

Lindsay City Council

Regular Meeting
Council Chambers at City Hall
251 East Honolulu, Lindsay, California
Tuesday, August 9, 2011
6:00 P.M.

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1. a) CALL TO ORDER: 6:00 p.m.
b) ROLL CALL: Council members PADILLA, SALINAS, KIMBALL, Mayor Pro Tem VELASQUEZ, Mayor MURRAY.
c) FLAG SALUTE: Led by Mayor Pro Tem VELASQUEZ.
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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.
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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 Meeting Minutes of July 12, 18 & 26 and Aug. 5, 2011 (page 1-28)
 - b) Request for Approval of 6-30- to 8-05, 2011 Check Register.
 - c) Request to Award the following Contracts:
 - Wellness Center Flooring Contract to Advanced Surface Coating, \$16,800.
 - Wellness Center Carpet Contract to Rainbow House of Carpets \$18,638.
 - Wellness Center Stone Veneer Contract to Impressive Masonry \$44,646.18
 - Sewer Lateral @Sierra Vista Building to Sierra Construction & Excavation \$7,300
 - d) Request for approval to Purchase of a Commercial Mower from Lawrence Tractor Co., \$16,734.
 - e) Request for approval of Change Order No. 2 for Wellness Center Exterior Stucco Project \$3,200
 - f) Rejection of Claim by Elizabeth Terrones.
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4. PUBLIC HEARINGS ON THE FOLLOWING:
 - a) CONTINUATION OF RESOLUTION 11-48 APPROVING RULE 20A -THE FORMATION OF A NEW UNDERGROUND UTILITY DISTRICT. (page 29-33)
Presented by Neyba Amezcua, Associate Engineer.
 - b) RESOLUTION 11-57 A REQUEST FOR CONDITIONAL USE PERMIT TO DEMOLISH & RECONSTRUCT TWO APARTMENT UNITS, TO CONSTRUCT A NEW TWO-STORY RESIDENTIAL DUPLEX AND TO CREATE AN ON-SITE PARK FOR RESIDENTS AT 655 N. WESTWOOD. (page 34-47)
Presented by Bill Zigler, City Planner,
 - c) RESOLUTION 11-54 ORDERING THE CONTINUED MAINTENANCE OF LANDSCAPING AND LIGHTING DISTRICTS & CONFIRMING THE ENGINEERS' REPORT & ASSESSMENTS FOR FISCAL 2011-2012. (page 48-137)
Presented by Neyba Amezcua, Associate Engineer.
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5. CONSIDERATION OF RESOLUTION 11-56 ORDERING ANNEXATION #1 (PHASEII) TO THE PELOUS RANCH SUBDIVISON LANDSCAPE & LIGHTING MAINTENANCE DISTRICT, APPROVING ENGINEERS' REPORT FOR SAID ANNEXATION AND APPROVING THE METHOD & LEVY OF ASSESSMENTS. (page 138-149)
Presented by Neyba Amezcua, Associate Engineer.
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6. REQUEST FOR COUNCIL AUTHORIZATION TO EXECUTE THE FOLLOWING: (page 150-174)
 - a) Res. 11-58 Master Agreement # 00354S for Intersection of Tulare Road & Foothill Ave
 - b) Res. 11-59 Supplemental Agreement for Federal Aid Project No. SR2SL 5189 (034)Presented by Neyba Amezcua, Associate Engineer.
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7. REQUEST FOR APPROVAL OF AGREEMENT WITH THE PORTERVILLE SHELTERED WORKSHOP FOR GRAFFITI REMOVAL SERVICES. (page 175-176)
Presented by Neyba Amezcua, Associate Engineer
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8. REQUEST FOR PARTIAL ACCEPTANCE OF OFFISTE IMPROVEMENTS FOR ROOSEVELT ELEMENTARY SCHOOL. (page 177)
Presented by Neyba Amezcua, Associate Engineer
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9. REQUEST TO FILE NOTICE OF COMPLETION ON THE FOLLOWING: (page 178-182)
a) Sierra View Estates Wood Retaining Wall/Fence and
b) Sequoia Villas Improvement Project.
Presented by Neyba Amezcua, Associate Engineer
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10. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS ON THE WELLNESS CENTER LANDSCAPING PROJECT. (page 183)
Presented by Neyba Amezcua, Associate Engineer
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11. INFORMATIONAL ITEM (page 184-188)
CONTRACT SERVICES WITH CALIFORNIA RURAL WATER ASSOCIATION (CRWA).
Presented by Neyba Amezcua, Associate Engineer
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12. STAFF REPORTS.
Presented by Rich Wilkinson, City Manager.
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13. EXECUTIVE SESSION:
- 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
 - 2) Conference with Legal Counsel – Anticipated Litigation per Government Code Section 54956.9(b)
Significant Exposure to Litigation
issues related to TCAG/Measure R projects and 09-10 audit
 - 3) Conference with Legal Counsel – Anticipated Litigation/initiation of litigation Government Code Section 54956.9(b) 2 cases
 - 4) Conference with Legal Counsel -Existing Litigation (Gov. Code Sec. 54956.9(a)
 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
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14. ADJOURN. The next Regular meeting is scheduled for **TUESDAY, August 23, 2011 at 6:00 PM** in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, CA 93247.
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Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection at the office of the City Clerk during normal business hours.