CITY OF SELMA  
REGULAR CITY COUNCIL MEETING  
MARCH 21, 2011

The regular meeting of the Selma City Council was called to order at 7:08 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, Interim 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 RE. NELSON/THOMPSON STORM DRAINAGE WORK: Mr. John Halopoff, owner/President of Halopoff Construction, stepped to the podium to provide a report on the status of the storm drainage work being done in the Nelson/Thompson area of Selma. He reported that his crews are moving as fast as they can given the unforeseen issues that have arisen. He reported that they have experienced unexpected soil conditions (sugar sand) and numerous unmapped utilities. He also stated that there are various other items that still need to be completed but the weather is holding them up. He reported that he hopes to be completed with the project by the first part of May. After various questions he was thanked by the Council for the update.

ORAL COMMUNICATIONS: Ms. Sylvia Clark appeared before the Council to let them know that she is upset about the newly imposed water rate increase and that she feels she should have gotten a personal letter not just a billing insert. She also stated that she feels the rates should be rolled back and that in the future there needs to be a better form of communication to the citizens of Selma. It was reported that this communication could be in the form of a town hall meeting or by using the City’s CTY Connect system. Mayor Grey reported that he has met with California Water Service Company officials and that they will be at the April 18th City Council meeting to make a presentation.

Mr. Raul Diaz stepped forward to complain about his water bill and was asked to provide City staff with a copy so it could be analyzed.

Mr. Jeff Singh Gill stepped to the podium to let the Council know that there are more important things to worry about than wearing a tie.

Mr. Louis Franco, 1064 Mill Street, stepped forward to let Council know that he feels the tie issue has been overblown and that the real issue is a Code of Conduct. He stated that he feels all citizens should be treated professionally when attending a City Council meeting, not treated in a condemning or badgered manner.
Ms. Estella Kessler stepped forward to let Council know that she also feels other types of notification should have gone out regarding the water rate increase.

**ADDITION TO THE AGENDA:** City Attorney Costanzo reported that an issue has risen that needs to be taken care of prior to the next City Council meeting. He stated that in light of the State’s proposed budget cuts and to save Redevelopment funds it is being recommended that Selma form its own housing authority. After discussion, motion to add the formation of a Selma Housing Authority to the agenda as item number six was made by Council member Lujan and seconded by Council member Derr. Motion carried with the following vote:

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

**CONSENT CALENDAR:** Motion to approve the Consent Calendar was made by Mayor Pro Tem Rodriguez and seconded by Council member Lujan. Motion carried with the following vote:

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

a. Minutes of the March 7, 2011 regular meeting approved as written.


c. Agreement with Peter’s Roofing for reroofing of Pioneer Village barn approved by standard motion.

d. Claim for damages denied by standard motion.


CONSIDERATION AND NECESSARY ACTION ON RESOLUTION DECLARING
THE BUILDING AT 2435 “C” STREET A NUISANCE AND ORDERING THE
PROPERTY OWNER TO ABATE THE NUISANCE – PUBLIC HEARING AND
ADOPTION: City Attorney Costanzo reported on the procedures that need to be followed
for the abatement of the building located at 2435 “C” Street. He reported on the building’s
current condition and on the numerous notices that have been sent to the property owner(s).

Mayor Grey opened the public hearing at 7:58 p.m. There being no one to speak for or
against the proposal, the public hearing was closed at 8:00 p.m.

Motion to approve RESOLUTION NO. 2011-12R, A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF SELMA DECLARING THE BUILDING AT 2435 “C”
STREET A NUISANCE AND ORDERING THE PROPERTY OWNER TO ABATE
THE NUISANCE was made by Council member Lujan and seconded by Mayor Pro Tem
Rodriguez. Motion carried with the following vote:

    AYES:  Lujan, Rodriguez, Avalos, Derr, Grey

    NOES:  None

    ABSTAIN:  None

    ABSENT:  None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION
DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY IS OR IS NOT
SERVED BY THE ISSUANCE OF A TYPE 20 OFF-SITE SALE OF BEER AND
WINE ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE FOR 2795 FLORAL
AVENUE, WALGREENS DRUG STORE: After discussion, motion to approve
CITY OF SELMA DETERMINING THAT PUBLIC CONVENIENCE AND/OR
NECESSITY IS SERVED BY THE ISSUANCE OF A Type 20 off-site sale of beer and
wine alcoholic BEVERAGE CONTROL (ABC) LICENSE FOR 2795 FLORAL
AVENUE – WALGREENS DRUG STORE was made by Mayor Pro Tem Rodriguez and
seconded by Council member Lujan. Motion carried with the following vote:

    AYES:  Rodriguez, Lujan, Avalos, Grey

    NOES:  Derr

    ABSTAIN:  None

    ABSENT:  None
CONSIDERATION AND NECESSARY ACTION ON PROPOSED DRESS CODE 
FOR SELMA CITY COUNCIL: City Manager Heusser presented the staff report and stated that Mayor Pro Tem Rodriguez has requested that this item be pulled from the agenda without prejudice.

Mayor Pro Tem Rodriguez then read the statement listed below and asked that it be placed into the official record.

When first presented, my original idea was to improve the image of Council members by wearing professional attire to meetings, grand openings, county meetings, and at times state meetings. Since the origination of my idea, our local news affiliate and one Council member has indicated the idea to be a “joke”.

I totally disagree; however, the unneeded criticism to the City and employees is unnecessary and should not continue. My intentions were to improve a tarnished image, in my opinion, regarding Council dress attire and in the process, improve behavior at meetings. As I had hoped when you dress professionally, you may tend to act professionally. That is definitely not the case.

To Council member Derr, I apologize whole-heartedly for not informing you of my recommendation on the day that you did not wear a tie – as you normally do so. Please accept my apologies; I look forward to a long productive relationship with you. To the City employees, accept my apologies as the whispers of a select few have made something so minute into a mountain of problems and controversy. To the supporters of the idea, as there were many of you, thank you for your continued support. I had hoped to fix a small issue and have Selma model other City Councils and school boards who dress professionally and respect their positions.

And because of that, I wish to have Item #4 removed from our agenda, without prejudice – and note, I will continue wearing ties to meetings, as I respect my City and the position I occupy.

Mayor Pro Tem Rodriguez then moved to pull this item from the agenda without prejudice and Council member Derr seconded the motion. The motion carried unanimously by voice vote.

PRESENTATION OF 2009-2010 FISCAL YEAR AUDIT REPORTS: Financial Consultant Steve Yribarren stepped to the podium to present the 2009-2010 audit reports for the year ending June 30, 2010. He stated that the reports present in greater detail the information that has been presented throughout the year and that they are one of the primary ways in which the Council can demonstrate to all of the City’s stakeholders (citizens, employees, creditors, oversight agencies) that the fiduciary responsibility of accountability has been complied with.
He stated that the reports are unqualified as to the fair presentation of the financial statements and as to the internal controls over compliance with state and federal programs and that there were no audit findings.

He reported that for the fiscal year ending June 30, 2010 the General Fund had a loss of $38,404 bringing its deficit to $1,498,891 and the Street fund a loss of $142,835 bringing its deficit to $1,110,033. He also reported that when taken together, all of the City’s funds show a net income of $157,801 and that the unrestricted net assets show an increased deficit of $500,000, from $4.8 million to $5.3 million.

After discussion, he was thanked for the report.

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION DECLARING THE NEED FOR A HOUSING AUTHORITY TO FUNCTION IN THE CITY, DECLARING THAT MEMBERS OF THE SELMA CITY COUNCIL SHALL BE THE COMMISSIONERS OF THE HOUSING AUTHORITY AND DESIGNATING THE CHAIRMAN OF THE HOUSING AUTHORITY-ADDED EARLIER IN THE MEETING:** City Attorney Costanzo reviewed for the Council the procedures for forming a Housing Authority and the need to do so.

After discussion, motion to approve RESOLUTION NO. 2011-14R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA DECLARING THE NEED FOR A HOUSING AUTHORITY TO FUNCTION IN THE CITY, DECLARING THAT MEMBERS OF THE SELMA CITY COUNCIL SHALL BE THE COMMISSIONERS OF THE HOUSING AUTHORITY AND DESIGNATING THE CHAIRMAN OF THE HOUSING AUTHORITY was made by Council member Lujan and seconded Mayor Pro Tem Rodriguez. Motion carried with the following vote:

AYES: Lujan, Rodriguez, Avalos, Derr, Grey

NOES: None

ABSTAIN: None

ABSENT: None

**DEPARTMENTAL REPORTS:** City Manager Heusser provided an update on the RDA situation in Sacramento. He also stated that as an informational item he wanted to let the Council know that work would soon begin on the warning tracks around the Brentlinger Park baseball fields and that the Cal Ripkin and Babe Ruth organizations want to put in permanent fencing. Discussion then occurred regarding permanent fencing, the park being City property and use of the outfields by the soccer and football organizations for practices and games should the need arise.
COUNCIL REPORTS: Council member Avalos thanked the Public Works, Fire and Police departments for the great job they are doing, especially during the recent rains.

Council member Lujan suggested using the CTY Connect system to let the public know of the water rate presentation to be held in the near future. He suggested placing the proposed Code of Conduct on the next agenda. He also reported on attending the annual Oaxacan soccer tournament and a meeting with Senator Costa.

Mayor Grey also thanked the Public Works department for the great job done during the recent rains and asked Public Works to check into the missing “no truck parking” signs along East Front Street.

ORAL COMMUNICATIONS: Mr. Joseph Dagget, representing Gateway Engineering, stepped forward to answer any additional questions the Council may have regarding the storm drain project now occurring. He also updated the Council on the next phase of the project.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:03 p.m.

Respectfully submitted,

/s/ Melanie A. Carter
Melanie A. Carter, CMC
City Clerk

/s/ Kenneth Grey
Kenneth Grey
Mayor of the City of Selma