

**CITY OF SELMA
REGULAR CITY COUNCIL MEETING
August 19, 2013**

The regular meeting of the Selma City Council was called to order at 6:05 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, Financial Consultant Yribarren, Fire Chief Kain, Police Chief Garner, 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.

SPECIAL PRESENTATIONS: Dr. Sandra Caldwell, President of Reedley College stepped forward and introduced herself and two board trustees: Mr. Ron Nishinaka and Mr. Jon Leal. She passed out a handout regarding Reedley College. Council thanked her and the trustees for attending the meeting.

Ms. Brandi Orth, Fresno County Clerk stepped forward and gave an update and overview on elections and voter turnout.

ORAL COMMUNICATIONS: Ms. Victoria Delgadillo, 2029 Alton Street, and Mr. Michael Barron, 2003 Alton, both stepped forward to voice concerns regarding a neighbor who is painting vehicles in his garage, and issuing toxins into the neighborhood.

Mayor Grey stated that Police Chief Garner and City Manager Heusser are working on the issue.

ADDITION TO THE AGENDA: City Attorney Costanzo reported that an item needed to be added to the agenda. He stated that the issue had been brought to his attention after the agenda was distributed, and required immediate attention.

After discussion, motion to add to the Consent Agenda Consideration and Necessary action on tolling agreement between Consolidated Irrigation District, Selma Crossings, and the City of Selma as Item 1.f., was made by Mayor Pro Tem Rodriguez and seconded by Council member Avalos. Motion carried with the following vote:

AYES: Rodriguez, Avalos, Derr, Robertson, Grey

NOES: None

ABSTAIN: None

ABSENT: None

CONSENT CALENDAR: Mayor Pro Tem Rodriguez asked that item 1.c. be pulled for separate consideration. Motion to approve the remainder of the Consent Calendar 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

- a. Minutes of the August 5, 2013 workshop/pre-Council meeting approved as written.
- b. Minutes of the August 5, 2013 regular meeting approved as written.
- c. Pulled for separate consideration.
- d. RESOLUTION NO. 2013-42R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING APPROPRIATIONS FOR THE STATE CITIZENS OPTION FOR PUBLIC SAFETY (COPS) GRANT. Resolution approved by standard motion.
- e. Check register dated August 13, 2013 approved by standard motion.
- f. Tolling Agreement between Consolidated Irrigation District, Selma Crossings, and City of Selma approved by standard motion.

AGENDA ITEM 1.c. – CONSIDERATION AND NECESSARY ACTION ON REQUEST TO WAIVE FEES FOR USE OF PIONEER VILLAGE FOR THE SELMA ROCK N BREWS EVENT: After discussion, motion to approve the request to waive fees for use of Pioneer Village for the Selma Rock n Brews event was made by Mayor Pro Tem Rodriguez, and seconded by Council member Robertson. Motion carried with the following vote:

AYES: Rodriguez, Robertson, Avalos, Derr, Grey

NOES: None

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON AN APPLICATION FOR A FENCE PLACEMENT VARIANCE BY FRED RIVERA, 2831 MCCALL: City Manager Heusser stated that this fence variance had been under review since June, he provided pictures for Council's review, and stated that the Engineering department recommended denial of the fence variance.

Mrs. Hope Rivera stepped forward and stated that she does not want to encroach onto the right-of-way, and that she would follow the appropriate setbacks for the fence placement.

After discussion, it was the consensus of Council that no action was needed since the matter had been resolved.

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AUTHORIZING AND APPROVING THE BORROWING OF FUNDS FOR FISCAL YEAR 2013-2014 AND THE ISSUANCE AND SALE OF 2013-2014 TAX AND REVENUE ANTICIPATION NOTES (TRAN) IN AN AMOUNT NOT TO EXCEED \$1,500,000. City Manager Heusser explained the history of the TRAN and the amounts that the City had received in the past.

Mr. Eric Scriven, stepped forward to answer various questions from Council.

After discussion, motion to approve RESOLUTION NO. 2013-43R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING AND APPROVING THE BORROWING OF FUNDS FOR FISCAL YEAR 2013-2014 AND THE ISSUANCE AND SALE OF THE 2013-2014 TAX AND REVENUE ANTICIPATION NOTES (TRAN) IN AN AMOUNT NOT TO EXCEED \$1,500,000 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 ACTIONS FOR THE SELMA CROSSINGS COMMERCIAL PROJECT AND THE ENTITLEMENTS NEEDED TO ANNEX INTO THE CITY APPROXIMATELY ± 288 ACRES TO BE DEVELOPED COMMERCIALY: City Attorney Costanzo explained that the public hearing was closed at the last meeting, and that Council is being asked to vote on each item individually. He further stated for the record that a typographical error was detected on the Final EIR on table 2-3 and that the error is a typographical error and does not change the final calculations of the table.

Council member Avalos stated that Council would vote on the issue, but would like Mr. Tim Jones to consider apprentices for the project.

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR SUBMITTAL NO. 2007-0012 AND ADOPTING STATEMENT OF OVERRIDING CONSIDERATIONS: Motion to approve RESOLUTION NO. 2013-44R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR SUBMITTAL NO. 2007-0012 AND ADOPTING STATEMENT OF OVERRIDING CONSIDERATIONS was made by Mayor Pro Tem Rodriguez, and seconded by Council member Avalos. Motion then carried with the following vote:

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

CONSIDERATION AND NECESSARY ACTION OF RESOLUTION APPROVING TENTATIVE PARCEL MAP 2007-0012 WITH CONDITIONS: Motion to approve RESOLUTION NO. 2013-45R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING TENTATIVE PARCEL MAP 2007-0012 WITH CONDITIONS was made by Council member Robertson, and seconded by Council member Derr. Motion then carried with the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING ZONE CHANGE (PRE-ZONING) SUBJECT TO SPECIFIC FINDINGS FOR APPROVAL: Motion was made by Council member Avalos, and seconded by Council member Derr to approve RESOLUTION NO. 2013-46R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING ZONE CHANGE (PRE-ZONING) SUBJECT TO SPECIFIC FINDINGS FOR APPROVAL. Motion then carried with the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION INITIATING MOUNTAIN VIEW/HIGHWAY 99 SELMA CROSSINGS REORGANIZATION-ANNEXATION TO ANNEX TERRITORY INCLUDING THE PROJECT AREA AND ADJACENT PROPERTIES AND PUBLIC RIGHT-OF-WAY TO THE CITY OF SELMA: Motion was made by Council member Derr and seconded by Mayor Pro Tem Rodriguez to approve Resolution NO. 2013-47R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA INITIATING MOUNTAIN VIEW/HIGHWAY 99 SELMA CROSSINGS REORGANIZATION-ANNEXATION TO ANNEX TERRITORY INCLUDING THE PROJECT AREA AND ADJACENT PROPERTIES AND PUBLIC RIGHT-OF-WAY TO THE CITY OF SELMA. Motion then carried with the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION FOR A MINOR SPHERE OF INFLUENCE AMENDMENT: Motion to approve RESOLUTION NO. 2013-48R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING A MINOR SPHERE OF INFLUENCE AMENDMENT IN CONJUNCTION WITH MOUNTAIN VIEW HIGHWAY 99 SELMA CROSSINGS REORGANIZATION, ANNEXATION NO. 2007-0012 was made by Council member Avalos, and seconded by Council member Robertson. Motion then carried with the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING TITLE XI CHAPTER 2, SECTION 2 OF THE SELMA MUNICIPAL CODE (ZONE BOUNDARY MAP) *second reading and adoption:* Motion to waive the second reading and adopt ORDINANCE NO. 2013-5, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING ZONE CHANGE (PREZONING) NO. 2007-0012 SUBJECT TO SPECIFIC FINDINGS FOR APPROVAL RELATED TO THE SELMA CROSSINGS COMMERCIAL PROJECT was made by Mayor Pro Tem Rodriguez and seconded by Council member Derr. Motion then carried with the following vote:

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

DEPARTMENTAL REPORTS: City Manager Heusser reported on the following upcoming events: Arts Center Ribbon cutting, Concerts in the Park, Cho's Restaurant 50th celebration, and a Measure "S" meeting.

City Attorney Costanzo stated that since Ms. Brandi Orth stated that Council would be able to submit an argument in favor of Measure K, he would prepare a 300-word argument at no charge to the City.

COUNCIL REPORTS: Council member Avalos thanked both Police and Fire Chiefs and staff for all their work.

Council member Robertson gave an update on the animal shelter, and stated that all the funds for the upcoming Rock n Brews event will benefit the animal shelter. He also asked that staff research the feasibility of Council going paperless and adopt the use of iPads or tablets.

Mayor Grey stated that there is a Latino Music Series that will be held at the new Arts Center, and September 14 is the first day for the Sound of Music. He also gave a progress update on the Arts Center.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Kenneth Grey
Mayor of the City of Selma

Ordinance No: 2013-5

Resolution No: 2013-42R, 2013-43R, 2013-44R, 2013-45R, 2013-46R, 2013-47R, 2013-48R