

**CITY OF SELMA**  
**REGULAR CITY COUNCIL MEETING**  
**March 18, 2013**

The regular meeting of the Selma City Council was called to order at 6:00 p.m. in the Council chambers. Council members answering roll call were: Avalos, Derr, Robertson, Mayor Pro Tem Rodriguez, and Mayor Grey.

Also present were City Manager Heusser, City Attorney Costanzo, 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.

**CONSENT CALENDAR:** Council member Derr asked that agenda item 1.c. 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 by the following vote:

AYES: Derr, Rodriguez, Avalos, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

- a. Minutes of the March 4, 2013 meeting approved as written.
- b. Proposed Amendments to League Bylaws approved by standard motion.
- c. Pulled for separate discussion.
- d. Check register dated March 13, 2013 approved by standard motion.

**AGENDA ITEM 1.C. – CONSIDERATION AND NECESSARY ACTION ON  
SECOND AMENDMENT TO EMERGENCY MEDICAL SERVICES (EMS)**

**AGREEMENT WITH FRESNO COUNTY:** After discussion, motion to approve the Second Amendment to Emergency Medical Services (EMS) Agreement with Fresno County was made Council Member Derr, and seconded by Mayor Pro Tem Rodriguez. Motion carried by the following vote:

AYES: Derr, Rodriguez, Avalos, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON PROPOSED ASSESSMENT CHANGE FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**

**NO. 1 IN THE CITY OF SELMA**: City Manager Heusser reviewed for Council the need to increase the amounts paid by each property owner in the Landscape & Lighting Maintenance District No. 1 (LLMD) in order to recoup the actual costs incurred. He also stated that a protest hearing would be set for May 6<sup>th</sup> as required by Proposition 218.

After discussion, motion setting the protest hearing on the proposed new rates for May 6, 2013 and authorizing the mailing of the “Notice of Public Hearing” protest letter as required by Proposition 218 was made by Council member Derr, and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

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

**DISCUSSION AND NECESSARY ACTION ON PLACEMENT OF TRANSIENT OCCUPANCY TAX (TOT OR BED TAX) INCREASE ON THE NOVEMBER 2013**

**BALLOT**: City Manager Heusser stated that this item is for discussion and direction. City Manager Heusser then reviewed the history of the Transient Occupancy Tax (TOT) for Council and provided information on the percentages for surrounding cities, current revenues received from TOT, the timeline for the placement on the measure, and also stated that the impact of the TOT is by those persons using our hotels and motels.

Mayor Pro Tem Rodriguez volunteered to lead the committee.

After discussion, motion directing the City Manager to begin the process for placement of the TOT increase to 12% as a general tax on the November 2013 ballot was made by Mayor Grey and seconded by Council member Robertson.

Council member Avalos asked for further discussion on the matter.

Mr. Stan Louie, 2511 Logan Street, stepped forward in favor of the matter, and also suggested implementing a hospitality tax benefiting the Chamber of Commerce.

After further discussion, Mayor Grey amended his motion to direct the City Manager to begin the process for placement of the TOT increase as a general tax on the November 2013 ballot, with the increase of the rate to discuss at a later date. Council member Robertson then amended his second. Motion carried with the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE REPEALING AND REENACTING CHAPTER 7 OF TITLE IX OF THE SELMA MUNICIPAL CODE, RELATING TO ENCROACHMENTS – INTRODUCTION AND FIRST**

**READING:** City Manager reviewed the Ordinance for Council and stated that the Public Hearing is set for April 1, 2013.

After discussion, motion to introduce and waive the first reading of the ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA REPEALING AND REENACTING CHAPTER 7 OF TITLE IX OF THE SELMA MUNICIPAL CODE, RELATING TO ENCROACHMENTS was made by Council member Derr, and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

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

**DEPARTMENTAL REPORTS:** City Manager Heusser reported on a request from the Selma High School Future Farmers of America to perform a debate in front of Council. He also reported on a street closure request that was denied from Little League since there was a shelter reservation at Brentlinger Park. He then asked for direction on a request from the Selma Library to have access to the City Wi-Fi Internet service. It was the consensus of Council to approve the Selma Library to use the City Wi-Fi Internet service with the implementation of terms of use policy.

Fire Chief Kain demonstrated for Council a thermal imager.

**COUNCIL REPORTS:** Mayor Grey left the meeting at 6:41 p.m. to attend another meeting.

Council member Robertson reported on judging the Lions Club speaking contest. He also commended the Police Department for their work with the animal shelter.

Mayor Pro Tem Rodriguez reported on a request from the Selma Girls Softball League to assist the League in purchasing a pump to be used for flooding.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 6:51 p.m.

Respectfully submitted,

Reyna Rivera  
City Clerk

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Kenneth Grey  
Mayor of the City of Selma