The regular meeting of the Selma City Council was called to order at 7:00 p.m. in the Council chambers. Council members answering roll call were: Avalos, Derr, Lujan, Mayor Pro Tem Rodriguez, and Mayor Grey.

Also present were City Manager Heusser, City Attorney Costanzo, Police Chief Dyck, Fire Chief Kestly, Public Works Director Weaver, Financial Consultant Yribarren, the press, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

PRESENTATION REGARDING WATER RATES: City Manager Heusser introduced Mr. Scott Bailey, Manager of the Selma Branch of California Water Service (Cal Water), who stepped forward to review the local process followed for the recent rate increase. He then introduced Mr. Darin Duncan, Manager of Rates for Cal Water, who stepped forward to explain how the rates were calculated and the procedures that were taken for approval by the Public Utilities Commission (PUC). He stated that Cal Water had proposed that the increase be phased in evenly over three years but the PUC did not approve the phasing because it was under a 50% increase. He also stated that Cal Water had requested an increase of approximately 48% but the PUC had reduced it to 31.9%. He also stated that in 2011 the increase is 29.4%, in 2012 1.3% and in 2013 1.2%.

Council member Lujan stated that he would like this year’s increase rolled back to 15% and that he feels there was a break in communication.

Mr. Bailey stated that the rates cannot be changed at this point since they were set by the PUC and that the only thing that can be done is to get the Council and community involved earlier in the process.

Council member Derr stated that it is too bad the increase occurred now because the economy is hurting everyone.

Mayor Grey stated that he understands the reasons behind the increase it is just too bad it is happening now.

Council member Avalos stated that such a large increase was very shocking to the public and that in the future the reasons for rate increases need to be publicized in simpler language that everyone can understand. He also stated that he feels the rates need to be rolled back.

Mayor Pro Tem Rodriguez suggested that in the future community issues be publicized using the CTY Connect system telephone system.
Mr. Bailey then reviewed for Council the conservation management plan being required by state law and reported that part of the rate increase is to pay for this plan.

Council member Lujan then stated that he would like staff to follow up on the possibility of rolling back the first year rate to 15% and that he does not appreciate Mr. Bailey’s attitude.

**ORAL COMMUNICATIONS**: Two employees of Cal Water then stepped forward and stated that Council member Lujan is the one with the attitude when he visits their office.

Ms. Lisa Franco, 1064 Mill Street, stepped forward and stated that she feels it is the customer’s responsibility to read the inserts that come in their bills so as to be aware of what is and will be happening in the future. She also stated that she appreciates the Council members that look professional tonight and feels it is very important.

Mr. Louis Franco also stepped forward and stated that he feels the image of the City is very important and that first impressions do matter.

A Selma Citizen then stepped forward and thanked Council member Lujan for being there for them.

Mr. John Moreno stepped forward and stated that he feels Cal Water’s increase is this large in order to build in a large profit margin.

**CONSENT CALENDAR**: Council member Derr asked that agenda items 1.a. and 1.b. be pulled for separate discussion. Motion to approve the remainder of the Consent Calendar was made by Council member Derr and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

<table>
<thead>
<tr>
<th>AYES:</th>
<th>Derr, Rodriguez, Avalos, Lujan, Grey</th>
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<tbody>
<tr>
<td>NOES:</td>
<td>None</td>
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<tr>
<td>ABSTAIN:</td>
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<td>ABSENT:</td>
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a.  Pulled for separate discussion.

b.  Pulled for separate discussion.


d.  Check register dated March 2, 2011 approved by standard motion.
AGENDA ITEM 1.a & 1.b – CONSIDERATION AND NECESSARY ACTION ON MINUTES OF THE FEBRUARY 22, 2011 WORKSHOP/PRE-COUNCIL MEETING AND THE FEBRUARY 22, 2011 REGULAR COUNCIL MEETING: Council member Derr stated that he had asked for these item to be pulled so that a correction can be made to one of the votes.

After discussion, motion approving the minutes of the February 22, 2011 workshop/pre-council meeting and the February 22, 2011 regular council meeting with noted corrections was made by Council member Derr and seconded by Mayor Pro Tem Rodriguez. Motion carried with the following vote:

AYES: Derr, Rodriguez, Lujan, Grey

NOES: None

ABSTAIN: Avalos

ABSENT: None

UPDATE ON CALFIRE PROPOSAL TO ASSUME FIRE/AMBULANCE SERVICES FOR THE CITY OF SELMA (VERBAL REPORT): City Manager Heusser reported that the City and CalFire are continuing to work on the proposal for CalFire to take over the fire/ambulance services for the City of Selma. He stated that because concerns have risen the City is recommending that negotiations cease until after the new fiscal year starts on July 1, 2011.

He then presented Financial Consultant Steve Yribarren who reviewed for the Council the two major hurdles that still need to be worked out. He stated that the first hurdle is the buy-out of employee accrued leaves and the second, maintaining the present level of service for Selma’s citizens. He also stated that City staff is also in the process of completing the 2011-2012 fiscal year budget and until it is approved, the City will not know where it stands financially.

Mayor Grey reported that he has been in contact with Fresno County Fire Chief Keith Larkin and CalFire regarding the modifications that need to be made to their proposal and that once a new proposal is received the City will need time to review the numbers.

Mr. Anthony Rivas, representing the Selma Firefighters Association, stepped forward to let the Council know that he does not feel a postponement is the right thing to do. He stated that Cal Fire has requested a letter of Intent to Contract with them and he would like to form a Advisory Committee to look at the proposal.

City Manager Heusser stated that the problem with forming the Advisory Committee at this point is that the proposal is so far off it would do no good.
Council member Lujan then moved to form an Advisory Committee and direct staff to prepare a letter of Intent to Contract with CalFire. The motion was seconded by Council member Avalos but did not carry. The vote was:

**AYES:**  Lujan, Avalos  
**NOES:**  Derr, Rodriguez, Grey  
**ABSTAIN:**  None  
**ABSENT:**  None

City Attorney Costanzo then clarified the letter of Intent and stated that it does not carry any weight and would not be binding.

Mayor Grey then moved to form only an Advisory Committee. The motion was seconded by Council member Lujan and carried with the following vote:

**AYES:**  Grey, Lujan, Avalos, Derr, Rodriguez  
**NOES:**  None  
**ABSTAIN:**  None  
**ABSENT:**  None

**DISCUSSION REGARDING CITY OF SELMA SIGN ORDINANCE:** Before beginning discussion on this item, Council member Avalos moved to table the matter. Council member Lujan seconded the motion. Discussion then occurred in which the remaining Council members thought it should be discussed and both Council members withdrew their motions.

City Manager Heusser reported on receiving a request to address the Council from the owners of Kratos Music regarding the City’s sign ordinance.

Louie and Marianne Rodriguez, owners of Kratos Music, stepped forward to let the Council know that they do not feel they are being treated fairly when they are forced to remove their business relocation signs and the many “sandwich board signs” are allowed to stay up.

City Manager Heusser stated that even though the City’s sign Ordinance does not allow “sandwich board signs” they have allowed them to stay up as long as they are professional looking and are removed each day when the business closes. He stated that part of the decision to allow them is due to the economy and the lack of personnel to enforce the law. He also reported that the current sign ordinance was established prior to current technology and the many professional sign companies.
After discussion, it was the consensus of the Council to send the sign ordinance matter to the Planning Commission for review and clarification.

**DEPARTMENTAL REPORTS:** City Manager Heusser distributed copies of a PG & E rate increase notice to each Council member. He also reported on a new campaign to save Redevelopment Agencies called “My Vote Counts”.

**COUNCIL REPORTS:** Council member Avalos reported on attending a meeting with various legislators.

Council member Lujan asked staff to follow-up with Cal Water regarding a rollback of the water rates. He asked that the dress code and code of conduct issues be placed on the next agenda. He also reported on receiving a request to establish a community garden at the ponding basin across from the Nebraska Apartments.

Council member Derr reported on conducting the annual Sr. Interviews through the Selma Rotary Club. He reported on attending a Court of Honor for three Eagle Scouts. He also asked the status of the paving on Nelson Boulevard.

Mayor Pro Tem Rodriguez reported on attending the opening ceremonies for the baseball tournament at Shafer Park and the need for a flag and pole at the site. He also asked staff to look into lighting the Little League field.

Mayor Grey reported that he would serve as Selma’s primary representative to the Air Board’s Special City Selection Committee and that Council member Rodriguez has agreed to serve as alternate.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Melanie A. Carter, CMC  
City Clerk

Kenneth Grey  
Mayor of the City of Selma

Resolution No: 2011-9R