

**CITY OF SELMA
REGULAR COUNCIL MEETING
October 17, 2016**

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, Montijo, Rodriguez, Mayor Pro Tem Avalos, and Mayor Robertson.

Also present were City Attorney Costanzo, Community Services Director Kirchner, Finance Manager Moreno, Fire Chief Kain, Police Lieutenant Mooradian, Public Works Director Shiplee, 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: Pastor Marty Lynch Kaolelopono of Christ Driven Church led the invocation.

RECOGNITION OF YOUTH PROGRAM: There was no one in attendance to receive the Certificates.

CONSENT CALENDAR: Mayor Robertson requested that agenda items 1.d. be pulled for separate consideration. Mayor Robertson then motioned to approve the remainder of the Consent Calendar as read. The motion was seconded by Council member Derr, and carried with the following vote:

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

- a. Minutes of the October 3, 2016 workshop/Pre-Council meeting approved as read.
- b. Minutes of the October 3, 2016 regular meeting approved as read.
- c. RESOLUTION NO. 2016 –69 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING THE CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES TO INCORPORATE BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION’S STANDARD MODEL CONFLICT OF INTEREST CODE AND DESIGNATE EMPLOYEES AND CATEGORIES. Resolution approved by standard motion.
- d. Pulled for separate consideration.
- e. Check Register dated October 13, 2016, approved by standard motion.

AGENDA ITEM 1.d. CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING APPROPRIATIONS FOR THE STATE OF CALIFORNIA CITIZENS OPTION FOR PUBLIC SAFETY (COPS) 2016-2017 GRANT: Mayor Robertson asked for clarification on the appropriations for the COPS

Grant. Lieutenant Mooradian discussed that the funding was programmed into the current fiscal year's budget for an existing police officer. Motion was then made to approve RESOLUTION NO. 2016 – 70R A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING APPROPRIATIONS FOR THE STATE OF CALIFORNIA by Mayor Robertson and seconded by Council member Derr. Motion then carried by the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING SECTION 1 OF CHAPTER 7 OF TITLE I OF THE SELMA MUNICIPAL CODE ENTITLED MAYOR SELECTION *public hearing and adoption*: City Attorney Costanzo discussed the proposed Ordinance for Council.

Council member Derr inquired if the proposed ordinance discussed protocol if the mayor or mayor pro tem resigned from office or passed away.

Council discussion then occurred regarding possible procedures for vacancies in the office of mayor and mayor pro tem.

After further discussion, Mayor Robertson opened the public hearing portion of the meeting at 6:16 p.m.

Ms. Beverly Barron, Ms. Teresa Herrera, Mr. Michael Barron, Ms. Linda Duke all stepped forward in opposition of the proposed Ordinance.

There being no further comments, Mayor Robertson then closed the public hearing portion of the meeting at 6:21 p.m.

Council member Montijo provided and discussed a power point presentation regarding her vision on the role of the City Council.

After much Council discussion, Mayor Robertson re-opened the public hearing portion of the meeting at 6:45 p.m.

Mr. Danny Serimian discussed electing the mayor, and possibly the City Manager.

Ms. Teresa Herrera inquired on the cost of placing that matter on an upcoming ballot.

Mr. John Mitchell and Ms. Sara Guerra stepped forward in opposition of the proposed Ordinance.

Mr. Jesse Crouch stepped forward to comment on the expense of the mayor election.

There being no further public comment, Mayor Robertson closed the public hearing at 7:11 p.m.

After further Council discussion, motion to adopt Ordinance Amending Section 1 of Chapter 7 of Title I of the Selma Municipal Code Entitled Mayor Selection with an amendment adding a procedure for a Mayor and/or Mayor Pro Tem vacancy was made by Council member Rodriguez and seconded by Council member Montijo. Motion carried with the following vote:

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

DEPARTMENT REPORTS: Fire Chief Kain discussed recent strike team deployment, and assisting the city of Kingsburg on a recent fire.

Community Services Director Kirchner updated Council on the pickleball court project.

COUNCIL REPORTS: Council member Derr reported on attending the Fresno Fair, and assisting with the recent play at the Arts Center.

Council member Montijo discussed the recent Selma Kingsburg Fowler County Sanitation District board meeting and discussed the funding status of the McCall project.

Mayor Pro Tem Avalos reported on attending the Fresno Fair, assisting the Boys and Girls Club, and speaking with constituents.

Mayor Robertson discussed State Transportation Improvement funding, thanked Mayor Pro Tem Avalos and Mr. Moses Stites for assisting the Boys and Girls Club with attending the Fresno Fair. He reported on assisting a child at the Boys and Girls Club, receiving a framed photo from the 144th Fighter Wing City of Honor Event, and attending the Chamber Ribbon Cutting at the Central Valley Multi-Service Office.

ORAL COMMUNICATIONS: Mrs. Rose Robertson invited everyone to the upcoming benefit concert at Pioneer Village.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Scott Robertson
Mayor of the City of Selma

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

November 7, 2016

ITEM NO:

1.b.

SUBJECT:

Approve submittal of grant application, additional grant funds and resolution to Fresno-Madera Area Agency on Aging (FMAAA).

BACKGROUND:

Each year Fresno-Madera Area Agency on Aging (FMAAA) provides grant funds directly to the Nick Medina Senior Center for the Nutrition Program. In June of this year City Council approved a resolution to accept \$16,000.00 and authorize the City Manager to execute the agreement.

DISCUSSION:

FMAAA has notified the City of Selma and will be awarding the Nick Medina Senior Center an additional \$6,080.00 for this fiscal year that is allocated to our Nutrition Grant.

With a new City Manager in office, staff is required to submit a new resolution that approves our current City Manager to sign the agreement and the acceptance of an additional \$6,080.00.

Staff is recommending approval to authorize Interim City Manager Greg Garner to execute the agreement with FMAAA.

Staff will be available at the meeting to answer any questions.

Attachment A. Appendix A. FMAAA signature form.

Attachment B. Resolution.

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

RECOMMENDATION: Approve submittal of grant application, additional grant funds and resolution to Fresno-Madera Area Agency on Aging (FMAAA).

 Mikal Kirchner, Recreation Director	11/3/16 Date
 Greg Garner, Interim City Manager	11/2/16 Date

APPENDIX A
RESOLUTION OF AUTHORIZATION TO CONTRACT

The governing board of the City of Selma
(Service Provider)
hereby authorizes Greg Garner, Interim City Manager
(Name/Title)
to execute the contract(s) listed on Page 1 of this Agreement with the Fresno-Madera Area Agency on Aging for the fiscal year beginning July 1, 2016, to June 30, 2017, including any subsequent amendments and all necessary supporting documents.

Scott Robertson

Name of Chair *(Please Print)*
Governing Board

Signature of Chair
Governing Board

Date

RESOLUTION NO. 2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE
FRESNO-MADERA AREA AGENCY ON AGING FOR FISCAL YEAR 2016-2017**

WHEREAS, the City of Selma has had a long term partnership with the Fresno-Madera Area Agency on Aging (FMAAA); and

WHEREAS, the Selma City Council supports the Senior Nutrition Program: and

WHEREAS, the Selma City Council approves the acceptance of the original \$16,000 and an additional \$6,080.00 of One Time Only Funds from FMAAA for the Fiscal Year 2016-2017.

WHEREAS, the Selma City Council approves the submittal of a contract with FMAAA for the Fiscal Year 2016-2017.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Selma does hereby authorize the City Manager to execute Contract No. 17-0201 for Nutrition Site Management with the Fresno-Madera Area Agency on Aging.

The foregoing Resolution was duly approved by the Selma City Council at a regular meeting held on the 7th day of November, 2016 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Scott Robertson
Mayor of the City of Selma

ATTEST:

Reyna Rivera
City Clerk

CITY MANAGER'S/STAFF REPORT

REGULAR CITY COUNCIL MEETING DATE: November 7, 2016

ITEM NO: 1.c.

SUBJECT: Consideration and Necessary Action on Approval of a Memorandum of Understanding (MOU) between Fresno Council of Government and the City of Selma for the performance of a Traffic Analysis for the proposed SR99 HWY and Dinuba Avenue Overpass.

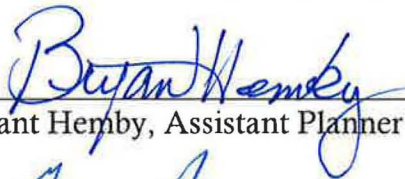
DISCUSSION: As part of the Regional Transportation Program, the City of Selma has been working with Fresno Council of Government (FCOG) and Caltrans on a proposed Dinuba SR99 Overpass/Overcrossing. This project has several levels of evaluation that must be completed to insure the project will comply with all State and Federal requirements.

One of those requirements is to determine what benefit the new overpass will have not only within Selma but the local region as a whole. It was decided that the first technical traffic analysis conducted for the project should be a high-level analysis that focuses on the levels of traffic that might be effected.

FCOG awarded VRPA Technologies the Traffic Feasibility Analysis of the proposed SR 99 and Dinuba Avenue overpass. The total cost for Traffic Analysis Feasibility Study is not to exceed \$38,560 of which COG is to pay \$19,280.00 and the City of Selma the remaining \$19,280.00.

<u>COST:</u> (Enter cost of item to be purchased in box below)		<u>BUDGET IMPACT:</u> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter NONE).
\$19,280		This project is included in Selma's Development Impact schedule.
<u>FUNDING:</u> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<u>ON-GOING COST:</u> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).
Funding Source: Streets and Roads impact funds. Fund Balance: \$1,117,064.65		None

RECOMMENDATION: Authorize the City Manager to execute the Memorandum of Understanding between the City of Selma and the Fresno Council of Governments.


Bryant Hemby, Assistant Planner

11/3/16
Date


Greg Garner, Interim City Manager

11/3/16
Date

We 
Greg Garner, Interim City Manager

and


Isaac Moreno, Financial Manager

do hereby agree that the funding for the above is correct and that enough funds exist to cover the expenditure.

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING made and entered into this ____ day of _____, 2016, by and between the City of Selma, a municipal corporation (hereinafter "SELMA", and the Fresno Council of Governments, a Joint Powers Public Agency (hereinafter "FCOG") regarding the preparation of a Traffic Impact Analysis for a potential interchange at SR 99 and Dinuba Avenue.

RECITALS

WHEREAS SELMA and FCOG desire to conduct a Traffic Impact Analysis for a potential interchange at SR 99 and Dinuba Avenue; and

WHEREAS SELMA and FCOG desire to equally share the cost of the Traffic Impact Analysis; and

NOW, THEREFORE, it is mutually agreed as follows:

Section 1. – FCOG RESPONSIBILITIES

- a. Subject to budgetary appropriation and approval of a consultant by the FCOG Board, FCOG shall enter into and administrate the contract for the Traffic Impact Analysis.
- b. FCOG shall host a Project Development Team (hereinafter PDT) to coordinate the Traffic Impact Analysis with the consultant, SELMA, Caltrans, and any other involved agency.
- c. FCOG shall provide a copy of any documentation generated pursuant to the Traffic Impact Analysis to SELMA along with copies of invoices paid to the contractor.
- d. FCOG will review and pay invoices submitted by the selected contractor, and invoice SELMA for the cities share of the cost.

Section 2. – SELMA RESPONSIBILITIES

- a. SELMA will attend PDT meetings and provide relevant comments, if necessary, on any progress reports, plans, specs, charts or other documentation developed during the Traffic Impact Analysis.
- b. SELMA will remit the agreed share of each contractor invoice as invoiced by FCOG.

Section 3. - Funding

The total cost for the project, SR 99/Dinuba Avenue Traffic Analysis Feasibility Study Proposed Methodology, (Exhibit A, dated 8/15/16), not to exceed \$38,560 shall be shared equally between SELMA AND FCOG.

Agency	Agency Specific Cost
FCOG	\$19,280.00
SELMA	\$19,280.00

Section 4. - INDEMNITY

Each party to this Agreement hereby agrees to hold harmless and indemnify all other parties, and their respective officers, agents and employees, from any and all costs and expenses, damages, liabilities, claims, and losses occurring or resulting to any person, firm, or corporation who may be injured or damaged by the performance or failure to perform, by SELMA or FCOG, or their respective officers,

agents, and employees, in carrying out such party's obligations under this Agreement. This section shall survive expiration or termination of this Agreement.

SECTION 5. - INSURANCE

Without limiting the right of any party to obtain indemnification from any other party, it is understood that each party to this Agreement shall each maintain, at their sole expense, insurance policies or self insurance programs including, but not limited to, an insurance pooling arrangement, and/or Joint Powers agreement, sufficient to fund its respective liabilities hereunder throughout the term of this Agreement. Coverage shall be provided for comprehensive general liability, automobile liability, professional liability, and worker's compensation exposure. Evidence of Insurance, Certificates of Insurance or similar documentation shall not be required of any party under this Agreement.

SECTION 6. - ASSIGNMENT

No party to this Agreement shall assign, transfer or sub-contract this Agreement, or any of its rights or duties under this Agreement, without the advance written consent of each of the other parties to this Agreement.

SECTION 7. – SEVERABLE

The provisions of this Agreement are severable. The invalidity or unenforceability of any one provision of this Agreement shall not affect the other provisions.

SECTION 8. – TERM

This AGREEMENT shall become effective immediately upon execution hereof by all of the parties and shall remain in effect until such time as the Traffic Impact Analysis has been completed and accepted by all parties to this Agreement, and all claims arising hereunder have been settled or otherwise fully and finally resolved.

SECTION 9. – COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which when executed will be deemed to constitute one and the same instrument and agreement.

SECTION 10. – CONTENT

Each party acknowledges that it has read and fully understands the content of this Agreement. This Agreement represents the entire and integrated agreement between the parties with respect to the subject matter hereof and supersedes all prior negotiations, representations, or agreements, either written or oral.

SECTION 11 – MODIFICATION

This Agreement may be modified only by written instrument executed by duly authorized representatives of all of the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first herein above written.

Tony Boren, Executive Director
FCOG

Date

City Manager
City of Selma

Date

Transportation Planning - Traffic Engineering - Environmental Assessment
Sustainable Communities Planning - Public Outreach



MEMORANDUM

TO: Rob Terry, Fresno Council of Governments
FROM: Erik Ruehr, VRPA Technologies, Inc.
DATE: UPDATED 8/15/16
RE: SR 99/Dinuba Avenue Traffic Analysis Feasibility
Study Proposed Methodology

VRPA Technologies (VRPA) is currently assisting the Fresno Council of Governments (Fresno COG) on the Circuit Planner project. One of the studies we have been asked to undertake as part of this project is a traffic feasibility analysis of a proposed interchange at SR 99 and Dinuba Avenue on behalf of the City of Selma.

In order to construct a new interchange on an existing freeway, the following steps generally need to be conducted:

- ◆ Feasibility Analysis
- ◆ Design Concept
- ◆ Project Study Report
- ◆ Project Report/Environmental Document
- ◆ Final Design (PS&E)
- ◆ Construction

In the case of the SR 99/Dinuba Avenue interchange, Caltrans has agreed to prepare a preliminary design concept, utilizing the findings of the feasibility analysis. This memorandum addresses the feasibility analysis portion of the project and focuses on traffic issues.

The cost of technical traffic analyses for an interchange project, particularly for the Project Report/Environmental Document, can be quite high. In discussions between VRPA and Fresno COG, it was decided that the first technical traffic analysis conducted for the project should be a high-level analysis that focuses on the levels of traffic that would be expected to use the proposed interchange and the level of traffic congestion relief that would be provided to the adjacent roadway system, primarily the SR 99/Manning Avenue and SR 99/SR 43/Highland Avenue/Floral Avenue interchange areas.

The remainder of this memo provides a proposed methodology for conducting the traffic feasibility analysis. It is divided into sections that address individual issues to be addressed as part of the feasibility study.

PROJECT DESCRIPTION

The proposed project is the construction of a new interchange at SR 99 and Dinuba Avenue, just north of the City of Selma. An interim phase in the construction of the project could be an overcrossing at Dinuba Avenue with no ramps. Therefore, the following conditions would be analyzed:

- ◆ No Build
- ◆ Dinuba Avenue Grade Separation (Overcrossing) at SR 99
- ◆ Full Interchange at SR 99/Dinuba Avenue

Caltrans has agreed to prepare a preliminary design concept, utilizing the findings of the feasibility analysis, for the new interchange. Until that step is completed, the assumed interchange design will be as shown in Exhibit 1.

STUDY AREA

The proposed study area will focus on the roadway segments most likely to experience traffic increases or decreases as a result of the construction of the proposed SR 99/Dinuba Avenue interchange. This will include the following:

- ◆ Manning Avenue, Temperance Avenue to SR 99
- ◆ Manning Avenue, SR 99 to Golden State Boulevard
- ◆ Dinuba Avenue, De Wolf Avenue to SR 99
- ◆ Dinuba Avenue, SR 99 to Golden State Boulevard
- ◆ Highland Avenue, Golden State Boulevard to SR 99
- ◆ SR 43/Highland Avenue, SR 99 to Rose Avenue
- ◆ Floral Avenue, Leonard Avenue to SR 99
- ◆ Floral Avenue, SR 99 to Golden State Boulevard
- ◆ Golden State Boulevard, Manning Avenue to Dinuba Avenue
- ◆ Golden State Boulevard, Dinuba Avenue to Highland Avenue
- ◆ Golden State Boulevard/Whitson Street, Highland Avenue to Floral Avenue

Additionally, the study will include a peak hour analysis of the following locations (See Exhibit 2 for locations):

- ◆ A. SR 99/Floral Avenue southbound off-ramp;
- ◆ B. SR 43 (Highland Avenue)/SR 99 on and off ramps;
- ◆ C. SR 99/Floral Avenue northbound off-ramp;
- ◆ D. The intersection of Floral/Highland Avenue;
- ◆ E. Highland Ave to SR 99 northbound on-ramp (peak hour volumes only); and
- ◆ F. Floral Avenue to SR 99 northbound on-ramp (peak hour volumes only)
- ◆ G. Dinuba Avenue and Highland Avenue intersection (peak hour volumes only)

EXISTING CONDITIONS

For the roadway segments indicated above, new 24-hour roadway segment traffic counts will be conducted. Existing roadway segment capacity analysis will be conducted using the Modified HCM/Florida Tables procedures or similar procedures based on the Circulation Elements of the General Plan for Fresno County and

the City of Selma. The purpose of the existing conditions analysis will not be a precise traffic operations analysis suitable for a Project Report/Environmental Document, but rather a general assessment of traffic operations in the study area.

TRAFFIC FORECASTS

In order to fully understand the potential benefits of the project and the potential phased implementation with a grade separation only, six model runs of the Fresno COG model will be prepared:

- ◆ Base Year Model with No Modifications
- ◆ Base Year Model with SR 99/Dinuba Avenue Grade Separation
- ◆ Base Year Model with SR 99/Dinuba Avenue Interchange
- ◆ Horizon Year Model with No Modifications
- ◆ Horizon Year Model with SR 99/Dinuba Avenue Grade Separation
- ◆ Horizon Year Model with SR 99/Dinuba Avenue Interchange

In the case of the Base Year model runs, no changes will be made in the socioeconomic data that make up the model. The only changes will be the roadway network changes proposed by the project.

The Fresno COG 2035 model will be utilized, with a growth rate out to 2040 incorporated, to provide for a traditional 20-year horizon. In the case of the Horizon Year model runs, both the roadway network and the socioeconomic data in the model will be reviewed and revised in order to refine the model to reflect local conditions and to ensure that the latest land use plans and development projects have been incorporated. Once the model runs have been prepared, the key information to be gathered from the model will be average daily traffic forecasts for each of the roadway segments listed in the study area above.

TRAFFIC ANALYSIS

Based on the model runs described above and information from the existing conditions task, traffic analysis will be conducted for the following scenarios:

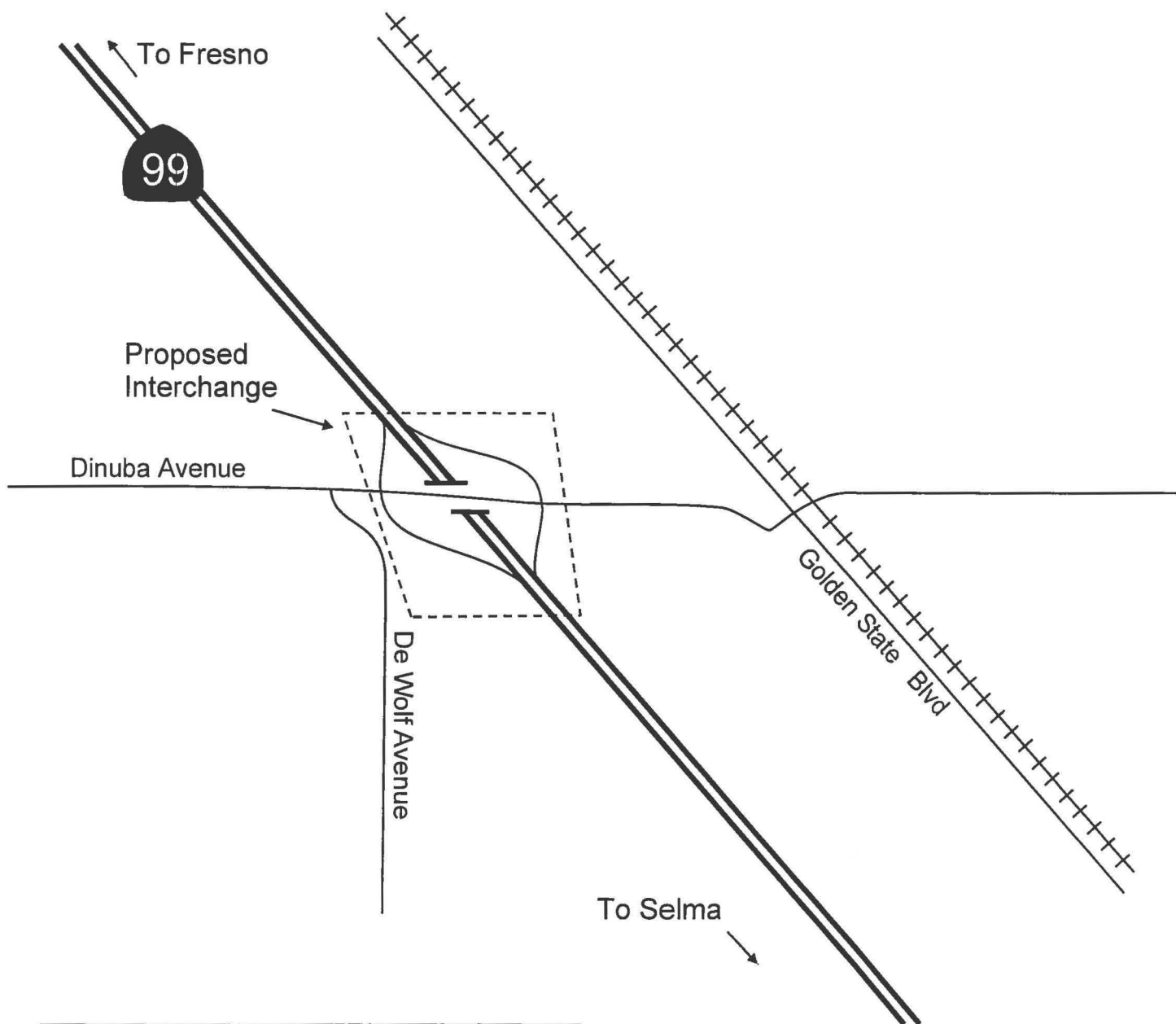
- ◆ Existing Conditions
- ◆ Existing Conditions with SR 99/Dinuba Avenue Grade Separation
- ◆ Existing Conditions with SR 99/Dinuba Avenue Interchange
- ◆ Horizon Year No Build
- ◆ Horizon Year Model with SR 99/Dinuba Avenue Grade Separation
- ◆ Horizon Year Model with SR 99/Dinuba Avenue Interchange

The traffic analysis will be conducted using the roadway segment-based capacity analysis described in the existing conditions task. The outcome of the analysis/study will result in the recommendation of the classification of Dinuba Avenue as a collector or an arterial; as well as the feasibility of an overcrossing or interchange to meet the future traffic needs of the City. In addition, an evaluation of the potential funding sources available for the project, including developer fees, etc. The resulting findings will be recommended for placement within the City's appropriate planning and development documents.

COORDINATION WITH GOLDEN STATE BOULEVARD PROJECT

Fresno COG is currently working on a project to improve and widen Golden State Boulevard. Coordination will be required with Fresno COG staff and consultants working on this project. The main issue to be addressed is the location and configuration of the Golden State Boulevard/Dinuba Avenue intersection. The design concept for the SR 99/Dinuba Avenue interchange project may result in a relocation of Dinuba Avenue and/or a revised lane configuration for the intersection at Golden State Boulevard. It may be advisable for the Golden State Boulevard project to incorporate future Dinuba Avenue improvements into the design process.

If you have any questions or comments regarding this memo, please feel free to contact Georgiena Vivian or me. Georgiena can be reached by email at gvivian@vrpatechnologies.com or by phone at 559/259-9257. I can be reached by email at eruehr@vrpatechnologies.com or by phone at 858/566-1766.



LEGEND	
	Existing or Proposed Surface Street or Ramp
	Existing Freeway
	Existing Railroad





Proposed Budget

SR 99/Dinuba Interchange Traffic Analysis - VRPA Technologies 9-20-16

TASK		VRPA Technologies, Inc.							
		Principal	Dir of Traffic Eng	Sr Transp Planner	Transp Engr	Research Analyst			
Hourly Rates		\$225.00	\$157.31	\$90.00	\$90.00	\$90.00	Total Hours	Expenses	Total Budget
1	Existing Conditions	2.00	6.00	0.00	24.00	0.00	32.00	\$2,800	\$6,354
2	Traffic Forecasts	8.00	8.00	0.00	24.00	0.00	40.00	\$0	\$5,218
3	Traffic Analysis	4.00	18.00	0.00	48.00	0.00	70.00	\$0	\$8,052
4	Documentation (1)	22.00	8.00	8.00	58.00	8.00	104.00	\$0	\$12,868
5	Meetings (2)	12.00	12.00	0.00	12.00	0.00	36.00	\$400	\$6,068
TOTAL:		48.00	52.00	8.00	166.00	8.00	282.00	\$3,200	\$38,560

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

November 7, 2016

ITEM NO: 1.d.

SUBJECT: Denial of Claim

BACKGROUND: This claim was received in my office on October 17, 2016.



DISCUSSION: On October 17, 2016, Allstate Insurance filed a claim as subrogee of their insured, Lucy Herrera. According to the claimant, on June 12, 2016 a tree branch fell and hit their insured's vehicle at 2040 Chestnut Street in Selma, CA. Claimant is seeking reimbursement of the damages to their insured's vehicle of \$2,700.32, which includes their insured's \$100.00 deductible.

Upon receipt of this claim the Program Director of Liability Claims (AIMS) investigated this claim. Based upon their investigation, the subject tree was not a City tree even though it was located in the City's easement area. The City did not plant the subject tree and the homeowner was responsible for maintaining any landscape in that easement area. Also, the City had no prior notice of a potential hazard.

Therefore, after consideration and investigation, AIMS is recommending that this claim be placed on the Council Agenda for consideration of rejection.

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

RECOMMENDATION: Rejection of Claim

	<u>11/01/2016</u>
Tesla Nason, Human Resources Analyst	Date
	<u>11/2/16</u>
Greg Garner, Interim City Manager	Date

We _____ and _____
 Greg Garner, Interim City Manager Isaac Moreno, Interim Finance Director

do hereby agree that the funding for the above is correct and that enough funds exist to cover the expenditure.



Allstate
You're in good hands.

Roanoke National Subrogation Claim Cntr
PO BOX 21169
ROANOKE VA 24018

*Rec'd
10/17/16
DAL*



CITY OF SELMA ATTN TESLA NASON
1710 TUCKER ST
SELMA CA 936623728

October 13, 2016

CLAIM NUMBER: 0416995925 F7E
DATE OF LOSS: June 12, 2016
OUR INSURED: LUCY HERRERA
YOUR FILE NUMBER:
YOUR INSURED:
ADDRESS:

PHONE NUMBER: 800-776-2615
FAX NUMBER:
OFFICE HOURS: Mon - Fri 7:30 am - 6:00 pm

CITY STATE ZIP: , ,
LOSS LOCATION: 2040 Chestnut St, Selma, , CA
AMOUNT OF LOSS: \$2,700.32

Re: Subrogation Claim Notice

Dear CITY OF SELMA ATTN TESLA NASON,

Our investigation indicates your insured was responsible for the loss referenced above.

Please accept this letter as notice of our subrogation claim. Enclosed, you will find copies of the supporting documents for which we are seeking reimbursement. To assist you in your review, the following is a breakdown of our subrogation demand:

Auto Damage (Company Paid):	\$2,600.32
Rental:	\$
Towing:	\$
Other:	\$
Deductible (Customer Paid):	\$100.00
Salvage Recovery:	\$
Insured Out of Pocket (please send directly to our Insured):	\$

Please forward your payment with our claim number to:

**Allstate Payment Processing Center
P.O. BOX 650271
Dallas, TX 75265 0271**

0416995925 F7E

Be advised that any amounts received from you for less than the amount demanded will be considered an undisputed partial payment amount only, and we retain the right to pursue full payment.

We ask that you direct any future correspondence to the address listed at the top of this letter. Thank you.

Sincerely,

BROOKE LAW

BROOKE LAW
800-776-2615 Ext. 7257078
Allstate Northbrook Indemnity Company

SUBU033

0416995925 F7E

Payment Ledger

Policy Holder:	ALFRED AND LUCY HERRERA	Total Amount Paid	\$2,600.32
Participant:	LUCY HERRERA	Medical Deductible:	\$0.00
Date of Loss:	06/12/2016	Co-payment Amount	\$0.00
Claim Number:	0416995925		

Payment/Credit Date	Payee/Payor	Check#	Amount
07/05/2016	SAFELITE SOLUTIONS LLC	12742	\$ 392.58
06/30/2016	FRANCIS COLLISION CENTER	12739	\$ 2,207.74

Check Register Report

agenda item 1.e.

Date: 11/03/2016

Time: 9:38 am

Page: 1

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks							
67774	10/13/2016	Printed		10114.149	AAC CONSTRUCTION INC	REFUND DEPOSIT 15-171	5,000.00
67775	10/13/2016	Printed		10170.073	AIR LIQUIDE HEALTHCARE AMERICA	OXYGEN CYLINDER RENTAL	155.55
67776	10/13/2016	Printed		10180.850	ALVES ELECTRIC	SERVER ROOM PLUG	2,790.00
67777	10/13/2016	Printed		10100.509	AT&T	REFUND DEPOSIT	12,500.00
67778	10/13/2016	Printed		10100.515	AT&T	TELEPHONE SERVICE	33.74
67779	10/13/2016	Printed		10210.225	BANK OF THE WEST	SURVEILLANCE EQUIPMENT	1,120.17
67780	10/13/2016	Printed		10230.130	BENNETT & BENNETT, INC.	MISC IRRIGATION SUPPLIES	22.42
67781	10/13/2016	Printed		10230.256	BEST TOURS & TRAVEL INC.	SENIOR TRIPS	10,499.00
67782	10/13/2016	Void	10/13/2016			Void Check	0.00
67783	10/13/2016	Printed		10320.728	CALIFORNIA BUILDING STANDARDS	3RD QRT JUL-SEPT 2016	2,376.00
67784	10/13/2016	Printed		10310.455	CALIFORNIA WATER SERVICE	WATER SERVICE	18,496.65
67785	10/13/2016	Printed		10327.199	CHRISTOPHER B CARLSON	PHLEBOTOMY SERVICE 16-4174	100.00
67786	10/13/2016	Printed		10300.815	CENTRAL SAN JOAQUIN VALLEY RMA	2016/2017 2ND QTR DEPOSIT	171,853.00
67787	10/13/2016	Printed		10330.283	CENTRAL VALLEY TOXICOLOGY INC.	DRUG TESTING CS# 16-3652	78.00
67788	10/13/2016	Printed		10340.610	CITY OF FRESNO-POLICE DEPT.	RANGE USE	390.00
67789	10/13/2016	Printed		11620.726	CITY OF SELMA	REPLENISH PETTY CASH	56.20
67790	10/13/2016	Printed		10370.310	COLONIAL SUPPLEMENTAL	EMPLOYEE INSURANCE PREMIUMS	4,891.12
67791	10/13/2016	Printed		10370.940	COOK'S COMMUNICATION CORP	RADIO REPAIR	50.00
67792	10/13/2016	Printed		10370.953	COOL AIR SPECIALTY	HEAT PUMP SYSTEM-FD	3,480.00
67793	10/13/2016	Printed		10370.969	CORELOGIC SOLUTIONS LLC	REALQUEST SERVICE	481.25
67794	10/13/2016	Printed		10371.000	COSTANZO & ASSOCIATES	LEGAL FEES	14,840.68
67795	10/13/2016	Printed		10410.100	DAVE'S TOWING	PD TOW VEH#180	932.00
67796	10/13/2016	Printed		10430.020	DEPARTMENT OF CONSERVATION	SMIP & SEISMIC MAPPING FEES	26,240.59
67797	10/13/2016	Printed		10430.043	DEPARTMENT OF FORESTRY AND	TRAINING INSTRUCTOR 1A	3,536.00
67798	10/13/2016	Printed		10430.071	DEPARTMENT OF JUSTICE	FINGERPRINTS	441.00
67799	10/13/2016	Printed		10610.200	FAB TECH OF CENTRAL VALLEY, INC	CABINETS FOR BRENTLINGER RR	1,441.02
67800	10/13/2016	Printed		10610.605	FAMILY HEALING CENTER	MDIC INTERVIEW #16-1739 3466	400.00
67801	10/13/2016	Printed		10620.210	FEDOR PLUMBING	BACKFLOW CERTIFICATION	40.00
67802	10/13/2016	Printed		10670.050	FRESNO BEE	ADS FOR BRIGHTON BEACH	1,415.00
67803	10/13/2016	Printed		10670.260	FRESNO CO RECORDER	LIEN RELEASE 2656 OAK	17.00
67804	10/13/2016	Printed		10670.270	FRESNO CO	RMS/JMS/CAD ACCESS FEES	559.73
67805	10/13/2016	Printed		10670.292	TREASURER-SHERIFF FRESNO COUNTY AUDITOR'S OFFICE	COUNTY PARKING	50.00
67806	10/13/2016	Printed		10670.160	FRESNO COUNTY CLERK	2016-45 CUP 3000 FLORAL	100.00
67807	10/13/2016	Printed		10670.520	FRESNO-MADERA AAA	SENIOR MEALS	244.32
67808	10/13/2016	Printed		10670.583	FRUSA EMS	AMBULANCE BILLING	4,482.20
67809	10/13/2016	Void	10/13/2016			Void Check	0.00
67810	10/13/2016	Void	10/13/2016			Void Check	0.00
67811	10/13/2016	Printed		10700.080	G&K SERVICES	LINEN/UNIFORM SERVICE	604.62
67812	10/13/2016	Printed		11040.176	MAGNOLIA S. JIMENEZ GALLARDO	PHLEBOTOMY SERVICE 16-4211	200.00
67813	10/13/2016	Printed		10720.010	GATEWAY ENGINEERING, INC.	CITY ENGINEERING SERVICES	8,145.00
67814	10/13/2016	Printed		10729.124	SIMRANJIT GILL	PHLEBOTOMY SERVICE 16-4171	50.00
67815	10/13/2016	Printed		10752.164	KENNETH GREY	DEV PROJECTS CONSULTANT	8,333.33
67816	10/13/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 10/5/16	1,424.14
67817	10/13/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 9/28/16	837.18
67818	10/13/2016	Printed		10820.034	HEALTHWISE SERVICES	KIOSK MEDICAL WASTE	150.00
67819	10/13/2016	Printed		10820.702	HEWLETT-PACKARD FINANCIAL	LEASE FOR NIMBLE STORAGE	3,485.02
67820	10/13/2016	Printed		11040.710	JORGENSEN & COMPANY	ANNUAL FIRE EXT SERV-FLEET	1,301.61
67821	10/13/2016	Printed		11050.650	JUDICIAL DATA SYSTEM	PARKING CITATIONS	72.56

Check Register Report

agenda item 1.e.

Date: 11/03/2016

Time: 9:38 am

Page: 2

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks							
67822	10/13/2016	Printed		11140.465	KINGSBURG CHAMBER OF COMMERCE	FRUIT TRAIL RENEWAL	500.00
67823	10/13/2016	Printed		11140.495	KINGSBURG VETERINARY CLINIC	K9 VACCINATIONS	65.00
67824	10/13/2016	Printed		11220.027	LEE CENTRAL CALIFORNIA	EMPLOYMENT ADS-PD	490.50
67825	10/13/2016	Printed		11230.210	LIFE-ASSIST	MEDICAL SUPPLIES	190.00
67826	10/13/2016	Printed		11250.630	LOSS PROTECTION AND	MONTHLY SERVICE OF CONTAINERS	135.00
67827	10/13/2016	Printed		11270.393	CEASAR LUNA	FIRE MECHANICS ACADEMY	390.00
67828	10/13/2016	Printed		11340.272	ROBERTO MENDOZA III	PROMO PHOTOS FOR HEATHERS	100.00
67829	10/13/2016	Printed		11350.330	MID VALLEY PUBLISHING, INC.	EMPLOYMENT ADS-PD	57.10
67830	10/13/2016	Printed		11579.027	OVERSTREET & ASSOCIATES	ATTORNEY FEES-ARRANTS STORM DR	38.00
67831	10/13/2016	Printed		11610.243	MADISEN PADILLA	ART AUCTION FOR HEATHERS	112.00
67832	10/13/2016	Printed		11610.155	PG&E	CUST#979092 ART CENTER	4,613.77
67833	10/13/2016	Printed		11630.500	PHYSIO-CONTROL, INC	QTRLY BILLING LIFE PACK MAINT	1,536.21
67834	10/13/2016	Printed		11640.810	PITNEY BOWES PURCHASE POWER	POSTAGE REFILL-PD	1,210.50
67835	10/13/2016	Printed		11650.606	POLYGRAPH PROFESSIONALS	POLYGRAPH EXAMS-PD	800.00
67836	10/13/2016	Printed		11810.250	ROSE RANGEL	BILINGUAL TESTING	100.00
67837	10/13/2016	Printed		11810.361	RAY MORGAN COMPANY INC	MAINT/COPY AGREEMENT	547.00
67838	10/13/2016	Printed		11830.149	DANIEL ANTHONY RIVAS	GYM MEMBERSHIP REIMBURSEMENT	200.00
67839	10/13/2016	Printed		11910.433	SAMPSON, SAMPSON, AND PATTERSON	ACCOUNTING SERVICES	8,800.00
67840	10/13/2016	Printed		11965.110	SOUTH COUNTY VETERINARY	MONTHLY FREEZER USE	350.00
67841	10/13/2016	Printed		11900.389	SPARKLETTS	WATER SERVICE	140.75
67842	10/13/2016	Printed		11975.449	STATE FIRE TRAINING	TRAINING INSTRUCTOR CERT	65.00
67843	10/13/2016	Printed		11975.624	STERICYCLE, INC.	SERI-SAFE OSHA COMPLIANCE	129.01
67844	10/13/2016	Printed		11975.630	STERLING CODIFIERS INC.	ORDINANCE CODIFICATION	735.00
67845	10/13/2016	Printed		12010.323	TAMS-WITMARK MUSIC LIBRARY INC	GYPSY THE MUSICAL RIGHTS	4,270.00
67846	10/13/2016	Printed		12050.117	TOP DOG TRAINING CENTER	MONTHLY MAINTENANCE	90.00
67847	10/13/2016	Printed		12072.973	TYCO INTEGRATED SECUIRTY	BUSINESS LIC OVERPAYMENT REIMB	25.00
67848	10/13/2016	Printed		12219.849	BRANDON VALDEZ	ART AUCTION FOR HEATHERS,	225.37
67849	10/13/2016	Printed		12350.507	JORDAN WILLIAMS	REHEARSAL PIANIST FOR HEATHERS	350.00
67850	10/13/2016	Printed		12640.110	ZEE MEDICAL SERVICE CO.	FIRST AID SUPPLIES-PD	52.02
67851	10/18/2016	Printed		10230.409	ANDRES BIBIAN	MOTORCYCLE TRAINING PER DIEM	80.00
67852	10/19/2016	Printed		12050.117	TOP DOG TRAINING CENTER	TRAINING FOR NEW K9	6,000.00
67853	10/27/2016	Printed		10180.850	ALVES ELECTRIC	ARRANTS ST REPAIR	1,630.00
67854	10/27/2016	Printed		10340.048	NICOLETTE ANDERSEN	CHAIR PURCHASE REIMB	50.00
67855	10/27/2016	Printed		10190.473	APRIA HEALTHCARE, INC.	BUSINESS LIC OVERPAYMENT REIMB	25.70
67856	10/27/2016	Printed		10100.510	AT&T	TELEPHONE SERVICE	19.16
67857	10/27/2016	Printed		10100.515	AT&T	TELEPHONE SERVICE	1,908.38
67858	10/27/2016	Printed		10340.385	AT&T MOBILITY	TELEPHONE-MDT'S	2,119.27
67859	10/27/2016	Printed		10210.255	BANNER PEST CONTROL INC	PV SQUIRREL CONTROL	120.00
67860	10/27/2016	Printed		10278.724	BRADFORD APARTMENTS	BUSINESS LIC OVERPAYMENT REIMB	5.00
67861	10/27/2016	Printed		10327.199	CHRISTOPHER B CARLSON	PHLEBOTOMY SERVICE 16-4327	50.00
67862	10/27/2016	Printed		10300.334	CDCE INCORPORATED	MDT MONTHLY LEASE-PD	1,600.00
67863	10/27/2016	Printed		10370.375	COMCAST	INTERNET SERVICE	1,060.00
67864	10/27/2016	Printed		10370.953	COOL AIR SPECIALTY	FALL SERVICE	5,832.00
67865	10/27/2016	Printed		10370.958	COPWARE, INC.	LEGAL SOURCEBOOK	615.00
67866	10/27/2016	Printed		10670.255	COUNTY OF FRESNO TREASURER	GIS TELECOMMUNICATION CHARGES	69.97
67867	10/27/2016	Printed		10430.043	DEPARTMENT OF FORESTRY AND	ICS 300	2,976.00
67868	10/27/2016	Printed		10430.071	DEPARTMENT OF JUSTICE	BLOOD ALCHOHOL ANALYSIS	350.00
67869	10/27/2016	Printed		10430.150	DEPARTMENT OF TRANSPORTATION	TRAFFIC SIGNAL REPAIR	4,666.46

Check Register Report

agenda item 1.e.

Date: 11/03/2016

Time: 9:38 am

Page: 3

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks							
67870	10/27/2016	Printed		10400.218	EMILY DIXON	BRIGHTON BEACH/BIG FISH REIMB	125.73
67871	10/27/2016	Printed		10560.309	ENCORE THEATER	DEPOSIT FOR BIG FISH RENTALS	150.00
67872	10/27/2016	Printed		10580.676	DAVID JOSEPH ESQUIVEL	LIGHTING FOR BRIGHTON BEACH &	350.00
67873	10/27/2016	Printed		10610.500	CASSY FAIN	PER DIEM- WOMEN LEADERS IN LAW	225.00
67874	10/27/2016	Printed		10660.099	FRANCHISE TAX BOARD	CS#550680107	35.00
67875	10/27/2016	Printed		10670.270	FRESNO CO TREASURER-SHERIFF	PRISONER PROCESSING	120.00
67876	10/27/2016	Printed		11040.176	MAGNOLIA S. JIMENEZ GALLARDO	PHLEBOTOMY SERVICE 16-4463	50.00
67877	10/27/2016	Printed		10720.010	GATEWAY ENGINEERING, INC.	FLORAL AVE IMPROVEMENTS	5,300.00
67878	10/27/2016	Printed		10754.039	DOMINIC GRIJALVA	BIG FISH GRAPHIC ARTWORK	307.00
67879	10/27/2016	Printed		10760.097	JUAN GUZMAN	INTO THE WOODS EXP REIMB	10.26
67880	10/27/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 10/12/16	991.40
67881	10/27/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	ADMINISTRATIVE FEES	666.36
67882	10/27/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 10/19/16	2,333.72
67883	10/27/2016	Printed		10820.702	HEWLETT-PACKARD FINANCIAL	LEASES	8,075.90
67884	10/27/2016	Printed		10850.149	HUB INTERNATIONAL INSURANCE	SECOND CHANCE CONCERT	788.60
67885	10/27/2016	Printed		10970.773	INTERWEST CONSULTING GROUP INC	PLAN CHECKS	5,351.48
67886	10/27/2016	Printed		11040.619	JERRY DEWAYNE JONES	INSTRUCTOR-FIRE INV IA	1,600.00
67887	10/27/2016	Printed		11040.710	JORGENSEN & COMPANY	SCBA HYDROS	540.00
67888	10/27/2016	Printed		11043.145	JT2 INC DBA TODD COMPANIES	ARRANTS STORM DRAIN FAILURE	590.00
67889	10/27/2016	Printed		11120.510	JEFF KESTLY	MEDICAL PREMIUM REIMB NOV 16	306.96
67890	10/27/2016	Printed		11230.180	LIEBERT, CASSIDY, WHITMORE INC	PERSONNEL COMMISSION HEARING	4,424.50
67891	10/27/2016	Printed		11270.378	RICHARD LUM	INSTRUCTOR 1C	2,000.00
67892	10/27/2016	Printed		11330.050	STEVEN MCINTIRE	MEDICAL PREMIUM REIMB NOV 16	1,638.76
67893	10/27/2016	Printed		11340.272	ROBERTO MENDOZA III	PROMO PHOTOS FOR BRIGHTON	250.00
67894	10/27/2016	Printed		11340.800	METRO UNIFORM	POLICE REVOLVING ACCT	2,189.02
67895	10/27/2016	Printed		10540.090	CHRISTIE MOORADIAN	PER DIEM -WOMEN LEADERS IN LAW	225.00
67896	10/27/2016	Printed		11400.032	NGLIC CO SUPERIOR VISION	VISION INSURANCE PREMIUM	1,620.19
67897	10/27/2016	Printed		11530.100	OFFICE DEPOT, INC.	OFFICE SUPPLIES	420.62
67898	10/27/2016	Printed		11620.715	MATTHEW PETERS	CCAI RENEWAL REIMBURSEMENT	65.00
67899	10/27/2016	Printed		11610.155	PG&E	UTILITIES	42,852.31
67900	10/27/2016	Printed		11760.115	NICHOLAS QUISENBERRY	POST PLAN II PER DIEM	355.00
67901	10/27/2016	Printed		11810.250	ROSE RANGEL	BILINGUAL TESTING	20.00
67902	10/27/2016	Printed		11810.278	RAVE WIRELESS INC	ANNUAL RENEWAL	6,500.00
67903	10/27/2016	Printed		11840.010	ROBINA WRIGHT ARCHITECT &	INSPECTION 3120 E FLORAL	475.00
67904	10/27/2016	Printed		11840.166	JESSIE ROSALES	CERAMIC SUPPLIES-SENIOR CENTER	11.33
67905	10/27/2016	Printed		11926.843	SECOND CHANCE ANIMAL SHELTER	MONTHLY SUPPORT PAYMENT	6,333.33
67906	10/27/2016	Printed		11985.138	SUN LIFE	EMPLOYEE INSURANCE	1,109.83
67907	10/27/2016	Printed		12010.528	TASER INTERNATIONAL	TASERS	11,962.92
67908	10/27/2016	Printed		12030.109	THE CRISCOM COMPANY	POLICE INFRASTRUCTURE	4,500.00
67909	10/27/2016	Printed		12050.117	TOP DOG TRAINING CENTER	MONTHLY MAINTENANCE	90.00
67910	10/27/2016	Printed		12072.972	TYCO INTEGRATED SECURITY LLC	ALARM SERVICES	2,461.01
67911	10/27/2016	Printed		11530.115	U.S. BANCORP EQUIPMENT FINANCE	LEASE PAYMENT	1,066.14

Total Checks: 138

Checks Total (excluding void checks):

487,697.64

Check Register Report
agenda item 1.e.

Date: 11/03/2016

Time: 9:38 am

Page: 4

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
				Total Payments: 138		Bank Total (excluding void checks):	487,697.64
				Total Payments: 138		Grand Total (excluding void checks):	487,697.64