



CITY *of* CLOVIS

AGENDA • CITY COUNCIL MEETING

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060
www.clovisca.gov

August 11, 2025

6:00 PM

Council Chamber

In compliance with the Americans with Disabilities Act, if you need special assistance to access the City Council Chamber to participate at this meeting, please contact the City Clerk or General Services Director at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

The Clovis City Council meetings are open to the public at the physical address listed above. There are numerous ways to participate in the City Council meetings: you are able to attend in person; you may submit written comments as described below; and you may view the meeting which is webcast and accessed at www.clovisca.gov/agendas.

Written Comments

- Members of the public are encouraged to submit written comments at: www.clovisca.gov/agendas at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:
 - Council Meeting Date
 - Item Number
 - Name
 - Email
 - Comment
- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the City Council noting the item number. If you wish to make a verbal comment, please see instructions below.
- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the City Council during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to City Council during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings.



SCAN ME

CAMPAIGN CONTRIBUTION PROHIBITIONS AND MANDATORY DISCLOSURE – Pursuant to Government Code section 84308, a Councilmember shall not accept, solicit, or direct a campaign contribution of more than \$500 from any party or their agent, or from any participant or their agent, while a proceeding involving a license, permit, contract, or other entitlement for use is pending before the City or for 12 months after a final decision is rendered in that proceeding. Any Councilmember who has received a campaign contribution of more than \$500 within the preceding 12 months from a party or their agent, or from a participant or their agent, must disclose that fact on the record of the proceeding and shall not make, participate in making, or in any way attempt to use their official position to influence the decision.

Pursuant to Government Code section 84308, subdivision (e), any party to a covered proceeding before the City Council is required to disclose on the record of the proceeding any campaign contribution, including aggregated contributions, of more than \$500 made within the preceding 12 months by the party or their agent to any Councilmember. The disclosure shall be made as required by Government Code Section 84308, subdivision (e)(1) and California Code of Regulations, Title 2, section 18438.8. No party or their agent, and no participant or their agent, shall make a campaign contribution of more than \$500 to any Councilmember during the covered proceeding or for 12 months after a final decision is made in that proceeding. The foregoing statements do not constitute legal advice, and parties and participants are urged to consult with their own legal counsel regarding the applicable requirements of the law.

CALL TO ORDER

FLAG SALUTE - Councilmember Pearce

ROLL CALL

PUBLIC COMMENTS - This is an opportunity for the members of the public to address the City Council on any matter within the City Council's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 3 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the City Manager's office and submit correspondence at least 10 days before the desired date of appearance.

CONSENT CALENDAR - Items considered routine in nature are to be placed upon the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Councilmember requests individual consideration. A Councilmember's vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of adoption of the Consent Calendar are deemed to include a motion to waive the reading of any ordinance or resolution on the Consent Calendar. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered Consent items.

1. Administration - Approval - Minutes from the August 4, 2025, Council Meeting.
2. Administration - Adopt - **Ord. 25-10**, Adding Chapter 5.37 to Title 5, of the Clovis Municipal Code, Prohibiting the Unlawful Possession of Detached Catalytic Converters. (Vote: 5-0)
3. Planning and Development Services – Approval – Res. 25-____, Approving a Second Amendment to the consultant Agreement with LSA for Environmental Consulting Services for the Heritage Grove H-Land Specific Plan EIR, adding \$88,000, for a total

contract amount of \$605,985, and Authorizing the City Manager to Execute the Amendment.

- [4.](#) Planning and Development Services – Approval – Bid Award for CIP 22-08 Shepherd Avenue Interconnect to Wiring Connection, Inc., in the amount of \$1,200,934; and Authorize the City Manager to execute the contract on behalf of the City.
- [5.](#) Planning and Development Services – Approval – Bid Award for CIP 13-22 Leonard Avenue Bridge Replacement to Dawson-Mauldin, LLC, in the amount of \$1,730,656; and Authorize the City Manager to execute the contract on behalf of the City.
- [6.](#) Planning and Development Services – Approval – Final Acceptance for CIP 21-17, Barstow Avenue Rehabilitation, with the final contract cost of \$445,977.35.

ADMINISTRATIVE ITEMS - Administrative Items are matters on the regular City Council Agenda other than Public Hearings.

- [7.](#) Discussion of Term Limits for Council Members, and Potential Direction to Staff.

Staff: Briana Parra, City Clerk

Recommendation: Discussion, and Provide Direction as Appropriate

- [8.](#) Provide Direction - Potential transition of the City of Clovis to a Charter City.

Staff: Briana Parra, City Clerk

Recommendation: Provide Direction

- [9.](#) Discussion and Provide Direction Regarding City Council Protocols.

Staff: Briana Parra, City Clerk

Recommendation: Discuss and Provide Direction

CITY MANAGER COMMENTS

COUNCIL COMMENTS

CLOSED SESSION - A “closed door” (not public) City Council meeting, allowed by State law, for consideration of pending legal matters and certain matters related to personnel and real estate transactions.

10. Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 580-072-41S, NE corner of Minnewawa/International]
Agency negotiators: City Manager, City Attorney, Ryan Burnett
Negotiating parties: HGCLOVIS, LLC
Under negotiation: Price and terms of payment

RECONVENE INTO OPEN SESSION AND REPORT FROM CLOSED SESSION

ADJOURNMENT

FUTURE MEETINGS

Regular City Council Meetings are held at 6:00 P.M. in the Council Chamber. The following are future meeting dates:

Aug. 18, 2025 (Mon.)
Sept. 2, 2025 (Tue.)
Sept. 8, 2025 (Mon.)
Sept. 15, 2025 (Mon.)

CLOVIS CITY COUNCIL MEETING

August 4, 2025

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Mouanoutoua at **6:00**
Flag Salute led by Councilmember Bessinger

Roll Call: Present: Councilmembers Ashbeck, Basgall, Bessinger, Mayor Pro Tem Pearce
Mayor Mouanoutoua

PUBLIC COMMENTS – 6:02

Eric Rollins, resident, expressed support for Clovis becoming a charter city.

CONSENT CALENDAR – 6:05

Upon call, there was no public comment.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that the items on the Consent Calendar be approved, except item 6. Motion carried by unanimous vote.

1. Administration - Approval - Minutes from the July 7, 2025, Council Meeting.
2. Administration - Approval – Request from California Classic Cares for Temporary Closure of Streets Located Adjacent to the California 9/11 Memorial to Hold a 5K Event on September 6, 2025.
3. Finance - Approval - **Res. 25-82**, Measure C Extension Local Transportation Pass Through Revenues Certification and Claim Forms for 2025-26.
4. General Services – Approval – **Res. 25-83**, Authorizing Amendments to the City's Compensation Plan by Correcting the Salary Range for the Information Technology Manager Classification in the Administration Department from \$11,026 to \$13,402 per month.
5. General Services – Approval – **Res. 25-84**, Authorizing the Execution of the Certifications and Assurances for the FY 2025-26 California State Transit Assistance State of Good Repair (SGR) Program.
7. Planning and Development Services – Approval – Final Acceptance for CIP 23-06 New Rectangular Rapid Flashing Beacons, with the final contract cost of \$224,694.58.
8. Planning and Development Services – Approval – Bid Award for CIP 23-08 Sunnyside Avenue Street Improvements to Dave Christian Construction Co., Inc., in the amount of \$925,306.50; and Authorize the City Manager to execute the contract on behalf of the City.
9. Planning and Development Services – Approval – Final Acceptance for CIP 24-06 New Bus Stops B2, with the final contract cost of \$162,906.70.
10. Planning and Development Services – Approval – Bid Award for CIP 24-12 Barstow Avenue Street Improvements to Dave Christian Construction Co., Inc., in the amount of \$952,950.25; and Authorize the City Manager to execute the contract on behalf of the City.
11. Planning and Development Services – Approval – Partial Acceptance for Final Map for Tract 6034, and reduction of the Performance Surety and Labor and Materials Surety to

- the appropriate values of the remaining improvements to be completed, located at the southeast corner of Shaw Avenue and Leonard Avenue (Lennar Homes of California, LLC).
12. Police Department - Approval - **Res. 25-85**, Authorizing the Police Chief to execute the California Highway Patrol Cannabis Tax Fund Grant Program Agreement Related to Impaired Driving Enforcement; and Amend the Police Department budget to reflect the award of \$218,500.00.
 13. Public Utilities – Approval – Final Acceptance for CIP 24-23, Palmina Park Playground Improvement, with a Final Contract Cost of \$129,860.00.

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT CALENDAR:

- 6:05 ITEM 6 - General Services - Approval to Waive the City's Usual Purchasing Requirements and Authorize the City Manager to Approve the Purchase of Five (5) FrontRunner Minibuses and Five (5) Class C – Ford E450 Cutaway Buses for a total cost of \$2,066,921.15 Utilizing the California Association for Cooperative Transportation (CalACT) Competitive Bid Award.

Eric Rollins, resident, asked questions about low bus ridership and the justification for purchasing nine new buses.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that the item be continued to a date uncertain. Motion carried by unanimous vote.

PUBLIC HEARINGS – 6:06

- 6:06** ITEM 14 - Consider Introduction – **Ord. 25-10**, Adding Chapter 5.37 to Title 5, of the Clovis Municipal Code, Prohibiting the Unlawful Possession of Detached Catalytic Converters.

Eric Rollins, resident, spoke in favor of the proposed ordinance.

Daryl Terrell, resident of Riverside California, spoke in favor of the proposed ordinance.

Motion for approval by Mayor Pro Tem Pearce, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

CITY MANAGER COMMENTS – 6:30

Assistant City Manager Armendariz announced that the park tour event for Treasure Ingmire Park is scheduled for Wednesday, August 6, 2025, at 5:00 p.m.

COUNCIL COMMENTS – 6:30

There was a consensus to bring back a Proclamation in mid-September related to Constitution Week.

ADJOURNMENT

Mayor Mouanoutoua adjourned the meeting of the Council to August 11, 2025.

Meeting adjourned: 6:47 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 11, 2025

SUBJECT: Administration - Adopt - **Ord. 25-10**, Adding Chapter 5.37 to Title 5, of the Clovis Municipal Code, Prohibiting the Unlawful Possession of Detached Catalytic Converters. (Vote: 5-0)

ATTACHMENTS: None.

This item was approved for introduction on August 4, 2025, with a unanimous vote.

Please direct questions to the City Manager's office at 559-324-2060.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: August 11, 2025

SUBJECT: Planning and Development Services – Approval – Res. 25-____, Approving a Second Amendment to the consultant Agreement with LSA for Environmental Consulting Services for the Heritage Grove H-Land Specific Plan EIR, adding \$88,000, for a total contract amount of \$605,985, and Authorizing the City Manager to Execute the Amendment.

ATTACHMENTS: 1. Res. 25-____, Approving second amendment to the Consultant Agreement

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving a second amendment to the consultant agreement between the City of Clovis and LSA for the preparation of the Environmental Impact Report for the Heritage Grove H-Land Specific Plan and authorize the City Manager to sign the amendment.

EXECUTIVE SUMMARY

In September 2021, the City Council authorized the City Manager to enter into a consultant agreement with LSA for the preparation of an Environmental Impact Report (EIR) for the Heritage Grove H-Land Specific Plan (H-Land Specific Plan), herein referred to as “Project.” Since that time, the applicant’s evolving plans have required multiple revisions to the project scope and corresponding budget adjustments.

While previous modifications were within the City Manager’s authority and did not require Council approval, the current proposed amendment exceeds the City Manager’s approval threshold and requires Council authorization. The original contract amount was \$467,985, and was amended in August 2024 to increase the contract amount by \$50,000 (\$517,985 total), to cover additional traffic related analysis and services by LSA. The current proposed amendment is for additional changes in the scope of services for an additional \$88,000 and would increase the contract total to \$605,985. The consultant agreement is between the City and LSA, and the City and applicant have a separate agreement for the applicant to pay/reimburse the City the full cost paid by the City to LSA for the Project EIR work performed by LSA.

BACKGROUND

In April 2021, the City issued a Request for Proposal (RFP) for preparation of an EIR to assess the potential environmental impacts of the H-Land Specific Plan. Following the RFP, the City Council approved the contract with LSA to complete the EIR. Since then, the applicant's evolving plans have necessitated multiple revisions to the project scope and corresponding budget adjustments. The applicant is also considering additional significant changes to the project, which would require a future contract amendment subject to City Council approval.

PROPOSAL AND ANALYSIS

The following outlines the original contract and subsequent amendments to the scope of work and budget for the EIR for the H-Land Specific Plan:

Original Contract

- Authorized by: Council (September 2021)
- Contract Amount: \$467,985

First Amendment

- Authorized by: City Manager (August 2024)
- Amount Added: \$50,000
- Purpose: To expand the traffic analysis scope in response to agency comments.
- Amended Contract Amount: \$517,985

Proposed Second Amendment

- Amount added: \$88,000
- Purpose: Further update to the traffic scope in response to applicant-proposed changes to the project.
- Amended Contract Amount: \$605,985

This amendment is necessary to evaluate changes proposed by the applicant, which include modifications to land uses within two planning areas of the project. The revised scope of work is included as Exhibit A. The applicant is in agreement with the proposed amendment and will be responsible for paying the increased contract amount.

FISCAL IMPACT

There are no fiscal impacts to the City's General Fund. All costs associated with the preparation of the EIR for the H-Land Specific Plan will be fully funded by the applicant, Heritage Development Company.

If approved, the total proposed EIR contract amount will be \$605,985. This amount covers the environmental review and associated scope revisions, including updates to the traffic analysis required to address agency comments and changes to the project proposed by the applicant.

REASON FOR RECOMMENDATION

Approval of the proposed contract amendment is recommended to ensure that the EIR accurately reflects the applicant's most current project proposal. The project changes require updates to the traffic analysis and other components of the EIR to ensure the EIR satisfies the

CEQA requirements. All costs associated with this amendment will be fully funded by the applicant.

ACTIONS FOLLOWING APPROVAL

The consultant will continue work on the Environmental Impact Report for the H-Land Specific Plan.

CONFLICT OF INTEREST

None.

Prepared by: Lily Cha, Senior Planner

Reviewed by: City Manager AK

RESOLUTION 25-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING A SECOND AMENDMENT TO THE CONSULTANT AGREEMENT WITH LSA
FOR THE PREPARATION OF THE ENVIRONMENTAL IMPACT REPORT FOR THE
HERITAGE GROVE H-LAND SPECIFIC PLAN**

WHEREAS, the City requires assistance from an external consulting firm to assist with the preparation of an Environmental Impact Report and related services for purposes of analyzing potential environmental effects, related to a request for a Specific Plan to include approximately 888 acres of land located north of Shepherd Avenue, between N. Willow and N. Sunnyside Avenues, pursuant to the California Environmental Quality Act; and

WHEREAS, In September 2021, LSA was selected to prepare the environmental impact report (EIR) for the Heritage Grove H-Land Specific Plan, and the City and LSA entered into a consultant agreement for the services; and

WHEREAS, the consultant agreement was amended in August 2024 to address changes in the traffic analysis scope in response to agency comments; and

WHEREAS, due to applicant-proposed changes to the project, further changes to the scope of services regarding the project traffic analysis are required, necessitating another amendment to the consultant agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis approves the change in the scope of services for the consultant agreement with LSA as provided in **Attachment A** attached hereto and authorizes the City Manager to execute the second amendment to the consultant agreement with LSA.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on August 11, 2025, by the following vote, to wit.

AYES:
NOES:
ABSENT:
ABSTAIN:

DATED: August 11, 2025

Mayor

City Clerk

**CITY OF CLOVIS
CONSULTANT SERVICE AGREEMENT
SECOND AMENDMENT**

HERITAGE GROVE EIR AND SPECIFIC PLAN

This second amendment to the Consultant Service Agreement ("Amendment") is entered into between the City of Clovis, a California general law city ("City"), and LSA Associates, Inc., a California Corporation ("Consultant"), with respect to an Amendment to the Heritage Grove Environmental Impact Report (EIR) and Specific Plan Consultant Service Agreement ("Agreement") signed by the City on October 25, 2021 and by the Consultant on October 7, 2021. This Amendment shall be effective on July 8, 2025 ("Effective Date").

The City and Consultant desire to modify the scope of services and budget for the Heritage Grove Specific Plan EIR related to an update to the Transportation Impact Analysis. The original scope of services and contract amount was \$467,985. The scope was previously amended in the First Amendment dated February 14, 2025, increasing the contract amount to \$517,985. This Second Amendment further modifies the scope of services to include the Transportation Impact Analysis update and increases the contract amount by \$88,000, resulting in a new total of \$605,985. The scope of services and updated contract amount is outlined in Exhibit A.

As required by Section 23 of the Agreement, the Agreement may be amended only by written instrument signed by both City and Consultant.

The Amendment is only providing the written permission required for the contract cost of service increase. The Amendment does not modify any other area of the Agreement.

The City and Consultant have executed this Amendment to the Agreement on the date(s) set forth below.

CITY OF CLOVIS

CONSULTANT

By: _____
Andrew Haussler, City Manager

By: _____
Anthony Petros, President

Date: _____

Date: _____

ATTEST

Briana Parra, City Clerk

APPROVED AS TO FORM

Scott G. Cross, City Attorney

Party Identification and Contact Information:

Consultant

LSA Associates, Inc.

Attn: Kyle Simpson

Associate

2565 Alluvial Avenue, Suite 172

Clovis, CA 93611

Kyle.Simpson@lsa.net

(559) 490-1212

City of Clovis

Planning Division

Attn: Lily Cha, MPA, AICP

Senior Planner

1033 Fifth Street

Clovis, CA 93612

lilyc@clovisca.gov

(559) 324-2335

CONTRACT AMENDMENT

CHANGE NO:	<u>3</u>	DATE:	<u>March 5, 2025</u>
PROJECT NO:	<u>CIT2103</u>	PROJECT:	<u>Heritage Grove Specific Plan EIR</u>
		TO:	<u>Lily Cha-Haydostian, MPA, AICP, Senior Planner</u>
ORIGINAL CONTRACT	<u>\$ 517,985.00</u>	ADDRESS:	<u>1033 Fifth Street, Planning and Development</u>
CONTRACT INCREASE	<u>\$ 88,000.00</u>		<u>Clovis, CA 93612</u>
REVISED CONTRACT	<u>\$ 605,985.00</u>		

Please accept this letter as written confirmation of the change in the scope of services and budget for the Heritage Grove Specific Plan (Specific Plan) Environmental Impact Report (EIR) for the City of Clovis (City). This contract amendment is being submitted to update the scope of work related to the Transportation Impact Analysis (TIA) and preparation of the EIR. The following provides a summary of the changes in LSA's scope of work to update the TIA as a result of changes made to the third draft of the Specific Plan.

SCOPE OF WORK

Task 4. EIR Technical Studies

Task 4.3. Transportation Impact Analysis

LSA submitted the draft TIA to the City and Project Applicant on October 8, 2024. Subsequently, LSA received the third draft of the Specific Plan in January 2025, with minor changes in multiple Planning Areas (PAs) compared to the second draft of the Specific Plan, as well as significant changes in land uses between PA-02 and PA-31A. Specifically, the following changes were made:

- PA-02 land uses have been changed from 36.95 acres of Mixed-Use Village, which was consistent with City's General Plan land use designation to 32.8 acres of Mixed-Use Business Campus (PA-2A) and 4 acres of Mixed-Use Village (PA-2B);
- PA-31A has been changed from 32.8 acres of Mixed-Use Business Campus, which was consistent with City's General Plan land use designation to 32.8 acres of Mixed-Use Village;

As such, while the land uses of a majority of the PAs were similar, the land use changes in these two trip-intensive PAs would conflict with the submitted TIA as follows:

- Given the proposed land uses are not consistent with the City's General Plan land use for these two PAs, both are required to be treated and analyzed as PAs requiring General Plan Amendments (GPAs), similar to some other PAs, including identification and inclusion of signalized intersections where these PAs cumulatively contribute 100 peak hour trips and other locations per recommendation of *City of Clovis Transportation Impact Analysis Guidelines* (TIA Guidelines), adopted October 2022.

- Because of changes in the land uses in these two locations, the entire project trip distribution and assignments, including internal and external trip distribution percentages and trip assignments will differ from what was analyzed in the TIA.
- Additionally, PA-02 is part of Phase 1 of the buildout of the Specific Plan, while PA-31 is proposed to be developed within Phase 2 of the buildout of the Specific Plan. Due to changes in land uses in these PAs, the phasing analysis, along with corresponding trip generation, distribution and assignment will differ from what was analyzed in the TIA.
- These changes will result in changes in overall traffic volumes (expected to be nominal), level of service (LOS), and required LOS-related improvements for each of the phases and overall Specific Plan.
- Because of changes in the location of land uses, the project VMT analysis will also need to be updated accordingly due to the relative changes in land use interactions.

LSA coordinated with the City and Project Applicant regarding these issues and attended multiple virtual meetings in February 2025. Based on these coordination meetings and the City's recommendations, LSA estimates that the following tasks will be required to update the TIA:

- **Update 1: GPA Swap Land Use Intensity Analysis.** Based on recommendation from the City, it is LSA's understanding that the proposed land uses in PA-02 and PA-31A are anticipated to generate less trips than what was proposed and analyzed in the City's General Plan. Therefore, as recommended by the City, a land use and trip generation comparison will be conducted for these two PAs for the General Plan designated land uses and currently proposed land uses. This analysis will be conducted to establish that, given the lower trip generation of the proposed land uses in comparison to what was analyzed in the City's General Plan, while being treated as GPA, no expansion of the study area would be required for these PAs.

The TIA will be updated incorporating this analysis and will provide an explanation regarding why the current number of study area intersections will not need to be increased.

- **Update 2: Update TIA LOS Analysis.** As recommended by the City, the TIA will be revised reflecting the changes in land uses in the PAs. As such, given the change of land use locations, phasing, phase-wise trip generation, distribution and assignment, following specific tasks will be completed to update the TIA:
 - Conduct new select zone model run for the two PAs with new location and land uses using Fresno Council of Governments (COG) Activity Based Model (ABM).
 - Update project trip distribution and assignment for the entire study area (58 intersections) under each phase and update State Route 41/North Friant Road interchange trip trace analysis accordingly.
 - Update and submit the traffic scoping letter to the City for approval. LSA estimates that the updated scoping letter is not required to be submitted to the neighboring jurisdictions for approval.

- Update traffic volumes for the entire study area under all with-project analysis scenarios analyzed in the TIA, including Existing Plus Project, Near-Term Phase 1 Completion Plus Project, Near-Term Phase 2 Completion Plus Project Conditions, Near-Term Phase 3 Completion Plus Project Conditions, and Cumulative Year Plus Project Conditions;
- Update LOS analysis for the entire study area under all with-project analysis scenarios analyzed in the TIA;
- Update queuing analysis for the entire study area under all with-project analysis scenarios analyzed in the TIA;
- Update recommendations for feasible LOS and queuing improvement for the entire study area under all with-project analysis scenarios analyzed in the TIA along with necessary phasing for implementation.
- Update peak hour signal warrant analyses at unsignalized locations using new volumes and updated requirements;
- Update Pedestrian HAWK signal warrant analysis.
- Update TIA incorporating aforementioned changes.

As discussed during the meeting on February 18, 2025, the changes to traffic volumes, LOS, improvements, queuing, etc. are anticipated to be nominal compared to the current version of the TIA. However, the above-mentioned updates will need to be incorporated into the TIA so that it is consistent with the third draft of the Specific Plan.

- **Update 3: Update TIA VMT Analysis.** As previously mentioned, because of changes in location of land uses, the project VMT would also change accordingly due to relative changes in land use interactions. Therefore, the VMT analysis in the TIA is required to be updated to reflect the changes included in the third draft of the Specific Plan. The VMT analysis will be conducted using Fresno COG ABM using similar methodology of the previous analysis.
- **Update 4: Target vs Maximum Intensity Analysis.** The third draft of the Specific Plan includes a maximum density calculation for the PA land uses (a total of 7,394 dwelling units), as well as a target density (dwelling unit count of 5,928, excluding PA 34). Based on previous coordination with the Project Applicant and the City, the target dwelling unit count has been analyzed in the TIA. Further, it is LSA's understanding that the target dwelling unit would be treated as the maximum allowable development and analyzed in the TIA. Therefore, LSA will not be required to update the TIA accounting the maximum dwelling unit counts. The Specific Plan may need to be updated accordingly.
- **Update 5: Project Level Traffic Analysis.** Based on discussion with City staff, it is LSA's understanding that no additional study intersections need to be included in the TIA beyond what has already been analyzed. In case it is determined that traffic information is required at

additional study intersections for preparation of other technical studies (Air Quality and Noise), the scope of work and budget would be required to be amended accordingly.

- **Update 6: Future Coordination and Meetings.** LSA anticipates completion of the TIA update, incorporating aforementioned changes and subsequent public release of the EIR in a timely manner, would require frequent coordination and occasional virtual coordination calls with the City staff and project applicant, including Land Use Intensity analysis. Therefore, LSA is including this task for future coordination and meetings for transportation staff to attend these meetings.

To update the TIA, LSA requests an additional \$82,000 to cover the time and material cost for the aforementioned tasks. This budget amount will not be exceeded without the City's authorization. In case additional analysis is identified and requested, a contract amendment would be required to incorporate those analyses into the TIA.

Task 12. Project Management and Meetings

Due on the extended project schedule, several meetings that were not previously anticipated and additional project management hours have been required to address updated project components. It is also anticipated that several additional meetings will be required in order to compete the project. As a result, LSA requests an additional \$6,000 to be used on a time-and-materials basis for project management tasks.

SCHEDULE AND BUDGET

LSA anticipates that the updates to the TIA will be completed seven weeks after the City issues LSA the Notice to Proceed for the tasks identified in this Contract Amendment.

Based on the tasks described above, LSA is requesting additional budget of \$88,000, as summarized in Table 1. With approval of this contract amendment, the total approved contract budget for this project will be \$605,985.

All other terms and conditions of the contract dated September 7, 2021, remain unchanged. If you agree to these terms, please sign below or provide your own form of authorization.

Table 1: Budget

Task	Budget
Task 4. EIR Technical Studies	\$82,000
Task 4.3. Transportation Impact Analysis	\$82,000
<i>Update 1: GPA Swap Land Use Intensity Analysis</i>	<i>\$5,000</i>
<i>Update 2: Update TIA LOS Analysis</i>	<i>\$65,000</i>
<i>Update 3: Update TIA VMT Analysis</i>	<i>\$8,000</i>
<i>Update 4: Target vs Maximum Intensity Analysis</i>	<i>\$0.00</i>
<i>Update 5: Project Level Traffic Analysis</i>	<i>\$0.00</i>
<i>Update 6: Future Coordination and Meetings</i>	<i>\$4,000</i>
Task 12. Project Management and Meetings	\$6,000
Total Additional Budget for Contract Amendment #3	\$88,000
Previous Budget Amount	\$517,985
Total Budget with Contract Amendment #3	\$605,985

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CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: August 11, 2025

SUBJECT: Planning and Development Services – Approval – Bid Award for CIP 22-08 Shepherd Avenue Interconnect to Wiring Connection, Inc., in the amount of \$1,200,934; and Authorize the City Manager to execute the contract on behalf of the City.

ATTACHMENTS: 1. Vicinity Map

RECOMMENDATION

1. For the City Council to award a contract for CIP 22-08 Shepherd Avenue Interconnect to Wiring Connection, Inc., in the amount of \$1,200,934; and
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

EXECUTIVE SUMMARY

Staff is recommending that City Council award the contract to Wiring Connection, Inc., who was the lowest responsible bidder from a bid opening that took place on July 22, 2025, and authorize the City Manager to execute the project contract on behalf of the City.

The project involves trenching/boring and installation of conduit, pull boxes, cabinets and all system components and power, fiber optic cable, and system connections to traffic signals and communication cabinets along Shepherd Avenue from Willow Avenue to De Wolf Avenue, connecting back to Planning & Development Services building and the Police Department building through two routes.

BACKGROUND

The following is a summary of the bids received on July 22, 2025:

BIDDERS	BASE BID
Wiring Connection, Inc.	\$ 1,200,934.00
Power Design Electric, Inc.	\$ 1,256,249.69
Sebastian	\$ 1,323,276.52
A-C Electric Company	\$ 1,810,233.20
ENGINEER'S ESTIMATE	\$ 1,335,171.00

All bids were examined, and the bidder's submittals were found to be in order. For this reason, Wiring Connection, Inc., is the lowest responsible bidder. Staff has validated the lowest bidder contractor's license status and bid bond.

FISCAL IMPACT

This project was budgeted in the 2024-2025 Community Investment Program. The project is supported by the Congestion Mitigation and Air Quality (CMAQ) Program through the City of Clovis Community Investment Program.

REASON FOR RECOMMENDATION

Wiring Connection, Inc., is the lowest responsible bidder. There are sufficient funds available for the anticipated cost of this project.

ACTIONS FOLLOWING APPROVAL

1. The contract will be prepared and executed, subject to the Contractor providing performance security that is satisfactory to the City.
2. Construction will begin approximately two (2) weeks after the contract execution and be completed in seventy (70) working days thereafter.

CONFLICT OF INTEREST

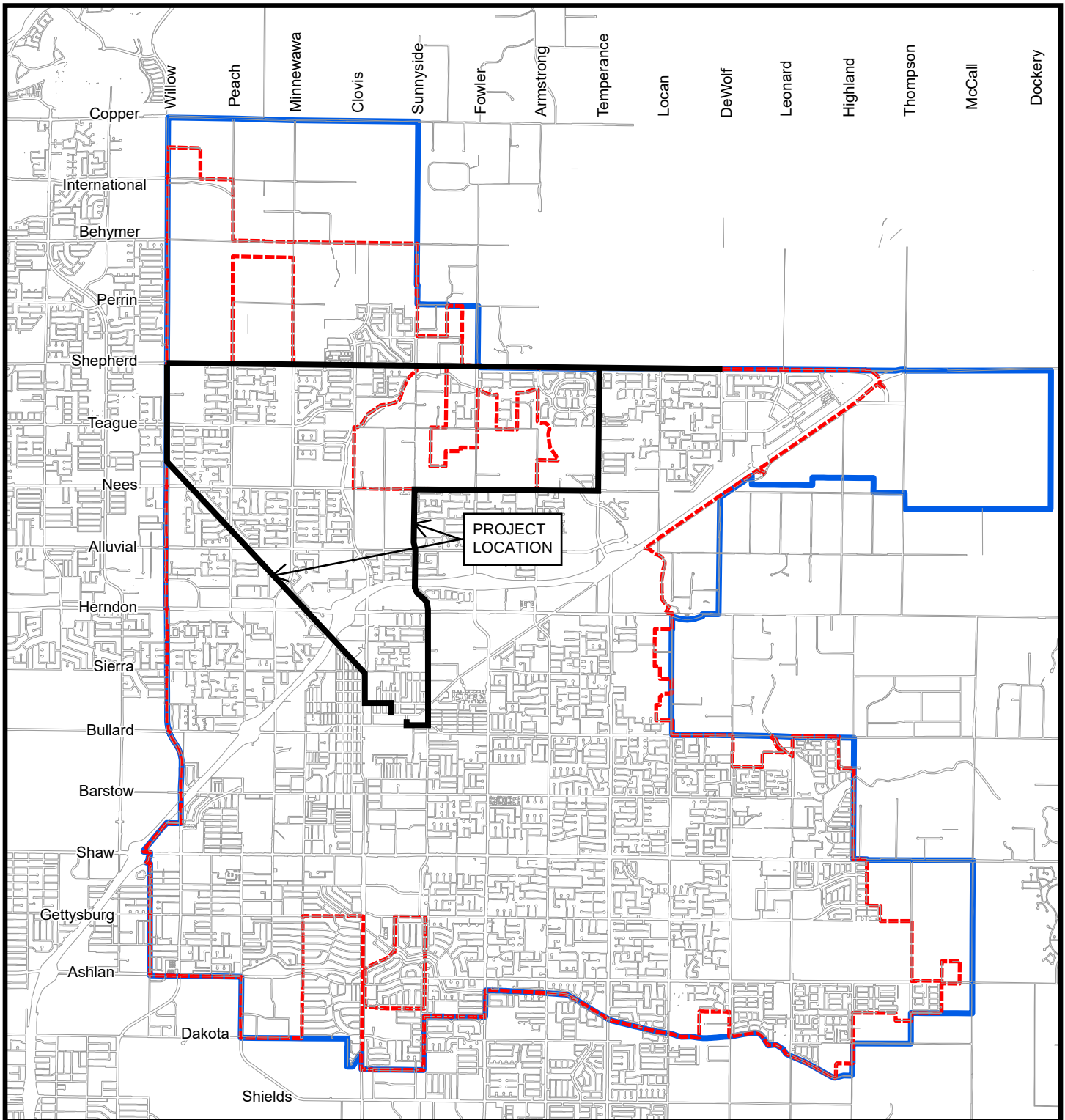
None.

Prepared by: Navjot Chahal, Project Engineer

Reviewed by: City Manager AM

VICINITY MAP

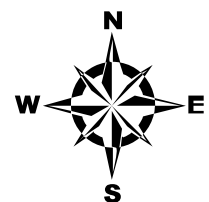
CIP 22-08 Shepherd Avenue Interconnect



Attachment 1



- City Limits
- Sphere of Influence





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: August 11, 2025

SUBJECT: Planning and Development Services – Approval – Bid Award for CIP 13-22 Leonard Avenue Bridge Replacement to Dawson-Mauldin, LLC, in the amount of \$1,730,656; and Authorize the City Manager to execute the contract on behalf of the City.

ATTACHMENTS: 1. Vicinity Map

RECOMMENDATION

1. For the City Council to award a contract for CIP 13-22 Leonard Avenue Bridge Replacement to Dawson-Mauldin, LLC in the amount of \$1,730,656; and
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

EXECUTIVE SUMMARY

Staff is recommending that City Council award the contract to Dawson-Mauldin, LLC, who was the lowest responsible bidder from a bid opening that took place on August 5, 2025, and authorize the City Manager to execute the project contract on behalf of the City.

This project shall consist of replacing the existing two-lane Leonard Avenue Bridge with an 8-feet by 14-feet reinforced concrete double box culvert, constructing temporary roadway pavement, and canal embankments. The completed box culvert will allow for the future widening of Leonard Avenue to its ultimate width. The construction shall involve all labor, materials, tools and equipment for clearing, grubbing, saw-cutting, excavation, earthwork, engineering fill, grading, backfilling, compaction, demolition of existing reinforced box culvert, headwalls, wingwalls and all related improvements, removal of existing concrete inlet and drain pipe to the treatment plant, construction of reinforced concrete improvements such as double box culvert, deck sidewalks, curbs, gutters, barriers, parapets, wingwalls, channel lining and pier/trash rider, installation of geotextile fabrics, rock slope protection, tubular hand railing, chain-link railing, steel casing, utility vaults and lids, access/safety ladders, construction of roadway asphalt concrete pavement, aggregate base, canal embankments, and installation of traffic striping and signage.

BACKGROUND

The following is a summary of the bids received on August 5, 2025:

BIDDERS	BASE BID
Dawson-Mauldin, LLC	\$1,730,656.00
American Paving Co.	\$1,768,832.00
GC Builders	\$1,791,034.00
Avison Construction, Inc.	\$1,891,322.00
Cal Valley Construction, Inc.	\$2,159,127.00
Floyd Johnston Construction Co., Inc.	\$2,311,647.00

ENGINEER'S ESTIMATE **\$1,913,719.00**

All bids were examined, and the bidder's submittals were found to be in order. For this reason, Dawson-Mauldin, LLC, is the lowest responsible bidder. Staff has validated the lowest bidder contractor's license status and bid bond.

FISCAL IMPACT

This project was budgeted in the 2024-2025 Community Investment Program. The project is funded by Development Impact Fees.

REASON FOR RECOMMENDATION

Dawson-Mauldin, LLC, is the lowest responsible bidder. There are sufficient funds available for the anticipated cost of this project.

ACTIONS FOLLOWING APPROVAL

1. The contract will be prepared and executed, subject to the Contractor providing performance security that is satisfactory to the City.
2. Construction will begin approximately two (2) weeks after the contract's execution and be completed in sixty (60) working days thereafter.

CONFLICT OF INTEREST

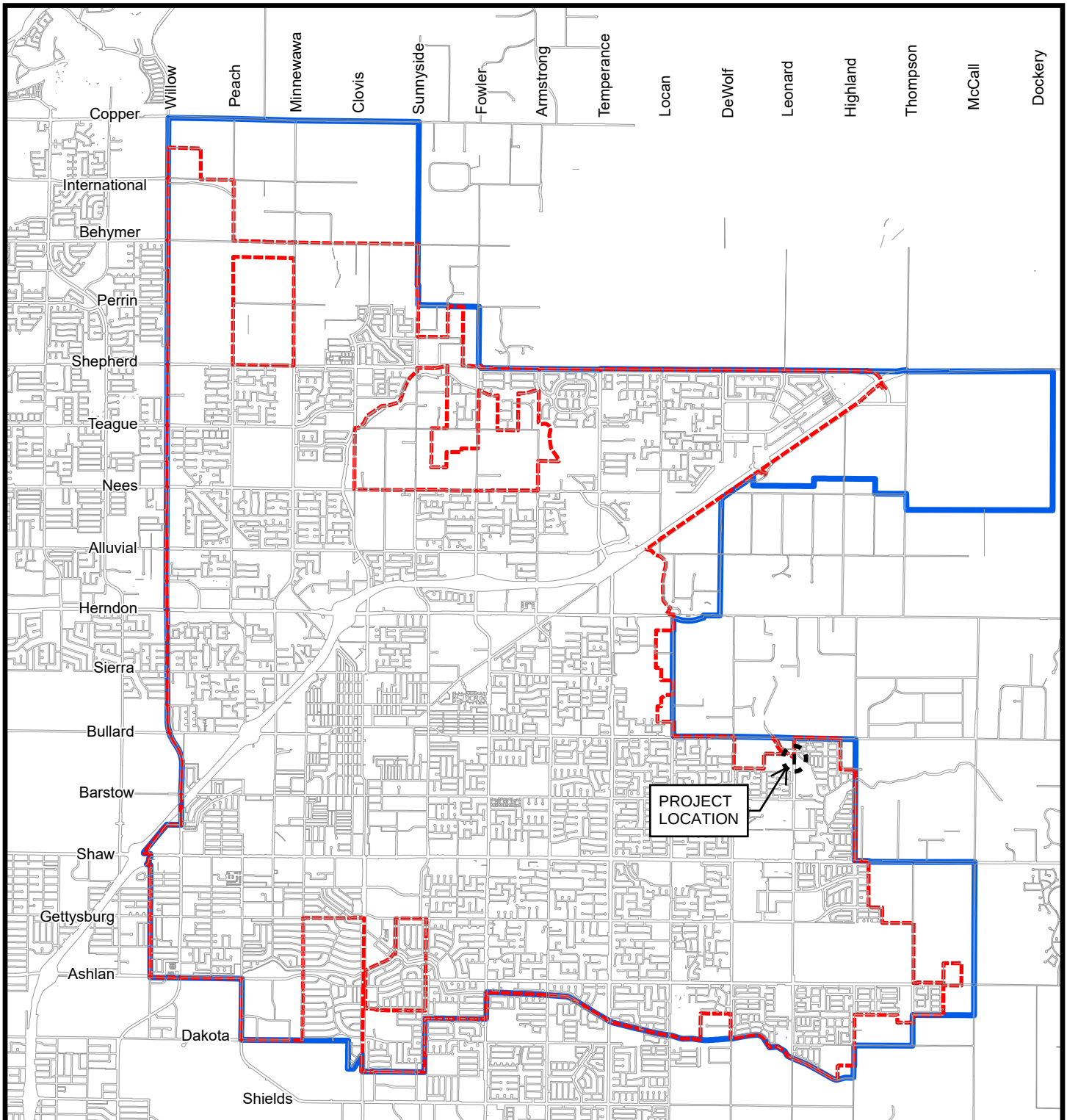
None.

Prepared by: Nate Stava, Project Engineer

Reviewed by: City Manager *AA*

VICINITY MAP

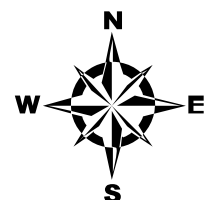
CIP 13-22 Leonard Avenue Bridge Replacement



Attachment 1



- City Limits
- Sphere of Influence





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: August 11, 2025

SUBJECT: Planning and Development Services – Approval – Final Acceptance for CIP 21-17, Barstow Avenue Rehabilitation, with the final contract cost of \$445,977.35.

ATTACHMENTS: 1. Vicinity Map

RECOMMENDATION

For the City Council to accept the work performed as complete and authorize the recording of the notice of completion for this project.

EXECUTIVE SUMMARY

This project involves street rehabilitation on Barstow Avenue from Villa Avenue to Minnewawa Avenue including rehabilitating the Asphalt Concrete (A.C.) pavement; modifying/reconstructing curb ramps; adjusting valve boxes and manholes to finished grade; installing storm drainpipe, inlet and manhole; modifying traffic signals; replacing loop detectors; and restriping.

BACKGROUND

Bids were received on January 28, 2025, and it was determined at that time that Central Valley Asphalt was the lowest monetary bidder. After the bid opening, the top three bidders were instructed to complete the federal paperwork as this was a federally funded project. After careful review of the paperwork and evaluation of the bids submitted for this project, including the Disadvantage Business Enterprise (DBE) commitment submittals, City staff determined that the apparent low bidder, Central Valley Asphalt, was non-responsive due to the failure to meet the DBE requirements set forth in the bid and contract documents. The City established a DBE contract goal of 15% percent for this project. Central Valley Asphalt submitted a DBE commitment of 12.9% and the second low bidder, Agee Construction, exceeded the goal with a DBE commitment of 44.61%.

The recommendation to reject the lowest monetary bid from Central Valley Asphalt was thoroughly reviewed and supported by Caltrans which is the pass through and monitoring agency of the federal funding program. At that time staff was also advised by Caltrans that deviating from this recommendation would put the City at risk of having funds revoked based on the program guidance from the Federal Highway Administration.

The project was then awarded by the City Council to the next lowest responsible bidder, Agee Construction.

The project was completed in accordance with the construction documents, and the contractor has submitted a request for acceptance of the project.

FISCAL IMPACT

1. Award	\$459,646.00
2. Contract Change Order (Balancing)	-\$13,668.64
3. Liquidated Damages Assessed	\$0.00

Final Contract Cost	\$445,977.35
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This project was approved in the Community Investment Program 2024-2025 fiscal year budget and is federally funded through the Surface Transportation Block Grant Program (STBG).

REASON FOR RECOMMENDATION

The Public Utilities Department, the City Engineer, the Engineering Inspector, and the Project Engineer agree that the work performed by the contractor is in accordance with the construction documents and has been deemed acceptable. The contractor, Agee Construction, has requested final acceptance from the City Council.

ACTIONS FOLLOWING APPROVAL

1. The Notice of Completion will be recorded; and
2. All retention funds will be released pursuant to Federal requirements and the Prompt Payment of Funds Withheld to Subcontractors clause of the Local Assistance Procedures Manual.

CONFLICT OF INTEREST

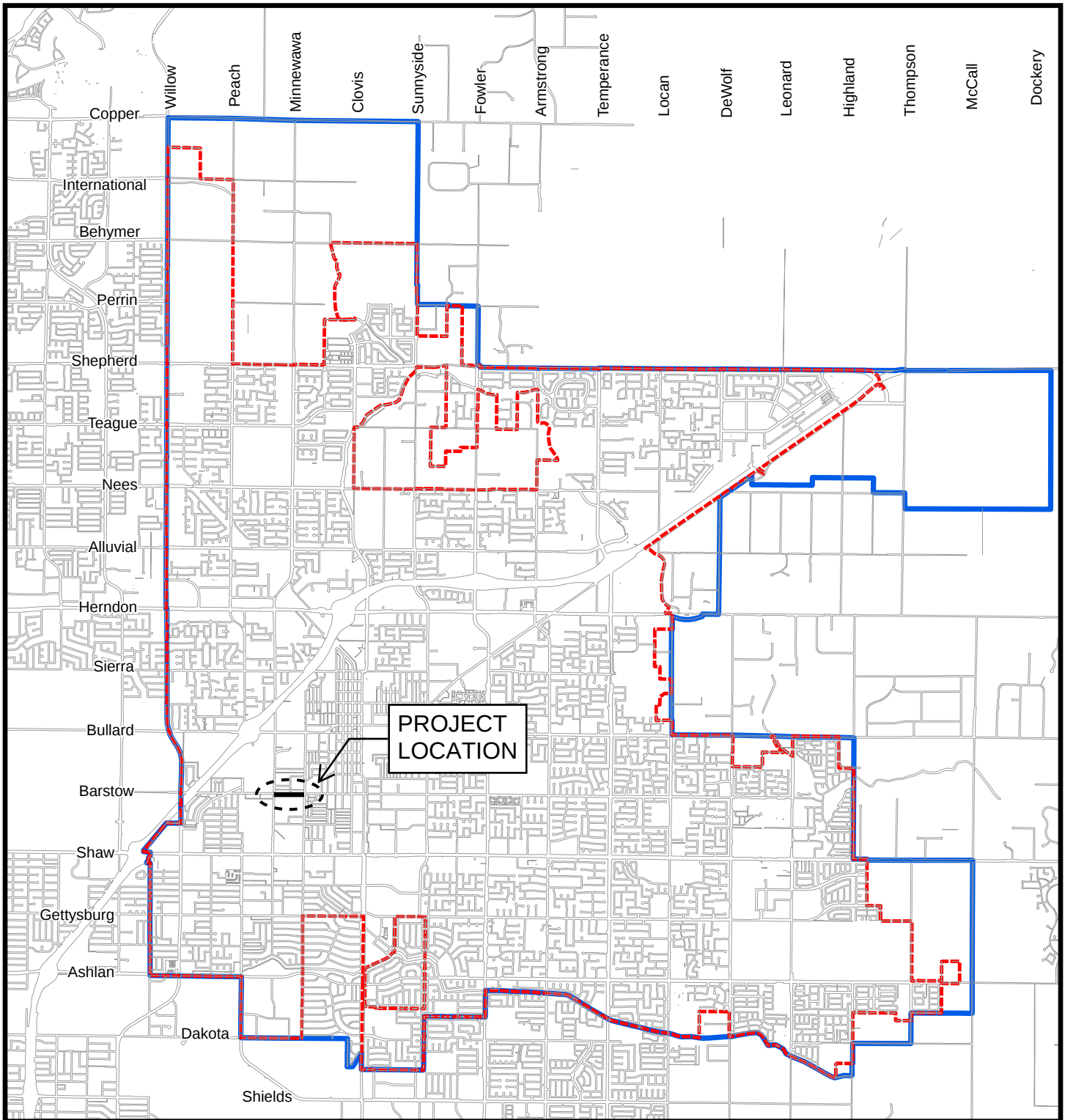
None.

Prepared by: Matt Buller, Senior Engineering Inspector

Reviewed by: City Manager *AM*

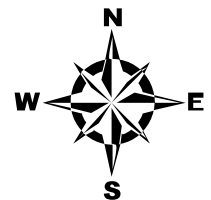
VICINITY MAP

CIP 21-17 Barstow Avenue Rehabilitation



Attachment 1

 CITY LIMITS SPHERE OF INFLUENCE





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 11, 2025

SUBJECT: Discussion of Term Limits for Council Members, and Potential Direction to Staff.

Staff: Briana Parra, City Clerk

Recommendation: Discussion, and Provide Direction as Appropriate

ATTACHMENTS: None.

RECOMMENDATION

This item is included as a discussion item at the request of the City Council. Staff has no recommendation on whether or not the City Council should consider term limits.

EXECUTIVE SUMMARY

At the April 14, 2025, City Council meeting, Council directed staff to place an item on a future City Council agenda for the Council to discuss potential term limits for Council Members. There is no statewide requirement for city council member term limits. Government Code Section 36502 authorizes cities to impose term limits for council members, subject to voter approval at a regularly scheduled election. Thus, term limits are optional, and a ballot measure for terms limits would be required so the voters could decide the question. If the City Council desires to pursue a ballot measure, direction will need to be provided to Staff and the City Attorney regarding the timing and to prepare a proposed ballot measure for review and discussion at a future City Council meeting.

BACKGROUND

On April 14, 2025, there was a consensus among the City Council to direct staff to place an item on a future City Council agenda for the Council to discuss potential term limits for Council Members.

Under Government Code Section 36502(b), both general law and charter cities may adopt term limits for Council Members. This section states that a city may “[limit]...the number of terms a member of the city council may serve on the city council, or the number of terms an elected mayor may serve. Any proposal to limit the number of terms a member of the city council may

serve on the city council, or the number of terms an elected mayor may serve, shall apply prospectively only and shall not become operative unless it is submitted to the electors of the city at a regularly scheduled election and a majority of the votes cast on the question favor the adoption of the proposal.”

If Council decides to move forward with a proposed ballot measure establishing term limits, direction regarding the desired details of the term limits will need to be provided (the desired limitation of consecutive or total terms, by district or citywide, any break in service that would reestablish eligibility, the desired election at which the ballot measure will appear, etc.) so that staff and the legal team can review and draft the necessary documents for discussion and consideration by the City Council and public input at a future City Council meeting.

FISCAL IMPACT

No impact if Council does not wish to consider a potential term limit ballot measure. If a proposed ballot measure is desired, staff and the City Attorney’s office will begin preparing the necessary documents to be presented for discussion and consideration at a future City Council meeting. If the Council approves a term limit ballot measure for the voters to decide at a future municipal election, the cost to the City will be approximately \$100,000-\$125,000 to prepare the necessary materials and conduct the election.

REASON FOR RECOMMENDATION

This item is included as a discussion item at the request of the City Council. Staff has no recommendation on whether or not the City Council should consider proposing terms limits for the voters of Clovis to decide.

ACTIONS FOLLOWING APPROVAL

Staff will proceed according to Council direction.

CONFLICT OF INTEREST

None.

Prepared by: Briana Parra, City Clerk

Reviewed by: City Manager AA



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 11, 2025

SUBJECT: Provide Direction - Potential transition of the City of Clovis to a Charter City.

Staff: Briana Parra, City Clerk

Recommendation: Provide Direction

ATTACHMENTS: None.

RECOMMENDATION

Staff recommends that the City Council provide direction on whether or not to proceed with drafting a proposed charter for City Council, public input and potential placement on a future election ballot for the voters of Clovis to decide. If the Council chooses to move forward, staff will create a detailed timeline, begin the charter drafting process, and schedule the required public hearings to comply with statutory requirements and promote community engagement.

EXECUTIVE SUMMARY

In May 2024, the City Council directed staff to provide information on the process of becoming a charter city. At the January 13, 2025, City Council meeting, an overview of the process of becoming a charter city was provided and potential topics that could be addressed in a charter were discussed. Council requested that more information be provided at a future meeting regarding specific topics that could be governed in a charter as “municipal affairs.”

Decades ago, when many city charters were approved, charters often addressed a wide range of topics considered to be “municipal affairs” that could be governed by a city charter and insulated from state law “interference.” However, state legislation and court decisions over the years have substantially eroded the number of matters deemed to be municipal affairs and available to be shielded from state law in a city charter to only a handful. Those topics are addressed below.

Becoming a charter city would provide Clovis with greater local control over the few topics that could be properly included as municipal affairs in a city charter, and Clovis remains subject to the general law of the State for other matters not addressed in a charter. The few topics that

could be potentially be addressed in a charter include potentially excluding city public works projects from the payment of prevailing wages as required by state law, provisions governing municipal elections and terms of elected councilmembers, and potentially increasing fines and penalties for municipal code violations beyond the administrative fine schedule currently in place as required by state law.

After considering the limited topics available, staff requests the City Council provide direction on whether or not there is a desire to undertake the process of drafting a proposed city charter for City Council and public input and potentially placing the draft city charter on the November 2026, ballot for the voters of Clovis to decide. Public hearings to allow for public input on a proposed charter is required, and the proposed charter must be approved by the City Council by approximately the end of July 2026, to meet the ballot measure submission deadline to be included on the November 2026, municipal election ballot. The estimated total cost to prepare and place a charter measure on the November 2026, ballot is estimated to be approximately \$100,000-\$125,000, which includes estimated legal fees, outreach efforts, and election costs. Staff is requesting Council direction on whether to continue as a general law city for all matters or initiate the drafting of a proposed charter that could provide the City some additional local control over the few matters that can be governed under a charter as a municipal affair.

BACKGROUND

In May 2024, the City Council directed staff to provide information on the process of becoming a charter city.

On January 13, 2025, staff presented a workshop to the Council outlining the charter city process and statutory requirements, key procedural steps, some examples of topics addressed in charter of other cities, and the limited areas that are left remaining for local control via a charter. Following the presentation, the Council requested that more information be provided at a future meeting regarding specific topics that could be governed in a charter as “municipal affairs.”

Cities may adopt a charter for their own governance, subject to voter approval. Once adopted, a charter functions as a local constitution, granting the city greater authority over “municipal affairs” such as elections, prevailing wage, and municipal fines. This “home rule” provision allows charter cities to enact ordinances differing from state law in areas deemed local in nature, although state law prevails in matters of statewide concern.

Legal and Legislative Updates:

Local Control:

In concept, the California Constitution provides charter cities a broader “plenary authority” over municipal affairs and greater autonomy to enact laws in relation to State governance. (Cal. Const. art. 11, § 3(a).) Charter cities have authority over “municipal matters” within the boundaries of the City, except where the State has expressly indicated that the matter is of Statewide concern. (*id.*, § 5(a).) “Home rule” as traditionally reserved to charter cities include: regulating city elections (*Mackey v. Thiel*,

(1968) 262 Cal. App. 2d 362, 365.) land use (See *Brougher v. Bd. of Pub. Works*, (1928) 205 Cal. 426, 440.); prevailing wages (*Howard Contracting, Inc. v. G.A. MacDonald Constr. Co.*, (1998) 71 Cal. App. 4th 38, 51.) municipal fines and penalties; hiring, compensating, and firing municipal officers and employees (See *Johnson v. Bradley*, (1992) 4 Cal. 4th 389.)

Land Use and Housing:

While local land use is at the heart of what Cities do, many areas of land use have been preempted by the State. In particular to housing, the State has for the most part entirely preempted the field. Thus, becoming a Charter City will likely have little effect on the City's ability to adopt housing regulations that differ from State law mandates.

Several charter cities challenged the application of SB 9, as in the recent case *City of Redondo Beach v. Rob Bonta, et al.*, arguing that SB 9 is neither reasonably related to its stated concern of ensuring access to affordable housing nor narrowly tailored to avoid interference with local government. While the court agreed, this 'win' for charter cities was short lived. Governor Newsom signed SB 450 shortly thereafter which revised SB 9 to include language that states "addressing the housing crisis and the severe shortage of housing is a matter of statewide concern and is not a municipal affair" which meant SB 9 now applies to all cities, including charter cities. (Gov. Code, §§ 65852.21, 66411.7.)

City Elections

Previously, the process for electing city council members was a municipal affair. However, courts have found at-large elections dilute a protected class's voting rights in violation of California Election Code Section 14027. As such, at-large elections, even if part of a city's charter, cannot continue. (*Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, 802.)

Voter ID Laws

Effective January 1, 2025, charter cities are prevented from requiring voters to present identification prior to submitting a ballot.

Election Code section 10005:

A local government shall not enact or enforce any charter provision, ordinance, or regulation requiring a person to present identification for the purpose of voting or submitting a ballot at any polling place, vote center, or other location where ballots are cast or submitted, unless required by state or federal law. For the purpose of this section, "local government" means any charter or general law city, charter or general law county, or any city and county.

Prevailing Wage

Courts have held that when a public works project is funded solely from charter city money, the wages paid to workers are not subject to California's prevailing wage law. (*State Building & Construction Trades Council of California v. City of Vista* (2012) 54 Cal.4th 547.) However, for public works projects that are funded, even partially, through other public money, including state or federal funds, prevailing wages must be paid. (Lab. Code, § 1775.)

Municipal Fines

Charter cities have additional authority under the home rule doctrine to make, enforce, and collect penalties for violations of city ordinances, including imposing fines, penalties, and forfeiture. (*Los Angeles County v. City of Los Angeles* (1963) 219 Cal.App.2d 838, 844.) However, the fine imposed will be considered "unconstitutionally excessive" if it is "grossly disproportional to the gravity of the defendant's offense." (*U.S. v. Bajakajian* (1998) 524 US 321, 336.)

Charter cities can utilize this provision to set higher fines than otherwise allowed by state law for municipal code violations involving graffiti and weed abatement fines, fireworks ordinance violations, and water conservation penalty fees to name a few.

Areas for Charter Consideration:

- Prevailing Wage - Charter cities may choose whether to require payment of prevailing wage on municipal public works projects not funded by state or federal sources. Eliminating prevailing wage can reduce project costs approximately 20% depending on the project but could draw union opposition and potential litigation.
- Municipal Fines - Under a charter, Clovis could set its own fine structures for municipal code violations, subject to constitutional limits. This could enhance enforcement tools for local ordinances and generate additional revenue for compliance programs.
- Elections - If there is a desire to change any of the current requirements for municipal elections, transitioning to a charter city would allow Clovis to determine its own election rules for local offices, including election dates, and campaign finance regulations, provided compliance with federal and state constitutional protections.

Potential Challenges of Charter Transition:

- Charter provisions can restrict future City Councils by locking in specific governance structures, policies, or procedures that cannot be changed through ordinance. Any future modifications to topics covered in a charter would require a charter amendment approved by voters. Thus, removing flexibility for the City Council and adding potential delay and additional costs if changes are desired in the future.

- Operating under a charter adds layers of legal and operational complexity, including periodic reviews and amendments to ensure continued compliance with evolving state and federal law.
- Cities adopting charter provisions that differ from state law may face legal challenges from stakeholder groups or state agencies.

FISCAL IMPACT

There is no Fiscal Impact at this time. However, if the City Council chooses to pursue Charter City status, the estimated cost to place a measure on the November 2026, ballot is estimated to be approximately \$100,000-\$125,000. This estimate includes expenses for legal counsel to draft and review the proposed charter, staff time, public outreach and education materials, and the cost of placing the measure on the ballot through the Fresno County Elections Office.

Future costs such as charter amendments, legal challenges, or defending the charter may also be expected. Actual expenses will vary based on the complexity of the charter, the extent of legal and public review, and any future changes requiring voter approval.

REASON FOR RECOMMENDATION

Staff is seeking direction from the Council regarding the next steps and whether or not the Council wishes to further consider a potential city charter. The two options for consideration are:

1. Remain a General Law City;

Or

2. Proceed with drafting a proposed City charter - Provide direction on areas for inclusion in the charter, and confirmation whether to have the voters decide at the November 2026 election or at a future municipal election if desired.

ACTIONS FOLLOWING APPROVAL

Staff will proceed according to the City Council's direction.

CONFLICT OF INTEREST

None.

Prepared by: Briana Parra, City Clerk

Reviewed by: City Manager AM



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council
FROM: Administration
DATE: August 11, 2025
SUBJECT: Discussion and Provide Direction Regarding City Council Protocols.

Staff: Briana Parra, City Clerk

Recommendation: Discuss and Provide Direction

ATTACHMENTS: 1. Adopted City Council Protocols

RECOMMENDATION

This item is included as a discussion item at the request of the City Council. Staff recommends that the City Council discuss the current City Council Protocols and provide direction on any desired amendment.

EXECUTIVE SUMMARY

At the April 14, 2025, City Council meeting, the Council reached consensus to direct staff to bring back the City Council Protocols for further discussion.

BACKGROUND

The City Council Protocols were last revised and adopted on November 6, 2023, to formalize guidelines on various procedural and administrative matters. These protocols address a number of topics including how the City Council operates, direction on the conduct of Council business, and addressing the ceremonial and presiding functions of the Mayor.

The adopted 2023 protocols addressed topics such as:

- Role of the Mayor
- Communications with staff
- City Council meeting agenda preparation
- Procedures for Councilmembers to place items on agendas
- Placement and approval of proclamations and certificates of recognition
- Use of City letterhead and City seal

The Protocols are the Council's own rules of procedure, and may be amended or rescinded as desired by a majority of the City Council.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

At the April 14, 2025, City Council meeting, the Council directed staff to bring back the City Council Protocols for review and discussion.

ACTIONS FOLLOWING APPROVAL

Staff will implement any Council direction following this discussion.

CONFLICT OF INTEREST

None.

Prepared by: Briana Parra, City Clerk

Reviewed by: City Manager AH

CITY OF CLOVIS

CITY COUNCIL PROTOCOLS

I. Role of the Mayor

The Clovis City Council is composed of five Councilmembers who are directly elected by the voters of the City to each serve a four-year term. The Mayor is not directly elected by the voters. The City Council elects the Mayor and Mayor Pro Tem following each municipal election to serve in those roles for a two-year term. The role of the Mayor is primarily ceremonial in nature. Although not granted special or additional decision-making powers, the Mayor represents the City in ceremonial and official affairs. In the Mayor's absence, the Mayor Pro Tem represents the City in ceremonial and official affairs. In the absence of both the Mayor and Mayor Pro Tem, any member of the council may represent the City in all ceremonial and official affairs.

The Mayor is the presiding officer at City Council meetings, but the Mayor has no veto power and the Mayor's vote does not carry any more weight than other Council Members. As presiding officer, the Mayor shall call City Council meetings to order, announce the order of business as detailed on the agenda, call for or make motions, call for votes and announce the result of all votes of the City Council, facilitate, and monitor discussions, maintain order, and enforce the City Council's rules and procedures.

When the Mayor is absent from a City Council meeting, the Mayor Pro Tem shall preside and serve the role of the Mayor for that meeting. If the Mayor and Mayor Pro Tem are absent from any City Council meeting, the most senior member of the City Council from among the three Councilmembers attending the meeting, as determined by years of service on the Council or, if equal, by the number of votes received in the municipal election in which they were elected, shall serve as the presiding officer and serve the role of the Mayor for that meeting.

The Mayor's duties include, without limitation, signing all ordinances, resolutions, and other records of proceedings approved by a majority of the City Council. This is a ministerial function only. The Mayor Pro Tem shall serve in the capacity of the Mayor during any absence, incapacitation, inability, or unwillingness of the Mayor to carry out the ministerial functions.

II. Communications with Staff

As a city operating under the Council-Manager form of government, direction to the City Manager must come from a majority of the City Council at a City Council meeting or as a result of action approved by a majority of the City Council at a City Council meeting. No individual direction of the City Manager or staff is authorized.

City Councilmembers are encouraged to contact the City Manager directly to ask questions for clarification or to request information. The City Manager will engage appropriate Staff as necessary to fulfill a request. Staff may respond to the City Manager

or respond directly to the Councilmember and copy the City Manager. A Councilmember may also contact Staff directly with questions or seeking information. If a Councilmember does contact staff directly, the Councilmember shall copy the City Manager. Staff will copy any response to the City Manager. Having the City Manager aware of the request and response allows him/her to determine if the information needs to be shared with all Councilmembers.

No Councilmember, including the Mayor and Mayor Pro Tem, has authority to individually or collectively direct the City Manager or staff to initiate any action, change a course of action or policy, or prepare any study or report that is significant in nature (requiring more than three (3) hours of staff time or the use or expenditure of City resources, materials, or funds that have not been budgeted for such use or expenditure), nor shall a Councilmember initiate any project or study using or requiring the use of City resources that have not been budgeted for such purpose without the approval of a majority of the City Council at a City Council meeting.

Any Councilmember wishing to have staff initiate any action, change a course of action or policy, or prepare any study or report that is significant in nature, may, during Council Comments at a City Council meeting, request that the item be placed on a future City Council meeting agenda. If a majority of the City Council approves the request, the City Manager will include the item on a future agenda.

III. City Council Meeting Agenda Preparation

The City Clerk, in working with the City Manager, has overall responsibility for the creation of the City Council meeting agenda. Each City department shall work with the City Clerk to schedule an item to be heard by the City Council. The agenda must be posted at least 72 hours prior to a scheduled regular City Council meeting. The agenda for City Council meetings may include a variety of items that are relevant to and necessary for the governance and administration of the City as determined by the City Manager. An example of a standard agenda is provided as Exhibit (A).

Except as otherwise provided in these Protocols, no Councilmember, including the Mayor and Mayor Pro Tem, has authority to individually direct the City Manager or City Clerk to place an item on an agenda. The specific items on the agenda may vary from one meeting to the next, but generally fall into the following categories:

1. Call to Order, Flag Salute, and Roll Call
2. Presentations / Proclamations
3. Public Comments
4. Ordinances and Resolutions
5. Consent Calendar
6. Public Hearings

7. Correspondence
8. Administrative Items
9. Council Items
10. City Manager Comments
11. Council Comments
12. Closed Session (including reconvening into open session for any report from closed session)
13. Adjournment

IV. How City Councilmembers May Have Items Placed on City Council Meeting Agendas:

- A. Any Councilmember may contact the City Manager and request an item be placed on a City Council meeting agenda. If the City Manager determines the item involves a matter of policy requiring Council discussion and action and cannot wait to allow the requesting Councilmember to make a request under #2 below, the City Manager shall add the item to a City Council meeting agenda as necessary.
- B. During Council comments at a City Council meeting, any Councilmember, including the Mayor and Mayor Pro Tem, may request to have an item added to a future agenda. Such a request is authorized by the Brown Act (Gov. Code section 54954.2(a)(3)) and must be approved by a majority vote of the total membership of the Council (at least 3 members in support). The only action that may be taken during Council Comments is deciding whether or not to approve placing the item on a future City Council meeting agenda. If the request to place an item on a future agenda is approved by a majority vote, the City Manager shall include the subject item on a future agenda.

V. Placement of Proclamations on an Agenda and Presentation of Proclamations

A City of Clovis proclamation is a declaration made by the City Council or a Councilmember to recognize and honor specific individuals, groups, events, or organizations that have made significant contributions or a meaningful impact on the City or the Clovis community and have a specific recognizable connection to the City of Clovis. The City Clerk and City Manager shall be responsible for preparing the text of all proclamations before the proclamation is included on a City Council meeting agenda.

Proclamations presented by the City Council at a City Council Meeting shall be signed by the Mayor using the template shown in Exhibit (B). Proclamations presented by an individual Councilmember shall be signed by the requesting Councilmember using the template provided in Exhibit (C).

There may be occasions when a member of the community may contact City staff to request a proclamation. In this circumstance, the City Manager shall determine if a proclamation or a certificate of recognition is more appropriate and inform the Mayor of the request to determine whether or not the Mayor wishes to have the proclamation or certificate of recognition placed on a future City Council meeting agenda for presentation at a City Council meeting or whether or not the Mayor wishes to present a proclamation or certificate of recognition individually as provided in Section V.B. or VI.B. of these Protocols.. If the Mayor approves placing the proclamation or certificate of recognition on a City Council meeting agenda for presentation at a City Council meeting this shall be the only circumstance in which the Mayor may approve or direct placing an item on a City Council meeting agenda that has not been raised during Council Comments at a previous City Council meeting. Exhibit (D) includes examples of proclamations that were presented at City Council meetings in 2022. If, however, the Mayor determines not to present the requested proclamation or certificate of recognition at a City Council meeting and does not wish to present the requested proclamation or certificate of recognition individually, the City Manager shall inform the other Councilmembers of the request, and any Councilmember may inform the City Manager that they wish to present the proclamation or certificate individually as provided in Section V.B or VI.B. of these Protocols, or any Councilmember may proceed in accordance with Section IV.B of these Protocols and request approval for the proclamation or certificate of recognition to be placed as an item for presentation by the City Council at a City Council meeting.

A. Proclamations presented at a City Council meeting.

Proclamations presented by the City Council at a City Council meeting shall be considered government speech and expression of the City, and not the party requesting the proclamation or recognized/honored by the proclamation. The issuance of a proclamation shall be deemed an honorary, ceremonial, or symbolic act by the City, and shall have no legal force or effect on the City nor create any right or entitlement for or in favor of any person, party, or organization. Proclamations of the City may not be used in whole or in part in any advertisement, endorsement, or commercial promotion.

B. Proclamations presented by a Councilmember.

If a proclamation is not presented at a City Council meeting, it may be signed, issued, and presented by the Councilmember who requested it. The City Clerk and City Manager shall be responsible for preparing the text of all proclamations issued by an individual Councilmember, and the requesting Councilmember may provide direction on the desired text for the proclamation provided it will not be presented at a City Council meeting. Any proclamation issued and presented by a Councilmember shall be considered the individual speech of the Councilmember issuing the proclamation and not government speech of the City or an expression of the City or the City Council. The issuance of a proclamation by any

Councilmember shall be deemed an honorary, ceremonial, or symbolic act by the Councilmember only and not the City or the City Council and shall have no legal force or effect on the City nor create any right or entitlement for or in favor of any person, party, or organization. Proclamations presented by a Councilmember may not be used in whole or in part in any advertisement, endorsement, or commercial promotion.

VI. Certificates of Recognition

A Councilmember may request a Certificate of Recognition from the City of Clovis. A Certificate of Recognition is a less formal form of recognition presented by the City Council or a Councilmember to any individuals, groups, events, or organizations in the Clovis community as a way of expressing gratitude and recognition for their contributions, achievements, or service to the City of Clovis or its residents. A Certificate of Recognition will include the recipient's name, the reason for the recognition, the date of presentation, and the signature of a City official.

A Certificate of Recognition may be proposed by a Councilmember and may be presented at a City Council meeting if approved for placement on a City Council meeting agenda in accordance with these Protocols. The City Clerk and City Manager shall be responsible for preparing the text of all Certificates of Recognition before the Certificate is included on a City Council meeting agenda.

- A. Certificates presented at a City Council meeting. If a Certificate of Recognition is presented at a City Council meeting, it shall be presented in the same manner as a proclamation. The Certificate shall be signed by the Mayor. A Certificate of Recognition issued by the City Council shall be considered government speech and expression of the City, and not the party requesting or receiving the Certificate or recognized/honored in the Certificate. The issuance of a Certificate of Recognition shall be deemed an honorary, ceremonial, or symbolic act by the City, and shall have no legal force or effect on the City nor create any right or entitlement for or in favor of any person, party, or organization. Certificates of Recognition of the City may not be used in whole or in part in any advertisement, endorsement, or commercial promotion.
- B. Certificates presented by a Councilmember. If the Certificate of Recognition is not presented at a City Council meeting, it may be signed, issued, and presented by the Councilmember who requested it. The City Clerk and City Manager shall be responsible for preparing the text of all Certificates of Recognition issued by an individual Councilmember, and the Councilmember may provide direction on the desired text for the Certificate provided it will not be presented at a City Council meeting. Any Certificate of Recognition issued and presented by a Councilmember shall be considered the individual speech of the Councilmember issuing the Certificate and not government speech of the City or an expression of the City or the City Council. The issuance of a Certificate by any Councilmember shall be

deemed an honorary, ceremonial, or symbolic act by the Councilmember only and not the City or the City Council and shall have no legal force or effect on the City nor create any right or entitlement for or in favor of any person, party, or organization. Certificates of Recognition presented by a Councilmember may not be used in whole or in part in any advertisement, endorsement, or commercial promotion.

An example of a Certificate of Recognition is shown in Exhibit (E).

VII. Waiver; Amendment; Rescission of Protocols.

The City Council may, by no less than four (4) votes of approval, approve waiving the formal requirements of these Protocols in any particular instance. However, only a simple majority of the total membership of the City Council (3 votes) is needed to amend or rescind these Protocols.

VIII. City Letterhead and City Seal Use Policy, and Allowed Use of City Letterhead and City Seal (as approved by City Council on May 15, 2017).

City letterhead may be used when the Council Member is representing the City and the City's official position. If a letter is written on behalf of the majority of the City Council, then the letter shall state "I am writing this letter on behalf of the City Council." A copy of all correspondence developed by or for the Mayor or a Council Member on City letterhead shall be provided to the City Manager and the entire City Council.

City letterhead and the use of the City seal may be used by the Mayor and Council Members for thank you letters, recommendations and marking ceremonial occasions, provided the correspondence represents the position of the Council Member and not the entire City Council. Attached as Exhibit (F) is the format of the letter to be used.

Staff will not prepare correspondence representing the Mayor or a Council Member's personal point of view or a dissenting point of view from an official City policy or Council position. Such correspondence shall not be on City letterhead or use the City seal. In any such letter, the Council Member must make it clear that the views expressed represent only the individual Council Member. The official City position must also be stated clearly so the audience understands the difference/relationship between the official City position and the viewpoint of the Mayor or that Council Member.

This policy shall not apply to letters prepared by Council Members in their individual capacity without reference to their position as a member of the City Council.