

**CITY OF SELMA  
REGULAR CITY COUNCIL MEETING  
MAY 15, 2006**

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, 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.

**RECOGNITION FOR PICNIC SHELTER REPAIRS/SUPPLIES:** Recreation and Community Services Director Mikal Kirchner reported that California Water Service, the Selma Women's Club, and Fresno Roofing had donated funds, materials, and labor for the re-roofing of the Shafer and Brentlinger Park picnic shelters. He also reported that \$4,000 of the needed \$15,900 had been raised to go toward the project and then Fresno Roofing had donated their labor and materials. The Council thanked Fresno Roofing, California Water Service and the Selma Women's Club for their donations.

**PRESENTATION OF CPRS AWARD WINNERS:** Recreation and Community Services Director Kirchner reported that the California Parks and Recreation Society had recently presented Selma individuals with awards for service at their recent banquet. Receiving awards were: California Water Service (Community Service); Linda Boyk and Gerri Fuller (Volunteers); Gary Bixler (VIP Services); and Barbara Scotti (part-time employee of the year). All were congratulated by the Council.

**INTRODUCTION OF TWO NEW POLICE OFFICERS:** Police Chief Whiteside introduced the department's two newest Police Officers. Mr. Johnnie Cerda and Mr. Rick Sayles were welcomed by the Council.

**PRESENTATION OF PROCLAMATION DECLARING MAY 21-27, 2006**

**NATIONAL PUBLIC WORKS WEEK:** Mayor Pro Tem Lujan read and presented Public Works Director Weaver with a proclamation declaring May 21-27, 2006 National Public Works Week. He thanked the Council for the recognition.

**PRESENTATION OF PROCLAMATION DECLARING JUNE 3, 2006 PUBLIC**

**SAFETY DAY:** Council member Derr read and presented Police Chief Whiteside with a proclamation declaring June 3, 2006 Public Safety Day. He thanked the Council for the recognition and invited everyone to attend.

**ORAL COMMUNICATIONS:** Mr. Michael Barron, 2003 Alton, stepped to the podium to report that the fencing and landscaping along McCall Avenue needs attention. He

also reported that he feels there is illegal activity occurring in Berry Park and asked if the restrooms are going to be replaced. It was reported that the Police Department is looking at placing surveillance cameras in all of the City's parks. Public Works Director Weaver reported that permanent pre-formed restrooms have been ordered and that they should arrive in four to six weeks. He also reported that he will look into the fence/landscaping issue.

**CONSENT CALENDAR:** Council member Niswander requested that agenda item 1.c. be pulled for separate discussion. Council member Derr asked that agenda item 1.d. be pulled for separate discussion. Motion to approve the remainder of the Consent Calendar 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

- a. Minutes of the May 1, 2006 workshop/pre-council meeting approved as written.
- b. Minutes of the May 1, 2006 regular meeting approved as written.
- c. Pulled for separate consideration.
- d. Pulled for separate consideration.

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING THE SUBMITTAL OF FUNDING REQUEST FORM TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD:** Council member Niswander asked staff to explain the project proposed for this grant. It was reported that the asphalt would be used to pave the median area on Nelson Boulevard between McCall and Mulberry after it is removed.

Alternatives were then discussed and staff was directed to research the cost of replacing the existing median with a narrower one.

Motion to adopt RESOLUTION NO. 2006-35R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING THE SUBMITTAL OF A FUNDING REQUEST FORM TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD was made by Council member Niswander and seconded by Council member Derr. Motion carried with the following vote:

AYES: Niswander, Derr, Avalos, Lujan, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON CHECK REGISTER DATED**

**MAY 9, 2006:** After various questions, motion to approve the check register dated May 9, 2006 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

**ADDITION TO THE AGENDA - CONSIDERATION AND NECESSARY ACTION ON RESOLUTION SUPPORTING ADDITIONAL ABOVE GROUND WATER STORAGE AND EXPRESSING OUTRAGE AT ASSEMBLY SPEAKER'S**

**TREATMENT OF ASSEMBLY MEMBER JUAN ARAMBULA:** Council member Niswander reported that an item has come up since the agenda was printed that needs to be taken care of before the next Council meeting. She reported that it has to do with surface water storage facilities being included in the proposed infrastructure bonds being considered on the November ballot and the action taken against Assembly member Arambula for not voting along party lines.

After discussion, motion to add the resolution to the agenda was made by Council member Derr and seconded by Council member Avalos. Motion carried with the following vote:

AYES: Derr, Avalos, Niswander, Lujan, Tow

NOES: None

ABSTAIN: None

ABSENT: None

Motion to approve RESOLUTION NO. 2006-36R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA IN SUPPORT OF ADDITIONAL ABOVE GROUND WATER STORAGE AND EXPRESSING OUTRAGE AT ASSEMBLY SPEAKER'S TREATMENT OF ASSEMBLY MEMBER JUAN ARAMBULA 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 RESOLUTION PROVIDING FOR THE BORROWING OF FUNDS FOR FISCAL YEAR 2006-2007 AND THE ISSUANCE OF THE 2006 TAX AND REVENUE ANTICIPATION NOTES (TRAN):**

Motion to adopt RESOLUTION NO. 2006-37R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA PROVIDING FOR THE BORROWING OF FUNDS FOR FISCAL YEAR 2006-2007 AND THE ISSUANCE OF THE 2006 TAX AND REVENUE ANTICIPATION NOTES (TRAN) was made by Mayor Pro Tem Lujan and seconded by Council member Derr. Motion carried with the following vote:

AYES: Lujan, Derr, Avalos, Niswander, Tow  
NOES: None  
ABSTAIN: None  
ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AUTHORIZING CREATION OF A DOUBLE LEFT TURN LANE ON MCCALL AVENUE FROM FLORAL AVENUE TO BARBARA STREET:**

Public Works Director Weaver explained the proposal to create a left turn lane on McCall Avenue by eliminating the parking from Floral to Barbara Street.

Council member Niswander stated that she feels parking should be eliminated all the way to Dinuba Avenue.

Mr. George Alves, 2970 McCall Avenue, stepped to the podium to let the Council know that if parking were eliminated his guests would have no where to park.

After discussion, Council member Avalos moved to table this item for two months to allow time for staff to meet with area residents in order to gather ideas and alternatives. The motion was seconded by Mayor Pro Tem Lujan and carried with the following vote:

AYES: Avalos, Lujan, Derr, Niswander, Tow  
NOES: None  
ABSTAIN: None  
ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION  
AUTHORIZING EXTENSION OF CITY OF SELMA TRAFFIC SPEED STUDY**

**DATED JUNE 1998:** Public Works Director Weaver reviewed for the Council a proposal which would extend Selma's 1998 traffic speed study for an additional two years (to November 2008). He reported that in order for the Police Department to continue using radar as a traffic enforcement tool a speed study has to be in place. He also reported that if a traffic engineer certifies that there is no significant change in traffic a study may be extended up to 10 years.

Council member Niswander stated that she would like a guarantee that a new study will be completed in two years.

Motion to adopt RESOLUTION NO. 2006-38R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING EXTENSION OF CITY OF SELMA TRAFFIC SPEED STUDY DATED JUNE 1998 was made by Council member Avalos and seconded by Mayor Pro Tem Lujan. Motion carried with the following vote:

AYES: Avalos, Lujan, Derr, Niswander, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON REQUEST TO ACCEPT LATE**

**CLAIM FOR DAMAGES:** Administrative Services Manager Hull reviewed for the Council the request that was received asking for acceptance of a late claim for damages.

After discussion, motion approving acceptance of a late claim for damages from Sophia Montez was made by Mayor Pro Tem Lujan but died for lack of a second.

**CONSIDERATION AND NECESSARY ACTION ON AUTHORIZATION TO  
PROCEED WITH ABATEMENT OF PUBLIC NUISANCES LOCATED AT 2510-  
2514 WHITSON AVENUE AND 2753 THOMPSON AVENUE:**

City Manager Heusser reviewed for the Council the proposal to declare 2510-2514 Whitson Avenue and 2753 Thompson Avenue public nuisances and to start the clock on their clean-up. He also reported that if the City has to have the work done a lien will be placed on the property.

Motion declaring 2510-2514 Whitson Avenue and 2753 Thompson Avenue public nuisances and authorizing abatement 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

**DEPARTMENTAL REPORTS:** City Manager Heusser reported that the first Council meeting in July falls on the same night as the City's fireworks. After discussion, it was the consensus of Council to cancel the July 3, 2006 Council meeting. He reported that the new Code Enforcement Officer will start work on May 30<sup>th</sup> and that the Community Development Director position has been narrowed down to two candidates. He reported that the Northeast Area Specific Plan and Environmental Impact Report have been received and that staff is in the process of review. After discussion, Mayor Pro Tem Lujan stated that he would like to discuss the City's 3% growth cap at a future Council meeting. City Manager Heusser reported that the City has received a donation of numerous early City of Selma pictures and that he is hoping to replace the current Council chambers' pictures with them. He also reported that, effective May 15, 2006, Lois Hull has been promoted to the position of Assistant City Manager.

Finance Director Bier reminded the Council of the all day Council/staff budget session on June 5<sup>th</sup>.

Recreation and Community Services Director Kirchner reported that the last slab of concrete at the new skateboard park is scheduled to be poured on May 22<sup>nd</sup>, and that the light poles will be installed tomorrow. He reported that installation of the new restrooms at Berry Park is about three weeks away. He also reported that surveillance cameras at the park will cost from \$10 - \$15 thousand dollars.

**COUNCIL REPORTS:** Council member Avalos asked about cleaning-up and possibly landscaping the Lincoln School ponding basin. Public Works Director Weaver reported that he will look into the matter and that, depending on funds, may be able to do some landscaping in the next fiscal year. He also reported that the Highland Avenue ponding basin is the responsibility of the developer.

Council member Derr reported on the traffic congestion problem at Floral and Highland Avenues due to the widening of Highway 99 by Caltrans. Public Works Director Weaver stated that he will talk to Caltrans about the problem. Council member Derr also reported that local businesses are placing signs on utility poles around town and asked that someone from the Police Department contact them.

Council member Niswander stated that she would like the Council to consider zoning the property located between Rose Avenue and Rorden Street down to Amber Street so it will conform more closely to the adjacent zoning. City Manager Heusser then suggested and

it was the consensus of Council to refer the matter to the Planning Commission. She then asked for and consensus was given to thank Assembly member Arambula for his stance on the water issue. Staff was also directed to send copies to Governor Schwarzenegger. She reported that cars for sale are blocking the sidewalk at the car lot across from Me-n-Eds Pizza and Home Depot. Staff reported that a letter would be sent to the owner. She also reported that due to the Caltrans construction, egress from the Valero gas station has become very difficult. City Manager Heusser reported that he will have the Police Department look into the matter.

Mayor Tow then thanked Council member Niswander for the Arambula/Water resolution. He asked staff to look into acquiring 4 houses that block the view around Salazar Park so that the Police Department has a better view of the area. He reported that the hedge at McCall and Merced Streets is in need of trimming and that June 2<sup>nd</sup> has been designated as Fresno Grizzlies night for the Selma community. He reported that a Police Department VIP located a person on the roof of the Fahrney auto dealership. He also reported that he has a problem with S-K-F's philosophy regarding the use of reserves and their request for a rate increase. City Manager Heusser reported that he will contact S-K-F for a presentation on June 5<sup>th</sup>.

**EXECUTIVE SESSION:** Mayor Tow recessed the meeting into executive session at 9:15 p.m. to discuss labor negotiations with the City Manager. The meeting reconvened at 9:47 p.m. with the announcement that action had been taken to approve and authorize a salary increase for the City Manager.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Roberta Araki  
Accountant

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Don Tow  
Mayor of the City of Selma

Resolution Nos: 2006-35R, 2006-36R, 2006-37R, 2006-38R