

**CITY OF SELMA  
WORKSHOP/PRE-COUNCIL MEETING  
September 6, 2016**

The Workshop/ pre-Council meeting of the Selma City Council was called to order at 5:03 p.m. in the Council Chambers. Council members answering roll call were: Montijo, Rodriguez, Mayor Pro Tem Avalos and Mayor Robertson. Council member Derr was absent.

Also present were Interim City Manager Garner, City Attorney Costanzo, 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.

**EXECUTIVE SESSION:** At 5:04 p.m., Mayor Robertson recessed the meeting into Executive Session to discuss the following: one item of Public Employment, pursuant to Government Code Section 54957 – Title: City Manager; one case of potential litigation pursuant to Government Code 54956.9; and a Conference with Labor Negotiator pursuant to Government Code Section 54957.6: the Agency Negotiator is Greg Garner, Interim City Manager regarding all Employee Organizations.

Council member Rodriguez excused himself from the meeting at 5:47 p.m., stating that he had a scheduling conflict.

The meeting reconvened at 6:02 p.m., with City Attorney Costanzo reporting Council had voted unanimously to approve new health insurance caps for all Employee Organizations.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 6:03 p.m.

Respectfully submitted,

Reyna Rivera  
City Clerk

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Scott Robertson  
Mayor of the City of Selma

**CITY OF SELMA  
REGULAR COUNCIL MEETING  
September 6, 2016**

The regular meeting of the Selma City Council was called to order at 6:07 p.m. in the Council Chambers. Council members answering roll call were: Montijo, Mayor Pro Tem Avalos, and Mayor Robertson. Council members Derr and Rodriguez were absent.

Also present were Interim City Manager Garner, City Attorney Costanzo, Community Services Director Kirchner, Finance Manager Moreno, Fire Chief Kain, Public Works Director Shiplee, 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.

**INVOCATION**: Selma Police Department and FSO Chaplain Shannon Schwamb led the invocation.

**POTENTIAL CONFLICT OF INTEREST**: Council member Montijo discussed agenda item 3, and stated after discussion with City Attorney Costanzo, she is allowed to vote on the matter as she has no financial gain on the matter.

**CALIFORNIA WATER SERVICE COMPANY PRESENTATION**: Mr. Mark Markarian, Local Manager for California Water Service stepped forward to introduce Steve Johnson. Mr. Steve Johnson stepped forward and stated that he would be stepping into the Local Manager position in October.

**ORAL COMMUNICATIONS**: Mr. Ken Maxey, District Manager for Waste Management stepped forward to provide an update on the transition, and stated that the upcoming Fall Clean Up Week will be held at the old Selma Disposal Yard. He also thanked Mayor Robertson for assisting with graffiti abatement.

**CONSENT CALENDAR**: Mayor Robertson requested that agenda items 2.d. and 2.e. be pulled for separate consideration. Mayor Robertson motioned to approve the remainder of the Consent Calendar as read. The motion was seconded by Council member Montijo, and carried with the following vote:

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

- a. Minutes of the August 15, 2016 joint workshop/pre-Council meeting, approved as written.
- b. Minutes of the August 15, 2016 regular meeting, approved as written.
- c. Minutes of the August 22, 2016 special Council meeting, approved as written.
- d. Pulled for separate consideration.
- e. Pulled for separate consideration.

**AGENDA ITEM 2.d. CONSIDERATION AND NECESSARY ACTION ON RECOMMENDATION FOR THE SELMA YOUTH GIRLS SOFTBALL LEAGUE TO OPERATE THE SHAFER PARK CONCESSION:**

After clarification on the agreement, motion to approve the recommendation for the Selma Youth Girls Softball League to Operate the Shafer Park Concession was made Mayor Robertson and seconded by Council member Montijo. Motion carried by the following vote:

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

**AGENDA ITEM 2.e. CONSIDERATION AND NECESSARY ACTION ON CHECK REGISTER DATED AUGUST 31, 2016:**

After discussion, motion to approve Check Register dated August 31, 2016 was made by Mayor Robertson and seconded by Council member Montijo. Motion carried by the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING THE 2035 GENERAL PLAN LAND USE DESIGNATION, ZONING, AND MCCALL SPECIFIC PLAN ON 3495 HIGHLAND, SELMA (APN: 348-320-35)**

*introduction, first reading and public hearing:* City Attorney Costanzo reported on the Ordinance amendment for Council and explained that because of noticing requirements, this item is also a public hearing.

After Council discussion, Mayor Robertson opened the public hearing at 6:32 p.m.

Mr. Albert Rodriguez, property owner stepped forward in favor of the proposed Ordinance amendment and provided information at Council's request. There being no further public testimony the hearing was closed at 6:33 p.m.

After much discussion, motion to waive the first reading and introduction on an ORDINANCE AMENDING THE 2035 GENERAL PLAN LAND USE DESIGNATION, ZONING, AND MCCALL SPECIFIC PLAN ON 3495 HIGHLAND, SELMA (APN 348-320-35) was made by Mayor Pro Tem Avalos and seconded by Mayor Robertson. Motion carried with the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON FEE WAIVER REQUEST FOR CHAMBER CAR SHOW:** Interim City Manager Garner discussed that the City received a request for a fee waiver associated with the Annual Chamber Car Show from the Chamber of Commerce.

Robert Allen, Chamber of Commerce Executive Director stepped forward in favor of the request, and requested approval from Council.

After a brief discussion regarding waivers, motion to APPROVE THE FEE WAIVER ON THE 2016 CHAMBER CAR SHOW was made by Council member Montijo and seconded by Mayor Pro Tem Avalos. Motion carried with the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AUTHORIZING STAFF TO SUBMIT APPLICATION FOR CALIFORNIA YOUTH SOCCER GRANT AND FOR CITY MANAGER TO EXECUTE GRANT**

**AGREEMENT:** Community Services Director Kirchner stepped forward to discuss the matter. Administrative Analyst Galvan provided further detail on the grant application requirements.

After further discussion, motion to approve RESOLUTION NO. 2016 – 63R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING THE APPLICATION FOR YOUTH SOCCER AND RECREATION DEVELOPMENT PROGRAM GRANT FUNDS was made by Mayor Pro Tem Avalos and seconded by Council member Montijo. Motion carried with the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT WITH COMPLIANCE SOLUTIONS TO DEVELOP CEQA DOCUMENT FOR PARK**

**ANNEXATION/GRANTS:** After discussion, motion to approve RESOLUTION NO. 2016-64R A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA, AUTHORIZING CITY MANAGER TO NEGOTIATE A CONTRACT FOR PREPARATION OF A MITIGATED NEGATIVE DECLARATION, LEVEL ONE ENVIRONMENTAL AND OTHER RELATED STUDIES FOR CEQA ANALYSIS ON NEW PARK LAND AT ROCKWELL POND AND ADJACENT PROPERTY was made by Council member Montijo and seconded by Mayor Pro Tem Avalos. Motion carried with the following vote:

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

**CONSIDERATION AND NECESSARY ACTION ON DESIGNATION OF VOTING DELEGATE FOR LEAGUE CONFERENCE:** After discussion, it was the consensus of the Council that Council member Derr be designated as the voting delegate at the League's annual conference and Mayor Pro Tem Avalos be appointed as alternate.

**DEPARTMENT REPORTS:** Public Works Director Shiplee reported on the beautification project along Second Street, and the Brentlinger Park bathrooms.

Community Services Director Kirchner discussed the Pickleball Court project.

**COUNCIL REPORTS:** Council member Montijo discussed the upcoming Selma Kingsburg Fowler County Sanitation District Board meeting, and reported on the Concert in the Park.

Mayor Pro Tem Avalos reported on attending the Concert in the Park and the recent event at the Arts Center.

Mayor Robertson reported on attending the following: Chamber Mixer, Concert in the Park, recent event at the Arts Center, Team Selma meeting, and graffiti abatement event at Greenwood Apartments. He reported on receiving a concern regarding a missing park bench, and discussed a recent animal control call for service. He also provided information on upcoming events: presentation regarding transportation that he would be giving and the Tejano concert. Mayor Robertson thanked Mr. Moses Stites, Mr. Pete Esraelian, Ms. Lexus Gallardo, Mr. Andrew Guzman, and city staff for their assistance with graffiti abatement, replacement of missing bench, and nuisance abatement.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Reyna Rivera  
City Clerk

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Scott Robertson  
Mayor of the City of Selma

**CITY MANAGER'S/STAFF'S REPORT  
CITY COUNCIL MEETING:**

September 19, 2016

**ITEM NO:** 1.c.

**SUBJECT:** Award contract to RJ Berry Jr. Construction for Federal Aid Project STPL-5096(031), Whitson/Thompson Intersection Improvements.

**DISCUSSION:** Bids for construction of improvements for STPL-5096(031), Whitson/Thompson Intersection Improvements, were opened on September 7, 2016. The bid results were as follows:

<b>Contractor</b>	<b>Bid Amount</b>
Dawson-Mauldin Construction	\$293,437.62
RJ Berry Jr. Construction	\$264,265.00

<b>COST:</b> (Enter cost of item to be purchased)		<b>BUDGET IMPACT:</b> (Enter amount this non-budgeted item will impact this years' budget – if budgeted, enter NONE).
\$264,265.00		None
<b>FUNDING:</b> (Enter the funding source for this item – if fund exists, enter the balance in the fund).		<b>ON-GOING COST:</b> (Enter the amount that will need to be budgeted each year – if one-time cost, enter NONE).
Funding Source: Federal Funds		None
Fund Balance:		

**RECOMMENDATION:** Approve resolution awarding construction contract to RJ Berry Jr. Construction for STPL-5096(031), Whitson/Thompson Intersection Improvements in the amount of \$264,265.00.

  
Joseph Daggett - City Engineer

  
Date

  
Greg Garner, Interim City Manager

  
Date

We \_\_\_\_\_ and \_\_\_\_\_  
Greg Garner, Interim City Manager Isaac Moreno, Finance Manager  
do hereby agree that the funding for the above is correct and that enough funds exist to cover the expenditure.

**RESOLUTION NO. 2016- R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA  
AWARDING CONTRACT  
FOR WHITSON/THOMPSON INTERSECTION IMPROVEMENTS, STPL-5096(031)**

**WHEREAS**, the City of Selma has received Federal funding (STPL-5096(031)); and

**WHEREAS**, the plans and specifications for construction of improvements for Whitson/Thompson Intersection Improvements (STPL-5096(031)) have been prepared by Gateway Engineering, Inc. and approved by the City of Selma Public Works/Engineering; and

**WHEREAS**, the project has been advertised and bids have been received on the project; and

**WHEREAS**, the bids were opened on September 7, 2016.

**NOW THEREFORE BE IT RESOLVED**, that the contract for construction of improvements for Whitson/Thompson Intersection Improvements (STPL-5096(031)) is awarded to RJ Berry Jr. Construction, at a cost of \$264,265.00.

The foregoing Resolution was duly adopted at a regular meeting of the Selma City Council on September 19, 2016, by the following vote to wit:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

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Scott Robertson  
Mayor of the City of Selma

ATTEST:

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Reyna Rivera  
City Clerk for the City of Selma

**CITY MANAGER'S/STAFF'S REPORT  
CITY COUNCIL MEETING:**

September 19, 2016

**ITEM NO:**

1.d., 1.e.

**SUBJECT:** Consideration and necessary action on League of California Cities request for Resolution in Opposition of Proposition 53 Revenue Bonds: Statewide Voter Approval - Constitutional Amendment, and in Support of Proposition 54 California Legislature Transparency Act of 2016.

**DISCUSSION:** A request was received from South San Joaquin Valley Regional Public Affairs Manager, of the League of California Cities for Council resolutions for 2 ballot measure that the League of CA Cities has taken positions on.

Attached for Council consideration are resolutions and more information on both propositions.

<b><u>COST:</u></b> <i>(Enter cost of item to be purchased)</i>		<b><u>BUDGET IMPACT:</u></b> <i>(Enter amount this non-budgeted item will impact this years' budget – if budgeted, enter NONE).</i>
n/a		n/a
<b><u>FUNDING:</u></b> <i>(Enter the funding source for this item – if fund exists, enter the balance in the fund).</i>		<b><u>ON-GOING COST:</u></b> <i>(Enter the amount that will need to be budgeted each year – if one-time cost, enter NONE).</i>
Funding Source:		
Fund Balance:		

**RECOMMENDATION:** Consider request from League of California Cities to support Proposition 54 and Oppose Proposition 53.

/s/ Greg Garner  
Greg Garner, Interim City Manager

09/16/16  
Date

**From:** Rajveer Rakkar <rrakkar@cacities.org>  
**Sent:** Thursday, September 15, 2016 9:59 AM  
**To:** Rajveer Rakkar  
**Subject:** Requests for Resolutions for Props. 53 & 54  
**Attachments:** SAMPLE RESOLUTION IN OPPOSITION OF PROPOSITION 53.pdf; SAMPLE RESOLUTION IN SUPPORT OF PROPOSITION 54.pdf

Good Morning,

I wanted to pass along a request for resolutions for 2 ballots measure the League of CA Cities has taken positions on. Attached are sample resolutions and more information on both propositions. If you have any questions please let me know.

**Proposition 53 Revenue Bonds: Statewide Voter Approval - Constitutional Amendment**

This measure would require statewide voter approval prior to the state issuing or selling any revenue bonds of \$2 billion or more for state projects that are financed, owned, operated or managed by the state or a joint agency created by or for the state.

**League Position: Oppose**

This measure would make it more difficult for state, regional, and local public agencies to use revenue from a common funding source to finance critical infrastructure projects. This concern is valid as cities and counties could also be members to joint powers agencies created by the state. Additionally, the broadest interpretation could prevent critical state improvements in a community, even under the \$2 billion threshold, as long as they're "proximate, physically joined/connected, and/or cannot be complete without the other project."

Regional projects (such as the Bay Bridge) subject to the threshold would require a statewide vote. Thus, regional and local projects would be subject to the control of voters in other areas of the state even when they are neither impacted by the projects nor required to pay for them.

*Local Precedent Concern:* While the immediate impact on a city from this proposal can be debated, its enactment would set a legal and policy precedent of having revenue bonds subject to public votes. Such a precedent could lead to future efforts to expand such a requirement to apply to local government revenue bonds in the future, further limiting local flexibility.

[Proposition Text](#)

[No on Prop 53 Fact Sheet](#)

[Local Projects at Risk](#)

[No on Prop 53 Website](#)

**Proposition 54 California Legislature Transparency Act of 2016.**

This measure would prohibit the Legislature from passing legislation until it has been in print and published online for at least 72 hours prior to the vote unless it is a case of public emergency. The Legislature would be required to record all proceedings (except closed sessions) and make available online.

**League Position: Support**

The League supports this measure because it will improve the transparency of the California's legislative process. Last-minute bills and amendments can often be harmful to local agencies and communities. Complex

measures are often passed before members of the Legislature have any realistic opportunity to review or debate them, resulting in ill-considered legislation.

The opportunity for an orderly and detailed review of bills by the public, the press, and legislators will result in better laws, while thwarting political favoritism and power grabs. Additional access for the public to recordings of legislative proceedings will enhance transparency and accountability.

[Proposition Text](#)

[Yes on Prop 54 Fact Sheet](#)

[Frequently Asked Questions](#)

[Yes on Prop 54 Website](#)

Thank you,  
Raj

Raj Rakkar  
South San Joaquin Valley Regional Public Affairs Manager  
League of California Cities  
559-244-1849  
[rrakkar@cacities.org](mailto:rrakkar@cacities.org)

**RESOLUTION NO. 2016- R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA  
IN OPPOSITION TO PROPOSITION 53**

WHEREAS, California and its local communities have a backlog of essential infrastructure needs, including crumbling local streets and roads, unsafe bridges and overpasses, aging water supply infrastructure, inadequate public transportation systems, and overcrowded hospitals and universities; and

WHEREAS, Proposition 53 on the November ballot would erode local control and undermine the ability of cities, counties and other local agencies and the state to form partnerships to finance the construction of some critical public infrastructure projects; and

WHEREAS, this initiative would require a statewide vote on certain local infrastructure projects financed through revenue bonds, where local governments have joined in a Joint Powers Authority (JPA) in partnership with the state or where the state was involved in the creation of the JPA; and

WHEREAS, by requiring a statewide vote on some local or regional projects, this initiative would erode local control by empowering voters in distant communities to reject projects which they do not use and do not fund; and

WHEREAS, this measure could derail and delay Selma's ability to make improvements to critical infrastructure, including after emergencies and natural disasters; and

WHEREAS, No on 53 is a growing coalition of organizations representing local governments, water agencies, public safety leaders, businesses, labor unions, hospitals, family farmers, environmentalists and educators that have come together to officially oppose this initiative.

NOW, THEREFORE, BE IT RESOLVED that the City of Selma, opposes Proposition 53.

BE IT FURTHER RESOLVED that the City of Selma will join No on 53 coalition.

The foregoing Resolution was duly adopted at a regular meeting of the Selma City Council on September 19, 2016, by the following vote to wit:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

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Scott Robertson  
Mayor of the City of Selma

ATTEST:

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Reyna Rivera  
City Clerk for the City of Selma



**Stop Attack on Local Control**

[www.NoProp53.com](http://www.NoProp53.com)

## **PROP 53 UNDERMINES LOCAL CONTROL AND VITAL INFRASTRUCTURE**

Prop 53 is opposed by a broad, bipartisan coalition of organizations including the California Professional Firefighters, California Chamber of Commerce, California Hospital Association, California State Sheriffs Association, firefighters, paramedics, family farmers, environmentalists, law enforcement, and local governments. Prop 53 takes away local control by requiring a statewide vote even for some local infrastructure projects. The measure would add new layers of bureaucracy and red tape that will delay or derail needed improvements to critical infrastructure, including after emergencies and natural disasters. Here are some facts:

### **Prop 53 Erodes Local Control by Requiring Statewide Vote for Some Local Projects**

- Under this measure, cities and towns that want to come together with the state and form a JPA to issue revenue bonds to upgrade local water systems, roads, bridges, and universities would have to put their project on a statewide ballot.
- That means voters in faraway regions could veto some local projects your community needs and supports – even though those distant voters don't use, won't pay for, and don't care about your local community improvements.
- That's why groups representing California's cities, counties and local water agencies, including the League of California Cities and Association of California Water Agencies, all oppose Prop 53.

### **Prop 53 Jeopardizes Ability to Repair Outdated Infrastructure**

- Our communities already suffer from a massive backlog of local infrastructure needs, including outdated water supply and delivery systems, unsafe bridges, overpasses and freeways, and community hospitals that need to be upgraded to make them earthquake safe.

*Reliable Infrastructure is critical to public safety. This measure erodes local control and creates new hurdles that could block communities from upgrading critical infrastructure such as bridges, water systems and hospitals."*

**- Sheriff Donny Youngblood, President, California State Sheriffs' Association**

### **Prop 53 Threatens Water Supply and Drought Preparedness**

- The Association of California Water Agencies says: "Prop 53 could threaten a wide range of local water projects including storage, desalination, recycling and other vital projects to protect our water supply and access to clean, safe drinking water. Prop 53 will definitely impede our ability to prepare for future droughts."

### **Prop 53 Contains No Exemptions for Emergencies or Natural Disasters**

- Because Prop 53 fails to contain an exemption for emergencies, in cases of an earthquake or flood, local governments and the state may need to wait as long as two years in order to get voter approval to begin rebuilding damaged or destroyed roads, freeways, bridges, hospitals and water delivery systems.

**California Professional Firefighters, representing 30,000 firefighters and paramedics, warns:** "Prop 53 irresponsibly fails to contain an exemption for natural disasters or major emergencies. That flaw could delay our state's ability to rebuild critical infrastructure following earthquakes, wildfires, floods or other natural or man-made disasters."

**Prop 53 Makes No Fiscal Sense.**

- Private investors bear the financial risk for revenue bonds, not the state or its general fund. And revenue bonds are repaid by users of a project who directly benefit, not taxpayers. For instance, repairs to a bridge would be paid by tolls on the bridge, or customers in a specific water district would pay to build a water recycling plant, not taxpayers. It makes no sense to have a statewide election on projects not financed by taxpayers for which the state and local governments bear none of the financial risk.

**Prop 53 is Financed and Promoted by Multi-millionaire with a Personal Agenda**

- This measure is financed entirely by one multi-millionaire and his family, who are spending millions in an attempt to disrupt a single water infrastructure project. Irrespective of one's position on that single project, his initiative has far-reaching, negative implications for other infrastructure projects throughout California. We cannot allow one wealthy person to abuse the initiative system to push his narrow personal agenda.

**Paid for by No on Prop 53 – Californians to Protect Local Control, a coalition of public safety, local government, business and labor organizations, and taxpayers. Major funding by California Construction Industry Labor Management Cooperation Trust and Members' Voice of the State Building and Construction Trades Council of California (Committee).**

1.e.

**RESOLUTION NO. 2016- R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA  
IN SUPPORT OF PROPOSITION 54**

WHEREAS, it is essential to the maintenance of a democratic society that public business by the California Legislature be performed in an open and public manner and residents be given the opportunity to fully review every bill and express their views regarding the bill's merits to their elected representatives, before it is passed.

WHEREAS, last-minute amendments to bills in the Legislature are frequently pushed through without sufficient opportunities for public comment, or advance notice, providing members of the Legislature with no realistic opportunity to review or debate them, resulting in ill-considered legislation.

WHEREAS, few citizens have the ability to attend legislative proceedings in person, and many legislative proceedings go completely unobserved by the public and press, often leaving no record of what was said.

WHEREAS, California should also follow the lead of other states that require a 72-hour advance notice period between the time a bill is printed and made available to the public and the time it is put to a vote, allowing an exception only in the case of a true emergency, such as a natural disaster.

1) NOW, THEREFORE, BE IT RESOLVED that the City of Selma supports Proposition 54, the California Legislature Transparency Act.

2) BE IT FURTHER RESOLVED that the City of Selma will join the Yes on 54 Coalition.

The foregoing Resolution was duly adopted at a regular meeting of the Selma City Council on September 19, 2016, by the following vote to wit:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

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Scott Robertson  
Mayor of the City of Selma

ATTEST:

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Reyna Rivera  
City Clerk for the City of Selma

## Endorsements:

League of Women Voters  
of California

California State  
Conference of the  
NAACP

California Common  
Cause

Californians Aware

League of California  
Cities

First Amendment  
Coalition

California Forward

California Chamber of  
Commerce

California Black Chamber  
of Commerce

California Business  
Roundtable

NFIB California

La Raza Roundtable de  
California

Latin Business  
Association of California

Hispanic 100

Howard Jarvis Taxpayers  
Association

California Taxpayers  
Association

Small Business Action  
Committee

Los Angeles Area  
Chamber of Commerce

San Francisco Chamber  
of Commerce

Fresno Chamber of  
Commerce

San Jose/Silicon Valley  
NAACP

Monterey County  
Business Council

Valley Contractors  
Exchange

The R Street Institute

*\*Partial List*



## GIVE POWER BACK TO VOTERS, NOT THE SPECIAL INTERESTS

Proposition 54 would rein in the special interests, give voters more access to the legislative process, and make sure legislators are working for the voters, not the special interests.

### *Special interests have too much influence in the Legislature*

Special interests at the State Capitol routinely make last-minute changes to legislation to push through political favors without public comment or discussion. Hundreds of pages of legislation are drafted behind closed doors, dropped onto lawmakers' desks, and put to an immediate vote before anyone can read it. This creates reckless legislation benefiting a few special interests at the expense of voters.

Also, although the State Constitution says legislative meetings are supposed to be open to the public, few people are able to attend those meetings in person. Many proceedings go completely unobserved by the public and press, often leaving no record of what was said. These off-the-record meetings only benefit the lobbyists paid to strike backroom deals while the public interest is cut out of the process.

### *Proposition 54 would give power back to the voters*

Proposition 54 would restore legislative transparency and level the playing field for the average voter to hold politicians accountable – by doing three things:

#### ***1. Each bill must be in print and posted online for at least 72 hours before it may pass out of either house***

This 72-hour notice period would give legislators time to review the legislation, hear from their constituents, and be held accountable for the votes they ultimately cast.

The initiative would prohibit any bill from being passed by either house of the Legislature until it has been printed and posted online for at least 72 hours. The bill must be printed and posted in its final form before being voted on by either house, so that all amendments to the bill are made public for at least 72 hours before any floor vote.

This would end the practice of special interests sneaking new legislation through the process without public comment or review. And by bringing new legislation out into the light of day, this initiative would deter political favoritism and allow a responsible evaluation of new policies before they become law.

The initiative would even specify that, if either house breaks the 72-hour rule by passing a bill without 72 hours' notice, then the bill cannot become a statute.

The initiative allows exceptions to the notice period for cases of emergency when legislation is needed immediately.

**2. *Requires the Legislature to post online a video record of every legislative meeting that is supposed to be open to the public***

The initiative would require the Legislature to post a complete video record of each meeting within 24 hours of the meeting's adjournment, allowing citizens to watch legislative meetings and keep informed. The videos would be kept online, freely available for public viewing, for at least 20 years. This would become a valuable resource for the public, the press, and the academic community.

Hundreds of local governments already do this. So why can't the State Legislature?

Any costs of making or keeping these videos would be absorbed by the Legislature's existing budget so there would be no impact on taxpayers. And these costs would be minor, according to the nonpartisan Legislative Analyst, comprising less than one-percent of the Legislature's existing budget. Plus the Legislature's budget is projected to grow independently next year by enough to easily absorb the costs of this initiative without compromising the level of resources currently available to lawmakers.

**3. *Allows all individuals to create and share their own recordings of legislative proceedings***

In addition to creating an official video record, this initiative would guarantee the right of all individuals to freely make their own recordings of any legislative meeting that is supposed to be open to the public, and share the video with any members of the public who are interested. This has been allowed in meetings of city councils and other local boards for years – So why can't the State Legislature catch up?

This initiative would liberate the potential of basic modern technology to hold the Legislature accountable for its actions (and its required recording of those actions) and give all citizens the tools they need to be informed and participate in the political process.

By enacting these commonsense reforms, Proposition 54 would ensure legislative proceedings are conducted fairly and openly, and enable the public to observe and share what is happening in the Legislature so citizens may more fully participate in the political process.

# Check Register Report

1 . f .

Date: 09/15/2016

Time: 8:17 am

Page: 1

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
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# Check Register Report

1 . f .

Date: 09/15/2016

Time: 8:17 am

Page: 2

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>UNION BANK Checks</b>							
67600	09/01/2016	Printed		11360.783	NICOLE RYAN	PER DIEM CLETS TRAINING	125.00
67601	09/01/2016	Printed		11909.009	GEORGE E SALDATE	SENIOR DANCE DJ 8/24/16	150.00
67602	09/01/2016	Printed		11910.761	SAN JOAQUIN VALLEY AIR	VALLEY VIEW PONDING BASIN	30.00
67603	09/01/2016	Printed		11910.857	SANDI GADBERRY & ASSOCIATES	COURT REPORTING SERVICES	350.00
67604	09/01/2016	Printed		11910.888	REBECCA SARKISIAN	HEATHERS MUSIC & VOCAL	400.00
67605	09/01/2016	Printed		11926.843	SECOND CHANCE ANIMAL SHELTER	MONTHLY SUPPORT PAYMENT	6,333.33
67606	09/01/2016	Printed		11945.275	SELMA DISTRICT CHAMBER OF	1ST QTR DUES FY 2016/2017	3,800.00
67607	09/01/2016	Printed		11945.430	SELMA ELECTRIC MOTOR SHOP	REAPIR WOMEN'S RR EXHAUST-CH	397.90
67608	09/01/2016	Printed		11945.800	SELMA UNIFIED SCHOOL DISTRICT	FUEL	12,704.12
67609	09/01/2016	Printed		11960.394	SILVERTHORNE ENVIRONMENTAL	INSTRUCTOR FOR HAZ MAT FRO	2,250.00
67610	09/01/2016	Printed		11985.138	SUN LIFE	EMPLOYEE INSURANCE	956.34
67611	09/01/2016	Printed		12030.109	THE CRISCOM COMPANY	POLICE INFRASTRUCTURE FUNDING	4,500.00
67612	09/01/2016	Printed		12030.146	THE TOLL ROADS VIOLATION DEPT	TOLL REF#16340533	3.45
67613	09/01/2016	Printed		12050.117	TOP DOG TRAINING CENTER	MONTHLY MAINTENANCE	180.00
67614	09/01/2016	Printed		12071.300	TUTTLE & MCCLOSKEY	EMPLOYMENT RELATED ATTN FEES	525.00
67615	09/01/2016	Printed		11530.115	U.S. BANCORP EQUIPMENT FINANCE	LEASE PAYMENT	1,159.70

**Total Checks: 62**

**Checks Total (excluding void checks):**

**243,243.39**

**Total Payments: 62**

**Bank Total (excluding void checks):**

**243,243.39**

**Total Payments: 62**

**Grand Total (excluding void checks):**

**243,243.39**

**CITY MANAGER'S/STAFF'S REPORT**  
**REGULAR CITY COUNCIL MEETING DATE:**

September 19, 2016

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**ITEM NO:**

2.

**SUBJECT:**

Ordinance amending the 2035 General Plan Land Use Designation, Zoning, and McCall Specific Plan on 3495 Highland Avenue, Selma, (APN: 348-320-35) – *second reading and adoption*

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**DISCUSSION:** This is the second reading of an Ordinance changing the Zoning District and Land Use Designations of the above parcel, commonly known as 3495 Highland Avenue, Selma, California. This ordinance is being initiated to change the zoning and bring this parcel into compliance with the General Plan Map. The proposed zone change is initiated by the property owner.

The property owner is requesting the ability to store HVAC units in an accessory building at his residence, 3495 Highland Avenue. The project site is located north of Whitson Street on the west side of Highland Avenue. The parcel is approximately 40,600 square feet in size with a single family residence and oversized metal garage. Currently the parcel is zoned R-1-7 Residential with a Medium Low Density General Plan Land Use Designation. This Land Designation and Zoning will allow offices, however a Home Occupation Permit does not allow for the business to have employees.

The Land Use Designation will be changed from Medium Low Density Residential to Commercial Office and rezoned from R-1-7 to CO, to allow for the applicant's request. This project is consistent with Selma 2035 General Plan Goals and Objectives. The parcel is adjacent to residential uses and a Light Manufacturing Zone that is being used as a mini-storage facility.

The Planning Commission heard this item at their June 27, 2016 meeting and recommended approval of the entitlements to the City Council. The project was noticed as prescribed by law and the adjacent property owners within 300 feet were noticed. No comments were received.

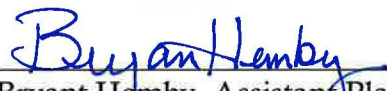
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**RECOMMENDATION:** Waive second reading and consider adoption of an Ordinance amending the 2035 General Plan Land Use Designation and Zoning on 3495 Highland Avenue, Selma, (APN: 348-320-35).

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Bryant Hemby, Assistant Planner

  
Date

/s/ Neal E. Costanzo

09/16/16

Neal E. Costanzo, City Attorney

Date

/s/ Greg Garner

09/16/16

Greg Garner, Interim City Manager

Date

**ORDINANCE NO. 2016 -**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING  
THE GENERAL PLAN 2035 LAND USE DESIGNATION, AND ZONING ON  
3495 HIGHLAND AVENUE, SELMA, CA. (APN NO. 348-320-35)**

WHEREAS, the City of Selma adopted its General Plan 2035 which designates land use within the planning area of the City of Selma; and

WHEREAS, Title XI of the City Code of the City of Selma titled "Zoning" serves as a guide for the orderly growth and development of the City of Selma to promote and protect the public health, safety, comfort and general welfare, and to implement the General Plan; and

WHEREAS, Chapter 2 of Title XI of the City Code requires that the City maintain a map of the zoning boundaries; and

WHEREAS, on June 27, 2016, the Planning Commission of the City of Selma, recommend that the applicant go before the City Council to request approval of Selma General Plan 2035 Land Use Designation Map to change the Land Use Designation for 3495 Highland Avenue, (APN No. 348-320-35) from Medium Low Density Residential to Commercial Office; and

WHEREAS, on June 27, 2016, the Planning Commission of the City of Selma, recommend that the applicant go before the City Council to request approval of a Zone Change changing the zoning of Assessor Parcel No. 348-320-35 from Medium Low Density Residential (R-I-7) to Commercial Office (CO); and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELMA DOES  
HEREBY ORDAIN AS FOLLOWS:

Section 1. Based upon the testimony and information presented at the public hearing on September 6, 2016, and upon review and consideration of the environmental documentation provided, the City Council of the City of Selma finds, in accordance with its own independent judgment finds there is no substantial evidence in the record that:

(A) The amendment of the City of Selma General Plan 2035 Land Use Designation Map by re-designating Assessment Parcel No. 348-320-35, located at 3495 Highland Avenue, from Medium Low Density Residential to Commercial Office; an amended General Plan 2035 Land Use Map is attached hereto and incorporated herein by this reference as Attachment A; and

(B) Amending the City's Zoning Map by rezoning Assessor Parcel No. 348-320-35, located at 3495 Highland Avenue, from Medium Low Density Residential (R-1-7) to Commercial Office (CO);

None of the above stated amendments have any significant effects on the environment that were not identified in the City of Selma General Plan Update 2035 and that said amendments to the General Plan 2035 Land Use Designation Map, and Zoning Map (Submittal No. 20150054) are consistent with the CEQA Guidelines for a categorically exempt (Sec. 15061(b)(3)) Project.

Section 2. The City Council of the City of Selma hereby amends the City of Selma General Plan 2035 Land Use Designation as follows: Assessment Parcel No. 348-320-35, located at 3495 Highland Avenue from Medium-Low Density Residential to Commercial Office.

Section 3. The City Council of the City of Selma hereby amends the City's Zoning Map as follows: Rezoning Assessment Parcel No. 348-320-35, located at 3495 Highland Avenue from Medium Low Density Residential (R-1-7) to Commercial Office (CO).

Section 4. This Ordinance shall become effective and in full force 30 days after its passage.

Section 5. Severability: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses or phrases have been declared invalid or unconstitutional.

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I, Reyna Rivera, City Clerk of the City of Selma, do hereby certify that the foregoing Ordinance was introduced on the 6<sup>th</sup> day of September, 2016 and duly adopted on \_\_\_\_ day of September 2016, at a regular Selma City Council meeting by the following vote, to wit:

AYES: COUNCIL MEMBERS:  
NOES: COUNCIL MEMBERS:  
ABSTAIN: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:

\_\_\_\_\_  
Scott Robertson, Mayor of the City of Selma

ATTEST:

\_\_\_\_\_  
Reyna Rivera  
City Clerk of the City of Selma

APPROVED AS TO FORM:

\_\_\_\_\_  
Neal E. Costanzo, City Attorney



**SUBJECT PROPERTY**

**3495 S. Highland  
HVAC buiness**



**CITY OF SELMA  
COMMUNITY DEVELOPMENT  
DEPARTMENT**



