

**CITY OF SELMA  
REGULAR CITY COUNCIL MEETING  
September 17, 2012**

The regular meeting was called to order at 6:21 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 Manger Heusser, City Attorney Costanzo, Finance Director Mustaciola, Acting Fire Chief Kain, Interim Police Chief Dyck, 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:** City Manager Heusser introduced the new Finance Director Mr. Peter Mustaciola to Council, followed by the swearing in done by the City Clerk.

Mayor Pro Tem Rodriguez stated that the presentation of the Selma Shock Team would be postponed to a future meeting in December.

**ORAL COMMUNICATIONS:** Steve Gruces stepped forward to update Council on a recent bike race that was held in Selma.

Stan Louie, 2511 Logan Street, stepped forward to invite Council to the upcoming Selma Aware Candidate Forum.

**ADDITIONS TO THE AGENDA:** Motion to add CONSIDERATION AND NECESSARY ACTION ON PROPOSED INCREASE IN INSURANCE CAPS FOR THE 2013 CALENDAR YEAR the consent agenda as item 1.g. was made by Council member Avalos and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

AYES: Avalos, Rodriguez, Derr, Lujan, Grey

NOES: None

ABSTAIN: None

ABSENT: None

**CONSENT AGENDA:** Mayor Pro Tem Rodriguez asked that item 1.a and 1.b. be pulled for separate discussion. Council member Avalos asked that item 1.c., 1.d., and 1.e. be pulled for separate consideration. Motion to approve the remainder of the Consent Calendar was made by Council member Derr and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

AYES: Derr, Rodriguez, Avalos, Lujan, Grey

NOES: None

ABSTAIN: None

ABSENT: None

a. Pulled for separate discussion.

- b. Pulled for separate discussion.
- c. Pulled for separate discussion.
- d. Pulled for separate discussion.
- e. Pulled for separate discussion.
- f. Check register dated September 12, 2012 approved by standard motion.
- g. Health insurance cap increase for calendar year 2012 approved by standard motion.

**AGENDA ITEM 1.a. & 1.b. – CONSIDERATION AND NECESSARY ACTION ON MINUTES OF THE AUGUST 20, 2012 WORKSHOP AND THE AUGUST 20, 2012 REGULAR COUNCIL MEETING:** Motion to approve agenda items 1.a. & 1.b. as written was made by Council member Derr and seconded by Council member Lujan. Motion carried with the following vote:

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

**AGENDA ITEM 1.c. – CONSIDERATION AND NECESSARY ACTION ON DENIAL OF CLAIM – THERESA CRUZ:** After discussion, motion was made by Mayor Grey to approve the denial of claim – Theresa Cruz. The motion was seconded by Council member Lujan. Motion carried with the following vote:

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

**AGENDA ITEM 1.d. – CONSIDERATION AND NECESSARY ACTION ON DECLARING CERTAIN VEHICLES/EQUIPMENT SURPLUS AND AUTHORIZING THEIR SALE, DONATION, OR DISPOSAL:** After clarification from City Manager Heusser, motion to approve RESOLUTION NO. 2012 – 40R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA DECLARING CERTAIN VEHICLES/EQUIPMENT SURPLUS AND AUTHORIZING THEIR SALE, DONATION, OR DISPOSAL was made by Council member Derr and seconded Mayor Pro Tem Rodriguez. Motion carried with the following vote:

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

**AGENDA ITEM 1.e. CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF COOPERATIVE AGREEMENT BETWEEN CONSOLIDATED IRRIGATION DISTRICT AND CITY OF SELMA:**

After much discussion motion to approve RESOLUTION NO. 2012 –41R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND AUTHORIZING EXECUTION OF COOPERATIVE AGREEMENT BETWEEN CONSOLIDATED IRRIGATION DISTRICT AND CITY OF SELMA was made by Mayor Pro Tem Rodriguez, and seconded by Council member Derr. Motion carried with the following vote:

AYES: Rodriguez, Derr, Grey

NOES: None

ABSTAIN: Avalos, Lujan

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION ACCEPTING STATE CITIZENS OPTION FOR PUBLIC SAFETY (COPS)**

**GRANT – public hearing:** Mayor Grey opened the public hearing at 6:47 p.m. There being no one to speak for or against the subject, the public hearing was closed at 6:48 p.m.

Motion to approve RESOLUTION NO. 2012 – 42R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA ACCEPTING STATE CITIZENS OPTION FOR PUBLIC SAFETY (COPS) GRANT was made by Council member Derr, and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

AYES: Derr, Rodriguez, Avalos, Lujan, Grey

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING THE APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR FISCAL YEAR 2012-2013 – public**

**hearing:** City Manager Heusser reported that the City had originally submitted this project for the 2013-2014 funding cycle, and that the original 2012-2013 project was a street reconstruction project in the same area. As the storm drain project would necessitate removing newly paved areas, the decision was made to switch the projects.

Mayor Grey opened the public hearing at 6:49 p.m. There being no one to speak for or against the issue, the public hearing was closed at 6:50 p.m.

Motion to approve RESOLUTION NO. 2012 – 43R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING THE APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR

FISCAL YEAR 2012-2013 was made by Council member Lujan, and seconded by Council member Avalos. Motion carried with the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON ADOPTION OF RESOLUTION EXTENDING BY ONE YEAR THE INTERIM URGENCY ORDINANCE PROHIBITING THE DISPENSATION, CULTIVATION, SALE OR USE OF MEDICAL MARIJUANA CODIFIED AS CHAPTER 32 OF TITLE XI OF THE SELMA MUNICIPAL CODE – public hearing:** City Attorney Costanzo explained for Council the need for the extension.

Mayor Grey opened the public hearing at 6:51 p.m. There being no one to speak for or against the matter, the public hearing was closed at 6:52 p.m.

Motion was made by Council member Avalos to approve RESOLUTION NO. 2012 – 44R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA EXTENDING BY ONE YEAR THE INTERIM URGENCY ORDINANCE PROHIBITING THE DISPENSATION, CULTIVATION, SALE OR USE OF MEDICAL MARIJUANA CODIFIED AS CHAPTER 32 OF TITLE XI OF THE SELMA MUNICIPAL CODE. The motion was seconded by Mayor Pro Tem Rodriguez, and carried by the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING THE AGREEMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR FISCAL YEAR 2012-2013:**

City Manager Heusser reviewed the project for Council. Motion was made by Council member Avalos, and seconded by Council member Derr to approve RESOLUTION NO. 2012 – 45R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING THE AGREEMENT FOR THE CDBG PROJECT FOR FISCAL YEAR 2012-2013. Motion carried by the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON DISCUSSION REGARDING PUBLIC EDUCATION AND GOVERNMENT (P.E.G.):**

City Manager Heusser reported that at a recent Five Cities Economic Development Authority meeting the issue of a Public Education and Government Channel was discussed. The JPA is requesting that each member city discuss the option of participation.

After discussion, a motion to reject the issue was made by Council member Lujan. The motion was seconded by Mayor Pro Tem Rodriguez. Motion carried by the following vote:

AYES: Lujan, Rodriguez, Avalos, Derr, Grey

NOES: None

ABSTAIN: None

ABSENT: None

**DEPARTMENTAL REPORTS:** City Manager Heusser stated that letters were mailed to residents requesting the removal of graffiti on their property. He also stated that the City has had numerous vandalism incidents that include back flow devices being stolen. He reported on attending a recent neighborhood watch meeting, the League Conference and gave an update on pension reform.

Acting Fire Chief Kain reported on the increase training in the Fire Department.

**COUNCIL REPORTS:** Council member Lujan inquired on LLMD's, storm drainage near Hicks Street and McCall Avenue, all interim staff positions, California Water Company, and PG&E power outages. He also reported on complaints received regarding American Ambulance personnel.

Council member Avalos reported on a recent walk around the city, where he spoke with residents regarding various issues, and thanked staff for their continued hard work. He also inquired about the Animal Shelter.

Council member Derr reported on the upcoming car show, and bike race in Selma.

Mayor Pro Tem Rodriguez inquired on storm drainage near 2<sup>nd</sup> street and Bauder Street.

Mayor Grey thanked downtown business owners on recent building maintenance beautifying the area.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Reyna Rivera  
City Clerk

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Kenneth Grey  
Mayor of the City of Selma

Resolutions Nos: 2012-40R, 2012-41R, 2012-42R, 2012-43R, 2012-44R, 2012-45R