

**CITY OF SELMA  
REGULAR CITY COUNCIL MEETING  
JUNE 4, 2007**

The regular meeting of the Selma City Council was called to order at 7:15 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, Assistant City Manager Hull, Police Chief Whiteside, Fire Chief Kestly, Public Works Director Weaver, Recreation and Community Services Director Kirchner, Finance Director Bier, 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 DECLARING JUNE 2007 MUNICIPAL FINANCE MONTH:**

Mayor Pro Tem Lujan read and presented Finance Director Bier with a proclamation declaring June 2007 Municipal Finance Month. She thanked the Council for the recognition.

**ORAL COMMUNICATIONS:** Mr. Ronald Lund, 9670 S. Duke, stepped forward to let the Council know that he feels there should be a stop sign at Northview Street and Duke Avenue. After discussion, the matter was referred to the Traffic & Streets Commission.

Mr. Josh McDonald, representing Quad Knopf Engineering, stepped forward to introduce himself to Council as the project manager on the city's general plan update. He was welcomed and thanked by Council for the introduction.

Mr. Louis Franco, 1064 Mill Street, stepped forward to let the Council know that he does not want to take an officer off the street in order to participate in MAGEC.

Mr. Russ Noble, 2464 Country Club Lane, stepped to the podium to ask for repairs in the alley behind his house. After discussion, Public Works Director Weaver stated that he would look into the matter.

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

AYES: Lujan, Niswander, Derr, Avalos, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

- a. Minutes of the May 7, 2007 workshop/pre-Council meeting approved as written.
- b. Minutes of the May 7, 2007 regular meeting approved as written.
- c. Claim for damages from Juana Santiago denied by standard motion.
- d. Claim for damages from Abel Santiago denied by standard motion.
- e. Claim for damages from Gilbert Valdez denied by standard motion.
- f. Check register dated May 29, 2007 approved by standard motion.

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE ADDING CHAPTER 15.1 TO TITLE XI OF THE SELMA MUNICIPAL CODE REGARDING ZONING AND ESTABLISHING THE SPECIFIC PLAN (S-P) ZONING DISTRICT FOR THE AMBERWOOD, NORTHEAST, SOUTH SELMA, ROCKWELL, AND NORTHWEST SPECIFIC PLANS AND OTHER SPECIFIC PLAN AREAS AS MAY BE HEREAFTER ESTABLISHED – PUBLIC HEARING, SECOND READING AND**

**ADOPTION:** Community Development Director Gaston reviewed for the Council the proposal to establish a Specific Plan (S-P) zone district.

Mayor Tow opened the public hearing at 7:35 p.m. There being no one to speak for or against the proposal the public hearing was closed at 7:36 p.m.

Motion to adopt ORDINANCE NO. 2007-6, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA ADDING CHAPTER 15.1 TO TITLE XI OF THE SELMA MUNICIPAL CODE REGARDING ZONING AND ESTABLISHING THE SPECIFIC PLAN (S-P) ZONING DISTRICT FOR THE AMBERWOOD, NORTHEAST, SOUTH SELMA, ROCKWELL, AND NORTHWEST SPECIFIC PLANS AND OTHER SPECIFIC PLAN AREAS AS MAY BE HEREAFTER ESTABLISHED 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 ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF SELMA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM – PUBLIC HEARING, SECOND READING AND ADOPTION:** City Manager Heusser reviewed for the Council the proposal which would upgrade the City's miscellaneous employees' retirement plan. He reported that the vote had been taken and that only 10 of the 64 voting members had cast a vote in opposition to the upgrade. He also reported that the miscellaneous group had agreed to pay 6% toward the upgrade for the first year and decreasing 1% thereafter.

Mayor Tow opened the public hearing at 7:38 p.m. There being no one to speak for or against the proposal the public hearing was closed at 7:39 p.m.

Motion to adopt ORDINANCE NO. 2007-7, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF SELMA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM was made by Council member Avalos and seconded by Mayor Pro Tem Lujan. Motion carried with the following vote:

AYES: Avalos, Lujan, Niswander, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION PROVIDING FOR THE BORROWING OF FUNDS FOR FISCAL YEAR 2007-2008 AND THE ISSUANCE OF 2007 TAX AND REVENUE ANTICIPATION NOTES (TRAN):**

Motion to adopt RESOLUTION NO. 2007-26R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA PROVIDING FOR THE BORROWING OF FUNDS FOR FISCAL YEAR 2007-2008 AND THE ISSUANCE OF 2007 TAX AND REVENUE ANTICIPATION NOTES (TRAN) 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 APPROVING SUBMITTAL OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT:**

Mayor Tow asked if there was anyone in the audience wishing to speak on this matter.

There being none, motion to adopt RESOLUTION NO. 2007-27R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING SUBMITTAL OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT was made by Council member Avalos and seconded by Mayor Pro Tem Lujan. Motion carried with the following vote:

AYES: Avalos, Lujan, Niswander, Tow

NOES: None

ABSTAIN: None

ABSENT: Derr

**DEPARTMENTAL REPORTS:** City Manager Heusser reported on the status of the Community Choice Aggregation project and the Power Authority's response to PG & E. He also reported that the recent International Council of Shopping Centers (ICSC) trip he and Mayor Tow had attended had been very worthwhile.

Community Development Director Gaston reported on density bonuses and stated that an 81 unit low income apartment complex would be coming before Council at their June 18, 2007 meeting.

**COUNCIL REPORTS:** Council member Avalos reported that the earlier budget session had been good and thanked staff for their hard work.

Council member Niswander reported that a developer meeting has been scheduled at S-K-F on June 14, 2007. She also asked staff to look into placing an injunction on the gangs in Selma and research the idea of imposing a dress code.

Mayor Pro Tem Lujan also stated that he also feels the budget session had gone well. He also asked Council to consider giving Mayor Tow authority to call an emergency meeting of Selma, Kingsburg, and Fowler in the event the S-K-F developer meeting does not go as planned. After discussion, consensus was given.

Mayor Tow reported that he also felt that the ICSC Conference had been beneficial and that he is excited about Selma's future. He reported on a recent legislative trip to Sacramento and that Orange Cove Mayor Victor Lopez had been very helpful.

**RECESS:** Mayor Tow recessed the meeting at 8:11 p.m. to a meeting of the Selma Redevelopment Agency. The meeting reconvened at 8:16 p.m.

**EXECUTIVE SESSION:** At 8:17 p.m. Mayor Tow recessed the meeting into Executive Session to discuss the City Attorney position. The meeting reconvened at 8:39 p.m. No action was taken.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Melanie A. Carter, CMC  
City Clerk

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Don Tow  
Mayor of the City of Selma

Ordinance Nos: 2007-6, 2007-7  
Resolution Nos: 2007-26R, 2007-27R