

**CITY OF SELMA
REGULAR CITY COUNCIL MEETING
SEPTEMBER 19, 2005**

The regular meeting of the Selma City Council was called to order at 7:10 p.m. in the Council chambers. Council members answering roll call were: Avalos, Derr, Niswander, Mayor Pro Tem Lujan, and Mayor Tow.

Also present were City Manager Heusser, City Attorney Hargrove, Police Chief Whiteside, Fire Chief Kestly, Public Works Director Weaver, Recreation and Community Services Director Kirchner, Finance Director Bier, Administrative Services Manager Hull, Community Development Director Pirnejad, 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.

INTRODUCTION OF NEW GIS VISTA: Community Development Director Pirnejad introduced the GIS department's newest VISTA. Ms. Sharla Schryer was welcomed by the Council.

INTRODUCTION OF NEW COMMUNITY SERVICES OFFICER: Police Chief Whiteside introduced the department's new Community Service Officer. Mr. Patrick Fellar was welcomed by the Council.

PRESENTATION OF POLICE CHIEF'S CITIZENS AWARD RECIPIENTS: Police Chief Whiteside reported that at the recent Police Chief's meeting, three of Selma's citizens had been honored for their service to the community. Receiving awards were Michael Cottey (for his work with the Volunteers in Policing program), Juan Cordero (for his work with Selma's youth), and William Putnam (for his volunteer work playing the Scottish bagpipes). All were thanked and congratulated by the Council.

PRESENTATION OF PROCLAMATION DECLARING SEPTEMBER 24-OCTOBER 1, 2005 CANCER AWARENESS WEEK: Council member Niswander read and presented Mr. Lance Cardoza with a proclamation declaring September 24 – October 1, 2005 Cancer Awareness Week in Selma. Mr. Cardoza accepted the proclamation and reported that the Selma Support Group's "Circle the City" will be held on Saturday, September 24th and that the Relay for Life event will be held on October 1st and 2nd. He thanked the Council for the recognition.

ORAL COMMUNICATIONS: Mr. Frank Quinville, owner of Selma Trophy Shop, stepped to the podium to ask that Council consider making a donation for hurricane Katrina relief. City Manager Heusser reported that staff is looking into the matter and will report back at the next Council meeting.

Mr. Jim Smith, Manager of Selma's California Water Service branch, stepped forward to let the Council know that this will be his last Council meeting and will be turning the reins over to Mr. Scott Bailey. The Council wished him well as he returns to the Salinas branch.

Ms. Cindy Howell, Executive Director of the Selma Chamber of Commerce, stepped forward to let the Council and community know that a collection box has been established at Heavenly Grounds Sandwich Shop for donations for hurricane Katrina relief. She was thanked for the information.

CONSENT CALENDAR: Motion to approve the Consent Calendar was made by Council member Derr and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Derr, Niswander, Avalos, Lujan, Tow

NOES: None

ABSTAIN: None

ABSENT: None

- a. Minutes of the September 6, 2005 workshop/pre-council meeting approved as written.
- b. Minutes of the September 6, 2005 regular meeting approved as written.
- c. Waiver of fees for use of Pioneer Village by Relay for Life approved by standard motion.
- d. Revision and update to the Selma Arts Council by-laws approved by standard motion.
- e. RESOLUTION NO. 2005-65R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING THE EXECUTION OF LOCAL AGENCY-STATE AGREEMENT, PROGRAM SUPPLEMENT NO. 018-M, TO ADMINISTERING AGENCY-STATE AGREEMENT, FOR FEDERAL AID PROJECT NO STPL-5096(020) COVERING THE PURCHASE OF TWO (2) PM-10 EFFICIENT STREET SWEEPERS. Resolution adopted by standard motion.
- f. Claim for damages from Nancy Kilgore denied by standard motion.
- g. Check register dated September 14, 2005 approved by standard motion

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION ACCEPTING STATE CITIZENS OPTION FOR PUBLIC SAFETY (COPS) GRANT – PUBLIC

HEARING AND ADOPTION: Mayor Tow opened the public hearing at 7:42 p.m. There being no one to speak for or against the Resolution, the public hearing was closed at 7:43 p.m.

Motion to adopt RESOLUTION NO. 2005-66R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA ACCEPTING STATE CITIZENS OPTION FOR PUBLIC SAFETY (COPS) GRANT was made by Mayor Pro Tem Lujan and seconded by Council member Derr. Motion carried with the following vote:

AYES: Lujan, Derr, Niswander, Avalos, Tow

NOES: None

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING CHAPTER 7 OF TITLE VIII OF THE SELMA MUNICIPAL CODE RELATING TO PROPERTY MAINTENANCE – GRAFFITI REMOVAL – INTRODUCTION AND

FIRST READING: City Manager Heusser reported that this Ordinance change would reduce the time for property owners to remove or abate graffiti from their property. The time allowed would be reduced from 72 to 48 hrs and is being changed per Council's request.

Motion to introduce and waive the first reading of ORDINANCE NO. 2005-9, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING CHAPTER 7 OF TITLE VIII OF THE SELMA MUNICIPAL CODE RELATING TO PROPERTY MAINTENANCE was made by Mayor Pro Tem Lujan and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Lujan, Niswander, Avalos, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON REQUEST FOR DIRECTION ON NORTHEAST AREA SPECIFIC PLAN:

Community Development Director Pirnejad reviewed for the Council the progress on the Specific Plan thus far. He reported that after review by staff, he is recommending that a “scaled down” version of the Specific Plan be authorized by Council. He reported that the revised study could be completed much faster, allowing for faster approvals of the subdivisions already submitted. He reported that the new “Plan” would encompass only the area within Selma’s current sphere of influence. He reported that to continue with the plan as originally proposed would delay the developments even longer because Selma is just beginning negotiations with the County of Fresno on a new sales tax sharing agreement. The new tax agreement needs to already be in place before the County and LAFCo would approve further annexations or adjustments to Selma’s sphere of influence.

Mr. Oliver Viori, 10158 Dinuba, then stepped forward to ask specific questions regarding the process.

City Attorney Hargrove clarified the process stating that effective January 1, 2005 the law changed in which the cumulative effects of development(s) have to be taken into consideration when determining the need for full EIR’s. He also stated that cumulative effect statements are also required by the new law.

Mr. Larry Raven, 3504 Huntington Boulevard and a local developer, stepped forward to let the Council know that he feels the study needs to be done on the entire original area for the proper planning of Selma. But, just don’t cut out or stop development in the process.

After further discussion by Council and after consulting with URS, the company hired to do the study, it was the consensus of Council to go ahead and do the full EIR study as originally recommended but do it in phases. Phase one would cover everything within our current sphere of influence, thus speeding up the process for the developers, and phase two would be the area outside the current sphere. Adoption of the phase two portion would be held until such a time as a new tax sharing agreement with the county is in place.

DEPARTMENTAL REPORTS: City Manager Heusser reported that the City has now received sufficient commissioner applications to go ahead with the interview process. After discussion, the date of October 24th at 5:00 p.m. was set for interviews.

COUNCIL REPORTS: Council member Avalos reported on being approached by the Sikh Church for permission to delay removal of the mobile unit on their property. Staff reported that they would look into the matter.

Council member Derr reported that the sandwich board signs around town are becoming a problem and asked staff to look into them.

Council member Niswander asked the status of Selma's Disaster Plan? City Manager Heusser reported that it is currently being updated.

Mayor Pro Tem Lujan asked staff to remind the Chamber that additional holiday decorations will be needed for McCall Avenue.

Mayor Tow stated that Rose Avenue, in front of the hospital, has become very uneven. Staff stated that they would look into the matter.

EXECUTIVE SESSION: Mayor Tow recessed the meeting into Executive Session at 9:10 p.m. to discuss labor negotiations and real estate. The meeting reconvened at 9:45 p.m. with the no action to be declared in the open session of the meeting.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:46 p.m.

Respectfully submitted,

Melanie A. Carter, CMC
City Clerk

Don Tow
Mayor of the City of Selma

Ordinance No: 2005-9
Resolution Nos: 2005-65R, 2005-66R