

Lindsay City Council

Regular Meeting
Council Chambers at City Hall
251 East Honolulu, Lindsay, California
Tuesday, September 27, 2011
6:05 P.M.

1. a) CALL TO ORDER: 6:05 p.m.
b) ROLL CALL: Council members PADILLA, SALINAS, KIMBALL, Mayor Pro Tem VELASQUEZ, Mayor MURRAY.
c) FLAG SALUTE: Led by Council member KIMBALL.

 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. AUDIT PRESENTATION FOR FISCAL YEAR ENDED JUNE 30, 2010 (page 1)
Presented by Thomas Young, Auditor for firm of Brown Armstrong Accountancy.

 4. CONSENT CALENDAR: These items are considered routine and will be enacted by one motion unless separate discussion is requested by Council or the public.
Request for approval of the following:
a) Meeting Minutes of Sept. 13, 2011 (page 2-46)
b) 08-01 to 9-16, 2011 Check Register.
c) RFP for Grant Administration & Implementation
of the City's Housing Programs.
d) Sequoia Villas Improvement Project Contract Change Orders
No. 1 through 12
e) Awarding the City Pest Control Service to Buzz Kill Pest Control \$535.00
f) Award Library Trellis Columns Stucco Project to Kenyon Plastering \$8,290.00
g) Award Wellness Center Kitchen Tile Project to Coulter's Flooring \$9,998.84
h) Award Wellness Center Handrails on Stairs & Ramps to Doug DeLeo Welding, Inc. \$11,563.50

 5. CONTINUATION OF PUBLIC HEARING: 1st READING OF ORD. #532 AMENDING (page 47)
CHAPTER 5.04 OF THE LINDSAY MUNICIPAL CODE PERTAINING TO
BUSINESS LICENSE VIOLATIONS.
Presented by Bill Zigler, City Planner.

 6. CONSIDERATION OF RESOLUTION 11-67 APPROVING A (page 48-57)
TEMPORARY USE PERMIT TO OPERATE A BEER GARDEN
BEHIND THE ORANGE BAR AT 172 WEST HONOLULU.
Presented by Bill Zigler, City Planner.

 7. CONSIDERATION OF RESOLUTION 11-68 APPROVING AN AGREEMENT (page 58-68)
WITH LINDSAY UNIFIED SCHOOL DISTRICT AUTHORIZING USE OF THE
McDERMONT FIELD HOUSE & CITY POOL
Presented by Rich Wilkinson, City Manager.

 8. CONSIDERATION OF RESOLUTION 11-66 APPROVING AN APPLICATION AND (page 69-70)
CONTRACT FOR FUNDING FROM THE PUBLIC BENEFIT GRANT PROGRAM
Presented by Rich Wilkinson, City Manager.

 9. COUNCIL REPORTS.
Presented by Council members.

 10. STAFF REPORTS.
Presented by Rich Wilkinson, City Manager.

 11. EXECUTIVE SESSION:
 - 1) With regard to every item of business to be discussed in closed session held pursuant to GC§54957.6
CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property: APN 205-242-003
Negotiating Parties: Bill Zigler for City of Lindsay & JP Morgan Chase Bank
Under Negotiation: instruction to negotiator will concern price, terms and method of lease/purchase.
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11. EXECUTIVE SESSION continued
- 2) Conference with Legal Counsel – Anticipated Litigation -Government Code Section 54956.9(b) 2 cases
Significant Exposure to Litigation:
 - a) Facts not known to potential plaintiffs
 - b) Issues related to TCAG/Measure R
 - 3) Conference with Legal Counsel – Anticipated Litigation per Government Code Section 54956.9(c)
Initiation of Litigation
 - 4) Conference with legal counsel regarding pending litigation per Government Code Section 54956.9(a) 2 cases
 - a) Donald Sipple v. City of Alameda, et al., Los Angeles Sup. Court No. BC462270
 - b) Gary Babcock v. City of Lindsay, Tulare County Sup. Court No. 11-243877

12. ADJOURN. The next Regular meeting is scheduled for **TUESDAY, October 11, 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.