

Lindsay City Council

Regular Meeting
Council Chambers at City Hall
251 East Honolulu, Lindsay, California
Tuesday, June 28, 2011
6:10 P.M.

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1. a) CALL TO ORDER: 6:10 p.m.
b) ROLL CALL: Council members PADILLA, SALINAS, KIMBALL, Mayor Pro Tem VELASQUEZ, Mayor MURRAY.
c) FLAG SALUTE: Led by Council member SALINAS.

 2. PUBLIC COMMENT: The public is invited to comment on any subject under the jurisdiction of the Council, including agenda items, other than noticed public hearings. Comments shall be limited to three minutes per person, with 30 minutes overall for the entire comment period, unless otherwise indicated by the Mayor.

 3. CONSENT CALENDAR: These items are considered routine and will be enacted by one motion unless separate discussion is requested by Council or the public.
 - a) Approval of Minutes of June 14th & 21st 2011 Meetings. (page 1-67)
 - b) Request for Approval of 5-10- to 6-21-2011 Check Register.
 - c) Acceptance of May 2011 Treasurer's Report.
 - d) Approval of Professional Services Contract with Sierra Designs, Inc.
 - e) Approval of Wellness Center –Fire Sprinkler System Contract
 - f) Approval of Agreement between the City of Lindsay and CSET for Consultant Services.
 - g) Approval of Land Lease with Charter Communications
 - h) Approval of Lease Agreement with Tower Co

 4. (4) PUBLIC HEARINGS: IN CONSIDERATION OF THE FOLLOWING:
 - a) CONSIDERATION OF RESOLUTION 11-44 APPROVING A SITE PLAN REVIEW & NEGATIVE DECLARATION FOR CREATION OF THE LEWIS CREEK NATURE PARK PROJECT. (page 68-74)
 - b) CONSIDERATION OF RESOLUTION 11-45 APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ESTABLISH A RESTAURANT WITH ABC LICENSE TYPES 47 & 58 AT 133 WEST HONOLULU. (page 75-78b)
 - c) FIRST READING & INTRODUCTION OF ORDINANCE #531 ESTABLISHING STANDARDS FOR ADULT SEXUALLY ORIENTED BUSINESSES & RES. 11-36 APPROVING A NEGATIVE DECLARATION ON ZONING AMENDMENT. (page 79-120)
Presented Bill Zigler, City Planner.
AND
 - d) CONSIDERATION OF RESOLUTION 11-46 APPROVING THE 2011 / 2012 BUDGET. (page 121-123)
Presented by Rich Wilkinson, City Manager.

 5. REQUEST FOR AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE LINDSAY UNIFIED SCHOOL DISTRICT ALLOWING USE OF THE McDERMONT FIELD HOUSE FOR THE AFTERSCHOOL PROGRAM. (page 124-132)
Presented by Rich Wilkinson, City Manager.

 6. REQUEST TO ACCEPT THE (10) HYBRID VEHICLE PURCHASE PROJECT AS COMPLETE & DIRECT THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER. (page 133)
Presented by Diane Bucaroff, Community Development Director.

 7. SEWER RATE STUDY SESSION AND RECOMMENDATIONS.
Presented by Mike Camarena, City Services Director.

 8. COUNCIL REPORTS.
Presented by Council members.

 9. STAFF REPORTS.
Presented by Rich Wilkinson, City Manager.
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10. EXECUTIVE SESSION:

With regard to every item of business to be discussed in closed session held pursuant to GC§54956.9(a)

- 1) Conference with Legal Counsel – Anticipated Litigation -Government Code Section 54956.9(b)
Significant Exposure to Litigation:
 - a) Facts not known to potential plaintiffs
 - b) Facts not known to potential plaintiffs
 - c) Facts not known to potential plaintiffs
 - 2) Conference with Legal Counsel – Anticipated Litigation/initiation of litigation Government Code Section 54956.9(b) (2-Cases)
 - 3) Conference with Legal Council – Existing Litigation (Gov. Code Sec. 54956.9(a)– 2 cases
 1. SQM North America Corp. v. City of Lindsay, Tulare County Superior Court No. 11-242343
 2. City of Lindsay v. SQM North America Corp., U.S. District Ct. Eastern Dist. (Fresno) No. 1:11-CV-00046-LJO-SMS
 - 4) With regard to every item of business to be discussed in closed session held pursuant to GC§54956.9(b)
Conference With Legal Counsel Regarding Anticipated Litigation
Legal Counsel: Julia Lew, City Attorney.
Case Name: Disclosure would jeopardize the position of the City.
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11. ADJOURN. The next Regular meeting is scheduled for **TUESDAY, July 12, 2011 at 6:00 PM** in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, CA 93247.

Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection at the office of the City Clerk during normal business hours.