

CITY OF SELMA
REGULAR CITY COUNCIL MEETING
April 1, 2013

The regular meeting of the Selma City Council was called to order at 6:18 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, Finance Director Mustaciola, 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.

PRESENTATION TO SELMA HIGH SCHOOL LADY BEARS BASKETBALL

TEAM: Mayor Pro Tem Rodriguez read and presented each member of the Selma High School's Lady Bears Basketball Team with certificates congratulating them on a winning season. They were congratulated by the Council.

PRESENTATION ON SHARPS & PHARMACEUTICAL KIOSK PROGRAM:

Selma-Kingsburg- Fowler County Sanitation District General Manager Mr. Ben Munoz and HealthWise Services representatives gave a joint presentation on a district wide disposal program for sharps and pharmaceutical waste. Mr. Bob Allen, Volunteer Recycling Coordinator for the City of Selma, stepped forward and commented on the much needed implementation of a safe disposal program in the community, but stated that he had concerns with the cost factor. After discussion, they were thanked for their presentation.

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

AYES: Rodriguez, Derr, Avalos, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

- a. Minutes of the March 18, 2013 Workshop/pre-Council meeting approved as written.
- b. Minutes of the March 18, 2013 regular meeting approved as written.
- c. Notice of Completion for Community Development Block Grant (CDBG) Project No. 11651, Selma Street and Alley Improvements approved by standard motion.
- d. Pulled for separate discussion.
- e. Pulled for separate discussion.

- f. RESOLUTION NO. 2013-11R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AWARDING CONSTRUCTION CONTRACT FOR PROPOSITION 1B, STREET AND ACCESSIBILITY IMPROVEMENT PROJECT TO DON BERRY CONSTRUCTION approved by standard motion.
- g. Pulled for separate discussion.
- h. Check register dated March 27, 2013 approved by standard motion.

AGENDA ITEM 1.d. – CONSIDERATION AND NECESSARY ACTION ON REQUEST FOR ONE-YEAR TIME EXTENSION ON VESTING TENTATIVE TRACT MAP NO. 5540 (ALVES RANCH) – R.J. HILL HOMES, APPLICANT: After discussion, motion to approve THE ONE YEAR EXTENSION ON VESTING TENTATIVE TRACT MAP NO. 5540 (ALVES RANCH – R.J. HILL HOMES, APPLICANT) 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

AGENDA ITEM 1.e. – CONSIDERATION AND NECESSARY ACTION ON RESOLUTION SUPPORTING THE CALIFORNIA JOBS ACT: After discussion, motion to approve RESOLUTION NO. 2013-10R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA URGING THE CALIFORNIA STATE LEGISLATURE TO PASS AB 690, THE CALIFORNIA JOBS ACT was made by Council member Avalos, and seconded by Council member Robertson. Motion carried with the following vote:

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

AGENDA ITEM 1.g. – CONSIDERATION AND NECESSARY ACTION ON LETTER IN SUPPORT FOR HOMEBASING THE F-35C JOINT STRIKE FIGHTER AT NAS LEMOORE: After discussion, motion to approve a LETTER IN SUPPORT FOR HOMEBASING THE F-35C JOINT STRIKE FIGHTER AT NAS LEMOORE was made by Council member Avalos and seconded by Council member Derr. Motion carried with the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING CHAPTER 7 OF TITLE IX OF THE SELMA MUNICIPAL CODE, RELATING TO ENCROACHMENTS – public hearing and adoption: City Attorney Costanzo reviewed the amended Ordinance that had been last updated in 1979.

After discussion, Mayor Grey opened the public hearing at 7:11 p.m.

Ms. Tammy Johnson, Cal Water Local Manager; Mr. Eric Johnson, AT&T External Affairs Executive Director; and Ms. Jeanette Ishii, PG&E Senior Government Relations Representative, all stepped forward to inquire on the fees and blanket permits for utilities.

City Engineer Joey Daggett, stepped forward to clarify that the utilities exemption from insurance or bonding will continue with the amended Ordinance.

There being no one else to speak for or against the Ordinance, Mayor Grey closed the public hearing at 7:27 p.m.

After further discussion, motion to adopt ORDINANCE 2013-2, AN 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 Mayor Pro Tem Rodriguez, and seconded by Mayor Grey. Motion carried with the following vote:

AYES: Rodriguez, Grey, Derr, Robertson

NOES: Avalos

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION ESTABLISHING ENCROACHMENT PERMIT FEES: Motion to continue the item for a future date was made by Council member Derr and seconded by Council member Robertson. Motion carried with the following vote:

AYES: Derr, Robertson, Avalos, Rodriguez, Grey

NOES: None

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTIONS RELATED TO LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 1 FOR THE 2013-2014 FISCAL YEAR: After discussion, motion to approve RESOLUTION 2013-12R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENT FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 IN THE CITY OF SELMA *and* RESOLUTION 2013-13R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA, CALIFORNIA, INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR LANDSCAPING AND

LIGHTING MAINTENANCE DISTRICT NO. 1 IN THE CITY OF SELMA 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

CONSIDERATION AND NECESSARY ACTION ON APPLICATION FOR FENCE PLACEMENT VARIANCE BY RAFAEL GARCIA, 2027 THOMPSON: After discussion, motion to deny the application for fence placement variance by Rafael Garcia, 2027 Thompson was made by Mayor Grey and seconded by Council member Derr. Motion carried with the following vote:

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

COUNCIL REPORTS: Council member Avalos reported on attending the Easter Egg Hunt downtown, and commended the Selma First Baptist Church for their hard work.

Council member Robertson inquired on any renderings of 2nd Street, and reported on positive feed-back from downtown businesses and on the Selma High Senior interviews.

Mayor Grey reported on recent changes to the Pioneer Village, and on the following upcoming events: An Evening Under the Stars for the Arts, The Central Valley Jazz Festival, and First Friday concerts.

ORAL COMMUNICATIONS: Ms. Tammy Johnson, Cal Water Local Manager, stepped forward to comment on utility easements in front of residential properties, and the difficulties that occur when fence placement variances are issued.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Kenneth Grey
Mayor of the City of Selma

Resolution Nos: 2013-10R, 2013-11R, 2013-12R, 2013-13R
Ordinance Nos: 2013-2