

**CITY OF SELMA
REGULAR CITY COUNCIL MEETING
July 1, 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: Derr, Robertson, Mayor Pro Tem Rodriguez, and Mayor Grey. Council member Avalos arrived at 6:02 p.m.

Also present were City Manager Heusser, City Attorney Costanzo, Financial Consultant Yribarren, Fire Chief Kain, Police Lieutenant Dyck, Recreation & Community Services Director Kirchner, 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.

SELMA CANCER SUPPORT COMMUNITY AWARDS: Ms. Char Tucker stepped forward to present awards to several local businesses and organizations.

PRESENTATION TO INTERIM POLICE CHIEF: Mayor Grey presented Lieutenant Myron Dyck with a plaque in recognition and appreciation for his dedicated service as Interim Police Chief from July 2009 thru June 2013.

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

CONSENT CALENDAR: Motion to approve the Consent Calendar as read was made by Mayor Pro Tem Rodriguez, and seconded by Council member Avalos. Motion carried by the following vote:

AYES: Rodriguez, Avalos, Derr, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

- a. Minutes of the June 17, 2013 workshop/pre-Council meeting approved as written.
- b. Minutes of the June 17, 2013 regular meeting approved as written.
- c. RESOLUTION NO. 2013-27R, A RESOLUTION SUBMITTING CLAIMS FOR LOCAL TRANSPORTATION FUNDS FOR THE 2013-2014 FISCAL YEAR-TRANSIT (LTF). Resolution approved by standard motion.
- d. RESOLUTION NO. 2013-28R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF SELMA IS ELIGIBLE & RESOLUTION NO. 2013-29R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE HOUSEHOLD HAZARDOUS WASTE HOUSEHOLD HAZARDOUS WASTE PROGRAM GRANTS FOR

WHICH THE CITY OF SELMA IS ELIGIBLE. Resolutions approved by standard motion.

- e. RESOLUTION NO. 2013-30R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING THE INCLUSION OF A MEASURE ON THE JUNE 3, 2014 FRESNO COUNTY PRIMARY BALLOT TO EXTEND THE ABANDONED VEHICLE ABATEMENT PROGRAM FOR A TEN-YEAR PERIOD. Resolution approved by standard motion.
- f. Check register dated June 27, 2013 approved by standard motion.

CONSIDERATION AND NECESSARY ACTION ON SUBMITTAL OF APPLICATION FOR EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2013 LOCAL SOLICITATION *public hearing and approval:*

Mayor Grey opened the public hearing at 6:15 p.m., there being no one to speak for or against the matter, the public hearing was closed at 6:16 p.m. Motion was then made to approve the submittal of the application for Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2013 Local Solicitation 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

CONSIDERATION AND NECESSARY ACTION ON PROTEST HEARING FOR ESTABLISHMENT OF NEW GARBAGE RATES FOR 2013-2014 FY *protest hearing and adoption:*

Mayor Grey opened the public hearing at 6:17 p.m. City Clerk Rivera reported that one verified written protest letter had been received on the new rates. There being no one to speak for or against the matter, Mayor Grey closed the public hearing at 6:18 p.m.

Motion to approve RESOLUTION NO. 2013-31R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA ESTABLISHING DISPOSAL SERVICE RATES AND REPEALING ALL RESOLUTION IN CONFLICT HEREWITH was made by Mayor Pro Tem Rodriguez. Motion was seconded by Council member Robertson, and carried by the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON AN ORDINANCE OF THE VOTERS OF THE CITY OF SELMA AMENDING SECTIONS 1 AND 3 OF TITLE V, CHAPTER 15 OF THE SELMA MUNICIPAL CODE (SECTIONS 5-15-1 AND 5-15-3) INCREASING THE TRANSIENT OCCUPANCY TAX PROVIDED FOR BY THOSE PROVISION FROM 6% TO 12% OF THE RENT CHARGED BY AN OPERATOR OF A HOTEL, INN, TOURIST HOME, MOTEL OR OTHER LODGING OR OCCUPANCY FOR A PERIOD OF LESS THAN THIRTY DAYS –

public hearing and adoption: City Attorney Costanzo explained that a four-fifths vote is required for the ordinance and stated that the impartial analysis was attached in the packet for review.

Mayor Grey opened the public hearing at 6:30 p.m. There being no one to speak for or against the issue, Mayor Grey closed the public hearing at 6:31 p.m.

After discussion, motion to adopt ORDINANCE NO. 2013-4, AN ORDINANCE OF THE VOTERS OF THE CITY OF SELMA AMENDING SECTIONS 1 AND 3 OF TITLE V, CHAPTER 15 OF THE SELMA MUNICIPAL CODE (SECTIONS 5-15-1 AND 5-15-3) INCREASING THE TRANSIENT OCCUPANCY TAX PROVIDED FOR BY THOSE PROVISION FROM 6% TO 12% OF THE RENT CHARGED BY AN OPERATOR OF A HOTEL, INN, TOURIST HOME, MOTEL OR OTHER LODGING OR OCCUPANCY FOR A PERIOD OF LESS THAN THIRTY DAYS was made by Mayor Pro Tem Rodriguez and seconded by Council member Avalos. Motion carried by the following vote:

AYES: Rodriguez, Avalos, Derr, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING ORDINANCE AMENDING TITLE V CHAPTER 15 OF THE SELMA MUNICIPAL CODE, INCREASING THE TRANSIENT OCCUPANCY TAX FROM 6% TO 12% (THE “AMENDMENT”), ORDERING THAT THE MEASURE ADOPTING THE AMENDMENT TO BE SUBMITTED TO THE VOTERS AT THE GENERAL ELECTION ON NOVEMBER 5, 2013 AND DIRECTING SUBMISSION OF AN IMPARTIAL ANALYSIS OF THE MEASURE –

public hearing and adoption: City Attorney Costanzo explained the requirements to Council once the Ordinance and Resolution are submitted to the Elections Office.

After discussion, Mayor Grey opened the public hearing portion of the meeting at 6:36 p.m., there being no one to speak for or against the issue, the hearing was closed at 6:37 p.m.

Motion was made by Council member Derr to approve RESOLUTION NO. 32R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AN ORDINANCE AMENDING TITLE V, CHAPTER 15, SECTIONS 1 AND 3 (5-15-1

AND 5-15-3) OF THE SELMA MUNICIPAL CODE INCREASING THE RATE OF THE TRANSIENT OCCUPANCY TAX FROM 6% TO 12%; ORDERING THAT THE MEASURE TO INCREASE THE TRANSIENT OCCUPANCY TAX BE SUBMITTED TO THE VOTERS OF THE CITY AT THE REGULAR, GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2013, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE. Motion was seconded by Mayor Pro Tem Rodriguez and carried by the following vote:

AYES: Derr, Rodriguez, Avalos, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION CONFIRMING REPORT OF ANNUAL REFUSE COLLECTION CHARGES TO BE ADDED TO THE 2013-2014 FRESNO COUNTY PROPERTY TAX ROLL:

City Manager Heusser reported that the proposed charges to be added to the tax roll have been prepared in accordance with the recently approved rate changes. Motion to approve RESOLUTION NO. 2013-33R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA CONFIRMING THE REPORT OF ANNUAL REFUSE COLLECTION CHARGES TO BE ADDED TO THE 2013-2014 FRESNO COUNTY PROPERTY TAX ROLL was made by Mayor Pro Tem Rodriguez, and seconded by Council member Avalos. Motion carried by the following vote:

AYES: Rodriguez, Avalos, Derr, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

DEPARTMENTAL REPORTS: City Manager Heusser thanked Lieutenant Dyck for his work as the Interim Police Chief.

COUNCIL REPORTS: Council member Avalos thanked Lieutenant Dyck for his work as the Interim Police Chief and Financial Consultant Yribarren for the 2013-2014 Budget.

Council member Derr reported on celebrating his recent fortieth wedding anniversary.

Council member Robertson thanked Financial Consultant Yribarren for guiding him through his first City of Selma budget.

Mayor Pro Tem Rodriguez thanked the Selma Unified School District and the City of Selma for the use of the facilities during a recent softball tournament. He also encouraged everyone to vote for Measure K.

Mayor Grey thanked the Fire, Police, and Public Works Departments for all their hard work.

ORAL COMMUNICATIONS: Mr. Robert Allen encouraged everyone to attend the annual July 3rd event.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:49 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Kenneth Grey
Mayor of the City of Selma