in the Friant Division pursuant to a separate agreement with the United States and which may have funding obligations with respect thereto, and the San Luis Delta Mendota Water Authority, its successors or assigns, which has the obligation to operate and maintain Project facilities in the Delta Division pursuant to a separate agreement with the United States and which may have funding obligations with respect thereto;

(b) “Project” shall mean the Central Valley Project owned by the United States and managed by the Department of Interior, Bureau of Reclamation;

(c) “Project Contractors” shall mean all parties who have a long-term water service or repayment contract for Project Water from the Project with the United States pursuant to Federal Reclamation law;

(d) “Project Water” shall mean all water that is developed, diverted, stored, or delivered by the Secretary in accordance with the statutes authorizing the Project and in accordance with the terms and conditions of water rights acquired pursuant to California law;

(e) “Restoration Flows” shall mean releases from Friant Dam in accordance with Exhibit B of the Settlement or modified by the Restoration Administrator;

(f) “Restoration Goal” shall mean to restore and maintain fish populations in “good condition” in the main stem of the San Joaquin River below Friant Dam to the confluence

of the Merced River, including naturally-producing and self-sustaining populations of salmon and other fish;

(g) “Water Management Goal” shall mean to reduce or avoid adverse water supply impacts to all of the Friant Division long-term water contractors or repayment contractors that may result from the Interim Flows and Restoration Flows provided for in the SJRRSA;

(h) “Unreleased Restoration Flows” shall mean those Restoration Flows which cannot be released from Friant Dam in accordance with the Restoration Administrator’s schedule.

TERMS OF AGREEMENT

1. This Agreement shall become effective on the date first hereinabove written and shall remain in effect through February 28, 2025: Provided, that any performance of the obligations provided in Articles 4, 7, and 9 of this Agreement shall survive the termination date of this Agreement and shall continue until all such obligations are complete.

2. Pursuant to Article 3(f) of the Contract and consistent with all applicable State water rights, permits and licenses, Federal law, and the Settlement including SJRRSA, the Contracting Officer shall make available for delivery to the Contractor an agreed upon amount of URF water to be made available during this water year up to 445 acre feet. This URF water is to be delivered within the Contractor’s Service Area for reasonable and beneficial uses in accordance with the terms of the Contract and or to other areas upon Contracting Officer approval pursuant to Article 7 herein; provided, that the Parties understand and agree that the availability of URFs are subject to Paragraph 13(i) of the Settlement and will be furnished if, as, and when it can be made available, as solely and conclusively determined by the Contracting

89 Officer.

90 3. URF water will be made available under this agreement to Friant Division
91 contractors first, per the allocation on Exhibit A. Exhibit A will be updated for acre-feet of water
92 made available by block, and for price, when new tiers or blocks of water are approved for
93 delivery. Each block of URF water will be allocated to each Friant Division Contractor based on
94 their Class 1, and/or their Class 2, contract water supply, as a per cent (%) to the total Class 1
95 and/or Class 2 water supply for all Friant Division Contractors on a pro rata basis. Should any
96 Contractor choose not to take its full pro rata share of a URF water block, that unused water will
97 be redistributed for sale to the other Friant Division Contractors. Should there be any remaining
98 URF water not claimed by either Class 1 or Class 2 Friant Division Contractors that water will
99 then be made available to non-Friant Division Contractors.

100 4. The Contractor's share of, and price per acre-foot, for each block of URF water is
101 shown on Exhibit A and subsequent revisions thereof. The formula to determine URF pricing is
102 shown in Exhibit C. Prior to a block of water being released for sale, contractors may reduce
103 their committed share of a given block upon request or may commit to a larger share of a given
104 block, should any unused water be available. Changes to a Contractor's commitment of a block
105 cannot be made after the URF block is released for delivery. Payment is due immediately upon
106 the release of the URF block. Upon release of a URF block, the Contractor shall also submit to
107 the Contracting Officer a written schedule that is satisfactory to the Contracting Officer,
108 providing for the total volume of URF water made available, and for delivery of this water
109 within the specified time period it is made available, under the then current block of URF water
110 made available as shown on Exhibit A. Subsequent blocks of URF water shall be distributed in a

similar manner.

5. Upon submission of the schedule by the Contractor, as provided in Article 4 herein, the Contractor shall ensure payment has been made to the United States equal to the total volume of URF water made available by block and at the sales price for that block of URF water. URFs shall not be delivered to the Contractor prior to receipt of full payment. The Contractor is responsible for the payment of any and all blocks of water that they agree to purchase, whether or not they take delivery of this water within the specified time period it is made available.

6. Any discrepancy in location, delivery, or measurement between this Agreement and the Contract shall be reconciled by the Contracting Officer, after consultation with the Contractor.

7. URF waters made available to the Contractor pursuant to this Agreement may be sold, transferred, exchanged, or banked in accordance with Articles 3(d) and 9(a) of the Contract, and as otherwise authorized in the Contract.

8. In compliance with the Water Management Goals of the Settlement, the Contracting Officer shall not undertake any action pursuant to this Agreement that results in further water delivery reductions to any Friant Division long-term contractor beyond what would have been caused by releases in accordance with Exhibit B of the Settlement. In the event that capacity is no longer available in Millerton Reservoir for URF water that has accrued pursuant to this Agreement, as solely and conclusively determined by the Contracting Officer, the URFs determined by the Contracting Officer to have previously accrued in Millerton Reservoir, and not yet delivered to Contractor, shall be among the first water spilled in accordance with the Friant Operational Guidelines for Millerton Lake and Restoration Flow Guidelines; provided, that the

Contracting Officer will, to the extent practicable, inform the Contractor by written notice, or otherwise, of any impending spill of URFs from Millerton Reservoir. Guidance on the determination of URF spill is available in Exhibit B of this agreement.

9. In the event the quantity of URFs diverted by the Contractor exceeds the quantity of URFs available pursuant to this Agreement, the Contractor shall immediately take all reasonable actions to adjust their schedules or make available a like amount of water, from the Contractor's current year Class 1 and/or Class 2 water made available supply, in the Project Facilities for use by the United States for Project purposes. If the Contractor has taken delivery of all water made available in the current water year, then water delivered in excess of URF water made available to the Contractors shall be accounted for as "pre-use" water per Article 3 (g) of the Contract and will be deducted from Class 1 and/or Class 2 water made available to the Contractor in subsequent water years.

10. All payments received by the United States from the Contractor pursuant to this Agreement shall be deposited into the San Joaquin River Restoration Settlement Fund.

11. The Contractor shall be solely responsible for making any and all payments to the Operating Non-Federal Entity for any operation and maintenance or additional costs associated with the delivery of URFs pursuant to this Agreement. The Contracting Officer will not impose additional Surcharge payments for this water.

12. The San Joaquin River Restoration Program shall determine whether URFs delivered to the Contractor pursuant to this Agreement be considered an offset to the Contractor's Recovered Water Account pursuant to Paragraph 16(b) of the Settlement. Guidance on this topic is found in Exhibit C of this agreement.

13. The San Joaquin River Restoration Program may offer additional URF water in exchange for the Contractor's Project Water supplies based on review and acceptance of the Contractor's exchange proposal. If the Contractor's exchange proposal is accepted, the Contractor need only supply additional exhibit(s) detailing the exchange process and ratio of exchange. Those exhibits will be attached to the Agreement once approved by the Contractor and Contracting Officer. A separate Memorandum of Understanding will not be issued.

14. By signing this Agreement, the Contractor agrees to pay for all URF water committed to under the Agreement for its own use or transfer. Failure to respond to an offer of URF water prior to release of a block will result in the Contractor being excluded from the offering.

15. Any notice, demand, or request authorized or required by this Agreement shall be deemed to have been given, on behalf of the Contractor, when mailed, postage prepaid, or delivered to the Area Manager, Bureau of Reclamation, South Central California Area Office, 1243 'N' Street, Fresno, CA 93721-1813, and on behalf of the United States, when mailed, postage prepaid, or delivered to the City Council, City of Lindsay, P.O. Box 369, Lindsay, California 93247-0369. The designation of the addressee or the address may be changed by notice given in the same manner as provided in this Article of this Agreement for other notices. The Contractor may also respond to any such notice, demand, or request by contacting the Area Manager by electronic mail. Those designees in the San Joaquin River Restoration Program and the South-Central California Area Office who assist in the administration of the Agreement may also be contacted in the same manner. All electronic mail responses received will be confirmed by electronic mail receipt.

16. Except as expressly stated in this Agreement, this Agreement shall be consistent with and subject to the terms and conditions of the Contract.

17. In the event the San Joaquin River Restoration Program operating procedures are changed by Reclamation's administration of the Restoration Flow Guidelines, by legislation or the courts, and this 5-year Agreement no longer complies with current statutes, court orders, regulations, etc., the Contracting Officer will then void the current Agreement and issue a new Agreement, or amend the current Agreement with language that brings it into compliance with Reclamation's administration of the Restoration Flow Guidelines, current statutes, court orders, regulations, etc.

18. This Agreement has been negotiated and reviewed by the Parties hereto, each of whom is sophisticated in the matters to which this Agreement pertains and no one party shall be considered to have drafted the stated articles.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

191

UNITED STATES OF AMERICA

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195

By: _____
Area Manager
South-Central California Area Office
Bureau of Reclamation

196

CITY OF LINDSAY

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(SEAL)

By: _____
Mayor

200

Attest:

201
202

By: _____
City Clerk

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 5
FROM: Michael Camarena, Interim City Manager

Second Reading Ordinance 581, Zone Change 19-26

ACTION

Second Reading of Ordinance No. 581, Zone Change 19-26

Location: APN 199-140-026 and 034 and 199-200-005 and 023

PURPOSE

☒ *Statutory/Contractual Requirement*

☐ *Council Vision/Priority*

☒ *Discretionary Action*

☐ *Plan Implementation*

OBJECTIVE(S)

☒ Live in a safe, clean, comfortable and healthy environment.

☐ Increase our keen sense of identity in a connected and involved community.

☒ 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.

☒ Yield a self-reliant city government that provides effective, basic services.

RECOMMENDATION

Staff respectfully recommends Council give second reading of Ordinance 581, waive further reading, and adopt said Ordinance.

BACKGROUND | ANALYSIS

Ordinance 581, Zone Change 19-26 was requested by Shropshire Properties to change the General Plan land use designation from low density residential to medium density residential and to change the zoning designation from R-1-7 to RM-3 of 4.3 acres of land adjacent to both sides (west-east) of Westmore Court, a portion of North Westwood Avenue, and both sides (north-south) of the entrance of Burem Lane at Westwood Avenue. Council approved Resolution 20-06 and first reading of Ordinance 581 on February 11, 2020.

ALTERNATIVES

- None proposed.

BENEFIT TO OR IMPACT ON CITY RESOURCES

There are no anticipated benefits or impacts to City resources.

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 5
FROM: Michael Camarena, Interim City Manager

ENVIRONMENTAL REVIEW

☒ Not required by CEQA
☐ If required by CEQA:

POLICY ISSUES

☒ No policy issues
☐ Policy issues:

PUBLIC OUTREACH

☒ Posted in this agenda
☐ Additional public outreach

ATTACHMENTS

- Aerial Photo
- Draft Ordinance 581

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 5
FROM: Michael Camarena, Interim City Manager

Aerial Photo





ORDINANCE OF THE CITY OF LINDSAY

ORDINANCE NO. 581

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY AMENDING THE ZONING DESIGNATION FROM R-1-7 to R-3 FOR A 4.3 ACRE SITE BOUND BY WESTMORE COURT, A PORTION OF WESTWOOD AVENUE, AND ACROSS BOTH SIDES OF THE ENTRANCE OF BUREM LANE (APN: 199-140-026 & -034 and 199-200-005 & -023), AND THE LINDSAY ZONING MAP AS ADOPTED BY ORDINANCE 437 OF THE CITY OF LINDSAY.

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

ARTICLE 1: The real property located in the City of Lindsay and described as follows: APN 199-140-026 & -034 and 199-200-005 & -023 shall be and is hereby designated as R-3.

ARTICLE 2: The Director of City Services and Planning of the City of Lindsay is hereby authorized, instructed and directed to make the changes to the official Zoning Map of the City of Lindsay made by Article One of this Ordinance, by outlining the boundaries of the described parcel of the Zoning Map adopted by Ordinance 437 of the City of Lindsay.

ARTICLE 3: This Ordinance shall be in full force and effect on and after the 30th day after its adoption by the City Council. Within 15 days after its adoption by the City Council, this Ordinance shall be published in full text or in summary in a newspaper of general circulation in the City of Lindsay.

The foregoing ordinance, read by title only with waiving of the reading in full, was introduced at a regularly scheduled meeting on the 11th day of February 2020.

APPROVED at a regular meeting of the City Council held the 25th day of February 2020.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Juana Espinoza, Interim City Clerk

Pamela Kimball, Mayor

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 6
FROM: Michael Camarena, Interim City Manager

Second Reading Ordinance 580, Adoption of 2019 Building Codes

ACTION Second Reading of Ordinance No. 580, Adoption of the 2019 Building Codes

PURPOSE ☒ *Statutory/Contractual Requirement*

☒ *Council Vision/Priority*

☐ *Discretionary Action*

☒ *Plan Implementation*

OBJECTIVE(S) ☒ Live in a safe, clean, comfortable and healthy environment.

☐ Increase our keen sense of identity in a connected and involved community.

☒ 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.

☒ Yield a self-reliant city government that provides effective, basic services.

RECOMMENDATION

Staff respectfully recommends Council give second reading of Ordinance 580, waive further reading, and adopt said Ordinance.

BACKGROUND | ANALYSIS

Ordinance 580, An Ordinance of the City Council of the City of Lindsay Amending Chapter 15.05, Title 15, of the Municipal Code of the City of Lindsay and Adopting by Reference the 2019 Editions of the California Administrative Code, the California Building Code, along with Designated Appendices, the California Residential Code along with Designated Appendices, the California Energy Code, the California Historical Buildings Code, the California Existing Building Code, and the California Referenced Standards Code as Published by the International Code Council, was given first reading on February 11, 2020.

ALTERNATIVES

- None proposed.

BENEFIT TO OR IMPACT ON CITY RESOURCES

City Services staff provides full building permit services, including plan check and inspection. There is no anticipated change to city resources.

ENVIRONMENTAL REVIEW

☒ Not required by CEQA

☐ If required by CEQA:

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 6
FROM: Michael Camarena, Interim City Manager

POLICY ISSUES

- ☐ No policy issues
☒ Policy issues: Continue to provide current code standards for all permitted building activity.

PUBLIC OUTREACH

- ☒ Posted in this agenda
☐ Additional public outreach:

ATTACHMENTS

- Ordinance No. 580

ORDINANCE NO. 580
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY
AMENDING SECTIONS 15.04.010, 15.04.020, 15.04.030, 15.04.040,
15.04.050, 15.04.060, 15.04.070, 15.04.080, 15.04.090, AND 15.04.120
AND ADDING SECTIONS 15.04.130 and 15.04.140 OF CHAPTER 15.04,
TITLE 15 OF THE LINDSAY MUNICIPAL CODE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LINDSAY FOLLOWS, TO WIT:

SECTION 1. The following sections of the Municipal Code of the City of Lindsay are hereby amended as follows:

- A. Title 15, Chapter 15.04, Section 15.04.010 of the City Code is hereby repealed, amended, and replaced and shall read as follows:

15.04.010 Building Code

That certain code in book form to which more particular reference is herein made, regulating the construction, erection, alteration, repair, removal, demolition, conversion, equipment, use, height, area and maintenance of buildings in the City of Lindsay, together with the amendments thereof, herein specifically set forth, together with the penalty herein set forth to be known as the Building Code complied by and adopted by the International Code Council, Inc., together with the following appendix Chapters A, B, C, D, F, G, H, I, K, L; the entire Chapter of California Part 8 Historical Building with Appendix A and the 2019 California Existing Building Code Part 10, thereto is hereby adopted and enacted by the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents know as the Building Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department), and shall be available for public inspection during normal business hours of the City of Lindsay.

- B. Title 15, Chapter 15.04, Section 15.04.020 of the City Code is hereby repealed, amended and replaced and shall read as follows:

15.04.020 Mechanical Code

That certain code in book form to which more particular reference is herein made regulating the installation and maintenance of heating, ventilating, cooling and refrigeration systems, to be known and referred to as the 2019 California Mechanical Code is hereby adopted and enacted by the Council of the City of Lindsay as an ordinance of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, comma, paragraph, work, phrase, and clause in said code mentioned or referred to herein or herein were and each thereof was fully and specifically set forth herein. A copy of these documents know as the Mechanical Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department), and shall be available for public inspection during normal business hours of the City of Lindsay.

- C. Title 15, Chapter 15.04, Section 15.04.030 of the City Code is hereby repealed, amended and replaced and shall read as follows:

15.04.030 Plumbing Code

A. That certain code in book form to which more particular reference is hereinafter made, regulating the business of plumbing, and the installation of plumbing fixtures and appliances, to be known and referred to as the 2019 California Plumbing Code, is hereby adopted and enacted by the Council of the City of Lindsay as an ordinance of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, comma, paragraph, work, phrase, and clause in said code mentioned or referred to herein or herein were and each thereof was fully and specifically set forth herein. A copy of these documents know as the Plumbing Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

- D. Title 15, Chapter 15.04, Section 15.04.040 is hereby repealed, amended and replaced with the following:

15.04.040 Electrical Code

The 2019 Edition California Electrical Code, published by the California Building Standards Commission, including all amendments and appendices, is hereby adopted by reference as the Electrical Code of the City. This shall be the code for regulating and providing minimum standards for the protection of the public health, safety and welfare regarding the installation, alteration, addition, repair, relocation, replacements maintenance or use of electrical systems in the City of Lindsay, and providing for the issuance of permits and collection of fees as hereinafter set forth and adopted by the governing body. A copy of these documents, known as the Electrical Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

- E. Title 15, Chapter 15.04, Section 15.04.050 is hereby repealed, amended and replaced with the following:

15.04.050 Fire Code

There is hereby adopted by the Council of the City of Lindsay for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the California Fire Code, published by the International Code Council, Inc. being particularly the 2019 Edition thereof together with the following appendices thereto. A copy of these documents, known as the Fire Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

- F. Title 15, Chapter 15.04, Section 15.04.060 is hereby repealed, amended and replaced with the following:

15.02.060 Energy Code

That certain code in book form to which more particular reference is made, together with the amendments thereof, herein specifically set forth, known as the 2019 Edition of the California Energy Code, compiled by and adopted by the International Code Council, Inc., thereto is hereby adopted and enacted the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents, known as the Energy Code of the City of Lindsay, shall be on file in the office of the Building Official

(City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

- G. Title 15, Chapter 15.04, Section 15.04.070 is hereby repealed, amended and replaced with the following:

15.04.070 Green Building Code

That certain code in book form to which more particular reference is made, together with the amendments thereof, herein specifically set forth, known as the 2019 California Green Building Standards, compiled by and adopted by the International Code Council, Inc., thereto is hereby adopted and enacted the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents, known as the Green Building Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

- H. Title 15, Chapter 15.04, Section 15.04.080 is hereby repealed, amended and replaced with the following:

15.04.080 Residential Code

That certain code in book form to which more particular reference is made, together with the amendments thereof, herein specifically set forth, known as the 2019 California Residential Code, compiled by and adopted by the International Code Council, Inc., thereto is hereby adopted and enacted the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents, known as the Residential Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

- I. Title 15, Chapter 15.04, Section 15.04.090 is hereby repealed, amended and replaced with the following::

15.04.090 Referenced Standards Code

That certain code in book form to which more particular reference is made, together with the amendments thereof, herein specifically set forth, known as the 2019 California Referenced Standards Code, compiled by and adopted by the International Code Council, Inc., thereto is hereby adopted and enacted the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents, known as the Referenced Standards Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

- J. Title 15, Chapter 15.04, Section 15.04.120 is hereby repealed, amended and replaced with the following:

15.04.120 Rename Penalty for Violation to California Administrative Code

That certain code in book form to which more particular reference is made, together with the amendments thereof, herein specifically set forth, known as the 2019 Administrative Code, compiled by and adopted by the International Code Council, Inc., thereto is hereby adopted and enacted the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents, known as the Administrative Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

K. Title 15, Chapter 15.04, Section 15.04.130 is hereby added with the following:

15.04.130 Historical Building Code

That certain code in book form to which more particular reference is made, together with the amendments thereof, herein specifically set forth, known as the 2019 Historical Building Code, compiled by and adopted by the International Code Council, Inc., thereto is hereby adopted and enacted the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents, known as the Historical Building Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

L. Title 15, Chapter 15.04, Section 15.04.140 is hereby added with the following:

15.04.140 Existing Building Code

That certain code in book form to which more particular reference is made, together with the amendments thereof, herein specifically set forth, known as the 2019 Existing Building Code, compiled by and adopted by the International Code Council, Inc., thereto is hereby adopted and enacted the Council of the City of Lindsay, to all intents and purposes and to the same effect as if each and every sentence, paragraph, work and clause in said code mentioned are referred to herein or therein were fully and specifically set forth herein, with the exception of the penalty provision thereof. A copy of these documents, known as the Existing Building Code of the City of Lindsay, shall be on file in the office of the Building Official (City Services Department) of the City of Lindsay, and shall be available for inspection and review by the public during normal business hours.

SECTION 2. This ordinance shall be in full force and effect thirty (30) days after its passage, adoption and approval.

The foregoing ordinance read by title only with waiving of the reading in full was introduced at a regularly scheduled meeting of the City Council on the 11th day of February 2020.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 25th day of February 2020.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Juana Espinoza Interim City Clerk

Pamela Kimball, Mayor

STAFF REPORT



TO: LINDSAY CITY COUNCIL
DATE: February 25, 2020
AGENDA #: 7
FROM: Pam Kimball, Mayor

Request to Reschedule the March 24, 2020 Council Meeting

ACTION Request to Reschedule the March 24, 2020 City Council Meeting to March 31, 2020

PURPOSE Statutory/Contractual Requirement

☒ Council Vision/Priority

☒ Discretionary Action

☐ Plan Implementation

OBJECTIVE(S) ☐ Live in a safe, clean, comfortable and healthy environment.

☐ Increase our keen sense of identity in a connected and involved community.

☐ 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.

☐ Yield a self-reliant city government that provides effective, basic services.

BACKGROUND | ANALYSIS

City Council has historically recognized and honored the Orange Blossom Queen, Court and Honored Couple at City Council. The Orange Blossom Festival parade and community festival will be on April 4 at the City Park. OBF festivities begin on March 28, 2020 with the coronation and related ceremonies.

Rescheduling of the March 24, 2020 meeting to March 31, 2020 will allow Council recognition and OBF ceremonies to occur during OBF week.

BENEFIT TO OR IMPACT ON CITY RESOURCES

None anticipated

POLICY ISSUES

☐ No policy issues

☒ Policy issues: Rescheduling of a regular meeting takes City Council approval.

PUBLIC OUTREACH

☒ Posted in this agenda

☐ Additional public outreach:

ATTACHMENTS

- None