



# LINDSAY CITY COUNCIL REGULAR MEETING AGENDA

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

Notice is hereby given that the Lindsay City Council will hold a Regular Meeting on **January 23, 2024**, 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](mailto:lindsaycityclerk@lindsay.ca.us).

**1. CALL TO ORDER**

**2. PLEDGE**

Led by Mayor CERROS.

**3. ROLL CALL**

**4. APPROVAL OF AGENDA**

**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.

**6. COUNCIL REPORT**

**7. CITY MANAGER REPORT**

**8. CONSENT CALENDAR**

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

8.1 Minutes from January 09, 2024, Regular Meeting (pp. 4 – 8)

8.2 Warrant List for January 01, 2024 through January 15, 2024 (pp. 9 – 14)

8.3 Consider the Approval of **Resolution No. 24-03**, A Resolution of the City Council of the City of Lindsay Approving Agreement to Provide Services by and Between Ralph Gutierrez

Water Service (RGWS) and the City of Lindsay and Granting City Manager Authorization to Execute any Documents Thereto (pp. 15 – 26)

8.4 Consider the Approval to Bid the Tulare Road & Foothill Avenue Rehabilitation Project, Authorizing the Project Budget, Finding that the Project is Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to Section 15301 of CEQA Guidelines and Granting City Staff Authorization to File the Project Notice of Exemption (pp. 27 – 30)

8.5 Consider the Rejection of the Olive Bowl/Kaku Park Expansion – Revision No. 1 Request for Bid (RFB) submitted (pp. 31 – 33)

## 9. PUBLIC HEARING(S)

9.1 Public Hearing to Consider the Approval of **Resolution 24-04**, A Resolution of the City Council of the City of Lindsay Approving Conditional Use Permit No. 24-01, A Request by Rodrigo Ramirez for the Property Located at 598 North Highway 65 (APN: 199-260-003-000) in the Highway Commercial Zone and Finding that the Project is Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to Section 15301 “existing facilities,” under article 19 of the CEQA Guidelines (pp. 34 – 52)

*Presented by Araceli Mejia, Assistant City Planner*

## 10. ACTION ITEM(S)

10.1 Review Existing Appointments and Consider the Approval of Appointment of Council Member Representatives to Boards, Agencies, and Committees (pp. 53 – 54)

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

10.2 Consider Proposal Received in Response to the Commercial Cannabis Business Request for Proposals (RFP) (pp. 56 – 104)

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

## 11. EXECUTIVE (CLOSED) SESSION

11.1 Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation Pursuant to Cal Gov. Code § 54956.9(b): 1 case

11.2 Public Employee Performance Evaluation

Pursuant to Cal Gov. Code §54957

Title: Acting City Manager

11.3 Public Employment

Pursuant to Cal Gov. Code §54957

Title: Interim City Manager

## 12. 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.

## 13. ADJOURNMENT

Lindsay City Council meetings are held in the City Council Chambers at 251 E. Honolulu Street in Lindsay, California beginning at 6:00 P.M. on the second and fourth Tuesday of every month unless otherwise noticed. Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection in the office of the City Clerk during normal business hours. Complete agenda is available at [www.lindsay.ca.us](http://www.lindsay.ca.us). In compliance with the Americans with Disabilities Act & Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the office of the 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 **February 13, 2024**.*



# 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 **January 09, 2024**, 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.

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

Led by Mayor Pro Tem SERNA.

- 3. ROLL CALL**

<b>Present</b>	Mayor Cerros Council Member Flores Council Member Sanchez Council Member Caudillo
<b>Absent</b>	<sup>1</sup> Mayor Pro Tem Serna

- 4. APPROVAL OF AGENDA**

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

<sup>1</sup> Absent with Notice.

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 received via email from Dale Rains stating his support for Chief Carrillo.
- Public comment received via email from Sarah Ayon stating her support of Chief Carrillo.
- Public comment in person from Valeriano Saucedo. Saucedo requested that Council waive the 30 minute limit for the public comment period. Mayor declined and stated everyone would be given opportunity to provide a comment. Saucedo read letter in support of Chief Carrillo.
- Public comment in person from an individual identified by the last name of Alvarez. Alvarez read letter in support of Chief Carrillo.
- Public comment in person from another individual who read a letter in support of Chief Carrillo.
- Public comment in person from Eddie Smith. Smith read a letter in support of Chief Carrillo.
- Public comment in person from Leonor Serna. Serna voiced her support for Chief Carrillo.
- Public comment in person from Adam Perez. Perez voiced his concerns regarding Chief Carrillo's actions.
- Public comment in person from Francis Lloyd. Lloyd voiced her support for Chief Carrillo.
- Public comment in person from Henry Brower. Brower voiced his support for Chief Carrillo.
- Public comment in person from Robert Hurtado. Hurtado voiced his support for Chief Carrillo.
- Public comment in person from Tom Rooney. Rooney voiced his support for Chief Carrillo.
- Public comment in person from Mercy Herrera. Herrera voiced her support for Chief Carrillo.
- Public comment in person from Robert Velasquez. Velasquez voiced his concerns regarding Chief Carrillo's actions.
- Public comment in person from Belinda McKenney. McKenney voiced her support for Chief Carrillo.
- Public comment in person from Joe Soria. Soria called for transparency and clarity. Soria stated that he wants the Council and City to be successful and thanked everyone for sharing their opinions.
- Public comment in person from individual by the name of Denise. Denise voiced her support for Chief Carrillo.
- Public comment in person from Maria Knutson. Knutson voiced her support for Chief Carrillo.
- Public comment in person from Ana Carretero. Carretero voiced her support for Chief Carrillo.
- Public comment in person from Hernando Pinon. Voiced his support for Chief Carrillo.
- Public comment in person from Marissa Knutson. Voiced her support for Chief Carrillo.
- Public comment in person from Geno Garcia. Garcia voiced his support for Council having the City's best interest in mind, voiced concerns regarding Carrillo's actions, stated that Council will make the right decision.
- Public comment in person from Gabriella Leon. Leon state that she would like the Council to reconsider their decision regarding Chief Carrillo.
- Public comment in person from Francis Brower. Brower voiced her support for Chief Carrillo.
- Public comment in person from Neyba Amezcua. Amezcua voiced her support for what Council has done, stated that 99% of City employees stand behind Council's decision regarding Chief Carrillo.
- Public comment from Sally McDonald. McDonald voiced her support for Chief Carrillo.

Mayor closed public comment at 7:10 PM.

**6. COUNCIL REPORT**

- Council Member CAUDILLO had no report.
- Council Member SANCHEZ thanked everyone for their attendance and assured them that they are heard.
- Council Member FLORES shared that she was saddened to learn of passing of Ted from China’s Alley.
- Mayor CERROS shared that he has secured meetings with Padilla, Valadao and other legislative officials to ask for support for Lindsay. Thanked all for their comments and assured them that they are heard, he wants what is best for the community.

**7. CITY MANAGER REPORT**

- CITY MANAGER shared that the Chamber’s Annual Awards are on February 3<sup>rd</sup>.
- CITY MANAGER shared that the Lindsay Kiwanis and Key Club went down to Pasadena to assist in decorating floats for the Rose Parade.
- CITY MANAGER shared that the City met with CalTRANS and it was a good meeting. Plan is to reject bids for the Olive Bowl/Kaku Park Expansion Project and downsize and go out to bid again.
- CITY MANAGER shared that the Lindmore construction is expected to begin in the Spring.

**8. CONSENT CALENDAR**

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

- 8.1 Minutes from December 12, 2023, Regular Meeting (pp. 4 – 9)
- 8.2 Warrant List for December 04, 2023, through December 31, 2024 (pp. 10 – 21)
- 8.3 Treasurer’s Report for December 2023 (p. 22)
- 8.4 Consider the Approval of **Resolution No. 24-01**, A Resolution of the City Council of the City of Lindsay Authorizing the Director of City Services & Planning to Engage with the Federal Emergency Management Agency and the California Governor’s Office of Emergency Services Regarding Grants for Which the City has Applied and Any Documents Thereto (pp. 23 – 41)
- 8.5 Consider the Approval of **Resolution No. 24-02**, A Resolution of the City Council of the City of Lindsay Approving a New Salary Schedule in Compliance with California State Mandated Minimum Wage and Minimum Salary Law Effective January 01, 2024 as well as the Lindsay City Employees’ Association Base Wage Increase Effective the First Full Pay Period including January 01, 2024, Approved via Resolution No. 23-33 (pp. 42 – 48)

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

**9. DISCUSSION ITEM(S)**

9.1 Review & Discussion of City Council Handbook (pp. 49 – 152)

*Requested by Mayor Cerros*

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

9.2 Formation of Economic Development Ad-Hoc Committee (p. 153)

*Requested by Mayor Cerros*

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

- Public comment in person from Esteban Solis Loya. Loya shared his interest in being on committee.

9.3 Update on Bike Lanes in Lindsay

*Requested by Mayor Cerros*

*Presented by Neyba Amezcua, Director of City Services & Planning*

- Public comment in person from Francis Brower. Brower asked if bike lanes could be painted green,
- Public comment in person from Esteban Solis Loy. Asked Council to diversify modes of transportation.
- Public comment in person from Gary Meling. Meling asked how can one get across street with new corridor.

9.4 Update on Hermosa Street & Westwood Avenue Roundabout Sign

*Requested by Mayor Cerros*

*Presented by Neyba Amezcua, Director of City Services & Planning*

- Public comment in person from Leonor Serna. Serna stated that she wants more focus on keeping the City clean.
- Public comment in person from Mercedes Herrera. Herrera believes money should spent on tree trimming.
- Public comment in person from Gary Meling. Meling asked about Self Help funds in regards to this project.
- Public comment in person from Belinda McKenney. McKenney called for clean up days in the City.

**10. ACTION ITEM(S)**

10.1 Review Existing Appointments and Consider the Approval of Appointment of Council

Member Representatives to Boards, Agencies, and Committees (pp. 154 – 156)

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

<b>Motion to Push Item 10.1 to Next Regular Meeting of January 23, 2024</b>							
1 <sup>st</sup>	2 <sup>nd</sup>	Result	SERNA	FLORES	CAUDILLO	CERROS	SANCHEZ

CERROS	CAUDILLO	(4-0)	ABSENT	AYE	AYE	AYE	AYE
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## 11. EXECUTIVE (CLOSED) SESSION

### 11.1 Public Employee Performance Evaluation

Pursuant to Cal Gov. Code §54957

Title: Acting City Manager

### 11.2 Public Employment

Pursuant to Cal Gov. Code §54957

Title: Interim City Manager

- No reportable action out of closed session.

## 12. REQUEST FOR FUTURE ITEMS

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Check#	Fund	Date	Vendor #	Vendor Name	Description	Amount
<b>25148</b>						<b>\$217.30</b>
	101 - GENERAL FUND	12/29/23	6452	GREAT-WEST TRUST	DED:151 DEFERCOMP	217.30
<b>25149</b>						<b>\$387.85</b>
	101 - GENERAL FUND	12/29/23	4660	CITY OF LINDSAY	DED:052 WELLNESS	37.85
	101 - GENERAL FUND	12/29/23	4660	CITY OF LINDSAY	DED:CDBG CDBG PMT	350.00
<b>25150</b>						<b>\$297.40</b>
	101 - GENERAL FUND	12/29/23	3192	SEIU LOCAL 521	DED:COPE COPE SEIU	1.00
	101 - GENERAL FUND	12/29/23	3192	SEIU LOCAL 521	DED:DUES UNION DUES	296.40
<b>25151</b>						<b>\$8,785.82</b>
	101 - GENERAL FUND	12/29/23	6452	GREAT-WEST TRUST	DED:0500 DEF COMP	3,043.80
	101 - GENERAL FUND	12/29/23	6452	GREAT-WEST TRUST	DED:0555 DC LOANPAY	1,298.61
	101 - GENERAL FUND	12/29/23	6452	GREAT-WEST TRUST	DED:151 DEFERCOMP	3,952.72
	101 - GENERAL FUND	12/29/23	6452	GREAT-WEST TRUST	DED:ROTH ROTH	490.69
<b>25152</b>						<b>\$41.58</b>
	101 - GENERAL FUND	12/29/23	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES	41.58
<b>25153</b>						<b>\$85.36</b>
	101 - GENERAL FUND	12/29/23	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT	85.36
<b>25154</b>						<b>\$62.76</b>
	101 - GENERAL FUND	12/29/23	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT	62.76
<b>25155</b>						<b>\$435.70</b>
	101 - GENERAL FUND	12/29/23	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS	435.70
<b>25156</b>						<b>\$540.00</b>
	101 - GENERAL FUND	01/12/24	6452	GREAT-WEST TRUST	DED:0500 DEF COMP	270.00
	101 - GENERAL FUND	01/12/24	6452	GREAT-WEST TRUST	DED:151 DEFERCOMP	270.00
<b>25157</b>						<b>\$1,666.25</b>
	101 - GENERAL FUND	01/05/24	3898	AMERICAN INCORPORAT	801 ELMWOOD-HVAC RE	201.25
	101 - GENERAL FUND	01/05/24	3898	AMERICAN INCORPORAT	801 ELMWOOD-S/A HVA	195.00
	101 - GENERAL FUND	01/05/24	3898	AMERICAN INCORPORAT	CITY HALL-S/A HVAC	780.00
	101 - GENERAL FUND	01/05/24	3898	AMERICAN INCORPORAT	LIBRARY-S/A HVAC SV	490.00
<b>25158</b>						<b>\$100.00</b>
	400 - WELLNESS CENTER	01/05/24	6950	ANA CARRETERO	DEC. ZUMBA CLASSES	100.00
<b>25159</b>						<b>\$100.00</b>
	400 - WELLNESS CENTER	01/05/24	6097	ANGELICA BERMUDEZ	DEC. ZUMBA CLASSES	100.00
<b>25160</b>						<b>\$150.00</b>
	400 - WELLNESS CENTER	01/05/24	5819	ANITA GUTIERREZ	DEC. ZUMBA CLASSES	150.00
<b>25161</b>						<b>\$3,939.66</b>
	101 - GENERAL FUND	01/05/24	5381	AWAKE SKATE SHOP	COUNCIL-POLOS&JACKETS	371.18
	101 - GENERAL FUND	01/05/24	5381	AWAKE SKATE SHOP	CM-POLOS & JACKETS	495.70
	101 - GENERAL FUND	01/05/24	5381	AWAKE SKATE SHOP	FD-POLOS & JACKETS	1,042.76
	101 - GENERAL FUND	01/05/24	5381	AWAKE SKATE SHOP	CS-POLOS & JACKETS	1,711.84
	400 - WELLNESS CENTER	01/05/24	5381	AWAKE SKATE SHOP	WC-POLOS & JACKETS	318.18
<b>25162</b>						<b>\$2,226.50</b>
	552 - WATER	01/05/24	051	BSK	DRINKING WATER-BACT	949.00
	553 - SEWER	01/05/24	051	BSK	WASTE WATER WELL14&	783.75
	556 - VITA-PAKT	01/05/24	051	BSK	VITA PAKT-WASTE WAT	493.75
<b>25163</b>						<b>\$2,250.00</b>
	101 - GENERAL FUND	01/05/24	6689	BUILDING MAINTENANC	DEC. CLEANING SVCS	321.42
	101 - GENERAL FUND	01/05/24	6689	BUILDING MAINTENANC	DEC. CLEANING SVCS	321.43
	101 - GENERAL FUND	01/05/24	6689	BUILDING MAINTENANC	DEC. CLEANING SVCS	321.43
	101 - GENERAL FUND	01/05/24	6689	BUILDING MAINTENANC	DEC. CLEANING SVCS	321.43
	552 - WATER	01/05/24	6689	BUILDING MAINTENANC	DEC. CLEANING SVCS	321.43
	553 - SEWER	01/05/24	6689	BUILDING MAINTENANC	DEC. CLEANING SVCS	321.43
	554 - REFUSE	01/05/24	6689	BUILDING MAINTENANC	DEC. CLEANING SVCS	321.43
<b>25164</b>						<b>\$363.00</b>
	101 - GENERAL FUND	01/05/24	5013	BUZZ KILL PEST CONT	157 N MIRAGE	33.00
	101 - GENERAL FUND	01/05/24	5013	BUZZ KILL PEST CONT	911 N PARKSIDE	27.00
	101 - GENERAL FUND	01/05/24	5013	BUZZ KILL PEST CONT	174 SWEETBRIER	34.00
	101 - GENERAL FUND	01/05/24	5013	BUZZ KILL PEST CONT	801 ELMWOOD	25.00
	400 - WELLNESS CENTER	01/05/24	5013	BUZZ KILL PEST CONT	WC-PEST CONTROL	87.00
	552 - WATER	01/05/24	5013	BUZZ KILL PEST CONT	729 W HONOLULU	28.00
	553 - SEWER	01/05/24	5013	BUZZ KILL PEST CONT	23611 RD 196	33.00
	886 - SAMOA	01/05/24	5013	BUZZ KILL PEST CONT	SAMOA TOWN HOMES	43.00
	887 - SWEETBRIER TOWNHOUSES	01/05/24	5013	BUZZ KILL PEST CONT	HERMOSA TOWN HOMES	53.00

<b>25165</b>						<b>\$2,111.44</b>
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	HR-#2UL13500 DEC.		270.00
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	HR-#732446-4 DECEMB		184.49
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	CM-#2UL13336 DEC.		270.00
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	CC-#732446-4 DECEMB		184.49
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	FD-#2XK04886 DEC.		270.00
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	PS-#2XK04493 DEC.		270.00
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	PS-#4QV00754 DEC.		270.00
101 - GENERAL FUND	01/05/24	6351	CANON FINANCIAL SER	CS-#2YJ16699 DEC.		270.00
400 - WELLNESS CENTER	01/05/24	6351	CANON FINANCIAL SER	WC-#2UL13180 DEC.		122.46
<b>25166</b>						<b>\$358.36</b>
101 - GENERAL FUND	01/05/24	076	CENTRAL VALLEY BUSI	BUSINESS CARDS-RAMI		193.30
101 - GENERAL FUND	01/05/24	076	CENTRAL VALLEY BUSI	BUSINESS CARDS-EDEL		165.06
<b>25167</b>						<b>\$14,760.00</b>
261 - GAS TAX FUND	01/05/24	1702	SCA OF CA, LLC	DEC. STREET SWEEPIN		8,240.00
261 - GAS TAX FUND	01/05/24	1702	SCA OF CA, LLC	NOV. STREET SWEEPIN		6,520.00
<b>25168</b>						<b>\$102.60</b>
101 - GENERAL FUND	01/05/24	5832	CINTAS CORPORATION	ZFOLD REFILL PAPER		14.66
101 - GENERAL FUND	01/05/24	5832	CINTAS CORPORATION	ZFOLD REFILL PAPER		14.66
101 - GENERAL FUND	01/05/24	5832	CINTAS CORPORATION	ZFOLD REFILL PAPER		14.66
552 - WATER	01/05/24	5832	CINTAS CORPORATION	ZFOLD REFILL PAPER		14.66
553 - SEWER	01/05/24	5832	CINTAS CORPORATION	ZFOLD REFILL PAPER		14.66
554 - REFUSE	01/05/24	5832	CINTAS CORPORATION	ZFOLD REFILL PAPER		14.65
556 - VITA-PAKT	01/05/24	5832	CINTAS CORPORATION	ZFOLD REFILL PAPER		14.65
<b>25169</b>						<b>\$4,250.00</b>
400 - WELLNESS CENTER	01/05/24	6090	CLEAN CUT LANDSCAPE	WC-DEC. LANDSCAPING		975.00
883 - SIERRA VIEW ASSESSMENT	01/05/24	6090	CLEAN CUT LANDSCAPE	SIERRA VIEW ESTATES		1,298.00
884 - HERITAGE ASSESSMENT DIST	01/05/24	6090	CLEAN CUT LANDSCAPE	HERITAGE PARK-LANDS		315.00
886 - SAMOA	01/05/24	6090	CLEAN CUT LANDSCAPE	SAMOA TOWNHOMES-LAN		154.00
887 - SWEETBRIER TOWNHOUSES	01/05/24	6090	CLEAN CUT LANDSCAPE	SWEETBRIER/HERMOSA		546.00
888 - PARKSIDE	01/05/24	6090	CLEAN CUT LANDSCAPE	PARKSIDE ESTATES		225.00
889 - SIERRA VISTA ASSESSMENT	01/05/24	6090	CLEAN CUT LANDSCAPE	SIERRA VISTA ESTATE		97.00
890 - MAPLE VALLEY ASSESSMENT	01/05/24	6090	CLEAN CUT LANDSCAPE	MAPLE VALLEY-LANDSC		55.00
891 - PELOUS RANCH	01/05/24	6090	CLEAN CUT LANDSCAPE	PELOUS RANCH-LANDSC		585.00
<b>25170</b>						<b>\$168.55</b>
101 - GENERAL FUND	01/05/24	102	CULLIGAN	#53249-251 E HONOLU		18.00
101 - GENERAL FUND	01/05/24	102	CULLIGAN	#53249-251 E HONOLU		60.00
101 - GENERAL FUND	01/05/24	102	CULLIGAN	#156018-LATE FEE		0.55
101 - GENERAL FUND	01/05/24	102	CULLIGAN	#156018-150 N MIRAG		33.00
101 - GENERAL FUND	01/05/24	102	CULLIGAN	#53249-251 E HONOLU		25.50
400 - WELLNESS CENTER	01/05/24	102	CULLIGAN	#178442-860 N SEQUO		23.50
553 - SEWER	01/05/24	102	CULLIGAN	#3301-23611 RD 196		8.00
<b>25171</b>						<b>\$850.00</b>
552 - WATER	01/05/24	6118	CVIN LLC D.B.A. VAS	1/1/24-1/31/24		283.34
553 - SEWER	01/05/24	6118	CVIN LLC D.B.A. VAS	1/1/24-1/31/24		283.33
554 - REFUSE	01/05/24	6118	CVIN LLC D.B.A. VAS	1/1/24-1/31/24		283.33
<b>25172</b>						<b>\$4,143.95</b>
552 - WATER	01/05/24	6761	DENNIS R. KELLER CI	UPDATE DBP DATA		520.15
552 - WATER	01/05/24	6761	DENNIS R. KELLER CI	UPDATE TOC DATA		105.50
552 - WATER	01/05/24	6761	DENNIS R. KELLER CI	USBR REPAYMENT/CONV		3,518.30
<b>25173</b>						<b>\$225.00</b>
400 - WELLNESS CENTER	01/05/24	3911	DEPARTMENT OF INDUS	INSPECT DATE 12/11/		225.00
<b>25174</b>						<b>\$254.80</b>
781 - CAL HOME RLF	01/05/24	2540	DEPT.OF HOUSING & C	12/31-CALHOME TO HC		254.80
<b>25175</b>						<b>\$921.24</b>
700 - CDBG REVOLVING LN FUND	01/05/24	2540	DEPT.OF HOUSING & C	12/31/23 CDBG TO HC		921.24
<b>25176</b>						<b>\$9,988.00</b>
720 - HOME REVOLVING LN FUND	01/05/24	2540	DEPT.OF HOUSING & C	12/31/23 HOME TO HC		9,988.00
<b>25177</b>						<b>\$270.48</b>
101 - GENERAL FUND	01/05/24	119	DOUG DELEO WELDING	FABRICATE BRACKET		71.59
101 - GENERAL FUND	01/05/24	119	DOUG DELEO WELDING	WIRE PINS FOR MOWER		33.74
552 - WATER	01/05/24	119	DOUG DELEO WELDING	MATERIAL & WATER JE		165.15
<b>25178</b>						<b>\$13,260.52</b>
552 - WATER	01/05/24	6113	EAST KAWEAH GSA	ASSESSABLE ACREAGE		13,260.52
<b>25179</b>						<b>\$225.00</b>
400 - WELLNESS CENTER	01/05/24	6973	ELIZABETH GUND	DEC RESET&REWIND YO		225.00
<b>25180</b>						<b>\$42.41</b>
552 - WATER	01/05/24	129	FEDEX	WTP-BANK D FILTRATI		42.41

<b>25181</b>						<b>\$1,910.81</b>
	261 - GAS TAX FUND	01/05/24	3478	FRESNO PIPE & SUPPL	GPE PIPE	1,910.81
<b>25182</b>						<b>\$85.69</b>
	552 - WATER	01/05/24	137	FRIANT WATER AUTHOR	SLDMWA EXCHANGE COS	85.69
<b>25183</b>						<b>\$109.92</b>
	553 - SEWER	01/05/24	6010	FRONTIER COMMUNICAT	559-562-6317	109.92
<b>25184</b>						<b>\$36.07</b>
	101 - GENERAL FUND	01/05/24	1925	FRUIT GROWERS SUPPL	FILTER,HEXAGON NUT	36.07
<b>25185</b>						<b>\$11,551.08</b>
	101 - GENERAL FUND	01/05/24	5647	GRISWOLD,LASALLE,CO	#22752.002-CITY SER	225.00
	101 - GENERAL FUND	01/05/24	5647	GRISWOLD,LASALLE,CO	#22752.003-CITY COU	5,406.25
	101 - GENERAL FUND	01/05/24	5647	GRISWOLD,LASALLE,CO	#22752.004-FINANCE	618.75
	101 - GENERAL FUND	01/05/24	5647	GRISWOLD,LASALLE,CO	#22752.006-CITY CLE	215.42
	101 - GENERAL FUND	01/05/24	5647	GRISWOLD,LASALLE,CO	#22752.007-CITY MAN	249.17
	101 - GENERAL FUND	01/05/24	5647	GRISWOLD,LASALLE,CO	#22752.009-LABOR RE	1,912.50
	101 - GENERAL FUND	01/05/24	5647	GRISWOLD,LASALLE,CO	#22752.012-PLANNING	2,923.99
<b>25186</b>						<b>\$33.92</b>
	400 - WELLNESS CENTER	01/05/24	7189	IRENE ALCANTAR	REFUND MEMBERSHIP	33.92
<b>25187</b>						<b>\$3,229.98</b>
	101 - GENERAL FUND	01/05/24	3858	KAWEAH LIFT, INC.	STREET LEGAL CONV K	3,229.98
<b>25188</b>						<b>\$100.00</b>
	101 - GENERAL FUND	01/05/24	2064	LA PUERTA ABIERTA	ARBOR DEPOSIT REFUND	100.00
<b>25189</b>						<b>\$900.45</b>
	101 - GENERAL FUND	01/05/24	4067	LINCOLN NAT'L INSUR	JAN. 2024 LIFE PLAN	900.45
<b>25190</b>						<b>\$1,393.01</b>
	101 - GENERAL FUND	01/05/24	6425	LINDSAY TIRE & AUTO	#7528 TRAILER BW-TIRE	50.00
	101 - GENERAL FUND	01/05/24	6425	LINDSAY TIRE & AUTO	#7528DUMP TRAILER-TIRE	46.00
	101 - GENERAL FUND	01/05/24	6425	LINDSAY TIRE & AUTO	#7528 TRAILER BW-TIRE	50.00
	101 - GENERAL FUND	01/05/24	6425	LINDSAY TIRE & AUTO	#7528DUMP TRAILER-TIRE	46.00
	101 - GENERAL FUND	01/05/24	6425	LINDSAY TIRE & AUTO	TRUCK#5146- 4 NEW TIRES	1,085.01
	101 - GENERAL FUND	01/05/24	6425	LINDSAY TIRE & AUTO	TRUCK#5956-FLAT TIRE REPAIR	20.00
	552 - WATER	01/05/24	6425	LINDSAY TIRE & AUTO	#7528 TRAILER BW-TIRE	50.00
	552 - WATER	01/05/24	6425	LINDSAY TIRE & AUTO	#7528DUMP TRAILER-TIRE	46.00
<b>25191</b>						<b>\$1,576.41</b>
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOV.-ANIMAL CONTROL	7.54
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOV.-PUBLIC SAFETY	1.62
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOV.-PUBLIC SAFETY	55.14
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOV.-PUBLIC SAFETY	10.09
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOV.-CHRISTMAS DECO	603.81
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-BUILDING	120.52
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-GRAFFITI	22.82
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-PARKS	77.41
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-STREETS	182.05
	101 - GENERAL FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-LANDSCAPIN	157.85
	261 - GAS TAX FUND	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-SIGNS	30.29
	552 - WATER	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-WATER	214.94
	553 - SEWER	01/05/24	1422	LINDSAY TRUE VALUE	NOVEMBER-WWTP	92.33
<b>25192</b>						<b>\$175.00</b>
	400 - WELLNESS CENTER	01/05/24	6599	MARIA EDWARDS	DEC. ZUMBA CLASSES	175.00
<b>25193</b>						<b>\$405.00</b>
	552 - WATER	01/05/24	6550	MARIO SAGREDO ELECT	WELL14-REPLACE OILE	405.00
<b>25194</b>						<b>\$200.00</b>
	400 - WELLNESS CENTER	01/05/24	6807	MARISOL DIAZ VELASQ	DEC. SPIN&ZUMBA CLA	200.00
<b>25195</b>						<b>\$2,400.00</b>
	554 - REFUSE	01/05/24	5852	MID VALLEY DISPOSAL	SB1383 CALRECYCLE	2,400.00
<b>25196</b>						<b>\$11,766.95</b>
	600 - CAPITAL IMPROVEMENT	01/05/24	6639	MOORE IACOFANO GOLT	OLIVE BOWL AAS#1	11,766.95
<b>25197</b>						<b>\$523.75</b>
	101 - GENERAL FUND	01/05/24	5625	NGLIC-SUPERIOR VISI	JAN. 2024 VISION PLAN	523.75
<b>25198</b>						<b>\$13.95</b>
	101 - GENERAL FUND	01/05/24	1565	OACYS.COM INC	DOMAIN PARKING & DN	13.95
<b>25199</b>						<b>\$1,844.59</b>
	552 - WATER	01/05/24	6673	PACE SUPPLY CORP	BALL VALVE	1,223.62
	552 - WATER	01/05/24	6673	PACE SUPPLY CORP	INSERTS FOR WATER S	302.33
	552 - WATER	01/05/24	6673	PACE SUPPLY CORP	INSERTS FOR WATER S	318.64
<b>25200</b>						<b>\$195.75</b>
	101 - GENERAL FUND	01/05/24	272	PITNEY BOWES INC.	POSTAGE METER RENTAL	195.75

<b>25201</b>						<b>\$3,244.27</b>
	101 - GENERAL FUND	01/05/24	6991	PREMIER ACCESS INSU	JAN. 2024 DENTAL PLAN	3,244.27
<b>25202</b>						<b>\$14,944.42</b>
	552 - WATER	01/05/24	4618	PROVOST & PRITCHARD	2022 WATER LOSS AUD	492.10
	552 - WATER	01/05/24	4618	PROVOST & PRITCHARD	ANNUAL WATER SHORTA	821.60
	552 - WATER	01/05/24	4618	PROVOST & PRITCHARD	URBAN WATER MGMT PL	4,434.10
	552 - WATER	01/05/24	4618	PROVOST & PRITCHARD	WATER SUPPLY CONTIN	1,212.30
	552 - WATER	01/05/24	4618	PROVOST & PRITCHARD	WELL14 CONSULTING	218.10
	553 - SEWER	01/05/24	4618	PROVOST & PRITCHARD	GWM&R EAST PONDS	352.50
	556 - VITA-PAKT	01/05/24	4618	PROVOST & PRITCHARD	VITA-PAKT CONSULTIN	2,676.20
	600 - CAPITAL IMPROVEMENT	01/05/24	4618	PROVOST & PRITCHARD	TOPOGRAPHICAL SURVE	486.32
	600 - CAPITAL IMPROVEMENT	01/05/24	4618	PROVOST & PRITCHARD	TULARE RD & FOOHIL	4,251.20
<b>25203</b>						<b>\$17,039.00</b>
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	GEN PLANNING SERVIC	142.00
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	ZO AMENDMENT CANNAB	3,805.60
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	1001 FRESNO-IMPROVE	906.40
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	1001 FRESNO-PARCEL	1,048.10
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	FINAL SUBDIVISION M	2,989.10
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	GEN ENGINEERING SVC	347.60
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	IMPROVEMENT PLAN	200.20
	101 - GENERAL FUND	01/05/24	399	QUAD KNOPF,INC.	SITE PLAN REVIEW GA	247.50
	263 - TRANSPORTATION	01/05/24	399	QUAD KNOPF,INC.	TRANSIT CENTER	7,352.50
<b>25204</b>						<b>\$328.72</b>
	101 - GENERAL FUND	01/05/24	285	QUILL CORPORATION	PENS,CLOROX WIPES	165.00
	101 - GENERAL FUND	01/05/24	285	QUILL CORPORATION	PENS	23.48
	400 - WELLNESS CENTER	01/05/24	285	QUILL CORPORATION	CALENDARS	46.74
	400 - WELLNESS CENTER	01/05/24	285	QUILL CORPORATION	COFFEE,POST-IT,CREA	93.50
<b>25205</b>						<b>\$5,000.00</b>
	552 - WATER	01/05/24	6095	RALPH GUTIERREZ WAT	DEC. CPO WATER TREATMENT	2,500.00
	553 - SEWER	01/05/24	6095	RALPH GUTIERREZ WAT	DEC. CPO SEWER TREATMENT	2,500.00
<b>25206</b>						<b>\$680.00</b>
	101 - GENERAL FUND	01/05/24	3622	RLH FIRE PROTECTION	LIBRARY-MONITORING	680.00
<b>25207</b>						<b>\$120.00</b>
	400 - WELLNESS CENTER	01/05/24	6664	ROTARY CLUB OF LIND	1/1/24-6/30/24 DUES	120.00
<b>25208</b>						<b>\$125.00</b>
	400 - WELLNESS CENTER	01/05/24	3208	SHANNON PATTERSON	DEC.-STRENGTH&BALAN	125.00
<b>25209</b>						<b>\$178.62</b>
	400 - WELLNESS CENTER	01/05/24	1776	SMART & FINAL	MEMBER APPRECIATION	178.62
<b>25210</b>						<b>\$50,978.04</b>
	101 - GENERAL FUND	01/05/24	310	SOUTHERN CA. EDISON	600001505934-LATE F	292.57
	101 - GENERAL FUND	01/05/24	310	SOUTHERN CA. EDISON	600001505934	1,211.15
	101 - GENERAL FUND	01/05/24	310	SOUTHERN CA. EDISON	600001505934	1,532.29
	101 - GENERAL FUND	01/05/24	310	SOUTHERN CA. EDISON	600001505934	46.42
	101 - GENERAL FUND	01/05/24	310	SOUTHERN CA. EDISON	600001505934	1,152.71
	261 - GAS TAX FUND	01/05/24	310	SOUTHERN CA. EDISON	600001505934	6,260.13
	400 - WELLNESS CENTER	01/05/24	310	SOUTHERN CA. EDISON	740 SEQUOIA AVE	4,947.67
	552 - WATER	01/05/24	310	SOUTHERN CA. EDISON	600001505934	25,986.37
	553 - SEWER	01/05/24	310	SOUTHERN CA. EDISON	598 MONTE VISTA DR	6.56
	553 - SEWER	01/05/24	310	SOUTHERN CA. EDISON	600001505934	455.89
	553 - SEWER	01/05/24	310	SOUTHERN CA. EDISON	WWTP-23611 RD 196	7,490.03
	556 - VITA-PAKT	01/05/24	310	SOUTHERN CA. EDISON	600001505934	232.50
	883 - SIERRA VIEW ASSESSMENT	01/05/24	310	SOUTHERN CA. EDISON	600001505934	289.38
	884 - HERITAGE ASSESSMENT DIST	01/05/24	310	SOUTHERN CA. EDISON	600001505934	97.17
	886 - SAMOA	01/05/24	310	SOUTHERN CA. EDISON	600001505934	45.88
	887 - SWEETBRIER TOWNHOUSES	01/05/24	310	SOUTHERN CA. EDISON	600001505934	30.51
	888 - PARKSIDE	01/05/24	310	SOUTHERN CA. EDISON	600001505934	96.68
	889 - SIERRA VISTA ASSESSMENT	01/05/24	310	SOUTHERN CA. EDISON	600001505934	204.24
	890 - MAPLE VALLEY ASSESSMENT	01/05/24	310	SOUTHERN CA. EDISON	600001505934	107.13
	891 - PELOUS RANCH	01/05/24	310	SOUTHERN CA. EDISON	600001505934	492.76
<b>25211</b>						<b>\$60.00</b>
	552 - WATER	01/05/24	5691	STATE WATER RESOURC	DISTRIBUTION 2 CERT	60.00
<b>25212</b>						<b>\$4,506.34</b>
	101 - GENERAL FUND	01/05/24	6146	SUPERION, LLC	INVOICE#9/12 SOFTWARE	1,126.58
	552 - WATER	01/05/24	6146	SUPERION, LLC	INVOICE#9/12 SOFTWARE	1,126.59
	553 - SEWER	01/05/24	6146	SUPERION, LLC	INVOICE#9/12 SOFTWARE	1,126.59
	554 - REFUSE	01/05/24	6146	SUPERION, LLC	INVOICE#9/12 SOFTWARE	1,126.58
<b>25213</b>						<b>\$10,270.90</b>
	552 - WATER	01/05/24	1183	SWRCB	7/1/23-6/30/24 FEES	10,270.90

<b>25214</b>						<b>\$26,785.00</b>
553 - SEWER	01/05/24	1183	SWRCB	7/1/23-6/30/24 FEES		26,785.00
<b>25215</b>						<b>\$3,562.56</b>
553 - SEWER	01/05/24	6371	TULARE COUNTY SOLID	NOV. SLUDGE DISPOSAL		3,562.56
<b>25216</b>						<b>\$2,786.21</b>
101 - GENERAL FUND	01/05/24	5747	USA STAFFING INC.	12/10/23 FD-MARIA M		206.46
101 - GENERAL FUND	01/05/24	5747	USA STAFFING INC.	12/17/23 FD-MARIA M		222.25
101 - GENERAL FUND	01/05/24	5747	USA STAFFING INC.	12/24/23 FD-MARIA M		133.92
101 - GENERAL FUND	01/05/24	5747	USA STAFFING INC.	12/31/23 FD-MARIA M		133.92
552 - WATER	01/05/24	5747	USA STAFFING INC.	12/10/23 FD-MARIA M		206.46
552 - WATER	01/05/24	5747	USA STAFFING INC.	12/17/23 FD-MARIA M		222.26
552 - WATER	01/05/24	5747	USA STAFFING INC.	12/24/23 FD-MARIA M		133.92
552 - WATER	01/05/24	5747	USA STAFFING INC.	12/31/23 FD-MARIA M		133.92
553 - SEWER	01/05/24	5747	USA STAFFING INC.	12/10/23 FD-MARIA M		206.46
553 - SEWER	01/05/24	5747	USA STAFFING INC.	12/17/23 FD-MARIA M		222.25
553 - SEWER	01/05/24	5747	USA STAFFING INC.	12/24/23 FD-MARIA M		133.92
553 - SEWER	01/05/24	5747	USA STAFFING INC.	12/31/23 FD-MARIA M		133.92
554 - REFUSE	01/05/24	5747	USA STAFFING INC.	12/10/23 FD-MARIA M		206.46
554 - REFUSE	01/05/24	5747	USA STAFFING INC.	12/17/23 FD-MARIA M		222.25
554 - REFUSE	01/05/24	5747	USA STAFFING INC.	12/24/23 FD-MARIA M		133.92
554 - REFUSE	01/05/24	5747	USA STAFFING INC.	12/31/23 FD-MARIA M		133.92
<b>25217</b>						<b>\$2,102.71</b>
552 - WATER	01/05/24	5413	UNIVAR USA INC	LIQUICHLOR		2,102.71
<b>25218</b>						<b>\$1,576.86</b>
552 - WATER	01/05/24	356	USA BLUEBOOK	WELL#15 CHLORINE PU		1,547.52
553 - SEWER	01/05/24	356	USA BLUEBOOK	FILTER PAPER		29.34
<b>25219</b>						<b>\$962.22</b>
101 - GENERAL FUND	01/05/24	6988	UTILITY COST MANAGE	#8000585610 SWEETBR		3.83
101 - GENERAL FUND	01/05/24	6988	UTILITY COST MANAGE	#8001165691 BALLPAR		312.58
101 - GENERAL FUND	01/05/24	6988	UTILITY COST MANAGE	#8002267441 139 SWE		637.93
101 - GENERAL FUND	01/05/24	6988	UTILITY COST MANAGE	#8002734502 BALLPAR		3.57
887 - SWEETBRIER TOWNHOUSES	01/05/24	6988	UTILITY COST MANAGE	#8000022220 275 SWE		4.31
<b>25220</b>						<b>\$8,466.18</b>
101 - GENERAL FUND	01/05/24	368	VOLLMER EXCAVATION,	LOAD OF GRAY DG		398.68
553 - SEWER	01/05/24	368	VOLLMER EXCAVATION,	SLUDGE DISPOSAL HAU		8,067.50
<b>25221</b>						<b>\$75.00</b>
400 - WELLNESS CENTER	01/05/24	5912	YVETTE DURAN	DEC ZUMBA&POUND CLA		75.00
<b>25222</b>						<b>\$387.85</b>
101 - GENERAL FUND	01/12/24	4660	CITY OF LINDSAY	DED:052 WELLNESS		37.85
101 - GENERAL FUND	01/12/24	4660	CITY OF LINDSAY	DED:CDBG CDBG PMT		350.00
<b>25223</b>						<b>\$485.72</b>
101 - GENERAL FUND	01/12/24	4660	CITY OF LINDSAY	DED:L203 CDBG LOAN		485.72
<b>25224</b>						<b>\$303.35</b>
101 - GENERAL FUND	01/12/24	3192	SEIU LOCAL 521	DED:COPE COPE SEIU		1.00
101 - GENERAL FUND	01/12/24	3192	SEIU LOCAL 521	DED:DUES UNION DUES		302.35
<b>25225</b>						<b>\$7,584.23</b>
101 - GENERAL FUND	01/12/24	6452	GREAT-WEST TRUST	DED:0500 DEF COMP		2,363.25
101 - GENERAL FUND	01/12/24	6452	GREAT-WEST TRUST	DED:0555 DC LOANPAY		1,229.80
101 - GENERAL FUND	01/12/24	6452	GREAT-WEST TRUST	DED:151 DEFERCOMP		3,488.65
101 - GENERAL FUND	01/12/24	6452	GREAT-WEST TRUST	DED:ROTH ROTH		502.53
<b>25226</b>						<b>\$41.58</b>
101 - GENERAL FUND	01/12/24	2325	LINDSAY PUBLIC SAFE	DED:LPOA LPOA DUES		41.58
<b>25227</b>						<b>\$85.36</b>
101 - GENERAL FUND	01/12/24	6246	MCDERMONT VENTURE I	DED:051 MCDERMONT		85.36
<b>25228</b>						<b>\$62.76</b>
101 - GENERAL FUND	01/12/24	3042	STATE DISBURSEMENT	DED:0512 CHILD SUPT		62.76
<b>25229</b>						<b>\$435.70</b>
101 - GENERAL FUND	01/12/24	1955	TEAMSTERS LOCAL 856	DED:0508 TEAMSTERS		435.70
<b>25230</b>						<b>\$300.00</b>
101 - GENERAL FUND	01/12/24	6604	HIPOLITO CERROS	JAN. COUNCIL STIPEN		300.00
<b>25231</b>						<b>\$275.00</b>
101 - GENERAL FUND	01/12/24	6602	RAMIRO SERNA	JAN. COUNCIL STIPEN		275.00
<b>25232</b>						<b>\$250.00</b>
101 - GENERAL FUND	01/12/24	6603	RAMONA CAUDILLO	JAN. COUNCIL STIPEN		250.00
<b>25233</b>						<b>\$250.00</b>
101 - GENERAL FUND	01/12/24	5511	ROSAENA SANCHEZ	JAN. COUNCIL STIPEN		250.00
<b>25234</b>						<b>\$250.00</b>
101 - GENERAL FUND	01/12/24	4068	YOLANDA FLORES	JAN. COUNCIL STIPEN		250.00

<b>76-12/</b>						<b>\$594.86</b>
	101 - GENERAL FUND	01/09/24	6408	WEX BANK	76 FUEL 11/24-12/23	594.86
<b>AFLACD</b>						<b>\$982.68</b>
	101 - GENERAL FUND	01/08/24	3977	AFLAC	DEDU AFLAC DEC2023	982.68
<b>AFLACO</b>						<b>\$655.12</b>
	101 - GENERAL FUND	01/08/24	3977	AFLAC	DED AFLAC OCT 2023	655.12
<b>AFLANO</b>						<b>\$655.12</b>
	101 - GENERAL FUND	01/08/24	3977	AFLAC	DED AFLAC NOV 2023	655.12
<b>BOCJAN</b>						<b>\$7,340.17</b>
	552 - WATER	01/09/24	2960	UNITED STATES BUREA	PAYMENT PLAN 4/36	7,340.17
<b>CHEV11</b>						<b>\$13,311.89</b>
	101 - GENERAL FUND	12/06/23	6408	WEX BANK	FUEL CM-10/24/23-11/23/2	127.01
	101 - GENERAL FUND	12/06/23	6408	WEX BANK	FUEL FD-10/24/23-11/23/2	117.77
	101 - GENERAL FUND	12/06/23	6408	WEX BANK	FUEL PS-10/24/23-11/23/2	8,216.16
	101 - GENERAL FUND	12/06/23	6408	WEX BANK	FUEL CS-10/24/23-11/23/2	326.37
	101 - GENERAL FUND	12/06/23	6408	WEX BANK	FUEL CS-10/24/23-11/23/2	703.17
	101 - GENERAL FUND	12/06/23	6408	WEX BANK	FUEL CS-10/24/23-11/23/2	1,007.90
	261 - GAS TAX FUND	12/06/23	6408	WEX BANK	FUEL CS-10/24/23-11/23/2	322.28
	400 - WELLNESS CENTER	12/06/23	6408	WEX BANK	FUEL WC-10/24/23-11/23/2	50.00
	552 - WATER	12/06/23	6408	WEX BANK	FUEL CS-10/24/23-11/23/2	618.04
	553 - SEWER	12/06/23	6408	WEX BANK	FUEL CS-10/24/23-11/23/2	1,603.44
	554 - REFUSE	12/06/23	6408	WEX BANK	FUEL CS-10/24/23-11/23/2	219.75
<b>EDD122</b>						<b>\$4,680.24</b>
	101 - GENERAL FUND	01/02/24	687	STATE OF CALIFORNIA	EDD PR PD 12/29/202	4,680.24
<b>IRS122</b>						<b>\$37,490.52</b>
	101 - GENERAL FUND	01/02/24	2011	INTERNAL REVENUE SE	941 PR PD 12/29/202	12,569.20
	101 - GENERAL FUND	01/02/24	2011	INTERNAL REVENUE SE	941 PR PD 12/29/202	24,921.32
<b>SUMMARY BY FUNDING SOURCE</b>						
	101 - GENERAL FUND					126,749.38
	261 - GAS TAX FUND					23,283.51
	263 - TRANSPORTATION					7,352.50
	400 - WELLNESS CENTER					8,371.59
	552 - WATER					81,281.74
	553 - SEWER					54,322.38
	554 - REFUSE					5,062.29
	556 - VITA-PAKT					3,417.10
	600 - CAPITAL IMPROVEMENT					16,504.47
	700 - CDBG REVOLVING LN FUND					921.24
	720 - HOME REVOLVING LN FUND					9,988.00
	781 - CAL HOME RLF					254.80
	883 - SIERRA VIEW ASSESSMENT					1,587.38
	884 - HERITAGE ASSESSMENT DIST					412.17
	886 - SAMOA					242.88
	887 - SWEETBRIER TOWNHOUSES					633.82
	888 - PARKSIDE					321.68
	889 - SIERRA VISTA ASSESSMENT					301.24
	890 - MAPLE VALLEY ASSESSMENT					162.13
	891 - PELOUS RANCH					1,077.76
<b>TOTAL</b>						<b>\$ 342,248.06</b>



## STAFF REPORT

TO: Lindsay City Council  
 FROM: Neyba J Amezcua, Director of City Services & Planning  
 DEPARTMENT: City Services & Planning  
 ITEM NO.: 8.3  
 MEETING DATE: January 23, 2024

### ACTION & RECOMMENDATION

Consider the Approval of **Resolution No. 24-03**, A Resolution of the City Council of the City of Lindsay Approving Agreement to Provide Services by and Between Ralph Gutierrez Water Service (RGWS) and the City of Lindsay and Granting City Manager Authorization to Execute any Documents Thereto.

### BACKGROUND | ANALYSIS

Due to financial constraints, staffing levels and strict state certification requirements, the City of Lindsay has contracted with Ralph Gutierrez as the Chief Operator Officer for the City’s Water and Wastewater Treatment Plant.

Both Water and Wastewater treatment plants, are classified as Grade III per the California State Water Control Board Permits. This means that the City of Lindsay must have the following certifications:

1. Water Treatment Plant
  - a. Water Distribution Operator Grade III
  - b. Water Treatment Operator Grade III
2. Wastewater Treatment Plant
  - a. Wastewater Treatment Operator Grade III

Mr. Gutierrez currently possesses all 3 required certifications to oversee and operate both plants.

Type	License #	Grade Level	Expiration
Water Distribution	18005	D3	2/1/2026
Water Treatment	10311	T3	8/1/2025
Wastewater Treatment	9741	III	12/31/2026

Mr. Gutierrez has been with the City since the early 2000's but his last contract was approved on December 01, 2016 with a monthly fee of \$4,000. Furthermore, On April 1, 2022, there was an amendment to the contract to increase his fee by \$1,000, bringing the monthly to \$5,000.

Now, Mr. Gutierrez is requesting an additional \$1,500 per month for the services rendered. The new monthly fee will be \$6,500 per month.

### **FISCAL IMPACT**

\$78,000 annually expenditure: - \$39,000 Water Fund  
- \$39,000 Wastewater Fund

### **ATTACHMENTS**

- Amendment dated April 01, 2022
- Contract dated December 01, 2016
- Water Treatment Operator III Certificate
- Water Distribution Operator III Certificate
- Wastewater Treatment Operator III Certificate
- Proposed Agreement to Provide Services





# Memo

**To:** Juana Espinoza, Finance Director  
**From:** Neyba Amezcua, City Services & Planning Director  
**cc:** Joe Tanner, City Manager  
**Date:** April 1, 2022  
**Re:** Ralph Gutierrez Water Service Amendment to Monthly Fee

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Juana,

The City Manager has approved Ralph's request to increase his monthly contract fee from \$4,000 per month to \$5,000 per month, effective immediately.

Attached please find his original contract from December 1, 2016. The city council approved this contract on November 22, 2016.

Regards,

  
Neyba Amezcua  
City Services & Planning Director

## AGREEMENT TO PROVIDE SERVICES

THIS AGREEMENT is made and entered into this 1<sup>st</sup> day of December, 2016, by and between RALPH GUTIERREZ dba: RALPH GUTIERREZ WATER SERVICE, herein after referred to as "RGWS", and the CITY OF LINDSAY, herein after referred to as "LINDSAY", existing pursuant to the Government Code of the State of California, with principal place of business located in the County of Tulare, State of California.

WHEREAS, the CITY OF LINDSAY has employed RALPH GUTIERREZ as an operator who is licensed and qualified to operate the wastewater treatment plant facilities (23611 Road 196, Lindsay, California) and associated collection system and appurtenances, and the water treatment plant (729 East Honolulu Street, Lindsay, California), and associated distribution system and appurtenances; and

WHEREAS, CITY OF LINDSAY wishes to utilize the services and licenses of RALPH GUTIERREZ on a contract basis,

NOW THEREFORE, for and in consideration of the covenants and conditions herein contained, the parties do hereby agree as follows:

1. RGWS to act as the chief supervising operator for the wastewater treatment facilities and associated collection system and appurtenances and the water treatment plant and associated distribution system and appurtenances of LINDSAY, will do the following:
  - a. RGWS to post his wastewater, water treatment and distribution licenses at the offices of the LINDSAY wastewater treatment facility and the water treatment plant and the appropriate agencies and jurisdictions will be informed that RGWS will be acting as the Chief Operator for LINDSAY wastewater and water treatment facilities;
  - b. RGWS to provide operational policy and oversight to LINDSAY operators, who will be responsible to comply with the policies and directives generated by RGWS;
  - c. RGWS to provide instruction as to project tasks to be specifically undertaken and to develop a periodic project list;
  - d. RGWS to provide monthly reports to LINDSAY on the performance of the LINDSAY operators and facilities;
  - e. RGWS to provide input to LINDSAY on major utility capital projects for consideration or implementation by LINDSAY;
  - f. RGWS to provide oversight and assistance on safety related issues;
  - g. RGWS to work with LINDSAY operators on projects requiring more than one (1) individual for safety purposes;
  - h. RGWS to act as an educational resource for LINDSAY operators.

2. In order to carry out the duties as outlined above, it is the intent of the parties hereto that RGWS will spend approximately eight (8) hours per week at the wastewater treatment plant and water treatment facilities for LINDSAY.
3. For and in consideration of the services to be performed by RGWS, LINDSAY agrees to pay to RGWS as compensation for his services, the following:
  - a. Four thousand dollars (\$4,000) per month.
4. This Agreement shall become effective on December 1, 2016, and shall continue on a month to month basis upon 30 day written notice of termination of this agreement by either party.
5. RGWS agrees to provide proof of General Liability Insurance as follows;

General Aggregate Limit	\$2,000,000
Products & Completed Operation	\$1,000,000
Personal & Advertising Injury	\$1,000,000
Each Occurrence	\$1,000,000
Fire Damage Limit (Any one fire)	\$ 50,000
Medical Expense (Any one person)	\$ 2,000
Deductible	\$ 500

6. RGWS does hereby agree to indemnify and hold LINDSAY safe and harmless from any and all liabilities or loss, damages or injuries to persons or property, directly or indirectly, arising out of any activities performed by RGWS except gross negligence, and LINDSAY does hereby agree to indemnify and hold RGWS safe and harmless from any and all liabilities or loss, damages or injuries to persons or property, directly or indirectly, arising out of any activities performed by LINDSAY while performing services for RGWS except gross negligence.
7. It is further understood and agreed by and between the parties hereto that the provisions hereof shall insure to the benefit of and be binding upon the successors, assigns, and political subdivisions or the parties hereto. The parties hereto do hereby agree that this Agreement has been approved by the City Council of the City of Lindsay and that said City Council has the authority under laws of the State of California to enter into this agreement and that the undersigned are authorized to enter into this agreement.

CITY OF LINDSAY

RALPH GUTIERREZ WATER SERVICE

  
 \_\_\_\_\_  
 William O. Zigler, City Manager

  
 \_\_\_\_\_  
 Ralph Gutierrez, Owner

State of California  
State Water Resources Control Board



*Certificate of Competence*

This is to certify that pursuant to the provisions of Chapter 9, Division 7 of the California Water Code

**Ralph Gutierrez, Sr.**

has fulfilled the requirements for certification as a

**Grade III**

**Wastewater Treatment Plant Operator**

**Certificate Number 9741**

Issued this November 17, 2023

A handwritten signature in black ink, appearing to read "E. Joaquin Esquivel".

**E. Joaquin Esquivel**  
**Chair**

Original Issue Date: 12/31/2001

Expiration Date: 12/31/2026



This certificate is the property of the State of California and in the event of its suspension, revocation or invalidation for any reason, it must be returned to the State Water Resources Control Board upon demand.

State of California  
State Water Resources Control Board



This verifies that the individual named below  
has paid the appropriate fee and is a certified  
**Water Distribution Operator**

Name: **Ralph Gutierrez, Sr.**  
Level: Grade D3      Operator #: 18005  
Expires: 2/1/2026      Fee Paid: \$ 90  
Due: 10/1/2025

Signature: 

State of California  
State Water Resources Control Board



This verifies that the individual named below  
has paid the appropriate fee and is a certified  
**Water Treatment Operator**

Name: **Ralph Gutierrez, Sr.**  
Level: Grade T3      Operator #: 10311  
Expires: 8/1/2025      Fee Paid: \$ 90  
Due: 4/1/2025

Signature: 

*State of California*  
*Department of Health Services*

IN ACCORDANCE WITH DIVISION 104, PART 1, CHAPTER 4, ARTICLE 3  
OF THE HEALTH AND SAFETY CODE

**Ralph Gutierrez**

IS AUTHORIZED TO OPERATE OR SUPERVISE THE OPERATION OF A WATER DISTRIBUTION SYSTEM  
AND IS HEREBY GRANTED THIS CERTIFICATE FOR

*Water Distribution Operator*  
**Grade D3**

Operator Number: 18005

Issued:  
February 2005

*David P. Speth*  
STATE OF CALIFORNIA, DEPARTMENT OF HEALTH SERVICES



## AGREEMENT TO PROVIDE SERVICES

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, by and between RALPH GUTIERREZ WATER SERVICE, herein after referred to as “RGWS”, and the CITY OF LINDSAY, herein after referred to as “LINDSAY”, existing pursuant to the Government Code of the State of California, with principal place of business located in the County of Tulare, State of California.

WHEREAS, the CITY OF LINDSAY has employed RALPH GUTIERREZ as an operator who is licensed and qualified to operate the wastewater treatment plant facilities (23611 Road 196, Lindsay, California) and associated collection system and appurtenances, and the water treatment plant (729 East Honolulu Street, Lindsay, California), and associated distribution system and appurtenances;

WHEREAS, CITY OF LINDSAY wishes to utilize the services and licenses of RALPH GUTIERREZ on a contract basis;

NOW THEREFORE, for and in consideration of the covenants and conditions herein contained, the parties do hereby agree a follows:

1. RGWS to act as the chief supervising operator for the wastewater treatment facilities and associated collection system and appurtenances and the water treatment plant and associated distribution system and appurtenances of LINDSAY, will do the following:
  - a. RGWS to post his wastewater, water treatment and distribution licenses at the offices of the LINDSAY wastewater treatment facility and the water treatment plant and the appropriate agencies and jurisdictions will be informed that RGWS will be acting as the Chief Operator for LINDSAY wastewater and water treatment facilities;
  - b. RGWS to provide operational policy and oversight to LINDSAY operators, who will be responsible to comply with the policies and directives generated by RGWS;
  - c. RGWS to provide instruction as to project tasks to be specifically undertaken and to develop a periodic project list;
  - d. RGWS to provide monthly reports to LINDSAY on the performance of the LINDSAY operators and facilities;
  - e. RGWS to provide input to LINDSAY on major utility capital projects for consideration or implementation by LINDSAY;
  - f. RGWS to provide oversight and assistance on safety related issues;
  - g. RGWS to work with LINDSAY operators on projects requiring more than one (1) individual for safety purposes;
  - h. RGWS to act as an educational resource for LINDSAY operators.

2. In order to carry out the duties as outlined above, it is the intent of the parties hereto that RGWS will spend approximately eight (8) hours per week at the wastewater treatment plant and water treatment facilities for LINDSAY. No timecard shall be required.
3. For and in consideration of the services to be performed by RGWS, LINDSAY agrees to pay to RGWS as compensation for his services, the following:
  - a. Six Thousand Five Hundred dollars (\$6,500) per month.
4. This Agreement shall become effective on January 1, 2024, and shall continue on a month to month basis upon 30 day written notice of termination of this agreement by either party.
5. RGWS agrees to provide proof of General Liability Insurance as follows;

General Aggregate Limit	\$2,000,000
Products & Completed Operation	\$1,000,000
Personal & Advertising Injury	\$1,000,000
Each Occurrence	\$1,000,000
Fire Damage Limit (Any one fire)	\$ 50,000
Medical Expense (Any one person)	\$ 2,000
Deductible	\$ 500

6. RGWS does hereby agree to indemnify and hold LINDSAY safe and harmless from any and all liabilities or loss, damages or injuries to persons or property, directly or indirectly, arising out of any activities performed by RGWS except gross negligence, and LINDSAY does hereby agree to indemnify and hold RGWS safe and harmless from any and all liabilities or loss, damages or injuries to persons or property, directly or indirectly, arising out of any activities performed by LINDSAY while performing services for RGWS except gross negligence.
7. It is further understood and agreed by and between the parties hereto that the provisions hereof shall insure to the benefit of and be binding upon the successors, assigns, and political subdivisions or the parties hereto. The parties hereto do hereby agree that this Agreement has been approved by the City Council of the City of Lindsay and that said City Council has the authority under laws of the State of California to enter into this agreement and that the undersigned are authorized to enter into this agreement.

CITY OF LINDSAY

RALPH GUTIERREZ WATER SERVICE

---

Francesca Quintana, City Clerk

---

Ralph Gutierrez, Owner

---

Armando da Silva, Acting City Manager





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

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**NUMBER** 24-03

**TITLE** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING AGREEMENT TO PROVIDE SERVICES BY AND BETWEEN RALPH GUTIERREZ WATER SERVICE (RGWS) AND THE CITY OF LINDSAY AND GRANTING CITY MANAGER AUTHORIZATION TO EXECUTE ANY DOCUMENTS THERETO

**MEETING** At a regularly scheduled meeting of the City of Lindsay City Council held on January 23, 2024, at 6:00 PM at 251 E. Honolulu Street, Lindsay, CA 93247

**WHEREAS**, the City of Lindsay has utilized the services and expertise of professional services in the past and wishes to continue services with Ralph Gutierrez Water Service (RGWS); and

**WHEREAS**, City Staff has reviewed the agreement attached hereto as Exhibit A, and has negotiated the most favorable terms and conditions; and

**WHEREAS**, the Lindsay City Council hereby approves the agreement by and between RGWS and the City of Lindsay, as it is in the best interest of the City.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council of the City of Lindsay hereby approves the agreement with RGWS and grants authorization to the City Manager to execute said agreement.

SECTION 3. This Resolution is effective immediately upon adoption.

RESOLUTION NO. 24-03  
Page 1 of 2



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

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

MEETING DATE	January 23, 2024
MOTION	
SECOND MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

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

\_\_\_\_\_  
FRANCESCA QUINTANA  
CITY CLERK

\_\_\_\_\_  
HIPOLITO A. CERROS  
MAYOR



## STAFF REPORT

TO: Lindsay City Council  
FROM: Edna Hubbard, Engineer Technician  
DEPARTMENT: City Services & Planning  
ITEM NO.: 8.4  
MEETING DATE: January 23, 2024

### **ACTION & RECOMMENDATION**

Consider the Approval to Bid the Tulare Road & Foothill Avenue Rehabilitation Project, Authorizing the Project Budget, Finding that the Project is Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to Section 15301 of CEQA Guidelines and Granting City Staff Authorization to File the Project Notice of Exemption.

City Staffs recommends that the City Council approve the authorization to bid on the Tulare Road & Foothill Avenue Rehabilitation Project and file the Notice of Exemption (NOE) with the County to ensure continued growth and development of our community through the successful implementation of this project.

### **BACKGROUND | ANALYSIS**

City Staff seeks authorization from the City Council to initiate the bidding process for the Tulare Road & Foothill Avenue Rehabilitation Project. The purpose of this project is to rehabilitate the East Tulare Road & North Foothill Avenue Intersection in the City of Lindsay. The project is needed to address the deteriorated pavement in the intersection and make overall street improvements. This project would consist of paved road rehabilitation to address poor road conditions due to potholes, new curbs, and curb ramps to be reconstructed to meet ADA code requirements, and sidewalk replacement on the north side of Tulare Avenue.

Staff is requesting authorization from the City Council to proceed with the bidding process for the Tulare Road & Foothill Avenue Rehabilitation Project. Bidding is a crucial step in securing the services necessary for the successful completion of this project. By opening the bidding process, we aim to encourage fair competition among potential contractors and select the most qualified and cost-effective option.

Additionally, Staff intends to file a California Environmental Quality Act (CEQA) Notice of Exemption with the County for this project. The nature of the project qualifies it for exemption from certain environmental review processes, as outlined in the Environmental review section of this report. We have thoroughly reviewed the project against the criteria for exemption and are confident in our eligibility.

**ENVIRONMENTAL REVIEW**

The project proposes restoration and rehabilitation of an existing street facility that involves negligible expansion of use; therefore, the project falls within Section 15301 of existing facilities of CEQA. A Notice of Exemption will be filed with the Clerk and County.

**FISCAL IMPACT**

<b><u>Project Name</u></b>	<b><u>Fund No.</u></b>	<b><u>Fund Description</u></b>	<b><u>Budget</u></b>
<b>Reappropriated Project from Previous Fiscal Year</b>			
<i>Intersection Rehab: Foothill/Tulare</i>		STREETS SB1	\$190,000
		STREET IMPROVEMENT FUND	\$ 70,000
<b>FY 2023-2024</b>			
<i>Intersection Rehab: Foothill/Tulare</i>	260	STREETS SB1	\$ 45,000
	200	STREET IMPROVEMENT FUND	\$ 45,000
<i>Tulare Rd no Sidewalk from Foothill to Strathmore Ave</i>	266	STREETS LTF-ART 8	\$231,500
<i>Foothill Ave from Tulare Rd to Sierra View St</i>	266	STREETS LTF-ART 8	<u>\$424,000</u>
		<b>Total Budgeted</b>	<b>\$1,005,500</b>

Per discussion on the Street Study Session on September 29, 2023, Staff request an additional \$300,000 from Fund 266-LTF for a total project budget of \$1,300,000.

**ATTACHMENTS**

- Notice of Exemption
- 60% Opinion of Probable Cost

# Notice of Exemption

# Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk  
County of: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

**Exempt Status: (check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency  
Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?    Yes    No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency    Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

**PRELIMINARY ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST**

**CITY OF LINDSAY**  
**Tulare & Foothill Improvements**  
 September 19, 2023

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Amount
<b>General</b>					
1	Mobilization, Demobilization, Bonds and Insurance	1	LS	\$ 45,000.00	\$ 45,000.00
2	Construction Notification Sign	2	EA	\$ 1,000.00	\$ 2,000.00
3	Traffic Control System	1	LS	\$ 16,000.00	\$ 16,000.00
4	Dust Control	1	LS	\$ 10,000.00	\$ 10,000.00
5	Storm Water Pollution Prevention Plan	1	LS	\$ 10,000.00	\$ 10,000.00
6	Miscellaneous Facilities and Operations	1	LS	\$ 15,000.00	\$ 15,000.00
<b>Street</b>					
7	Clearing and Grubbing	1	LS	\$ 2,100.00	\$ 2,100.00
8	Agricultural Tree Removal	0.7	ACRE	\$ 12,000.00	\$ 8,574.09
9	Hauling of Removed Trees	1	EA	\$ 3,000.00	\$ 3,000.00
10	Sawcut & Remove Curb and Gutter	466	LF	\$ 10.00	\$ 4,658.50
11	Sawcut & Remove Curb Returns	7	EA	\$ 1,500.00	\$ 10,500.00
12	Sawcut & Remove Cross Gutter	2	EA	\$ 1,500.00	\$ 3,000.00
13	Sawcut & Remove Sidewalk	4,284	SF	\$ 5.00	\$ 21,420.00
14	Sawcut & Remove Drive Approach	1	EA	\$ 1,100.00	\$ 1,100.00
15	Concrete Sidewalk (4-inch)	2,215	SF	\$ 12.00	\$ 26,581.08
16	Concrete Curb & Gutter	457	LF	\$ 50.00	\$ 22,835.00
17	Curb Ramps and Landings	7	EA	\$ 6,500.00	\$ 45,500.00
18	Concrete Drive Approach	2	EA	\$ 3,000.00	\$ 6,000.00
19	Asphalt Drive Approach	2	EA	\$ 1,500.00	\$ 3,000.00
20	Concrete Cross Gutter	2	EA	\$ 10,000.00	\$ 20,000.00
21	Full Depth Reclamation with Cement (F)	205,022	SF	\$ 1.75	\$ 358,788.50
22	Increase or Decrease in Cement for FDR-C method	1	LB	\$ 0.10	\$ 0.10
23	Hot Mix Asphalt Concrete	3,799	TON	\$ 100.00	\$ 379,939.88
24	AC Dike	1,763	LF	\$ 35.00	\$ 61,693.80
25	Reset Survey Marker	4	EA	\$ 1,000.00	\$ 4,000.00
26	Signage, Pavement Striping, Markers and Markings	1	LS	\$ 10,000.00	\$ 10,000.00
27	Adjust Sanitary Sewer Manhole to Finish Grade	14	EA	\$ 1,500.00	\$ 21,000.00
28	Adjust Gas Valve to Finish Grade	2	EA	\$ 800.00	\$ 1,600.00
29	Adjust Water Valve to Finish Grade	17	EA	\$ 800.00	\$ 13,600.00
SUBTOTAL:					\$ 1,126,900.00
Contingency				15%	\$ 169,035.00
<b>TOTAL</b>					<b>\$ 1,295,935.00</b>

NOTES:

This opinion was prepared to the Class 4 Estimate level in accordance with the AACE International Cost Estimate Classification System – as Applied in Engineering, Procurement, and Construction for the Process Industries.



## STAFF REPORT

TO: Lindsay City Council  
FROM: Edna Hubbard, Engineer Technician  
DEPARTMENT: City Services and Planning  
ITEM NO.: 8.5  
MEETING DATE: January 23, 2024

### ACTION & RECOMMENDATION

Consider the Rejection of the Olive Bowl/Kaku Park Expansion - Revision No. 1 Request for Bid (RFB) submitted.

Staff recommends that the City Council reject all the Bids received. Staff will proceed with the following:

- Coordinate w/ Caltrans (Clean California Division) and the Department of Parks and Recreation to see where and how the project scope can be modified while still adhering to the grant requirements.
- Meet with the Architect/Design Consultant team to further value engineer the project scope.

### BACKGROUND | ANALYSIS

Per the City's Procurement Policy, this RFB followed the formal bidding procedures for the 2<sup>nd</sup> release of the request for bids as follows:

1. Staff released the Request for Bids (RFBs) on October 4, 2023, via email to the Tulare-Kings Co. Builders Exchange (part of Golden State Builders Exchange) and published on the City website for public access on September 28, 2023.
2. The "Notice of Inviting Bids" for this RFB was published in the Porterville Recorder on September 22, 2023, Sun-Gazette on September 27, 2023.

There was a total of 1 RFB received and acknowledged by the City on November 03, 2023.

No.	Contractor	Total Base Bid Amount
1	JT2 Inc. dba Todd Companies	\$10,860,940.87*

\*Deduct Alternate Amounts and Additive Alternate Amounts were not applied in the Total Base Bid Amount.

Staff received direction from the City Council on December 12, 2023, to extend the awarding period an additional 30 days. Additionally, Staff received direction from the City Council that loan options were not to be considered and for Staff to begin the value engineering process.

**FISCAL IMPACT**

*Grant Funding*

Proposition 68:	\$3,670,437.00
Clean California Local Grant Program:	<u>\$4,650,920.00</u>
Total Grant Funding:	\$8,321,357.00

*Expenditures*

Landscape Architect Firm	\$ 414,177.00
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<i><u>Available Funding</u></i>	\$7,907,180.00
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**ATTACHMENTS**

- Abstract of Bid Proposal Received



**OLIVE BOWL/KAKU PARK EXPANSION REVISION NO. 1 - ABSTRACT  
 BID OPENING: NOVEMBER 3, 2023 @ 1:00PM**

BASE BID SCHEDULE				JT2 Inc. dba Todd Companies License No.: 788798	
Item No.	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization, Demobilization and Cleanup	1	LS	\$ 675,000.00	\$ 675,000.00
	Demolition				
2	Clear And Grub Softscape	352,456	SF	\$ 0.17	\$ 59,917.52
3	Existing Trees	33	EA	\$ 864.93	\$ 28,542.69
4	Existing Hardscape	1	LS	\$ 10,854.80	\$ 10,854.80
5	Existing Playground (Equipment, Footings And Surfacing)	1	LS	\$ 4,406.60	\$ 4,406.60
6	Existing Electrical Poles	1	LS	\$ 22,590.70	\$ 22,590.70
7	Existing Perimeter Fencing	1	LS	\$ 14,204.30	\$ 14,204.30
8	Misc. Demo Items Needed To Construct All Improvements.	1	LS	\$ 2,200.00	\$ 2,200.00
9	Existing Ballfields And Structures (All Fencing, Gates, Dugouts, Backstops, Bleachers, Concrete, Building, Footings Etc.)	1	LS	\$ 17,832.10	\$ 17,832.10
	Earthwork/Grading				
10	Excavation & Grading	5,000	CY	\$ 56.98	\$ 284,900.00
11	Export	2,800	CY	\$ 25.93	\$ 72,604.00
12	Construct Subgrade, Fine Grade And Soil Preparation For Ball Fields	165,854	SF	\$ 0.25	\$ 41,463.50
13	Construction Staking And Surveying	1	LS	\$ 60,500.00	\$ 60,500.00
14	Erosion and Sedimentation Control	1	LS	\$ 22,000.00	\$ 22,000.00
15	SWPPP Preparation And Implementation	1	LS	\$ 26,400.00	\$ 26,400.00
	Site Electrical				
16	Field #1 (288' /300' /300') - LED Lighting	1	LS	\$ 326,706.60	\$ 326,706.60
17	Walkway Lighting - LED Lights (35 Walkway Lights/Poles)	1	LS	\$ 515,929.70	\$ 515,929.70
18	Parking Lot - LED Lights	1	LS	\$ 68,600.40	\$ 68,600.40
19	Power For The Booster Pump And Irrigation Controllers	1	LS	\$ 25,093.20	\$ 25,093.20
20	Switchboard C And Power For The Concession/Restroom Building	1	LS	\$ 82,291.00	\$ 82,291.00
21	Existing Building and Other Loads to Remain	1	LS	\$ 28,743.00	\$ 28,743.00
22	Main Switchboard MSA/MSB	1	LS	\$ 253,421.30	\$ 253,421.30
23	Switchboard B	1	LS	\$ 126,683.70	\$ 126,683.70
24	Primary And Secondary Service Conduits	1	LS	\$ 30,732.90	\$ 30,732.90
25	Telephone Service Conduit	1	LS	\$ 6,008.20	\$ 6,008.20
26	Backstop Receptacles	1	LS	\$ 24,387.00	\$ 24,387.00
27	Electrical Demolition	1	LS	\$ 3,966.60	\$ 3,966.60
28	SCE Underground Coordination & Installation of Conduits & Manhole (Per SCE Plans)	1	LS	\$ 62,877.10	\$ 62,877.10
29	Fields #2 & #3 Underground Conduits and Pull Boxes	1	LS	\$ 102,687.20	\$ 102,687.20
	Site Utilities				
30	Storm Drain HDPE (4" -18")	1,345	LF	\$ 73.61	\$ 99,005.45
31	18"x18" Drop Inlet	4	EA	\$ 8,525.00	\$ 34,100.00
32	12"x12" Drop Inlet	4	EA	\$ 7,425.00	\$ 29,700.00
33	Storm Drain Manhole	3	EA	\$ 12,466.67	\$ 37,400.01
34	Sewer PVC Pipe (4")	95	LF	\$ 532.63	\$ 50,599.85
35	Domestic Water Pipe (2")	67	LF	\$ 328.36	\$ 22,000.12
36	Curb Inlet	1	EA	\$ 9,900.00	\$ 9,900.00
37	Sidewalk Underdrain	6	EA	\$ 1,466.67	\$ 8,800.02
38	Cleanout	1	EA	\$ 1,100.00	\$ 1,100.00
	Paving/Concrete				
39	Concrete Paving 4", Natural Grey, Broom Finish	64,130	SF	\$ 13.59	\$ 871,526.70
40	Concrete Paving 7" At Vehicular Area, Natural Grey, Broom Finish	5,140	SF	\$ 22.47	\$ 115,495.80
41	Asphalt Concrete Paving, 3" Over 6" AB	18,860	SF	\$ 8.69	\$ 163,893.40
42	Power For The Booster Pump And Irrigation Controllers	1	LS	\$ 3,987.50	\$ 3,987.50
43	Parking Lot Signage, Striping, Wheel Stops and ADA Ramp	31,544	SF	\$ 2.61	\$ 82,329.84
44	Stabilized Decomposed Granite	1,270	LF	\$ 45.64	\$ 57,962.80
45	6" Concrete Mow Curb	232	LF	\$ 152.81	\$ 35,451.92
46	Play Area Curb	525	LF	\$ 54.51	\$ 28,617.75
	Ballfields				
47	Foul Ball Poles, 30' High @ At Field #1	2	EA	\$ 13,447.50	\$ 26,895.00
48	Safety Net 30' High	1,031	LF	\$ 595.31	\$ 613,764.61
49	Safety Net 20' High @ Field #2 & Field #3 (See Deduct Alternate No.3)	715	LF	\$ 590.67	\$ 422,329.05
50	Aluminum Spectator Bleachers (4-Row, 27' Long) @ Field #1	2	EA	\$ 9,297.75	\$ 18,595.50
51	Aluminum Spectator Bleachers (3-Row, 21' Long)	4	EA	\$ 5,071.00	\$ 20,284.00
52	Aluminum Spectator Bleachers (3-Row, 15' Long)	1	EA	\$ 4,735.50	\$ 4,735.50
53	Electronic Scoreboard @ Field #1	1	EA	\$ 42,430.30	\$ 42,430.30
54	Electronic Scoreboards @ Fields #2 & #3	2	EA	\$ 19,439.20	\$ 38,878.40
	Dugouts Amenities				
55	Bat Rack	6	EA	\$ 508.75	\$ 3,052.50
56	Aluminum Players Bench (7'-6" Long; 3 Per Dugout)	18	EA	\$ 1,004.36	\$ 18,078.48
	Backstops, Fences And Gates				
57	Field #1 - 30' H Chainlink Backstop W/ 8' Overhang	1	EA	\$ 137,500.00	\$ 137,500.00
58	2" X 10" Plastic Lumber @ Field #1 30' Back Stop, Fields #2 And #3 20' Backstops.	327	LF	\$ 330.00	\$ 107,910.00
59	Fields #2 And #3 - 20' Back Stop	2	EA	\$ 111,100.00	\$ 222,200.00
60	8' High Chainlink Fencing @ Field #1 Side Lines and Outfield	1,000	LF	\$ 74.80	\$ 74,800.00
61	8' High Chainlink Fencing @ Field #1 Bull Pens and Dugouts	122	LF	\$ 407.00	\$ 49,654.00
62	8' High Chainlink Fencing @ Fields #2 And #3 Side Lines and Outfield	1,277	LF	\$ 71.50	\$ 91,305.50
63	8' High Chainlink Fencing @ Field #2 And #3 Bull Pens, Dugouts, and Batting Cage	244	LF	\$ 385.00	\$ 93,940.00
64	(8'H X 4'W) Chainlink Gates, Single	18	EA	\$ 990.00	\$ 17,820.00
65	(8'H X 8'W) Chainlink Gates, Double	4	EA	\$ 1,650.00	\$ 6,600.00
66	(8'H X 12'W) Chainlink Gates, Double	6	EA	\$ 2,200.00	\$ 13,200.00
	Site Sports Surfaces				
67	Decomposed Granite, Infield Mix @ Fields #1, #2 And #3, Bullpens And Batting Cage	47,458	SF	\$ 1.68	\$ 79,729.44
68	Turf (Seed Ballfield)	114,124	SF	\$ 1.76	\$ 200,858.24
69	9" Concrete Mow Curb at Fencing In Turf Areas	1,733	LF	\$ 29.39	\$ 50,932.87
	Site Amenities				
70	Drinking Fountains	2	EA	\$ 19,250.00	\$ 38,500.00
71	Trash Receptacles	20	EA	\$ 2,035.83	\$ 40,716.60
72	Dog Waste Station	2	EA	\$ 1,058.75	\$ 2,117.50
73	Picnic Table ADA 8' Long	12	EA	\$ 4,610.83	\$ 55,329.96
74	Picnic Table Standard 6' Long	15	EA	\$ 3,564.00	\$ 53,460.00
75	Barbecue With Prep Table	9	EA	\$ 3,901.94	\$ 35,117.46
76	Grant Funding Signage	1	LS	\$ 3,850.00	\$ 3,850.00
77	Entry Monument	1	EA	\$ 39,451.50	\$ 39,451.50
78	Existing Memorial Removal and Relocation	1	LS	\$ 4,235.00	\$ 4,235.00
79	Existing Shade Shelter Removal and Relocation	1	LS	\$ 39,820.00	\$ 39,820.00
80	Concrete Seatwall @ Ballfield	19	LF	\$ 1,787.79	\$ 33,968.01
81	Play Area #1 @ North End	1	LS	\$ 260,808.90	\$ 260,808.90
82	Play Area #2 @ South End	1	LS	\$ 38,184.30	\$ 38,184.30
83	Play Area #3 @ Ballfields (See Deduct Alternate No. 4)	1	LS	\$ 50,576.90	\$ 50,576.90
84	Play Area Engineered Wood Fiber Surfacing	8,055	SF	\$ 6.83	\$ 55,015.65
85	Bike Rack	3	EA	\$ 1,461.17	\$ 4,383.51
86	Park Bench	11	EA	\$ 2,543.50	\$ 27,978.50
87	2-Bay Trash Enclosure	1	EA	\$ 51,656.00	\$ 51,656.00
88	Collapsible Bollards	6	EA	\$ 1,358.68	\$ 8,152.08
89	Permaloc Cleanline Aluminum Edging	444	LF	\$ 18.09	\$ 8,031.96
90	Fitness Equipment (7 Pieces Total) (See Deduct Alternate No. 5)	1	LS	\$ 17,722.10	\$ 17,722.10
91	50' Flagpole (See Deduct Alternate No. 6)	1	EA	\$ 13,244.00	\$ 13,244.00
92	All Ballfield Equipment Not Listed for Fields and Bull Pens (i.e. Bases, Home Plate, Pitching Rubbers)	1	LS	\$ 12,320.00	\$ 12,320.00
	Fencing				
93	6' High Chainlink Fencing (See Deduct Alternate No. 7)	1,578	LF	\$ 52.80	\$ 83,318.40
94	(6' H X 12' W) Chainlink Gates, Double (See Deduct Alternate No. 8)	5	EA	\$ 1,980.00	\$ 9,900.00
95	4' High Tube Steel Fencing (See Deduct Alternate No. 9)	690	LF	\$ 208.84	\$ 144,099.60
	Planting				
96	24" Box Trees	116	EA	\$ 532.08	\$ 61,721.28
97	Soil Preparation for Planting Areas	1,294	SF	\$ 13.34	\$ 17,261.96
98	1 Gallon Shrubs	1,294	SF	\$ 3.71	\$ 4,800.74
99	Soil Preparation for Turf (Passive Areas)	55,733	SF	\$ 0.55	\$ 30,653.15
100	Turf (Seed) (Passive Areas)	55,733	SF	\$ 0.22	\$ 12,261.26
	Irrigation				
101	Booster Pump	1	EA	\$ 159,536.30	\$ 159,536.30
102	Irrigation Ballfields	1	LS	\$ 56,507.00	\$ 56,507.00
103	Ballfield Infield Rotors	4	EA	\$ -	\$ -
104	Tree Irrigation (Bubblers)	116	EA	\$ 540.80	\$ 62,732.80
105	Irrigation For Turf (Passive Areas)	55,733	SF	\$ 4.43	\$ 246,897.19
106	Maintenance And Plant Establishment Period	90	WD	\$ 335.74	\$ 30,216.60
	Buildings				
107	Restroom/Concession/Storage Building	1	EA	\$ 795,498.00	\$ 795,498.00
108	North End Restroom Building & Required Power (See Deduct Alternate No.2)	1	LS	\$ 351,283.90	\$ 351,283.90
	Skatepark				
109	Skatepark (See Deduct Alternate No. 1A & 1B)	1	LS	\$ 638,000.00	\$ 638,000.00
110	Skatepark - LED Lighting (See Deduct Alternate No. 1A & 1B)	1	LS	\$ 153,016.60	\$ 153,016.60
111	14'x36' Cantilever Shade Shelter at Skatepark (See Deduct Alternate No.1A & 1B)	1	EA	\$ 31,982.50	\$ 31,982.50
112	Misc. Items Not Included on Bid Schedule	1	LS	\$ 67,705.00	\$ 67,705.00
	<b>Total Base Bid Schedule Amount</b>				<b>\$ 10,860,940.87</b>



## STAFF REPORT

TO: Lindsay City Council  
FROM: Araceli Mejia, Assistant City Planner  
DEPARTMENT: City Services and Planning  
ITEM NO.: 9.1  
MEETING DATE: January 23, 2023

### ACTION & RECOMMENDATION

Public Hearing to Consider the Approval of **Resolution 24-04**, A Resolution of the City Council of the City of Lindsay Approving Conditional Use Permit No. 24-01, A Request by Rodrigo Ramirez for the Property Located at 598 North Highway 65 (APN: 199-260-003-000) in the Highway Commercial Zone and Finding that the Project is Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to Section 15301 “existing facilities,” under article 19 of the CEQA Guidelines.

The City Council is asked to consider approval of Resolution No. 24-04, approving CUP No. 24-01 based on the below project description and findings, and subject to the conditions of approval.

### BACKGROUND | ANALYSIS

Conditional Use Permit No. 24-01 is requested by property and business owner, Rodrigo Ramirez. The project is located at 598 North Highway 65 Lindsay, CA 93247 (APN: 199-260-003-000) on the southern corner of Fresno Street and Highway 65. This 0.761-acre lot is currently utilized as a car dealership, Dealer’s Choice Inc Lindsay. The applicant proposes that the eastern half of the lot be used as a recycling drop off/collection center. The eastern half of the lot is currently unutilized. The Lindsay General Plan designates the project site for highway commercial development, and the site is also zoned for highway commercial development, therefore it is consistent with the General Plan land use designation. The highway commercial zone is intended primarily for application to areas along highway entrances to the city.

The applicant proposes to collect bottles, cans, and plastic containers for recycling. The conditions of approval will ensure the proposed use is compatible with surrounding uses and protect the aesthetics of the site.

#### Conditions of Approval:

- Operate in accordance with the conditional use permit application as submitted.
- Operate in accordance with the site map as submitted.
- The recycling facility shall be operated entirely within the walls of the office as shown in the applicant’s site map.

- To ensure a dust-free environment is maintained, the recycling center site shall contain a dust-free drivable surface, as deemed adequate by the San Joaquin Valley Air Pollution Control District.
- Recycling materials collected will be properly stored and removed daily to a sister facility. Under no circumstances would the recycling materials or any other refuse material accumulate and/or become a nuisance.
- Employee restroom access shall be provided by the existing business on site, Dealer's Choice LLC.
- Comply with all applicable regulations listed in Chapter 20 of Title 8 of the City of Lindsay Municipal Code
- Any infractions of the zoning ordinance or use permit conditions or approval would result in the automatic suspension of the 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.
- The drive approach shall include a driveway of at least 20ft in depth and the width of the drive approach.
- Any separate signs would require separate review and approval by City Staff.
- A business license application must be submitted to City Services for a change of business location.
- The city building inspector and fire department shall inspect the facility and only then can the business be operational.

### **FISCAL IMPACT**

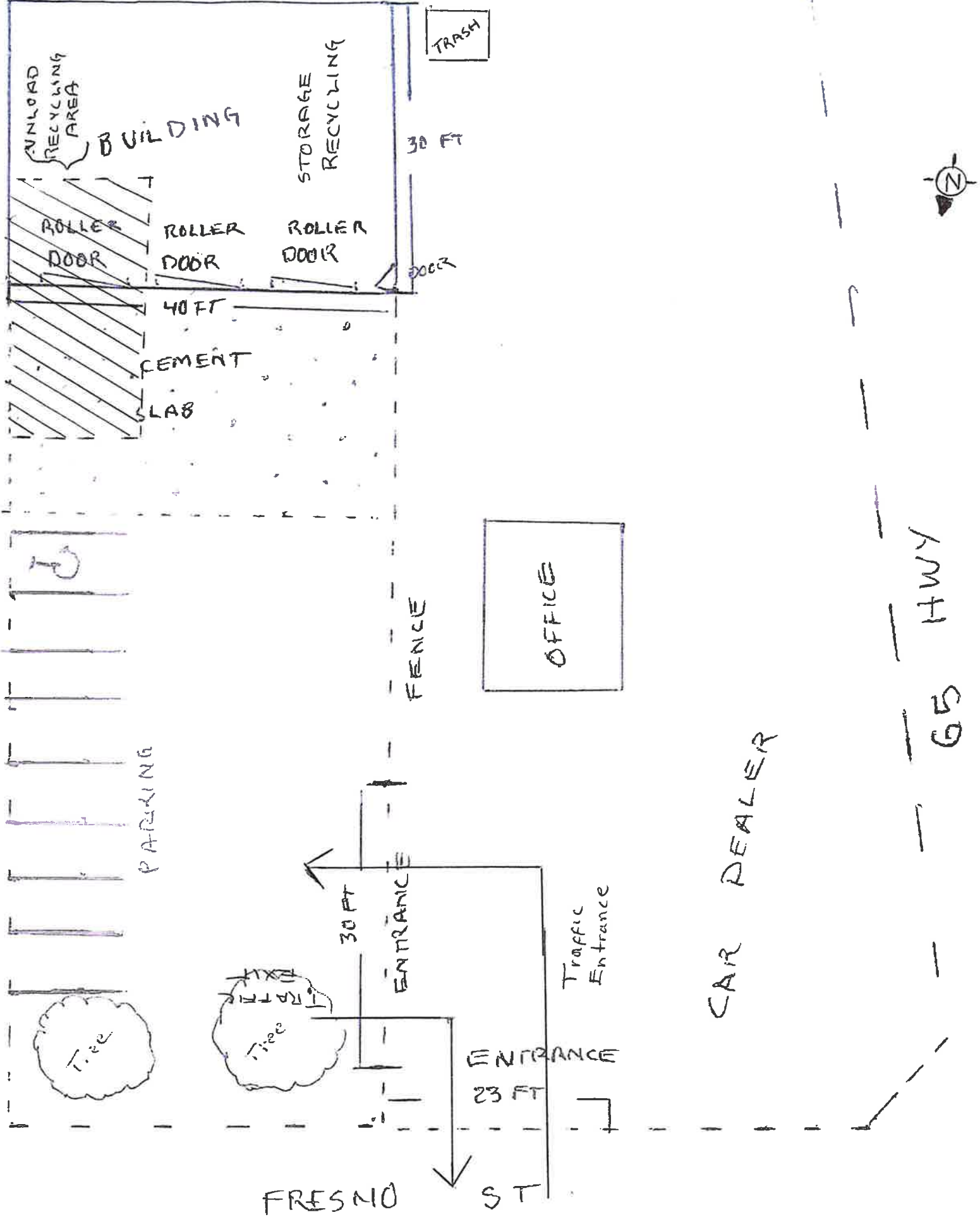
The City would generate tax revenue from this business on a quarterly basis.

### **ENVIRONMENTAL REVIEW**

The project is categorically exempt from CEQA per Article 19, Section 15301 "Existing Facilities."

### **ATTACHMENTS**

- Site Map
- Aerial Map
- Proof of Public Hearing Notice Publication
- Conditional Use Permit application
- Resolution No. 24-04





Fresno St.

HWY 65

Dejane Choice Inc Lindsay

Pog Kustom Paint Body



Dealer's Choice Lindsay

Culligan Water

Super 8

Taqueria los Pericos

Burger King

ARCO

Lindsay Food Mart

McDonald's

chava 2405@live.com



# City of Lindsay

## Planning Application

OFFICE USE ONLY		
Date Received	12/14/23	
Date Accepted		
Received by	Carmen	
Project #		
Fee	2425.00	Receipt # 6239

Planning, 150 N. Mirage Avenue, Lindsay, CA 93247 PH: (559) 562-7102 ext 4 F:(559) 562-5748 email: ccannon@lindsay.ca.us

Please type or print clearly in ink. Incomplete applications will be returned.

### Applicant

Name: Rodrigo Ramirez  
 Address: 1845 W Tulare Ave  
Tulare CA 93274  
 Phone #: 661 213 0226

### Applicant #2

(If more than one applicant)

Name: chava 2405@live.com  
 Address: Salvador Gonzalez  
 Phone #: 661 213 0226

### Property Owner

(If different from applicant)

Name: Rodrigo Ramirez  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_

### Agent

(architect or engineer)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_

### Application Type

(Please check what you are applying for)

- |  |              |  |                |
|--|--------------|--|----------------|
| <input type="checkbox"/> Annexation Processing             | \$ 6,192.00* | <input type="checkbox"/> Tentative Parcel Map      | \$ 5,239.00*   |
| <input checked="" type="checkbox"/> Conditional Use Permit | \$ 2,425.00  | <input type="checkbox"/> Tentative Subdivision Map | \$ 8,148.00*   |
| <input type="checkbox"/> General Plan Amendment            | \$ 5,331.00  | <input type="checkbox"/> Special Event Permit      | see note below |
| <input type="checkbox"/> Planned Unit Development          | \$ 3,001.00  | <input type="checkbox"/> Variance Review           | \$ 2,425.00    |
| <input type="checkbox"/> Site Plan Review                  | \$ 2,906.00  | <input type="checkbox"/> Zone Change               | \$ 5,331.00    |
| <input type="checkbox"/> Lot Line Adjustment               | \$ 2,835.00* |  |                |

\*Deposit Only

SEP: Special events are classified into different categories with set costs and regulations; please use the Special Event Permit application.

### Project Information

Project Address: 18 598 N CA-65  
 Zoning Designation of Site: \_\_\_\_\_  
 Assessor Parcel Number(s): \_\_\_\_\_  
 Existing Use of Project Site: \_\_\_\_\_  
 Description of Proposal: \_\_\_\_\_

Reason for Request: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

~~Temporary Use Permit~~: Date/Time from: \_\_\_\_\_ / \_\_\_\_\_ to: \_\_\_\_\_ / \_\_\_\_\_

Revised 02-23 by Resolution 22-65

Proposed Use (Check the use that applies and provide all requested information) :

- Residential:** (check type)  Single Family  Multi-Family

Number of Units: \_\_\_\_\_ Number of Floors: \_\_\_\_\_  
 Building Height (feet from grade to highest point) : \_\_\_\_\_  
 Square Footage of Units: \_\_\_\_\_  
 Number of Bedrooms per Unit: \_\_\_\_\_

- Commercial:** (check type)  Retail  Office  Other (specify) \_\_\_\_\_

Describe in Detail: \_\_\_\_\_

Square Footage of Floor Area: \_\_\_\_\_ Number of Floors: \_\_\_\_\_  
 Building Height (feet from grade to highest point) : \_\_\_\_\_  
 Total Number of Employees: 2 Number of Employees at Largest Shift: \_\_\_\_\_  
 Hours of Operation: 9:00 AM - 5:00 PM

Describe Size and Type of Loading Facilities: Unload Customer Vehicle of recyclables to our truck which is moved daily

- Industrial:**

Describe in Detail: \_\_\_\_\_

Square Footage of Floor Area: \_\_\_\_\_ Number of Floors: \_\_\_\_\_  
 Building Height (feet from grade to highest point) : \_\_\_\_\_  
 Total Number of Employees: \_\_\_\_\_ Number of Employees at Largest Shift: \_\_\_\_\_  
 Hours of Operation: \_\_\_\_\_

Describe Size and Type of Loading Facilities: \_\_\_\_\_

- Institutional:**

Describe in Detail: \_\_\_\_\_

Square Footage of Floor Area: \_\_\_\_\_ Number of Floors: \_\_\_\_\_  
 Building Height (feet from grade to highest point) : \_\_\_\_\_  
 Total Number of Employees: \_\_\_\_\_ Number of Employees at Largest Shift: \_\_\_\_\_  
 Hours of Operation: \_\_\_\_\_

Describe Size and Type of Loading Facilities: \_\_\_\_\_

- Other:**

Describe in Detail: \_\_\_\_\_

Square Footage of Floor Area: \_\_\_\_\_ Number of Floors: \_\_\_\_\_  
 Building Height (feet from grade to highest point) : \_\_\_\_\_  
 Total Number of Employees: \_\_\_\_\_ Number of Employees at Largest Shift: \_\_\_\_\_  
 Hours of Operation: \_\_\_\_\_

Describe Size and Type of Loading Facilities: \_\_\_\_\_



**Environmental Information**

*(Are the following potential effects of your project? Provide a written response explaining each item.)*

**Grading:** What (if any) type of grading will be done? Include estimates of material to be moved on or off the site. Where will any excess material be disposed of?

**Air Pollution:** Will the project generate substantial air emissions or cause deterioration of air quality? Will there be any types of equipment (i.e. generators, paint spray boots, etc.) that will generate air emissions? How much vehicle traffic will be generated by the project?

**Water & Drainage:** Will the project result in changes in soil absorption rates, drainage patterns or the rate and amount of surface runoff? How will runoff be handled?

**Water Supply:** Will the project result in a substantial reduction in the amount of water otherwise available for public water supplies? Include an estimate of daily water use.

**Water, Sewer, & Storm Drainage:** Can the proposed project be adequately served by the existing water, sewer, and storm drainage facilities. Do water, sewer, and storm drain lines exist along the project frontage?

**Flooding:** Is the project being proposed within a flood zone? What measures will be taken to avoid damage in the event of a flood?

**Agriculture & Vegetation:** Will the proposed project require the removal of any agricultural land or crops? How many acres? Will the project reduce the numbers of any unique, rare, or endangered species of plants?

**Animals:** Will the proposed project reduce the numbers of any unique, rare or endangered species of animals?

**Noise:** Will the proposed project result in significant increases in noise levels or expose people to severe noise levels? If so, what measures will be taken to reduce noise levels?

**Land Use Plans:** Will the proposal result in a substantial alteration of the present or planned land use of the project area? Does the project require a rezoning or General Plan Amendment?

**Hazardous Materials:** Does any part of the project create a risk of explosion or the release of hazardous substances? Include information on the use of hazardous substances in the operation of the proposed project.

*No Hazardous materials are accepted at our facility*

**Housing:** Will the proposed project result in a significant increased demand for additional housing within Lindsay?

**Traffic & Circulation:** Will the project generate significant volumes of additional traffic? Will the project require alterations to streets or highways or require the construction of new streets?

Enter & exit from Fresno street. No traffic problems foreseen.

**Public Services:** Will the project impact the city's police, fire or other government services, including the school district?

**Solid Waste:** Will the project generate significant volumes of solid waste? How will solid waste be disposed of at the site?

**Aesthetics:** Will the project result in the obstruction of any scenic vista or view open to the public, or will the project result in the creation of an aesthetically offensive site open to public view? How will unsightly views be screened?

**Historic & Archaeological Resources:** Will the project result in the destruction of any prehistoric or historic archaeological sites? Will the project result in physical changes to historic buildings or other structures or sites? Will the project cause physical changes that would affect unique ethnic cultural values or restrict religious or sacred uses within the project site?

I (we), being duly sworn, declare and say that I am (we are) the owner (lessee or agent) of property involved in this application and the I (we) have completed this application and all other documents and maps required to the best of my (our) ability and that the statements and information above referred to are, in all respects, true and correct except as to the matters stated to be on my (our) information and belief.

\_\_\_\_\_  
Owner/Applicant

12-04-23  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Agent

\_\_\_\_\_  
Date



**Supplemental Information***(To be attached to this application)***Site Plan:***(Required for Annexations, Conditional Use Permits, Planned Unit Developments, Site Plan Reviews, Temporary Use Permits, and Variances)*

Five (5) prints of a site plan must accompany this application for the above requested actions. A site plan is a drawing showing the layout of your project and must show the following information:

- A. **Site Location and Dimensions.** The exterior boundaries of the parcel with dimensions of each parcel line.
- B. **Buildings and Structures.**
  - 1: Location and size of existing buildings (dashed or gray lines).
  - 2: Location, size, size, and height of proposed buildings (dark or heavy lines).
- C. **Yards** and spaces between buildings.
- D. **Walls and Fences.** Show location, height and materials.
- E. **Off-Street Parking and Off-Street Loading.** Show location, number of spaces, dimensions of parking and loading areas, and the internal circulation pattern.
- F. **Signs.** Include location, size, height and type of illumination.
- G. **Lighting.** Include location and general nature - indicate any hooding devices.
- H. **Street Dedications** and improvements (if any). Include existing street improvements that are adjacent to the project.
- I. **Landscaping.** Include location, plant / tree types, and irrigation equipment.

**Legal Description:***(Required for Annexations, General Plan Amendments, Zone Changes, Subdivision Maps, Parcel Maps, and Lot Line Adjustments)*

The legal description must be signed and stamped by a licensed land surveyor or registered civil engineer.

**Tentative Map:** *(Required for Tentative Parcel Maps and Tentative Subdivision Maps)*

Twenty (20) prints of a tentative map, and one duplicate tracing and other such copies and data must accompany this application for the above requested. The map must show the following information:

1. Scale. The scale of a tentative map must not be less than 1" = 100', and such map must be clearly and legibly reproduced.
2. Vicinity Sketch. A vicinity sketch at a scale of 1" = 1000' must be drawn on the tentative map. It must show the street and tract lines and names or numbers of all existing subdivisions, and the outline of acreage parcels of land, adjacent to the proposed tract.

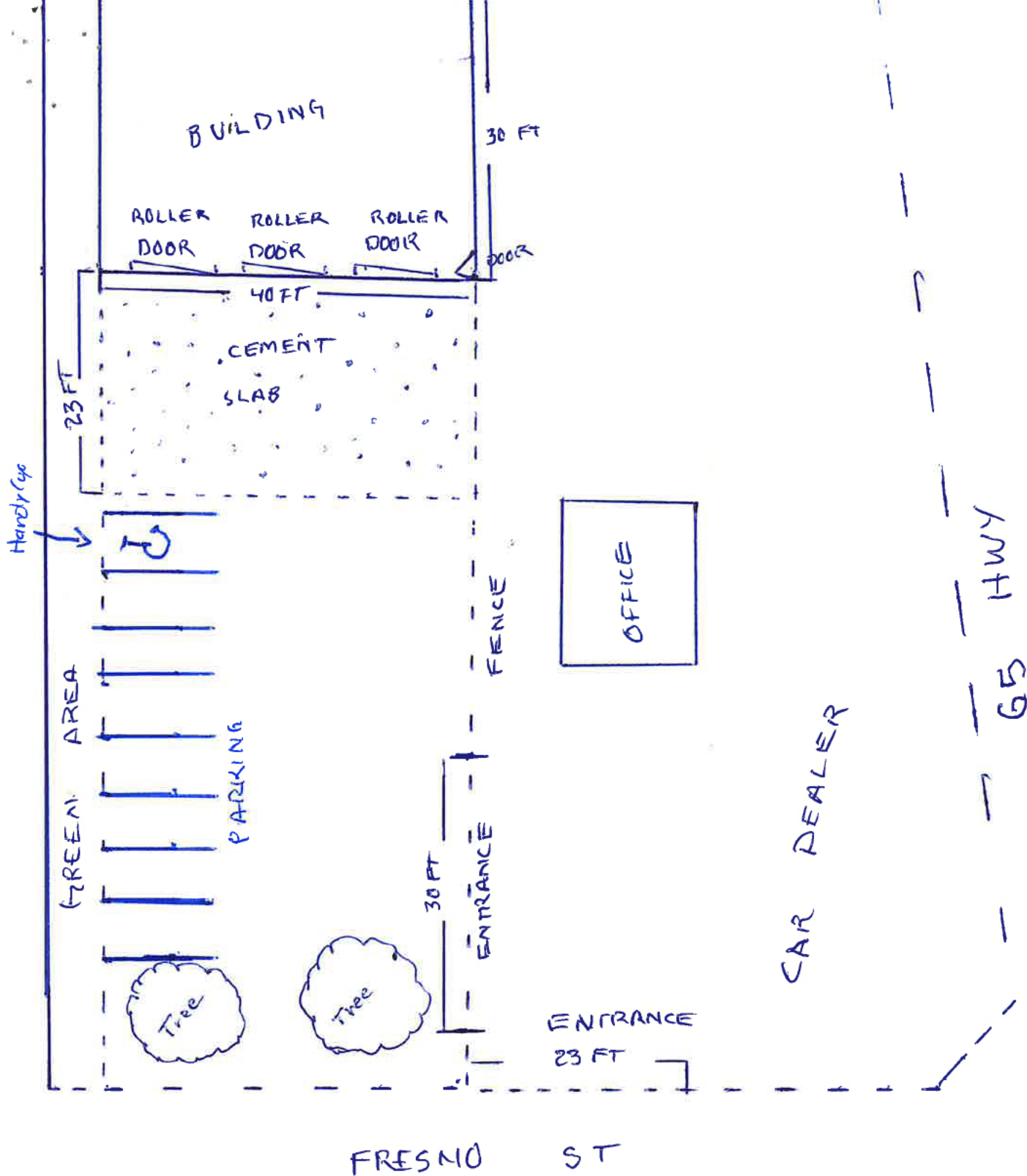
The following information must be shown on the tentative map or in an accompanying data statement:

3. Tract Name. A tract name and unit number (if possible) must be provided for any subdivision containing five (5) or more lots. Such tract names must not duplicate or nearly duplicate the name of any other tract in the City.
4. Owner Info. The name and address of the record owner or owners must be included with the map.
5. Sub Divider Info. The name and address of the sub divider; if different from the record owner there must be a statement indicating the record owner's permission to file the map, must be included with the map.
6. Graphics. The date, north point arrow, and a written and graphic scale must be included with the map.
7. Boundary Description. A sufficient description to define the location and boundaries of the proposed subdivision must be included with the map.
8. Streets. The locations, names and existing widths and grades of adjacent streets must be included with the map.
9. Adjacent Land. The names or numbers of adjacent tracts and the names of owners of adjacent unplatted land must be included with the map.
10. Contour Lines. The contours at one (1) foot intervals for predominant ground slopes within the tract between level and five (5) percent, and five (5) foot contours for predominant ground slopes within the tract over five (5) percent must be included with the map. Such contours must be based on the City of Lindsay datum. The closest city bench mark must be used and its elevation called out on the map. Bench mark information must be obtained from the City Engineer.
11. Grading Plan. A grading plan, showing by appropriate graphic means, the proposed grading of the subdivision.

12. Tree Location. The approximate location of all isolate trees with a trunk diameter of four (4) inches or greater, within the boundaries of the tract, and the outlines of groves or orchards must be included with the map.
13. Overflow Boundaries. The approximate boundaries of areas subject to inundation or storm water overflow, including location width and direction of flow of all watercourses must be included with the map.
14. Uses. The existing use or uses of the property and, to scale, the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines must be included with the map.
15. Zoning. A statement of the present zoning and proposed use of the property, as well as proposed zoning changes, whether immediate or future, must be included with the map.
16. Public Areas. Any proposed public areas must be included with the map.
17. Community Lands. Any proposed lands to be retained in private ownership for community use must be included with the map. When a subdivision contains such lands, the sub divider must submit with the tentative map the proposed articles of incorporation of an owner's or tenant's organization legally empowered to own, maintain, and pay taxes on such lands.
18. Easements. The approximate widths, locations, and uses of all existing or proposed easements for drainage, sewerage, and public utilities must be included with the map.
19. Curves. The approximate radius of each curve must be included with the map.
20. Lots. The approximate layout and dimensions of each lot must be included with the map.
21. Areas. The area of each lot must be included with the map.
22. Water Sources. A statement of the domestic water source or sources must be included with the map.
23. Sewage Disposal. A statement of provisions for sewerage and sewage disposal must be included with the map.
24. Storm Drains. Preliminary indication of needed or proposed storm drain facilities must be included with the map.
25. Access Easements. The locations, names, widths, approximate grades and a typical cross-section of curbs, gutters, sidewalks and other improvements of all street and access easements, including proposed location of all underground utilities must be included with the map.
26. Landscaping. A preliminary landscaping plan, including measures for irrigation and maintenance must be included with the map.
27. Outside Construction. The location of any of the foregoing improvements which may be required to be constructed beyond the boundaries of the subdivision must be shown on the map or on the vicinity map as appropriate.

28. Units. If it is contemplated that the development will proceed by units, the boundaries of such units must be shown on the tentative map.
  
29. Street Names. The following principles must govern street names in a subdivision:  
Each street which is a continuation of, or approximately the continuation of any existing dedicated street must be shown on the tentative map and must be given the name of such existing street. When any street forms a portion of a proposed street previously ordered by the City Council to be surveyed, opened, widened or improved, the street must be given the name established in the said Council order.

Approval of the tentative map must in no way relieve the sub divider of his responsibility to comply with the required conditions and to provide the improvements and easements necessary to meet all city standards.





## CITY OF LINDSAY PUBLIC HEARING NOTICE

Date: January 23, 2024  
Time: 6:00 PM or as soon thereafter  
Location: Council Chambers City Hall  
251 East Honolulu Street, Lindsay, CA 93247

NOTICE IS HEREBY GIVEN that the City Council of the City of Lindsay, California, will hold a public hearing January 23<sup>rd</sup>, 2024, beginning at 6:00 PM (or as soon thereafter as the matter can be heard) to solicit public comments relating to the following matter:

**CONDITIONAL USE PERMIT NO. 24-01 FOR RODRIGO RAMIREZ'S RECYCLING BUSINESS ON 598 N CA-65, ON THE CORNER OF FRESNO ST. AND CA-65 IN LINDSAY, CA 93247.**

FURTHER information on this matter and the full text of the proposed documents may be obtained from the City Clerk at 251 East Honolulu Street, Lindsay, CA 93247 during normal business hours 9:00AM-5:00PM Monday through Friday.

ALL INTERESTED PARTIES are encouraged to attend said PUBLIC HEARING to ask questions, express opinions and/or submit evidence for or against the matter. Written comments should be submitted via mail to the City Clerk at P.O. Box 369, Lindsay, CA 93247, or in person at 251 East Honolulu Street, Lindsay, CA 93247, or via email to [lindsaycityclerk@lindsay.ca.us](mailto:lindsaycityclerk@lindsay.ca.us) at least 24 hours prior to the scheduled public hearing.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF LINDSAY

Dated: January 10, 2024



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

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**NUMBER** 24-04

**TITLE** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING CONDITIONAL USE PERMIT NO 24-01, A REQUEST BY RODRIGO RAMIREZ FOR THE PROPERTY LOCATED AT 598 NORTH HIGHWAY 65 (APN: 199-260-003-000) IN THE HIGHWAY COMMERCIAL ZONE AND FINDING THAT THE PROJECT IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15301 "EXISTING FACILITIES," UNDER ARTICLE 19 OF THE CEQA GUIDELINES

**MEETING** At a regularly scheduled meeting of the City of Lindsay City Council held on January 23, 2024, at 6:00 PM at 251 E. Honolulu Street, Lindsay, CA 93247

**WHEREAS**, Conditional Use Permit Application No. 24-01 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 10 days published notice, held a public hearing before said Council on January 23<sup>rd</sup>, 2024, at 6:00pm at 251 E Honolulu Street, Lindsay, CA 93247; and

**WHEREAS**, City Planning Staff has prepared the necessary investigation and a staff report of the information bearing upon the Conditional Use Permit (CUP) application; and

**WHEREAS**, the project is categorically exempt from the provisions of the California Environmental Quality Act, as a project within existing facilities; and

**NOW, THEREFORE, BE IT RESOLVED**, that the project is exempt from further environmental review pursuant to CEQA Article 19, Section 15301; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of the City of Lindsay finds the proposed Conditional Use Permit to be consistent with the provisions of the City of Lindsay Zoning Ordinance (Municipal Code Title 18).

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

SECTION 1. The project hereby adheres to the following Conditions of Approval.

RESOLUTION NO. 23-04

Page 1 of 3



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

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- Operate in accordance with the conditional use application as submitted.
- Operate in accordance with the site map as submitted.
- The recycling facility shall operate entirely within the walls of the office as shown in the applicant's site map.
- To endure a dust-free environment is maintained, the recycling center site shall contain a dust-free drivable surface, as deemed adequate by the San Joaquin Valley Air Pollution Control District.
- Recycling materials collected shall be properly stored and removed daily to a sister facility. Under no circumstances would the recycling materials or any other refuse materials accumulate and/or become a nuisance.
- Employee restroom access shall be provided by the existing business on site, Dealer's Choice LLC.
- Comply with all applicable regulations listed in Chapter 20 of Title 8 of the Lindsay Municipal Code.
- Any infractions of the zoning ordinance or use permit conditions or approval would result in the automatic suspension of the use permit or impose requirements to ensure full compliance.
- The drive approach shall include a driveway of at least 20ft in depth and the width of the drive approach.
- Any separate signs would require separate review and approval by City Staff.
- A business license application must be submitted to City Services for a change of business location.
- The city building inspector and fire department shall inspect the facility and only then can the business be operational.

SECTION 2. This Resolution shall be effective immediately upon its approval and adoption.

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 their duly appointed deputy, is directed to attest thereto.



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

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

MEETING DATE	January 23, 2024
MOTION	
SECOND MOTION	
AYES	
ABSENT	
ABSTAIN	
NAYS	

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

\_\_\_\_\_  
FRANCESCA QUINTANA  
CITY CLERK

\_\_\_\_\_  
HIPOLITO A. CERROS  
MAYOR



# STAFF REPORT

TO: Lindsay City Council  
 FROM: Francesca Quintana, City Clerk & Assistant to the City Manager  
 DEPARTMENT: City Manager  
 ITEM NO.: 10.1  
 MEETING DATE: January 23, 2024

## ACTION & RECOMMENDATION

Review Existing Appointments and Consider the Approval of Appointment of Council Member Representatives to Boards, Agencies, and Committees.

City Staff recommends that Council consider their level of involvement, their schedule, and consider if appointments should be re-assigned based on Council Member’s interests.

## BACKGROUND | ANALYSIS

The City Council last appointed representatives to various boards, agencies, and committees in December of 2022. Staff is notifying Council of these appointments and asking them to consider their level of involvement, their schedule, and consider if appointments should be re-assigned based on Council Member’s interests. Maintaining active representation is critical to the long-term success of the City.

At the January 09, 2024, City Council Meeting, the Council requested to push this item to the next regular meeting so all Council Members could be present.

**Table 1: Boards, Agencies, and Committees Appointments (effective December 12, 2023)**

BOARDS, AGENCIES, AND COMMITTEES APPOINTMENTS (EFFECTIVE DECEMBER 12, 2023)			
Board, Agency, or Committee Name	Meeting Time	Council Member Representative	Council Member Representative Alternate
Integrated Regional Water Management (IRWM)	First Tuesday of every month at 9:00 AM	Mayor Cerros	Council Member Flores
East Kaweah Groundwater Sustainability Agency (EKWSA)	Fourth Monday of the first month of every quarter at 3:00 PM	Mayor Cerros	Council Member Sanchez
Tulare County Association of Government (TCAG) Board of Governors	Third Monday of every month at 1:00 PM	Mayor Cerros	Council Member Caudillo
Tulare County Regional Transit Agency (TCRTA) Board of Directors	Third Monday of every month at 6:00 PM	Mayor Cerros	Council Member Sanchez
Lindsay Wellness Center Programming Committee	Quarterly on Monday's at 6:00 PM	Mayor Pro Tem Serna <i>*Per Committee establishment, two (2) Council Members are required</i>	Council Member Sanchez <i>*Per Committee establishment, two (2) Council Members are required</i>
Healthy Kids Healthy Lindsay	Quarterly, select Weekday's at 3:30 PM	Mayor Cerros <i>*Per Committee Bylaws, the Mayor is automatically the Board Member</i>	Mayor Pro Tem Serna <i>*Per Committee Policy, the Mayor Pro Tem is automatically the Alternate Board Member</i>
Tulare County City Selection Committee	Quarterly, select Weekday's at 4:00 PM, or on an as-needed basis	Mayor Cerros <i>*Per committee Bylaws, the Mayor is automatically the selected member</i>	Council Member Flores
Friday Night Market Operations Ad-Hoc Oversight Committee	As-needed basis	Council Member Caudillo <i>*Per Agreement with Market Operator, two (2) Council Member Representatives are needed</i>	Mayor Cerros <i>*Per Agreement with Market Operator, two (2) Council Member Representatives are needed</i>
San Joaquin Valley (SVJ) Air Pollution Control District Special City Selection Committee	As-needed basis, typically in the evenings	Mayor Cerros	None
Tulare County Council of Cities	Bimonthly, Third Wednesday at 4:00 PM, or on an as-needed basis	Council Member Flores	Mayor Cerros
City Sign Ordinance Ad-Hoc Committee	Three (3) times throughout the year, or on an as-needed basis, typically in the evenings	Mayor Cerros <i>*Per Committee establishment, two (2) Council Members are required</i>	Council Member Sanchez <i>*Per Committee establishment, two (2) Council Members are required</i>
City Water Ad-Hoc Committee	Three (3) times throughout the year, or on an as-needed basis, typically in the evenings	Mayor Cerros <i>*Per Committee establishment, two (2) Council Members are required</i>	Council Member Sanchez <i>*Per Committee establishment, two (2) Council Members are required</i>

**FISCAL IMPACT**

No fiscal impact associated with this action.

**ATTACHMENTS**

- Boards, Agencies, and Committees Appointments Table

# BOARDS, AGENCIES, AND COMMITTEES APPOINTMENTS

## (EFFECTIVE DECEMBER 12, 2023)

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## STAFF REPORT

TO: Lindsay City Council  
FROM: Nancy Pineda, Executive Assistant/Deputy City Clerk  
DEPARTMENT: City Manager  
ITEM NO.: 10.2  
MEETING DATE: January 23, 2024

### **ACTION & RECOMMENDATION**

Consider Proposal Received in Response to the Commercial Cannabis Business Request for Proposals (RFP).

### **BACKGROUND | ANALYSIS**

On October 26, 2023, the City of Lindsay released a Commercial Cannabis Business Request for Proposal Application Package at the City Councils direction. This marked the potential establishment of a second Commercial Cannabis Business Dispensary within the City.

On the December 12, 2023, Regular Meeting, the City Council took no action and did not approve the first reading of Ordinance No. 614, which adopted a cannabis combined zoning district allowing cannabis retail within a newly created boundary in the downtown area. Ordinance No. 614 would have amended the Lindsay Zoning Map and Municipal Code pertaining to cannabis retail dispensaries. Such an amendment would have directly impacted the outcome of the Commercial Cannabis Business Request for Proposal, as it would have allowed Cannabis Business in the location of the submitted proposal.

City Staff received one (1) proposal in response to the RFP from Soledad and Reyna Diaz for the real property identified by APN 205-264-009 (Unit A) by the RFP deadline of December 11, 2023. The RFP schedule indicates that the City must notify applicants invited to final selection by January 2024. Given that Ordinance No. 614 was not approved, City Staff seeks direction from the City Council on how to proceed with the Commercial Cannabis Dispensary Proposal that was submitted.

The City Council has the following options:

- Approve the proposal received from Soledad and Reyna Diaz as well as approve an amended and updated zoning map inclusive of the applicant's potential location at a future City Council meeting.
- Reject the proposal received and discontinue the Request for Proposal for the Commercial Cannabis Business Project.



## **FISCAL IMPACT**

If the proposal is approved by the City and the project moves forward, then the City would benefit from cannabis tax revenues.

## **ATTACHMENTS**

- City of Lindsay Commercial Cannabis Business Application Package
- City of Lindsay Commercial Cannabis Business Application Proposal submitted by applicants Soledad Diaz and Reyna Diaz



# City of Lindsay Commercial Cannabis Business Application Package – Dispensary

## Application Fees

*Phase I: \$500 per applicant*

*Phase II: \$2,500*

*Phase III: \$800 (if applicable)*

*Included*

### Phase I

- Pay \$500 application fee
- Submit background check/live scan documents to the Lindsay Public Safety Department (forms attached)

### Phase II

- Pay \$2,500 application fee
- Submit application with responses to each of the seven (7) narrative descriptions listed in the Phase II Section of this packet
- Submit indemnification agreement and acknowledgement form

### Phase III (if applicable)

- Pay \$800 application fee
- Attend final interview and discuss the three topics listed in the Phase III section of the application

### Final Approval (if applicable)

- Submit Conditional Use Permit application and pay permit fees
- Submit building plans/request building permits (if applicable)

**All applications must be submitted in person to the Finance Department by Monday December 11, 2023, at 3:00 PM. Please ensure that both a hard copy and USB drive containing the application package are provided.**

### **NOTE:**

INCOMPLETE OR INCORRECT APPLICATIONS WILL BE REJECTED AND WILL REQUIRE RESUBMISSION. It is the applicant's responsibility to ensure that all required pages are included in the application package and that it is complete when submitted to the City of Lindsay Finance Department.

# Application to Operate a Commercial Cannabis Retail Dispensary

The City reserves the right to change this schedule at any time without notice.

<b>Release Date</b>	<b>October 26, 2023</b>
<b>Phase I &amp; II Submittal Deadline and Location</b>	<b>December 11, 2023, at 3:00 PM</b> City of Lindsay Finance Department 251 E. Honolulu, Lindsay, CA 93247  *Staff will be available via Zoom to address any questions
<b>Notification to Applicants Invited to Phase III Final Selection</b>	January 2024
<b>Scheduled Phase III Interviews</b>	February 2024
<b>Final Selection Announced</b>	March 2024

The City of Lindsay is now seeking applications from parties who wish to develop and operate a cannabis retail dispensary in Lindsay, which will be subject to the following requirements:

- This application process will result in the issuance of not more than one commercial cannabis retail dispensary regulatory permit (hereinafter referred to as “permit”). The Applicants will still be required to obtain the required Conditional Use Permit through the entitlement process described below;
- The approved cannabis retail dispensary (hereinafter referred to as “dispensary”) shall be located only in the City's CC (Central Commercial) zoning district, within the Central Business District, as defined in the Commercial Land Use Policies and Proposals section of the Lindsay General Plan, and further restricted to that area shown within the green polygon in the attached “Retail Cannabis Dispensary Zone” aerial image.
- Currently, applicant must have a location within the Retail Cannabis Dispensary Zone. However, the Retail Cannabis Dispensary Zone or an alternative zoning map may be in place before the final award of the permit. As the available zoning is subject to change, applicants are encouraged to select a site in the Retail Cannabis Dispensary Zone and an alternative site outside the existing Retail Cannabis Dispensary Zone and in compliance with all other state laws.
- The dispensary shall not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12 as prescribed by state law;
- The dispensary must adhere to all state and local laws that regulate the cannabis industry;
- If permitted by state law, this dispensary may operate as and sell both medicinal and recreational products.
- Prior to or concurrently with applying for the regulatory permit, the applicant shall process a Conditional Use Permit as required by the City's Zoning Ordinance.
- The approved cannabis retail dispensary shall follow the strict operating, security, odor control, recordkeeping, facilities, zoning and signage regulations as set forth in the zoning ordinance, cannabis business ordinance and related resolutions;
- Payment of applicable application fees as required; and
- Additional conditions of approval may be imposed by the City to ensure the operator remains compliant with all state and local laws as well as the conditions set forth in the operator’s application.

Per the requirements of City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations, the dispensary must operate in accordance with the requirements defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time by the State of California. In addition to said regulations applicants must comply with all local regulations.

The dispensary shall be configured primarily for product sales, and shall not operate as a restaurant, cafe, or lounge serving food or drinks for consumption on site. No alcohol or tobacco sales will be allowed on site. Additional restrictions on the operations of the dispensary are outlined in the adopted ordinance. Applicants should review City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations along with City of Lindsay Resolution 19-27 Tax Rate and Fees for Cannabis Cultivation and Other Cannabis Businesses requirements carefully before responding to this application. It is expected that the dispensary shall fully integrate itself into the surrounding neighborhood and shall contribute in a positive manner to the broader Lindsay community.

# Overview of the Application Process and Fee Structure

The application process is structured with three phases, outlined below. The non-refundable application processing fees associated with each step of the process are outlined following the description of each phase. Fees for Phases I and II are due at the time of application submittal on December 11, 2023, at 3:00 PM. Fees for Phase III shall be required only for those applicants who advance beyond Phase II.

## Phase I – Background

Phase I requires each applicant to complete the Phase I background materials, which include the attached live scan form and commercial cannabis employee permit application, as well as an indemnification agreement to hold harmless the City of Lindsay. Each applicant will be required to submit to a criminal background investigation. Fingerprints and Photograph shall be required from each applicant as part of this process.

All applicants must pass the background investigation in order to proceed forward to Phase II. Once applications are received, applicants will be contacted to schedule a time to conduct the live scan at the Lindsay Public Safety Department. **NOTE:** live scans must be conducted in person at the Lindsay Public Safety Department located at 185 N. Gale Hill Ave., Lindsay, CA 93247.

Phase I Fees: \$500 non-refundable application fee for **each applicant** payable to the “City of Lindsay.”

## Phase II – Overview

All applicants that successfully pass the Phase I criminal background investigation will advance to the second phase of the application process, which will include the Public Safety Director’s review of the completed Commercial Cannabis Retail dispensary Regulatory Permit Application in addition to the narrative descriptions of the (1) proposed business plan summary and budgets, (2) site location and development plan, (3) proof of capitalization, (4) management team, (5) proof of existing successful retail cannabis dispensary operation, (6) summary of security practices, and (7) community benefits.

All application materials will be objectively scored and ranked according to the application requirements outlined below.

Phase II Fees: \$2,500 non-refundable application fee due at time of initial application submittal, payable in one check to the “City of Lindsay”. If Background check is not cleared and applicant withdraws their application, the \$2,500 application fee will not be refunded.

## Phase II - Application Requirements

- **Business Plan Summary and Budget – 20 points possible**

The applicant shall submit a summary of the business plan for the day-to-day operations of the dispensary. The business plan summary shall include but not be limited to:

- Operational Overview: A comprehensive description of the day-to-day operations of the

dispensary. This should encompass a breakdown of the cannabis-related products and/or services being sold, alongside any accessory services or connected facilities.

- Detailed Process Outline: In the business plan for the proposed dispensary, provide a meticulous list of all cannabis operations set to take place on the premises. This should detail processes including but not limited to standard operating procedures, employee count, training programs, inventory, and quality control measures, lists of both recreational and medicinal products expected to be available, waste management strategies, and logistics regarding transportation and distribution of products.
  - Budget Overview: A detailed financial plan should be provided, delineating projected expenses, anticipated revenue streams, and financial projections for the short and long term. This should also include any capital investments, ongoing operational costs, and expected return on investment.
  - Project Timeline: A clear timeline for the rollout of the dispensary's operations should be provided. This should encompass key milestones such as regulatory approvals, construction or renovation of the premises, hiring and training of staff, commencement of operations, and any subsequent expansion or development plans.
  - Compliance Measures: Elaborate on procedures concerning testing, quality control practices, visitor and vendor protocols (like logs, non-disclosure agreements, etc.), and the track and trace policies and procedures, ensuring adherence to regulatory standards.
- **Site Location and Development Proposal – 20 points possible**
    - Currently, applicant must have a location within the Retail Cannabis Dispensary Zone. However, the Retail Cannabis Dispensary Zone or an alternative zoning map may be in place before the final award of the permit. As the available zoning is subject to change, applicants are encouraged to select a site in the Retail Cannabis Dispensary Zone and an alternative site outside the existing Retail Cannabis Dispensary Zone and in compliance with all other state laws.
    - The applicant shall identify and describe the location in which the retail dispensary will be located by providing the following information:
      - Address, Assessor's Parcel Number, Site Area and Dimensions;
      - Proof of ability to lease/purchase property (Property Owner Affidavit)
    - The applicant shall provide a conceptual layout of the sites intended development including but not limited to, all proposed uses, building floor area, number of stories, parking, ingress/egress, elevations (if available), and floor plan. The conceptual plan shall be to scale but does not need to be drawn by a licensed engineer or architect.
    - The Retail Dispensary Operation may be component of a larger proposed or existing development proposal which can be described in this application.
  - **Proof of Capitalization – 20 points possible**

The applicant shall submit proof demonstrating sufficient capital is in place to pay startup costs and at least three months of operating

costs. Proof of capitalization shall be in the form of:

- Documentation of cash or other liquid assets (e.g., bank statement)
- Letter of Credit

● **Management Team – 20 points possible**

The applicant shall submit:

- An organizational chart with name and role of each known member of the management team including roles that are known but unfilled should also be included.
  - Resumes for each member of the management team.
  - A discussion of the experience of the management team.
- The application shall include information concerning any special business or professional qualifications or licenses of the management team that would add to the number or quality of services that the dispensary would provide, especially in areas related to medicinal cannabis, such as scientific or health care fields.

● **Proof of Existing Successful Retail Cannabis Dispensary Operation – 20 points possible**

The applicant shall demonstrate the ability to develop a successful, sustainable, harmonious operation by providing proof of the following:

- Has maintained an existing, successful retail cannabis dispensary operation for a period of one year or more. (Provide tax documentation)
- Has maintained a harmonious relationship for one year or more with the government entity holding jurisdictional authority over the existing retail cannabis dispensary. (Provide supporting documentation from the government entity holding jurisdictional authority along with a local crime report).

The applicant must also demonstrate how they will ensure that they will minimize any nuisance and/or negative impacts on the surrounding community, including minimizing noise, odor, increased foot and vehicle traffic, increased waste production and water usage, and increased safety concerns, among others.

● **Summary of Security Practices – 20 points possible**

Applicants shall describe their approach to operational security including but not limited to:

- General security policies.
- Employee-specific policies and training.
- Discussion of transactional security, visitor security, third-party contractor security, and delivery security.
- Financial Security.

Applicants should address ingress and egress access, perimeter security, product security (at all hours), internal security measures for limited access areas, types of security systems (alarms, cameras, etc.), and security personnel to be employed. This discussion must also include a description of how cannabis will be tracked and monitored to prevent diversion, such as by verifying the status of recommending physicians, if selling medicinal cannabis, and retaining copies of all written

recommendations from recommending physicians when applicable. Applicants are encouraged to provide a sample written policy that has been developed.

Security plans shall not be made public, unless required by court action. Security plan details that could aid persons who wish to commit security violations shall be considered confidential and shall not be released to the public unless ordered by a court of law.

Please refer to City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations, Resolution 19-19 for regulatory permit requirements for cannabis business owners and City of Lindsay Resolution 19-20 for cannabis minimum premises security requirements and regulations that should be included in your proposal.

- **Community Benefits - 20 points possible**

The applicant must provide a discussion of how they intend to provide the City of Lindsay and its residents with community benefits and mitigate any nuisance and/or negative impacts that the dispensary's existence may create. Quantifying the community benefit with a level of financial commitment along with performance timelines is required and shall be provided in a Community Benefits Program document.

Examples of community benefits may include, but are not limited to;

- improve blighted buildings within the City's Central Business District;
- provide funding for repairs and improvements to Sweet Brier Plaza;
- provide improvements and/or support to the Lindsay's Wellness Center or parks;
- Provide funding to the Public Safety Department for capital expenses such as: police vehicles, safety equipment, and/or public safety building improvements;
- contribute to local substance abuse programs or other activities that benefit the local community as well as the City of Lindsay.
- support or fund other community programs;
- on-going support for programs that benefit the community



## Phase III – Overview

After all applications from Phase II have been ranked and scored, a sub-set of finalists shall be invited to advance to Phase III, at which point the Phase III non-refundable application fee shall be due, and Phase III applicants will be invited to an interview to discuss the Phase II items listed below. The number of applications that will be invited to submit a Phase III response will be set by the selection committee.

*Phase III Fees: Non-refundable fee of \$800, payable in one check to the “City of Lindsay.” Please note that this application fee is applicable only to applicants who advance to Phase III.*

## Phase III - Application Requirements

### 1. Product Safety and Labeling

The application shall state how the dispensary will ensure enhanced consumer safety by testing or confirming that testing has been certified for biological and chemical contaminants. The applicant must also submit a discussion regarding the product labeling standards to be employed and how they will comply with state and local laws, regulations, and policies. The applicant must also provide information on product labeling sufficient to ensure that cannabis and edible products containing cannabis clearly identify the percentage level of delta-9 (trans) tetrahydrocannabinol, cannabidiol, and cannabinol, and have adequate warnings.

### 2. Community Benefits

The applicant must provide a discussion of how they intend to provide the City of Lindsay and its residents with the community benefits described in Phase II along with how they intend to mitigate any negative impacts.

### 3. Hiring and Employment Practices

The applicant must submit a description of their labor and employment practices. These policies and practices could include, but are not necessarily limited to, the following:

- Discussion of Hiring Plan
- Training and continuing education opportunities—the applicant should discuss the introductory and on-going training opportunities that will be provided to the employees of the dispensary.
- For an applicant with 20 or more employees, provide a statement that the applicant will enter into, or demonstrate that it has already entered into, and abide by the terms of a labor agreement.
- Providing Equal Benefits and/or signing a Declaration of Non-Discrimination.

## Final Selection

Following an objective ranking of the above application materials, applicants may be invited for interview(s) with City staff and/or representatives. Following completion of the interview(s), City staff intends to bring forward for the City Council's consideration not more than two recommended dispensary operators. The recommended operator should be prepared to attend a City Council meeting in Lindsay in order to provide a public presentation before the Mayor and City Council introducing their team and providing an overview of their proposal. The City of Lindsay reserves the right to request any other additional information or documentation deemed necessary to review the applications throughout the entire application and dispensary permitting process. The City also reserves the right to request references from applicants.

Following the review and approval by the City Council, the selected operator will be invited to submit, within 90 days, a Conditional Use Permit (CUP) application along with any other necessary land use entitlement applications to the Lindsay City Services Department for processing. Once the conditional use permit and other applicable land use entitlements have been secured the applicant will be issued an official regulatory permit from the Public Safety Department within 30 days.

## Submission Process and General Conditions

Should applicants have questions about this application or require additional clarification about the contents of the application, such questions should be directed to the Office of the City Manager via phone at (559) 562-7102 Ext. 8011 or via email to the Assistant to the City Manager at [npineda@lindsay.ca.us](mailto:npineda@lindsay.ca.us).

Applicants should submit the following materials before the Phase I/II deadline outlined above:

- Completed "Live Scan/Background Packet" form for all Applicants. Background packets will be required for owners and live scan will be required for employees.
- Indemnification Agreement and Acknowledgement Form
- One (1) Response to the Phase II Application, outlined above

In addition, applicant must submit, in person, checks as follows:

- Application check for \$2,500 payable to the "City of Lindsay"
- Fees for background checks (\$500 x the number of applicants)

**All of the above materials shall be submitted to:**

City of Lindsay – Finance Department  
251 E. Honolulu.  
Lindsay, CA 93247

**Deadline for submitting applications:  
December 11, 2023, at 3:00 PM**

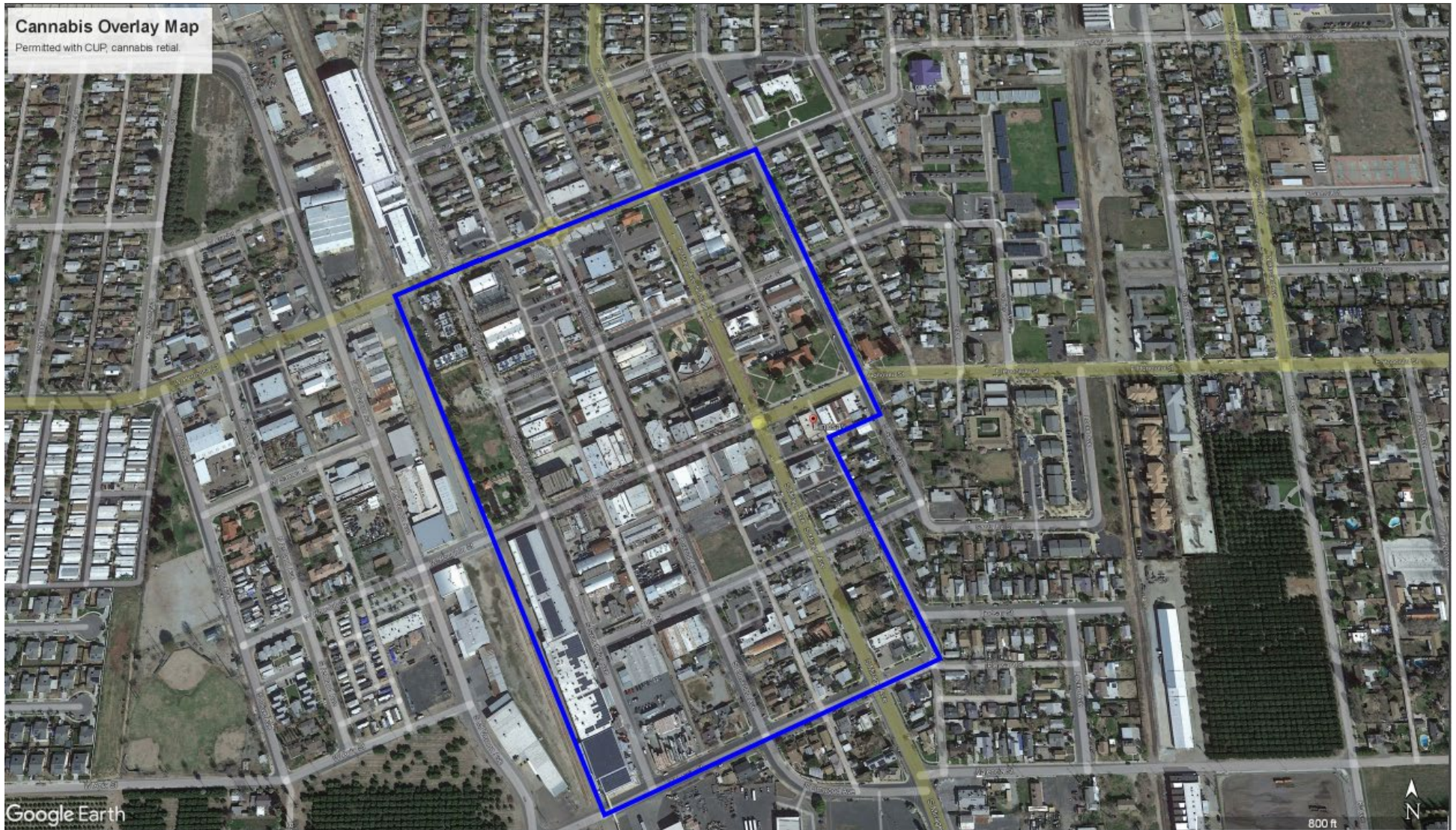
**By submitting a proposal, the applicant represents and warrants that:**

1. The information provided is genuine and not a sham, collusive, or made in the interest or on behalf of any party not therein named, and that the applicant has not directly or indirectly induced or solicited any other applicant to put in a sham proposal, or any other applicant to refrain from presenting information and that the prospective provider has not in any manner sought by collusion to secure an advantage.
2. The applicant has not paid or agreed to pay any fee or commission, or any other thing of value contingent upon the award of an exclusive operating area, to any employee, official, or existing contracting consultant of the City of Lindsay.
3. All costs of preparation of proposals including travel for any interviews scheduled shall be borne by the applicants.
4. All proposals become the property of the City of Lindsay. The City reserves the right to reject any and all submittals; to request clarification of information submitted; to request additional information from competitors; and to waive any irregularity in the submission and review process. None of the materials submitted will be returned to the bidder.
5. Information or materials submitted in response to this application will be stored on file with the City of Lindsay and may subject to the requirements of the California Public Records Act, or subject to public disclosure as ordered by a court of law. Proposed security plans shall be considered confidential.
6. The City reserves the right to request additional information not included in this application from any or all applicants.
7. The City reserves the right to contact references not provided in the submittals.

The City reserves the right to incorporate its standard agreement language into any contract resulting from this application

## Retail Cannabis Dispensary Zone

Retail Cannabis Dispensaries shall be located with the designated boundary outlined in blue.





# COMMERCIAL MARIJUANA APPLICATION INDEMNIFICATION AGREEMENT BY AND BETWEEN CITY OF LINDSAY AND

THIS INDEMNIFICATION AGREEMENT (“Agreement”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the City of Lindsay (“City”) and \_\_\_\_\_ (“Applicant”).

## RECITALS

WHEREAS, the Applicant has a legal and/or equitable interest in the certain real property located at Assessor Parcel Number(s): \_\_\_\_\_ (“Property”); and

WHEREAS, the Applicant has submitted an application to the City for a cannabis business on the Property, pursuant to Chapter 5.28 of the City of Lindsay Municipal Code, hereafter referred to as the “Project.”

## TERMS

NOW, THEREFORE, pursuant to Chapter 5.28 of the City of Lindsay Municipal Code, and in consideration of the premises, covenants and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Nothing in this Agreement shall be construed to limit, direct, impede or influence the City’s review and consideration of the Project.
2. Applicant shall defend, indemnify, save and hold harmless the City of Lindsay, its elected and appointed officials, officers, employees, agents and volunteers from any and all claims, actions, proceedings or liability of any nature whatsoever (including, but not limited to: any approvals issued in connection with any of the above described application(s) by City; any action taken to provide related environmental clearance under the California Environmental Quality Act (“CEQA”) by City’s advisory agencies, boards or commissions, appeals boards, or commissions, Planning Commission, or City Council; and attorneys’ fees and costs awards) arising out of, or in connection with the City’s review or approval of the Project or arising out of or in connection with the acts or omissions of the Applicant, its agents, employees or contractors.

With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the Project, including any contention the Project or its approval is defective because a City ordinance, resolution, policy, standard or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the Applicant, its agents, employees or contractors, its obligation, hereunder shall apply regardless of whether the City prepared, supplied or approved plans, specifications or both.

3. The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
4. The City will promptly notify Owner and Applicant of any such claim, action, or proceeding that is or may be subject to this Indemnification and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the City defends the claim, action, or proceeding in good faith.
5. The City Council shall have the absolute right to approve any and all counsel employed to defend the City. To the extent the City uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse the City upon demand. Such resources include, but are not limited to, staff time, court costs, City Council's time at its regular rate for non-City agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action or proceedings.
6. For any breach of this obligation the City may rescind its approval of the Project.
7. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved in writing by the Applicant, which approval shall not be unreasonably withheld. The City must approve any settlement affecting the rights and obligations of the City.
8. The parties agree that this Agreement shall constitute a separate agreement from any Project approval, and that if the Project, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
9. This Agreement shall be construed and enforced in accordance with the laws of the State of California.
10. The Applicant shall pay all court ordered costs and attorney fees.
11. The defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.

After review and consideration of the foregoing terms and conditions, Applicant, but its signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

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

Applicant(s):

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature



## Commercial Cannabis Permit Application Acknowledgement Form

- I/we have read, fully understand and agree to operate within the regulations identified in The City of Lindsay's Ordinance's and all other applicable state laws and regulations as it relates to commercial cannabis operations and further understand that my permit(s) may be revoked for not operating in compliance with said regulations.
- I/we understand the City reserves the right to reduce the size of area allowed for cultivation under any clearance or license issued, in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation.
- I/we understand that it is our responsibility as the applicant to obtain will serve letters from all utility companies that will be serving my development. I/we understand that we will bear the sole cost of any upgrades, transmission improvements needed to serve my development as required by the utility companies.
- I/we agree that all structures utilized for Commercial Cannabis Businesses will be planned and built in accordance with applicable Building Codes and to the satisfaction of the City.
- I/we understand that the information I provide with my application may be released as required by law, judicial order, or subpoena, and could be used in a criminal prosecution.
- I/we agree to defend, indemnify, and hold harmless the City from any defense costs, including attorneys' fees or other loss connected with any legal challenge brought as a result of the City's review and/or approval of this license issuance. I/we agree to execute a formal agreement to this effect on a form provided by the City and available for my inspection.
- I/we understand that the application fee is non-refundable even if I cancel my application or it is denied during the process.
- I/we acknowledge that without a complete application package my application may be delayed.
- I/we recognize that the City Services Department and Public Safety Director reserves the right to request additional information if necessary to complete review or processing of the application and confirm or promote conformance to ordinance-specific requirements and standards.
- I/we authorize the City, its agents, and employees to seek verification of the information contained within the application including a background check of the applicant and all employees and independent contractors.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**Property Owner Affidavit**

I, \_\_\_\_\_, authorize the Commercial Cannabis activity entitled \_\_\_\_\_ to use/purchase this property as a Commercial Cannabis facility, as those terms are defined in the Lindsay City Municipal Code, should this facility obtain the appropriate permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property if leasing the property to the applicant.

Legal Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature) Title: \_\_\_\_\_

Legal Building Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature) Title: \_\_\_\_\_

**ATTACH:**

Proof of possession of the premises and approval of use (deed, lease, lease agreement, agreement showing willingness to sell property if applicant obtains permit)

Notary Use Only:

State of California  
County of Tulare

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a notary public, the undersigned Officer, personally appeared to me, \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purpose therein contained.

I witness hereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

**Building Owner Affidavit**

I, \_\_\_\_\_, authorize the Commercial Cannabis Dispensary entitled \_\_\_\_\_ to use/purchase this property as a Commercial Cannabis dispensary, as those terms are defined in the City of Lindsay Municipal Code, should this dispensary obtain a Permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property if leasing the property to the applicant.

**Property Manager Affidavit (if applicable)**

I, \_\_\_\_\_, authorize the Commercial Cannabis Dispensary entitled \_\_\_\_\_ to use this property as a Commercial Cannabis dispensary, as those terms are defined in the City of Lindsay Municipal Code, should this dispensary obtain a Permit. I further understand that I am responsible for, and subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property.



**Background Investigation Packet – Business Owners  
(Must be completed by each owner)**

Under penalty of perjury, I acknowledge that I have personal knowledge of the information stated in this application. I hereby certify that all of the answers provided and statements made in this questionnaire are true and complete. I understand any misstatements of material fact, omissions, incomplete answers, or inaccurate responses will subject me to disqualification or dismissal.

**Owner Name:** \_\_\_\_\_

**Home or Cell Phone:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Tax ID Number:** \_\_\_\_\_

**Height:** \_\_\_\_\_

**Weight:** \_\_\_\_\_

**Hair Color:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Items to be completed as part of the Packet at the Lindsay Public Safety Department:**

Live Scan (attached)

Photograph (taken at the Lindsay Public Safety

Department) Fingerprinting (done at the Lindsay Public

Safety Department) Copy of Driver’s License, DMV issued

ID Card or Passport

Proof of address (DMV-issued ID/driver’s license, and/or recent utility bill under Owner’s name)

Staff use only: Pass background check

**Add more pages as necessary to accommodate responses.**

1. Indicate whether, the owner has been convicted of any of the violent felonies listed below as specified in subdivision (c) of Section 667.5 of the Penal Code or a serious felony as specified in subdivision (c) of Section 1192.7 of the Penal Code including:

**Section 667.5**

- Murder or voluntary manslaughter.
- Mayhem.
- Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
- Sodomy as defined in subdivision (c) or (d) of Section 286.
- Oral copulation as defined in subdivision (c) or (d) of Section 288a.
- Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288.
- Any felony punishable by death or imprisonment in the state prison for life.
- Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55.
- Any robbery.
- Arson, in violation of subdivision (a) or (b) of Section 451.
- Sexual penetration as defined in subdivision (a) or (j) of Section 289.
- Attempted murder.
- A violation of Section 18745, 18750, or 18755.
- Kidnapping.
- Assault with the intent to commit a specified felony, in violation of Section 220.
- Continuous sexual abuse of a child, in violation of Section 288.5.
- Carjacking, as defined in subdivision (a) of Section 215.
- Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1.
- Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22.
- Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22.
- Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.
- Any violation of Section 12022.53.
- A violation of subdivision (b) or (c) of Section 11418. The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person.

## **Section 1192.7**

- Murder or voluntary manslaughter
- Mayhem
- Rape
- Sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person
- Oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person;
- Lewd or lascivious act on a child under 14 years of age;
- Any felony punishable by death or imprisonment in the state prison for life;
- Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm;
- Attempted murder;
- Assault with intent to commit rape or robbery;
- Assault with a deadly weapon or instrument on a peace officer;
- Assault by a life prisoner on a non-inmate;
- Assault with a deadly weapon by an inmate;
- Arson;
- Exploding a destructive device or any explosive with intent to injure;
- exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem;
- Exploding a destructive device or any explosive with intent to murder;
- Any burglary of the first degree;
- Robbery or bank robbery;
- Kidnapping;
- Holding of a hostage by a person confined in a state prison;
- Attempt to commit a felony punishable by death or imprisonment in the state prison for life;
- Any felony in which the defendant personally used a dangerous or deadly weapon;
- Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code;
- Any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person;
- Grand theft involving a firearm;
- Carjacking;
- Any felony offense, which would also constitute a felony violation of Section 186.22;
- Assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220;
- Throwing acid or flammable substances, in violation of Section 244;
- Assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245;
- Assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Section 245.2, 245.3, or 245.5;
- Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246;

- Commission of rape or sexual penetration in concert with another person, in violation of Section 264.1;
- Continuous sexual abuse of a child, in violation of Section 288.5;
- Shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100;
- Intimidation of victims or witnesses, in violation of Section 136.1;
- Criminal threats, in violation of Section 422;
- Any attempt to commit a crime listed in this subdivision other than an assault;
- Any violation of Section 12022.53;
- A violation of subdivision (b) or (c) of Section 11418; and any conspiracy to commit an offense described in this subdivision. If yes, explain.'

1. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. Does the owner have a conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor? If yes, explain.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Does the owner have a felony conviction involving fraud, deceit, or embezzlement? If yes, explain.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Does the applicant have a felony conviction for drug trafficking with enhancements pursuant to Section 11370.4 or 11379.8 of the Health and Safety Code? If yes, explain.

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5. Does the applicant, or any of its officers, directors, or owners, has been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to Section 12025 or 12025.1 of the Fish and Game Code?

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6. Does the applicant, or any of its officers, directors, or owners, has been sanctioned by a licensing authority or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three years immediately preceding the date the application is filed with the licensing authority? If yes, explain.

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7. Failure to obtain and maintain a valid seller's permit required pursuant to Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code. If yes, explain.

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8. Are you a member or have you been associated with any criminal street gang? If yes, explain.

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9. Is there anything else you feel the background investigator should know about you or your experiences?

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10. List 5 references that the City may contact.

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_





**Background Investigation Packet – Employee  
(Must be completed by each employee)**

Under penalty of perjury, I acknowledge that I have personal knowledge of the information stated in this application. I hereby certify that all of the answers provided, and statements made in this questionnaire are true and complete. I understand any misstatements of material fact, omissions, incomplete answers, or inaccurate responses will subject me to disqualification or dismissal.

**Employee Name:** \_\_\_\_\_

**Home or Cell Phone:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Height:** \_\_\_\_\_

**Weight:** \_\_\_\_\_

**Hair Color:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Items to be completed as part of the Packet at the Lindsay Public Safety Department:**

Live Scan (attached)

Photograph (taken at the Lindsay Public Safety

Department) Fingerprinting (done at the Lindsay Public

Safety Department) Copy of Driver’s License, DMV issued

ID Card or Passport

Proof of address (DMV-issued ID/driver’s license, and/or recent utility bill under Employee’s name)

Staff use only: Pass background check



### REQUEST FOR LIVE SCAN SERVICE

#### Applicant Submission

CA0540400  
ORI (Code assigned by DOJ)

NON-SWORN LEA PERSONNEL  
Authorized Applicant Type

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

Contributing Agency Information:  
LINDSAY POLICE DEPARTMENT  
Agency Authorized to Receive Criminal Record Information  
185 N. GALE HILL AVE.  
Street Address or P.O. Box  
LINDSAY CA 93247  
City State ZIP Code

05890  
Mail Code (five-digit code assigned by DOJ)  
MARI CARRILLO  
Contact Name (mandatory for all school submissions)  
(559) 562-7120  
Contact Telephone Number

#### Applicant Information:

Last Name  
Other Name (AKA or Alias) Last  
Date of Birth Sex  Male  Female  
Height Weight Eye Color Hair Color  
Place of Birth (State or Country) Social Security Number  
Home Address Street Address or P.O. Box

First Name Middle Initial Suffix  
First Suffix  
Driver's License Number  
Billing Number 143059 (Agency Billing Number)  
Misc. Number (Other Identification Number)  
City State ZIP Code

Your Number: \_\_\_\_\_  
OCA Number (Agency Identifying Number)

Level of Service:  DOJ  FBI  
(If the Level of Service indicates FBI, the fingerprints will be used to check the criminal history record information of the FBI)

If re-submission, list original ATI number:  
(Must provide proof of rejection)

Original ATI Number

#### Employer (Additional response for agencies specified by statute):

Employer Name  
Street Address or P.O. Box  
City State ZIP Code

Mail Code (five digit code assigned by DOJ)  
Telephone Number (optional)

Live Scan Transaction Completed By:

Name of Operator

Date

Transmitting Agency

LSID

ATI Number

Amount Collected/Billed



## REQUEST FOR LIVE SCAN SERVICE

### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The California Justice Information Services (CJIS) Division in the Department of Justice (DOJ) collects the information requested on this form as authorized by Business and Professions Code sections 4600-4621, 7574-7574.16, 26050-26059, 11340-11346, and 22440-22449; Penal Code sections 11100-11112, and 11077.1; Health and Safety Code sections 1522, 1416.20-1416.50, 1569.10-1569.24, 1596.80-1596.879, 1725-1742, and 18050-18055; Family Code sections 8700-87200, 8800-8823, and 8900-8925; Financial Code sections 1300-1301, 22100-22112, 17200-17215, and 28122-28124; Education Code sections 44330-44355; Welfare and Institutions Code sections 9710-9719.5, 14043-14045, 4684-4689.8, and 16500-16523.1; and other various state statutes and regulations. The CJIS Division uses this information to process requests of authorized entities that want to obtain information as to the existence and content of a record of state or federal convictions to help determine suitability for employment, or volunteer work with children, elderly, or disabled; or for adoption or purposes of a license, certification, or permit. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The DOJ's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided. Failure to provide all the necessary information will result in delays and/or the rejection of your request.

**Access to Your Information.** You may review the records maintained by the CJIS Division in the DOJ that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to process applications pertaining to Live Scan service to help determine the suitability of a person applying for a license, employment, or a volunteer position working with children, the elderly, or the disabled, we may need to share the information you give us with authorized applicant agencies.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;
- To another government agency as required by state or federal law.

**Contact Information.** For questions about this notice or access to your records, you may contact the Associate Governmental Program Analyst at the DOJ's Keeper of Records at (916) 210-3310, by email at [keeperofrecords@doj.ca.gov](mailto:keeperofrecords@doj.ca.gov), or by mail at:

Department of Justice  
Bureau of Criminal Information & Analysis  
Keeper of Records  
P.O. Box 903417

Sacramento, CA 94203-4170



# City of Lindsay Commercial Cannabis Business Application Package – Dispensary

## Application Fees

*Phase I: \$500 per applicant*

*Phase II: \$2,500*

*Phase III: \$800 (if applicable)*

*Included*

### Phase I

- Pay \$500 application fee
- Submit background check/live scan documents to the Lindsay Public Safety Department (forms attached)

### Phase II

- Pay \$2,500 application fee
- Submit application with responses to each of the seven (7) narrative descriptions listed in the Phase II Section of this packet
- Submit indemnification agreement and acknowledgement form

### Phase III (if applicable)

- Pay \$800 application fee
- Attend final interview and discuss the three topics listed in the Phase III section of the application

### Final Approval (if applicable)

- Submit Conditional Use Permit application and pay permit fees
- Submit building plans/request building permits (if applicable)

**All applications must be submitted in person to the Finance Department by Monday December 11, 2023, at 3:00 PM. Please ensure that both a hard copy and USB drive containing the application package are provided.**

#### **NOTE:**

INCOMPLETE OR INCORRECT APPLICATIONS WILL BE REJECTED AND WILL REQUIRE RESUBMISSION. It is the applicant's responsibility to ensure that all required pages are included in the application package and that it is complete when submitted to the City of Lindsay Finance Department.

^[[5i

RECV'D BY: 01000496863  
PAYOR: SOLEDAD/ REYNA DIAZ  
TODAY'S DATE: 11/14/23  
REGISTER DATE: 11/14/23 TIME: 17:54

DESCRIPTION	AMOUNT
MISCELLANEOUS REVENUE	\$500.00
CUST ID: CANNABIS PHASE1 REYNA DIA	
MISCELLANEOUS REVENUE	\$500.00
CUST ID: CANNABIS PHASE1 SOLEDAD D	
MISCELLANEOUS REVENUE	\$2,500.00
CUST ID: CANNABIS PACKAGE PHASE2	

TOTAL DUE: \$3,500.00 ✓

TENDERED:	\$3,500.00
CHANGE:	\$ .00
CHECK :	\$2,500.00
REF NUM: 486	
CHECK :	\$500.00
REF NUM: 488	
CHECK :	\$500.00
REF NUM: 487	

^[[4i

MISC  
# 342042

# Application to Operate a Commercial Cannabis Retail Dispensary

The City reserves the right to change this schedule at any time without notice.

<b>Release Date</b>	<b>October 26, 2023</b>
<b>Phase I &amp; II Submittal Deadline and Location</b>	<b>December 11, 2023, at 3:00 PM</b> City of Lindsay Finance Department 251 E. Honolulu, Lindsay, CA 93247  *Staff will be available via Zoom to address any questions
<b>Notification to Applicants Invited to Phase III Final Selection</b>	January 2024
<b>Scheduled Phase III Interviews</b>	February 2024
<b>Final Selection Announced</b>	March 2024



The City of Lindsay is now seeking applications from parties who wish to develop and operate a cannabis retail dispensary in Lindsay, which will be subject to the following requirements:

- This application process will result in the issuance of not more than one commercial cannabis retail dispensary regulatory permit (hereinafter referred to as "permit"). The Applicants will still be required to obtain the required Conditional Use Permit through the entitlement process described below;
- The approved cannabis retail dispensary (hereinafter referred to as "dispensary") shall be located only in the City's CC (Central Commercial) zoning district, within the Central Business District, as defined in the Commercial Land Use Policies and Proposals section of the Lindsay General Plan, and further restricted to that area shown within the green polygon in the attached "Retail Cannabis Dispensary Zone" aerial image.
- Currently, applicant must have a location within the Retail Cannabis Dispensary Zone. However, the Retail Cannabis Dispensary Zone or an alternative zoning map may be in place before the final award of the permit. As the available zoning is subject to change, applicants are encouraged to select a site in the Retail Cannabis Dispensary Zone and an alternative site outside the existing Retail Cannabis Dispensary Zone and in compliance with all other state laws.
- The dispensary shall not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12 as prescribed by state law;
- The dispensary must adhere to all state and local laws that regulate the cannabis industry;
- If permitted by state law, this dispensary may operate as and sell both medicinal and recreational products.
- Prior to or concurrently with applying for the regulatory permit, the applicant shall process a Conditional Use Permit as required by the City's Zoning Ordinance.
- The approved cannabis retail dispensary shall follow the strict operating, security, odor control, recordkeeping, facilities, zoning and signage regulations as set forth in the zoning ordinance, cannabis business ordinance and related resolutions;
- Payment of applicable application fees as required; and
- Additional conditions of approval may be imposed by the City to ensure the operator remains compliant with all state and local laws as well as the conditions set forth in the operator's application.

Per the requirements of City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations, the dispensary must operate in accordance with the requirements defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time by the State of California. In addition to said regulations applicants must comply with all local regulations.

The dispensary shall be configured primarily for product sales, and shall not operate as a restaurant, cafe, or lounge serving food or drinks for consumption on site. No alcohol or tobacco sales will be allowed on site. Additional restrictions on the operations of the dispensary are outlined in the adopted ordinance. Applicants should review City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations along with City of Lindsay Resolution 19-27 Tax Rate and Fees for Cannabis Cultivation and Other Cannabis Businesses requirements carefully before responding to this application. It is expected that the dispensary shall fully integrate itself into the surrounding neighborhood and shall contribute in a positive manner to the broader Lindsay community.

## Overview of the Application Process and Fee Structure

The application process is structured with three phases, outlined below. The non-refundable application processing fees associated with each step of the process are outlined following the description of each phase. Fees for Phases I and II are due at the time of application submittal on December 11, 2023, at 3:00 PM. Fees for Phase III shall be required only for those applicants who advance beyond Phase II.

### Phase I – Background

Phase I requires each applicant to complete the Phase I background materials, which include the attached live scan form and commercial cannabis employee permit application, as well as an indemnification agreement to hold harmless the City of Lindsay. Each applicant will be required to submit to a criminal background investigation. Fingerprints and Photograph shall be required from each applicant as part of this process.

All applicants must pass the background investigation in order to proceed forward to Phase II. Once applications are received, applicants will be contacted to schedule a time to conduct the live scan at the Lindsay Public Safety Department. **NOTE:** live scans must be conducted in person at the Lindsay Public Safety Department located at 185 N. Gale Hill Ave., Lindsay, CA 93247.

Phase I Fees: \$500 non-refundable application fee for **each applicant** payable to the “City of Lindsay.”

### Phase II – Overview

All applicants that successfully pass the Phase I criminal background investigation will advance to the second phase of the application process, which will include the Public Safety Director’s review of the completed Commercial Cannabis Retail dispensary Regulatory Permit Application in addition to the narrative descriptions of the (1) proposed business plan summary and budgets, (2) site location and development plan, (3) proof of capitalization, (4) management team, (5) proof of existing successful retail cannabis dispensary operation, (6) summary of security practices, and (7) community benefits.

All application materials will be objectively scored and ranked according to the application requirements outlined below.

Phase II Fees: \$2,500 non-refundable application fee due at time of initial application submittal, payable in one check to the “City of Lindsay”. If Background check is not cleared and applicant withdraws their application, the \$2,500 application fee will not be refunded.

### Phase II - Application Requirements

- **Business Plan Summary and Budget – 20 points possible**

The applicant shall submit a summary of the business plan for the day-to-day operations of the dispensary. The business plan summary shall include but not be limited to:

- Operational Overview: A comprehensive description of the day-to-day operations of the

dispensary. This should encompass a breakdown of the cannabis-related products and/or services being sold, alongside any accessory services or connected facilities.

- **Detailed Process Outline:** In the business plan for the proposed dispensary, provide a meticulous list of all cannabis operations set to take place on the premises. This should detail processes including but not limited to standard operating procedures, employee count, training programs, inventory, and quality control measures, lists of both recreational and medicinal products expected to be available, waste management strategies, and logistics regarding transportation and distribution of products.
- **Budget Overview:** A detailed financial plan should be provided, delineating projected expenses, anticipated revenue streams, and financial projections for the short and long term. This should also include any capital investments, ongoing operational costs, and expected return on investment.
- **Project Timeline:** A clear timeline for the rollout of the dispensary's operations should be provided. This should encompass key milestones such as regulatory approvals, construction or renovation of the premises, hiring and training of staff, commencement of operations, and any subsequent expansion or development plans.
- **Compliance Measures:** Elaborate on procedures concerning testing, quality control practices, visitor and vendor protocols (like logs, non-disclosure agreements, etc.), and the track and trace policies and procedures, ensuring adherence to regulatory standards.

- **Site Location and Development Proposal – 20 points possible**

- Currently, applicant must have a location within the Retail Cannabis Dispensary Zone. However, the Retail Cannabis Dispensary Zone or an alternative zoning map may be in place before the final award of the permit. As the available zoning is subject to change, applicants are encouraged to select a site in the Retail Cannabis Dispensary Zone and an alternative site outside the existing Retail Cannabis Dispensary Zone and in compliance with all other state laws.
- The applicant shall identify and describe the location in which the retail dispensary will be located by providing the following information:
  - Address, Assessor's Parcel Number, Site Area and Dimensions;
  - Proof of ability to lease/purchase property (Property Owner Affidavit)
- The applicant shall provide a conceptual layout of the sites intended development including but not limited to, all proposed uses, building floor area, number of stories, parking, ingress/egress, elevations (if available), and floor plan. The conceptual plan shall be to scale but does not need to be drawn by a licensed engineer or architect.
- The Retail Dispensary Operation may be component of a larger proposed or existing development proposal which can be described in this application.

- **Proof of Capitalization – 20 points possible**

The applicant shall submit proof demonstrating sufficient capital is in place to pay startup costs and at least three months of operating

costs. Proof of capitalization shall be in the form of:

- Documentation of cash or other liquid assets (e.g., bank statement)
- Letter of Credit

● **Management Team – 20 points possible**

The applicant shall submit:

- An organizational chart with name and role of each known member of the management team including roles that are known but unfilled should also be included.
- Resumes for each member of the management team.
- A discussion of the experience of the management team.
- The application shall include information concerning any special business or professional qualifications or licenses of the management team that would add to the number or quality of services that the dispensary would provide, especially in areas related to medicinal cannabis, such as scientific or health care fields.

● **Proof of Existing Successful Retail Cannabis Dispensary Operation – 20 points possible**

The applicant shall demonstrate the ability to develop a successful, sustainable, harmonious operation by providing proof of the following:

- Has maintained an existing, successful retail cannabis dispensary operation for a period of one year or more. (Provide tax documentation)
- Has maintained a harmonious relationship for one year or more with the government entity holding jurisdictional authority over the existing retail cannabis dispensary. (Provide supporting documentation from the government entity holding jurisdictional authority along with a local crime report).

The applicant must also demonstrate how they will ensure that they will minimize any nuisance and/or negative impacts on the surrounding community, including minimizing noise, odor, increased foot and vehicle traffic, increased waste production and water usage, and increased safety concerns, among others.

● **Summary of Security Practices – 20 points possible**

Applicants shall describe their approach to operational security including but not limited to:

- General security policies.
- Employee-specific policies and training.
- Discussion of transactional security, visitor security, third-party contractor security, and delivery security.
- Financial Security.

Applicants should address ingress and egress access, perimeter security, product security (at all hours), internal security measures for limited access areas, types of security systems (alarms, cameras, etc.), and security personnel to be employed. This discussion must also include a description of how cannabis will be tracked and monitored to prevent diversion, such as by verifying the status of recommending physicians, if selling medicinal cannabis, and retaining copies of all written

recommendations from recommending physicians when applicable. Applicants are encouraged to provide a sample written policy that has been developed.

Security plans shall not be made public, unless required by court action. Security plan details that could aid persons who wish to commit security violations shall be considered confidential and shall not be released to the public unless ordered by a court of law.

Please refer to City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations, Resolution 19-19 for regulatory permit requirements for cannabis business owners and City of Lindsay Resolution 19-20 for cannabis minimum premises security requirements and regulations that should be included in your proposal.

- **Community Benefits - 20 points possible**

The applicant must provide a discussion of how they intend to provide the City of Lindsay and its residents with community benefits and mitigate any nuisance and/or negative impacts that the dispensary's existence may create. Quantifying the community benefit with a level of financial commitment along with performance timelines is required and shall be provided in a Community Benefits Program document.

Examples of community benefits may include, but are not limited to;

- improve blighted buildings within the City's Central Business District;
- provide funding for repairs and improvements to Sweet Brier Plaza;
- provide improvements and/or support to the Lindsay's Wellness Center or parks;
- Provide funding to the Public Safety Department for capital expenses such as: police vehicles, safety equipment, and/or public safety building improvements;
- contribute to local substance abuse programs or other activities that benefit the local community as well as the City of Lindsay.
- support or fund other community programs;
- on-going support for programs that benefit the community

## **Phase III – Overview**

After all applications from Phase II have been ranked and scored, a sub-set of finalists shall be invited to advance to Phase III, at which point the Phase III non-refundable application fee shall be due, and Phase III applicants will be invited to an interview to discuss the Phase II items listed below. The number of applications that will be invited to submit a Phase III response will be set by the selection committee.

*Phase III Fees: Non-refundable fee of \$800, payable in one check to the "City of Lindsay." Please note that this application fee is applicable only to applicants who advance to Phase III.*

## **Phase III - Application Requirements**

### **1. Product Safety and Labeling**

The application shall state how the dispensary will ensure enhanced consumer safety by testing or confirming that testing has been certified for biological and chemical contaminants. The applicant must also submit a discussion regarding the product labeling standards to be employed and how they will comply with state and local laws, regulations, and policies. The applicant must also provide information on product labeling sufficient to ensure that cannabis and edible products containing cannabis clearly identify the percentage level of delta-9 (trans) tetrahydrocannabinol, cannabidiol, and cannabinol, and have adequate warnings.

### **2. Community Benefits**

The applicant must provide a discussion of how they intend to provide the City of Lindsay and its residents with the community benefits described in Phase II along with how they intend to mitigate any negative impacts.

### **3. Hiring and Employment Practices**

The applicant must submit a description of their labor and employment practices. These policies and practices could include, but are not necessarily limited to, the following:

- Discussion of Hiring Plan
- Training and continuing education opportunities—the applicant should discuss the introductory and on-going training opportunities that will be provided to the employees of the dispensary.
- For an applicant with 20 or more employees, provide a statement that the applicant will enter into, or demonstrate that it has already entered into, and abide by the terms of a labor agreement.
- Providing Equal Benefits and/or signing a Declaration of Non-Discrimination.

## **Final Selection**

Following an objective ranking of the above application materials, applicants may be invited for interview(s) with City staff and/or representatives. Following completion of the interview(s), City staff intends to bring forward for the City Council's consideration not more than two recommended dispensary operators. The recommended operator should be prepared to attend a City Council meeting in Lindsay in order to provide a public presentation before the Mayor and City Council introducing their team and providing an overview of their proposal. The City of Lindsay reserves the right to request any other additional information or documentation deemed necessary to review the applications throughout the entire application and dispensary permitting process. The City also reserves the right to request references from applicants.

Following the review and approval by the City Council, the selected operator will be invited to submit, within 90 days, a Conditional Use Permit (CUP) application along with any other necessary land use entitlement applications to the Lindsay City Services Department for processing. Once the conditional use permit and other applicable land use entitlements have been secured the applicant will be issued an official regulatory permit from the Public Safety Department within 30 days.

## **Submission Process and General Conditions**

Should applicants have questions about this application or require additional clarification about the contents of the application, such questions should be directed to the Office of the City Manager via phone at (559) 562-7102 Ext. 8011 or via email to the Assistant to the City Manager at [npineda@lindsay.ca.us](mailto:npineda@lindsay.ca.us).

Applicants should submit the following materials before the Phase I/II deadline outlined above:

- Completed "Live Scan/Background Packet" form for all Applicants. Background packets will be required for owners and live scan will be required for employees.
- Indemnification Agreement and Acknowledgement Form
- One (1) Response to the Phase II Application, outlined above

In addition, applicant must submit, in person, checks as follows:

- Application check for \$2,500 payable to the "City of Lindsay"
- Fees for background checks (\$500 x the number of applicants)

**All of the above materials shall be submitted to:**

City of Lindsay – Finance Department  
251 E. Honolulu.  
Lindsay, CA 93247

**Deadline for submitting applications:  
December 11, 2023, at 3:00 PM**

**By submitting a proposal, the applicant represents and warrants that:**

1. The information provided is genuine and not a sham, collusive, or made in the interest or on behalf of any party not therein named, and that the applicant has not directly or indirectly induced or solicited any other applicant to put in a sham proposal, or any other applicant to refrain from presenting information and that the prospective provider has not in any manner sought by collusion to secure an advantage.
2. The applicant has not paid or agreed to pay any fee or commission, or any other thing of value contingent upon the award of an exclusive operating area, to any employee, official, or existing contracting consultant of the City of Lindsay.
3. All costs of preparation of proposals including travel for any interviews scheduled shall be borne by the applicants.
4. All proposals become the property of the City of Lindsay. The City reserves the right to reject any and all submittals; to request clarification of information submitted; to request additional information from competitors; and to waive any irregularity in the submission and review process. None of the materials submitted will be returned to the bidder.
5. Information or materials submitted in response to this application will be stored on file with the City of Lindsay and may be subject to the requirements of the California Public Records Act, or subject to public disclosure as ordered by a court of law. Proposed security plans shall be considered confidential.
6. The City reserves the right to request additional information not included in this application from any or all applicants.
7. The City reserves the right to contact references not provided in the submittals.

The City reserves the right to incorporate its standard agreement language into any contract resulting from this application



### Retail Cannabis Dispensary Zone

Retail Cannabis Dispensaries shall be located with the designated boundary outlined in blue.





**COMMERCIAL MARIJUANA APPLICATION  
INDEMNIFICATION AGREEMENT  
BY AND BETWEEN CITY OF LINDSAY AND**

THIS INDEMNIFICATION AGREEMENT ("Agreement") is entered into this 9 day of November 2023 by and between the City of Lindsay ("City") and United Growers ("Applicant").

**RECITALS**

WHEREAS, the Applicant has a legal and/or equitable interest in the certain real property located at Assessor Parcel Number(s): 205-264-009-000 (unit A) ("Property"); and

WHEREAS, the Applicant has submitted an application to the City for a cannabis business on the Property, pursuant to Chapter 5.28 of the City of Lindsay Municipal Code, hereafter referred to as the "Project."

**TERMS**

NOW, THEREFORE, pursuant to Chapter 5.28 of the City of Lindsay Municipal Code, and in consideration of the premises, covenants and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Nothing in this Agreement shall be construed to limit, direct, impede or influence the City's review and consideration of the Project.
2. Applicant shall defend, indemnify, save and hold harmless the City of Lindsay, its elected and appointed officials, officers, employees, agents and volunteers from any and all claims, actions, proceedings or liability of any nature whatsoever (including, but not limited to: any approvals issued in connection with any of the above described application(s) by City; any action taken to provide related environmental clearance under the California Environmental Quality Act ("CEQA") by City's advisory agencies, boards or commissions, appeals boards, or commissions, Planning Commission, or City Council; and attorneys' fees and costs awards) arising out of, or in connection with the City's review or approval of the Project or arising out of or in connection with the acts or omissions of the Applicant, its agents, employees or contractors.

With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the Project, including any contention the Project or its approval is defective because a City ordinance, resolution, policy, standard or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the Applicant, its agents, employees or contractors, its obligation, hereunder shall apply regardless of whether the City prepared, supplied or approved plans, specifications or both.

3. The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
4. The City will promptly notify Owner and Applicant of any such claim, action, or proceeding that is or may be subject to this Indemnification and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the City defends the claim, action, or proceeding in good faith.
5. The City Council shall have the absolute right to approve any and all counsel employed to defend the City. To the extent the City uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse the City upon demand. Such resources include, but are not limited to, staff time, court costs, City Council's time at its regular rate for non-City agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action or proceedings.
6. For any breach of this obligation the City may rescind its approval of the Project.
7. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved in writing by the Applicant, which approval shall not be unreasonably withheld. The City must approve any settlement affecting the rights and obligations of the City.
8. The parties agree that this Agreement shall constitute a separate agreement from any Project approval, and that if the Project, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
9. This Agreement shall be construed and enforced in accordance with the laws of the State of California.
10. The Applicant shall pay all court ordered costs and attorney fees.
11. The defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.

After review and consideration of the foregoing terms and conditions, Applicant, but its signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

Dated: 11-9-2023

Applicant(s):

Soledad Diaz  
Printed Name

  
Signature

Reyna Diaz  
Printed Name

  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature



## Commercial Cannabis Permit Application Acknowledgement Form

I/we have read, fully understand and agree to operate within the regulations identified in The City of Lindsay's Ordinance's and all other applicable state laws and regulations as it relates to commercial cannabis operations and further understand that my permit(s) may be revoked for not operating in compliance with said regulations.

I/we understand the City reserves the right to reduce the size of area allowed for cultivation under any clearance or license issued, in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation.

I/we understand that it is our responsibility as the applicant to obtain will serve letters from all utility companies that will be serving my development. I/we understand that we will bear the sole cost of any upgrades, transmission improvements needed to serve my development as required by the utility companies.

I/we agree that all structures utilized for Commercial Cannabis Businesses will be planned and built in accordance with applicable Building Codes and to the satisfaction of the City.

I/we understand that the information I provide with my application may be released as required by law, judicial order, or subpoena, and could be used in a criminal prosecution.

I/we agree to defend, indemnify, and hold harmless the City from any defense costs, including attorneys' fees or other loss connected with any legal challenge brought as a result of the City's review and/or approval of this license issuance. I/we agree to execute a formal agreement to this effect on a form provided by the City and available for my inspection.

I/we understand that the application fee is non-refundable even if I cancel my application or it is denied during the process.

I/we acknowledge that without a complete application package my application may be delayed.

I/we recognize that the City Services Department and Public Safety Director reserves the right to request additional information if necessary to complete review or processing of the application and confirm or promote conformance to ordinance-specific requirements and standards.

I/we authorize the City, its agents, and employees to seek verification of the information contained within the application including a background check of the applicant and all employees and independent contractors.

Soledad Diaz  
Printed Name

[Redacted Signature]  
Signature

11-9-2023  
Date

Reyna Diaz  
Printed Name

[Redacted Signature]  
Signature

11-9-2023  
Date

**Property Owner Affidavit**

I, John Alvarez, authorize the Commercial Cannabis activity entitled United Growers Inc to use/purchase this property as a Commercial Cannabis facility, as those terms are defined in the Lindsay City Municipal Code, should this facility obtain the appropriate permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property if leasing the property to the applicant.

Legal Property Owner: John Alvarez Date: ~~11-9-2023~~ 11-14-2023



[Signature]  
(Signature)

Title: owner

Legal Building Owner: \_\_\_\_\_ Date: \_\_\_\_\_

(Printed Name)



[Signature]  
(Signature)

Title: owner

**ATTACH:**

Proof of possession of the premises and approval of use (deed, lease, lease agreement, agreement showing willingness to sell property if applicant obtains permit)

**Notary Use Only:**

State of California  
County of Tulare

**SEE ATTACHED  
CERTIFICATE BY  
NOTARY PUBLIC**

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a notary public, the undersigned Officer, personally appeared to me, \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purpose therein contained.

I witness hereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of TULARE )

On 11/14/2023 before me, FALLON SALVATORE, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared JOHN ALVAREZ,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~  
subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in  
his/~~her~~/their authorized capacity(~~ies~~), and that by his/~~her~~/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [REDACTED] (Seal)



**Building Owner Affidavit**

I, John Alvarez, authorize the Commercial Cannabis Dispensary entitled United Growers Inc to use/purchase this property as a Commercial Cannabis dispensary, as those terms are defined in the City of Lindsay Municipal Code, should this dispensary obtain a Permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property if leasing the property to the applicant.

**Property Manager Affidavit (if applicable)**

I, John Alvarez, authorize the Commercial Cannabis Dispensary entitled United Growers Inc to use this property as a Commercial Cannabis dispensary, as those terms are defined in the City of Lindsay Municipal Code, should this dispensary obtain a Permit. I further understand that I am responsible for, and subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property.