



LINDSAY CITY COUNCIL REGULAR MEETING AGENDA MINUTES

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

Notice is hereby given that the Lindsay City Council will hold a Regular Meeting on **August 08, 2023**, at **6:00 PM** in person and via webinar. The webinar address for members of the public is <https://zoom.us/j/99279557087>. Those who would like to make a public comment during the public comment portion of the agenda may do so by utilizing the raise hand feature or indicating they would like to make a comment in the chat.

Persons with disabilities who may need assistance should contact the City Clerk prior to the meeting at (559) 562-7102 ext. 8034 or via email at lindsaycityclerk@lindsay.ca.us.

- 1. CALL TO ORDER**
- 2. PLEDGE**

Led by Council Member Sanchez.

Present	Mayor Cerros Mayor Pro Tem Flores Council Member Sanchez Council Member Serna Council Member Caudillo
----------------	---

- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**

Motion to Approve Agenda							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	CAUDILLO	(5-0)	AYE	AYE	AYE	AYE	AYE

- 5. PUBLIC COMMENT**

The public is invited to comment on any subject under the jurisdiction of the Lindsay City Council. Please note that speakers that wish to comment on a Regular Item or Public Hearing on tonight’s agenda will have an opportunity to speak when public comment for that item is requested by the Mayor. Comments shall be limited to three (3) minutes per person, with thirty (30) minutes for the total comment period, unless otherwise indicated by the Mayor. The public may also choose to submit a comment before the meeting via

email. Public comments received via email will be distributed to the Council prior to the start of the meeting and incorporated into the official minutes; however, they will not be read aloud. Under state law, matters presented under public comment cannot be acted upon by the Council at this time.

- Public comment from Attorney Maggie Melo with the Law Offices of Melo and Sarsfield. She voiced her support for Council Member CAUDILLO. She spoke regarding Council Member CAUDILLOS requested leave which received a motion but not a second motion at the last meeting. She stated that Council Member CAUDILLO attended tonight's meeting so that she did not lose her City Council seat. She requested that the City Council re-visit CAUDILLOS request and accommodate CAUDILLO so that she may attend via Zoom or another acceptable platform.
- Public comment from Mary Ibarra. She spoke regarding the City's yard sale sign provisions and requested that the City Council consider allowing yard sale signs for longer that is currently permitted.

6. COUNCIL REPORT

- Council Member SANCHEZ state that it was good to see everyone, offered her condolences to law enforcement agency that experienced a fatal on duty accident, and encouraged everyone to stay safe from the heat.
- Council Mayor CAUDILLO was glad to be back, thanked everyone for coming and encouraged everyone to enjoy the rest of their evening.
- Council Member SERNA welcomed everyone and encouraged everyone to stay safe during this back-to-school season.
- Mayor Pro Tem FLORES had no report.
- Mayor CERROS had no report.

7. CITY MANAGER REPORT

- CITY MANAGER shared that the City's request for \$1.75M has been approved by the Committee but hopeful it will be approved, we will know by January 2024.
- CITY MANAGER shared that approximately 350 people attended National Night Out, which was a great event.
- CITY MANAGER staff had a great meeting with CalTRANS regarding the HWY 65 realignment project. Phase I and II of the project should be completed in the next 2 years. Project is expected to be completed in late 2030's.
- CITY MANAGER informed that the Lindmore project is expected to begin mid-September.
- CITY MANAGER offered condolences to law enforcement agency that experienced a fatal on duty accident.

8. PRESENTATION ITEMS

8.1 Update Regarding 2023-2024 California State Budget and Review of California State

Senator Melissa Hurtado's Pending Legislation (pp. 5 – 8)

Presented by Eric Coyne, Representative for Senator Melissa Hurtado

8.2 Introduction of New Director of Finance Salvador Guzman

Presented by Joseph M. Tanner, City Manager

9. DISCUSSION ITEMS

9.1 Review of Lindsay City Charter (pp. 9 – 36)

Item Requested by Mayor Cerros

Presented by Francesca Quintana, City Clerk & Assistant to the City Manager

10. STUDY SESSION(S)

10.1 Downtown Lindsay Commercial Community Facilities District

Presented by Joseph M. Tanner, City Manager

10.2 Fiscal Year 2023-2024 Operating Budget Workshop

Presented by Joseph M. Tanner, City Manager

11. CONSENT CALENDAR

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

11.1 Minutes from July 25, 2023, Regular Meeting (pp. 37 – 41)

11.2 Warrant List for July 17, 2023, through July 30, 2023 (pp. 42 – 45)

11.3 Treasurer’s Report for July 2023 (p. 46)

11.4 Consider the Minute Order Approval of Letters of Support for Senate Bill 231, Senate Bill 265, and Senate Bill 577 (pp. 47 – 57)

11.5 Consider Approval of **Resolution 23-31**, A Resolution of the City Council of the City of Lindsay Superseding Resolution No. 22-45, Clarifying Language within the Resolution Relative to the Authorization of Overtime and Portal to Portal Pay for Employees Providing Mutual Aid Responses Under the Approved California Fire Assistance Agreement (pp. 58 – 65)

11.6 Consider the Approval of **Resolution No. 23-32**, A Resolution of the City Council of the City of Lindsay, California Declaring the Properties at 100 East Honolulu Street (APN 205-236-014), 122 East Honolulu Street (APN 205-236-013), and 190 South Elmwood Avenue (APN 205-236-020), all in Lindsay California 93247 to be Surplus Property (pp. 66 – 72)

11.7 Consider the Minute Order Approval of Amended Job Title, Job Description, and Job Classification for the City Services Deputy Director Job Position (pp. 73 – 78)

11.8 Consider Approval of **Resolution No. 23-33**, A Resolution of the City Council of the City of Lindsay Affirming the City Manager’s Authority to Enter Into and Execute a Memorandum of Understanding (MOU) By and Between the City of Lindsay and the Lindsay City Employees’ Association (pp. 79 – 85)

11.9 Consider Minute Order Approval of Amendments and Revisions to the City Lindsay Personnel Rules and Regulations (pp. 86 – 208)

11.10 Consider the Approval of **Resolution No. 23-35**, A Resolution of the City Council of the City of Lindsay Authorizing the Delegation of Authority to Make Decision on Applications for Disability Retirement (pp. 209 – 212)

- Item 11.6 pulled for discussion. CITY CLERK clarified the addresses of the properties being declared surplus.
- Item 11.8 pulled for discussion. Attorney Shelline Bennet answered questions on said item and it was kept on the consent calendar.
- Item 11.9 pulled for discussion. Attorney Shelline Bennet answered questions on said item. Council unanimously agreed to remove the item from the consent calendar and table the item to the next regular meeting.
- Item 11.10 pulled for discussion. City MANAGER answered questions on said item and it was kept on the consent calendar.

Motion to Approve Consent Calendar with Item 11.9 Removed from the Consent Calendar and Tabled to the Next Regular Meeting on September 12, 2023							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	SERNA	(5-0)	AYE	AYE	AYE	AYE	AYE

12. ACTION ITEMS

12.1 Consider the Designation of Voting Delegate and Alternate(s) for the League of California Cities Annual Conference and Expo (pp. 213 – 219)

Presented by Francesca Quintana, City Clerk & Assistant to the City Manager

Motion to Appoint Mayor Cerros as the Voting Delegate and Council Member Sanchez as the Alternate							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CAUDILLO	SERNA	(5-0)	AYE	AYE	AYE	AYE	AYE

12.2 Consider the Selection of Dates and Times for City Council Brown Act, Harassment, and Ethics in Public Service Training (pp. 220 – 324)

Presented by Francesca Quintana, City Clerk & Assistant to the City Manager

Motion to Select August 25, 2023, and September 01, 2023 as the Council Training Dates							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CAUDILLO	CERROS	(5-0)	AYE	AYE	AYE	AYE	AYE

13. PUBLIC HEARING ITEMS

13.1 Public Hearing to Consider the Approval of **Resolution No. 23-34** A Resolution of the City Council of the City of Lindsay Approving General Plan Amendment No. 23-01, Planned Unit Development No. 2023-02, and Adopting an Initial Study/Mitigated Negative Declaration (IS/MND) for General Plan Amendment No. 2023-01, Zone Change No. 2023-01, and Planned Unit Development (PUD) No. 2023-02, A Request by Francisco Acevedo to Change the Land Use Designation from Low-Density Residential to Medium-Density Residential for A 2.5-Acre Portion of A Site Bound to the North by West Hickory Street, to the East By Parkside Avenue, to the South by Ono City Parkway, and the West by Sequoia Avenue/Road 214 (APNs 201-230-003 to -009) (pp. 325 – 452)

Presented by Curtis Cannon, Planning Manager

- Mayor opened public hearing at 8:02 PM.
- Public comment from Judyth Dreiger. Judyth questioned the Oak Trees in the area. City Staff clarified that as the project is planned, the trees will be removed as they are not a protected species.
- Mayor closed public hearing at 8:05 PM.

Motion to Approve Item 13.1							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	FLORES	(5-0)	AYE	AYE	AYE	AYE	AYE

13.2 First Reading of **Ordinance No. 612**, An Ordinance of the City Council of the City of Lindsay Amending the Zoning Designation From R-1-7 To RM-3 for a 2.5-Acre Portion of a Site Bound to the North By West Hickory Street, to the East by Parkside Avenue, to the South by Ono City Parkway, and the West by Sequoia Avenue/Road 214 (APNs 201-230-003 To -009), and the Lindsay Zoning Map as Adopted by Ordinance 437 of the City of Lindsay and Authorization to Waive Full Reading of Said Ordinance and Authorize Reading by Title Only (pp. 453 – 459)

Presented by Curtis Cannon, Planning Manager

- Mayor opened public hearing at 8:13 PM.
- Receiving no public comment, Mayor closed public hearing at 8:14 PM.

Motion to Approve Item 13.2							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	FLORES	(5-0)	AYE	AYE	AYE	AYE	AYE

13.3 Special Event Permit (pp. 460 – 488)

A. Continued First Reading of **Ordinance No. 606**, An Ordinance of the City Council of the City of Lindsay Amending Titles Five (5), Eight (8), and Eighteen (18) In Regards to the Special Event Permit and Authorization to Waive Full Reading of Said Ordinance and Authorize Reading by Title Only (pp. 460 – 484)

- Mayor opened public hearing at 8:15 PM.
- Receiving no public comment, Mayor closed public hearing at 8:16 PM.

Motion to Approve Item 13.3A							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	SANCHEZ	(4-0)	ABSTAIN	AYE	AYE	AYE	AYE

B. Continued Public Hearing to Consider the Approval of **Resolution No 23-29**, A Resolution of the City Council of the City of Lindsay Amending Special Event Permit Fees and Charges and Repealing All Other Resolutions Relative to Special Event Permit Fees and Charges Thereto (pp. 485 – 488)

Presented by Araceli Mejia, Assistant City Planner

- Mayor opened public hearing at 8:17 PM.
- Receiving no public comment, Mayor closed public hearing at 8:18 PM.

Motion to Approve Item 13.3A							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	SANCHEZ	(3-0)	ABSTAIN	AYE	ABSTAIN	AYE	AYE

14. REQUEST FOR FUTURE ITEMS

Council requests for future agenda items, can be called for by any Councilmember during the ‘Request for Future Items’ section of a regular meeting. Immediately following the request of an item, a vote will be taken on the item. If a majority of the City Council supports further study of the item, then a full staff analysis will be prepared within a reasonable time as determined by the City Manager unless otherwise directed by a majority of the City Council. Discussion shall be limited to whether an item should be added to an agenda, not the merit of the item.

Future Study Session Item on Lindsay City Charter							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	SANCHEZ	(5-0)	AYE	AYE	AYE	AYE	AYE

Future Item Regarding Updated City Website Software							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
CERROS	SERNA	(5-0)	AYE	AYE	AYE	AYE	AYE

Future Discussion Item on Business Development and Vacant Properties in Downtown Lindsay							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
SERNA	CERROS	(5-0)	AYE	AYE	AYE	AYE	AYE

- Council Member SERNA made a motion to add a future item to reconsider Council Member CAUDILLOS leave request. CITY ATTORNEY stated that per the adopted Handbook, since the Council has already decided on said item, the motion for re-consideration must be brought by the majority. CITY ATTORNEY stated that for the item to be re-considered, the motion must be initiated by those who were in the majority when the item was last voted on, which in this case would be Council Member SANCHEZ or Mayor Pro Tem FLORES. Council Member SANCHEZ and Mayor Pro Tem FLORES made no motion on this item.

Future Item Regarding City Council Member Absences							
1 st	2 nd	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ
SERNA	CAUDILLO	(3-2)	AYE	NAY	AYE	AYE	NAY

15. ADJOURNMENT

Lindsay City Council meetings are held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00 P.M. on the second and fourth Tuesday of every month unless otherwise noticed. Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection in the office of the City Clerk during normal business hours. Complete agenda is available at www.lindsay.ca.us. 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 8034. 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.

The next Regular Meeting of the Lindsay City Council is scheduled to be held on September 12, 2023.

- Mayor adjourned the meeting at 8:34 PM.