

**CITY OF SELMA
REGULAR CITY COUNCIL MEETING
February 21, 2012**

The regular meeting of the Selma City Council was called to order at 7:08 p.m. in the Council chambers. Council members answering roll call were: Avalos, Derr, Lujan, Mayor Pro Tem Rodriguez, and Mayor Grey.

Also present were City Manager Heusser, City Attorney Costanzo, Interim Police Chief Dyck, Acting Fire Chief Kain, Financial Consultant Yribarren, the press, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

SPECIAL PRESENTATIONS: Mr. Brian Angus, Fresno County EOC Executive Director, stepped forward to introduce himself as the new Executive Director and gave a brief description of the services provided by EOC.

He was thanked by Council for the ongoing services provided by the EOC.

ORAL COMMUNICATIONS: Ms. Margaret Romero reported on a problem of missing trash cans with Selma Disposal. City Manager Heusser addressed the issue, and stated that he would follow up on the problem.

Mr. Joe Gonzalez stepped forward to question the proposed reconstruction/rebuilding of apartments located in Selma. Mayor Grey confirmed with staff that these projects would be coming before the Planning Commission, and advised Mr. Gonzalez that the first step would be to address the Planning Commission at their next meeting.

CONSENT CALENDAR: Council member Avalos asked that item 1.d. be pulled for separate consideration. Motion to approve the remainder of the Consent Calendar was made by Council member Lujan and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

AYES: Lujan, Rodriguez, Avalos, Derr, Grey

NOES: None

ABSTAIN: None

ABSENT: None

- a. Minutes of the February 6, 2012 workshop/pre-Council meeting approved as written.
- b. Minutes of the February 6, 2012 regular meeting approved as written.

- c. RESOLUTION NO. 2012- 8R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AWARDING THE CONTRACT FOR THE SELMA STORM DRAIN IMPROVEMENTS PHASE III PROJECT TO BILL NELSON CONSTRUCTION. Resolution approved by standard motion.
- d. Pulled for further discussion.

AGENDA ITEM 1.d. – CONSIDERATION AND NECESSARY ACTION ON CHECK REGISTER DATED FEBRUARY 13, 2012: Council member Avalos asked staff about various vehicle repair charges. Interim Police Chief Myron Dyck stated the charges were to repair various damages to police vehicles. After discussion, motion to approve the check register dated February 13, 2012 was made by Council member Lujan, and seconded by Council member Derr. Motion carried with the following vote:

AYES: Lujan, Derr, Avalos, Rodriguez, Grey
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON ICE CREAM VENDOR ORDINANCE: City Manager Heusser explained the issue with the proliferation of ice cream vendors , he also reviewed the current ordinance and reminded Council that on November 7, 2011, it had been the consensus of Council to take no action on the proposed amended ordinance to limit the number of ice cream vendors from four to two through attrition. He stated that he is looking for direction from Council regarding the matter.

Council member Lujan requested that the item be placed on the agenda due to the issue of public safety and public nuisance of too many ice cream vendors. He stated he was approached by Mr. Kumar requesting the need of reducing the amount of vendors by two through attrition.

Mr. Rakesh Kumar, owner of R.K. Ice Cream stepped forward to request that Council reduce the number of vendors in the City. He reported it was difficult with all the different vendors to make a living, he also stated it was a safety factor for the public as well as the vendors themselves.

Council member Avalos stated that he feels the need to pare down from four to two vendors is one of safety.

Council member Derr and Mayor Pro Tem Rodriguez both stated that to limit the number of vendors is a question of limiting free enterprise and that we cannot create a monopoly because one person is struggling.

After discussion, motion to bring back the proposed amended ordinance limiting the number of ice cream vendors from four to two, for introduction and first reading at a later meeting was made by Council member Lujan and seconded by Council member Avalos. Motion carried with the following vote:

AYES: Lujan, Avalos, Grey

NOES: Derr, Rodriguez

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING AND AUTHORIZING FILING OF RECOGNIZED PAYMENT OBLIGATION SCHEDULE: City Attorney Costanzo explained to Council the need for approval and authorization to file the Recognized Payment Obligation Schedule (ROPS).

After discussion, motion to approve RESOLUTION NO. 2012-9R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND AUTHORIZING FILING OF RECOGNIZED PAYMENT OBLIGATION SCHEDULE was made by Council member Derr and seconded by Council member Rodriguez. Motion carried with the following vote:

AYES: Derr, Rodriguez, Avalos, Lujan, Grey

NOES: None

ABSTAIN: None

ABSENT: None

DEPARTMENTAL REPORTS: City Manager Heusser reported that the American Ambulance and CalFire items would be on the agenda at the next regular Council meeting. He also stated that the Police and Fire, as well as all the other City departments are very busy and that he appreciates their efforts and hard work.

COUNCIL REPORTS: Council member Avalos requested an updated report on Measure S and the feasibility of pulling the resource officer from the school district and placing him on patrol. He also commented on the need for volunteers to help deter the escalating crime incidents. He also stated that he appreciates the hard work by the fire, public works, and police departments, and that he would like to set up a ride along with an officer.

Council member Lujan reported that he met with representatives from the Mexican Consulate and asked staff if we accept alternative identification cards. He stated that a local

community program has asked for access to the City's Connect CTY service to notify the public of available services. He announced that the Sheriff's Department is no longer performing evictions on foreclosures. He reported on a complaint from a citizen regarding the low wattage streetlights and an incident about a foreclosed home where neighbors ran off squatters. He also stated that the recent home invasions are not random and feels the crime rate in the City has improved.

Mayor Pro Tem Rodriguez thanked staff for arranging the recent joint meeting with the Chamber Board, and inquired about arranging a meeting with the school district. He asked staff to provide budget updates, and for the status of abandoned properties. He reported on a recent softball tournament in Temecula and asked staff to research grants for the field of dreams type parks.

Mayor Grey commented on the escalating crime, and asked staff to come up with innovative solutions on making it uncomfortable for crime to take place in Selma.

ADJOURNMENT: There being no further business the meeting was adjourned at 8:22 p.m.

Respectfully submitted,

Reyna Rivera
Acting City Clerk

Kenneth Grey
Mayor of the City of Selma

Resolution Nos: 2012- 8R, 2012-9R