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: Avalos, Derr, Lujan, Mayor Pro Tem Rodriguez, and Mayor Grey.

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

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

**ORAL COMMUNICATIONS:** Mr. Ray Carpio Jr., stepped to the podium to ask Council’s help with various code violation issues occurring at 2270 Chandler. He reported that this property is next to his father’s residence and that they have refused to correct the problems.

**CONSENT CALENDAR:** Motion to approve the Consent Calendar was made by Mayor Pro Tem Rodriguez and seconded by Council member Avalos. Motion carried with Council member Derr abstaining on items 1.a. and 1.b.:

- **AYES:** Rodriguez, Avalos, Lujan, Grey
- **NOES:** None
- **ABSTAIN:** Derr (1.a. and 1.b. only)
- **ABSENT:** None

  a. Minutes of the May 16, 2011 workshop/pre-Council meeting approved as written.

  b. Minutes of the May 16, 2011 regular meeting approved as written.

  c. Check register dated June 1, 2011 approved as written.

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE REPEALING SUBDIVISION (C) AND (D) OF SECTION 5, CHAPTER 3, TITLE 7 OF THE SELMA MUNICIPAL CODE RELATING TO THE NUMBER OF FIREWORKS STANDS IN THE CITY OF SELMA - PUBLIC HEARING, 1ST READING AND INTRODUCTION:** City Manager Heusser reviewed for the Council the history of the fireworks fundraising ordinance and explained that the number of booths allowed had been set at ten (10) to ensure that the non-profit organizations earn enough to make their efforts worthwhile. He also reviewed the current process and the direction that had been given to staff.
Mayor Grey opened the public hearing at 6:25 p.m. and called for testimony from everyone in favor of the repeal.

Mr. Don Tollman, Mr. Oscar Sanchez and two other individuals stepped forward to ask that the Municipal Code Section be repealed thereby opening up the sale of fireworks to everyone.

Ms. Karen Ming stepped forward to let Council know that they did not receive a reminder from the City. Discussion occurred and it was reported that reminder letters actually come from the fireworks vendor.

There being no further testimony in favor of the proposal Mayor Grey then called for testimony against the repeal.

Mr. Joe Martinez, Mr. Matt Rodriguez, Ms. Maria Saenz, Mr. Justin Winter, and Mr. Dale Davis all representing current fireworks booth permit holders stepped forward to speak against the repeal.

There being no further testimony, the public hearing was closed at 6:50 p.m. and referred to Council.

Council member Derr stated that he feels the rules should be adhered to. That, for example, the IRS would not waive their penalties for being late to send in taxes.

Council member Lujan stated and Council member Avalos agreed that everyone makes a mistake at one time or another and that New Hope Family Church should not be penalized for one mistake in their twenty-year permit history.

Mayor Pro Tem Rodriguez stated that he feels rules are there for a reason and that they need to be followed.

Mayor Grey stated that he feels all the groups have good causes but that the rules are there to allow other groups an opportunity to fundraise.

After discussion, motion to introduce and waive the first reading of an ORDINANCE REPEALING SUBDIVISION (C) AND (D) OF SECTION 5, CHAPTER 3, TITLE 7 OF THE SELMA MUNICIPAL CODE RELATING TO THE NUMBER OF FIREWORKS STANDS IN THE CITY OF SELMA WAS MADE BY Council member Lujan and seconded by Council member Avalos. Motion did not carry, the vote was:

AYES: Lujan, Avalos

NOES: Derr, Rodriguez, Grey

ABSTAIN: None

ABSENT: None
City Manager Heusser reported to the audience that since the motion did not pass, the current Ordinance, with the ten (10) booths, stands.

At this point in the meeting, Mayor Grey announced that he was turning the meeting over to Mayor Pro Tem Rodriguez because of another event he needed to attend at the high school.

**COUNCIL REPORTS:** Council member Lujan asked about the water rate rollback and City Manager Heusser announced that it would be reported soon. City Manager Heusser also stated that even though the rates might be rolled back now the difference would be added to future years. Council member Lujan then asked that the issue of taking over Cal Water be added as an action item on the next agenda. City Manager Heusser reported that since the possible takeover would involve litigation any discussion on the matter would have to take place in closed session. Council member Lujan also asked to get volunteers involved in clean-up projects around town.

**ORAL COMMUNICATIONS:** Mr. Michael Barron, 2003 Alton, stepped forward to let the Council know that the LLMD landscape strip into his subdivision needs attention. Public Works Director Weaver reported that he would look into the matter.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Melanie A. Carter, CMC
City Clerk

Kenneth Grey
Mayor of the City of Selma