

**CITY OF SELMA
REGULAR CITY COUNCIL MEETING
JUNE 5, 2006**

The regular meeting of the Selma City Council was called to order at 7:40 p.m. in the Council chambers. Council members answering roll call were: Avalos, Niswander, Mayor Pro Tem Lujan, and Mayor Tow. Council member Derr was absent.

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.

SWEARING-IN OF NEW ASSISTANT CITY MANAGER: City Clerk Carter administered the Oath of Office to newly promoted Assistant City Manager Lois Hull. She was congratulated by the Council.

PRESENTATION OF PROCLAMATION DECLARING JUNE 2006 MUNICIPAL FINANCE MONTH: Council member Niswander read and presented Finance Director Bier with a proclamation declaring June 2006 Municipal Finance Month. She thanked the Council for the proclamation.

CONSENT CALENDAR: Motion to approve 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, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

- a. Minutes of the May 15, 2006 workshop/pre-Council meeting approved by standard motion.
- b. Minutes of the May 15, 2006 regular meeting approved by standard motion.
- c. RESOLUTION NO. 2006-39R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA SUPPORTING THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2006 (PROPOSITION 81). Resolution adopted by standard motion.
- d. Check register dated May 31, 2006 approved by standard motion.

CONSIDERATION AND NECESSARY ACTION ON APPLICATION FOR FENCE PLACEMENT VARIANCE AT 2348 AZALEA – MAURICIO VALDEZ ROQUE:

Public Works Director Weaver reported that an application has been received for a front yard fence variance at 2348 Azalea Street. He stated that the request is that the fence be placed at the sidewalk instead of at the set-back line.

After viewing a picture of the proposed fence and asking various questions, motion to approve the application for a front yard fence placement variance at 2348 Azalea Street was made by Mayor Pro Tem Lujan and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Lujan, Niswander, Avalos, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

PRESENTATION AND NECESSARY ACTION ON PROPOSED 2006/2007 REFUSE COLLECTION RATES:

Finance Director Bier introduced Mr. Jeff John, Accountant for Selma Disposal and Recycling, who stepped forward to present the financial status of the company. He explained that the rate adjustment is needed because of higher than normal operation costs. He also explained that Selma Disposal and Recycling is asking for a \$3.30 per month increase but the City will be contributing \$1.10 per month to offset the increase. This would make the total increase to residents \$2.10 per month.

Discussion then followed regarding the use of the Fresno County tipping fee refund. Staff was directed to conduct research to find out if the tipping fee refund can be used for other purposes.

City Manager Heusser explained that the action needing to be taken tonight was the setting of a public hearing for the proposed rate increase.

Motion to set the public hearing for a proposed solid waste rate increase for June 19, 2006 was made by Council member Niswander and seconded by Mayor Pro Tem Lujan. Motion carried with the following vote:

AYES: Niswander, Lujan, Avalos, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION ACCEPTING THE SCOPE OF WORK AND AUTHORIZING REQUEST FOR BIDS FOR CONSTRUCTION OF THE DOCKERY AVENUE STREET IMPROVEMENT PROJECT – FEDERAL AID PROJECT NO. STPL 5096(023):

Consultant Engineer Bruce Webber reviewed for the Council the scope of work for construction of the Dockery Avenue Street improvement project.

After discussion, motion to adopt RESOLUTION NO. 2006-40R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA ACCEPTING THE SCOPE OF WORK AND AUTHORIZING REQUEST FOR BIDS FOR CONSTRUCTION OF THE DOCKERY AVENUE STREET IMPROVEMENT PROJECT – FEDERAL AID PROJECT NO. STPL 5096(023) was made by Mayor Pro Tem Lujan and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Lujan, Niswander, Avalos, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AWARDING CONTRACT FOR RECONSTRUCTION AND DRAINAGE IMPROVEMENTS OF FIRST, NORTH AND HIGH STREETS – CDBG PROJECT NO. 05-141:

Public Works Director Weaver reviewed for the Council the bids received for the reconstruction and drainage improvements of First, North and High Street. He reported that both of the original bids were over the engineer's estimate so the scope of work had been adjusted and new bids solicited from each contractor. He was therefore recommending that the contract be awarded to the low bidder, JVD, Inc at a cost of \$296,175.50.

City Attorney Hargrove also clarified the bidding process.

After discussion, motion to adopt RESOLUTION NO. 2006-41R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AWARDING CONTRACT FOR RECONSTRUCTION AND DRAINAGE IMPROVEMENTS OF First, North and High Street to JVD, Inc. at a cost of \$296,175.50 was made by Mayor Pro Tem Lujan and seconded by Council member Avalos. Motion carried with the following vote:

AYES: Lujan, Avalos, Niswander, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

DEPARTMENTAL REPORTS: City Manager Heusser reminded the Council of the Mayors and Council members Academy and the League Division Dinner/Meeting. He reported that there will be a neighborhood welcoming reception on Tuesday, June 27th and that the new Code Enforcement Officer has started work. He also asked for and consensus was given for an executive session to discuss pending litigation and personnel issues.

Finance Director Bier reminded the Council of the budget workshop on June 12th at 10:00 a.m.

Recreation and Community Services Director Kirchner reported that the grand opening of the new skate park will take place on Saturday, June 24th. He also reminded the Council of the July 3rd fireworks celebration.

Police Chief Whiteside reported that traffic law enforcement activities are continuing in the downtown area and that it seems to be making an impact.

COUNCIL REPORTS: Council member Niswander asked the status of Orange Avenue. It was reported that PG & E will soon begin moving the telephone poles with construction taking place shortly thereafter. She reported that Public Safety Day had been excellent and that she had also recently attended the ICSC Conference. She also reminded everyone to get out and vote in tomorrow's election.

Mayor Pro Tem Lujan reported on receiving numerous positive comments regarding Public Safety Day. He reported that a resolution will be coming to Council for consideration regarding eradication of gang activities and that he will be attending a COG conference on gangs in the near future. He also asked Police staff to look into imposing a curfew for felons. He reported on receiving numerous positive comments about the new stop signs at Whitson/McCall. He also asked that something be done about the condition of the Selma entrance signs on Highway 99. City Manager Heusser reported that staff is working on a new design and that a concept will be presented soon.

Mayor Tow reported that he too had thought Public Safety Day had been excellent. Discussion then occurred regarding traffic options for the alleyway behind Country Club Lane. He remarked on the clean-ups taking place Thompson/Whitson and on "G" Street. He also asked that something be done to acknowledge Andrea Duran for her sports achievements.

ORAL COMMUNICATIONS: Mr. Louis Franco, 1064 Mill Street, stepped forward to commend the Police and Fire Departments for their Public Safety Day Academy.

EXECUTIVE SESSION: Mayor Tow recessed the meeting into executive session at 9:20 p.m. The meeting reconvened at 9:49 p.m. with no action to be declared in the open session of the meeting.

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

Respectfully submitted,

Melanie A. Carter, CMC
City Clerk

Don Tow
Mayor of the City of Selma

Resolution Nos: 2006-39R, 2006-40R, 2006-41R