

CLOVIS CITY COUNCIL MEETING

December 11, 2023

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Ashbeck at **6:01**

Flag Salute led by Councilmember Pearce

Roll Call: Present: Councilmembers Bessinger, Mouanoutoua, Pearce, Mayor Ashbeck
 Absent: Councilmember Basgall

6:03 ITEM 11 - APPROVED – APPOINTMENTS TO THE YOUTH COMMISSION.

Motion for approval by Councilmember Pearce, seconded by Councilmember Bessinger.
Motion carried 3-0-1-1 with Councilmember Basgall absent and Councilmember Mouanoutoua abstaining.

Paul Garcia, resident, commented in support of the Youth Commission.

Vong Mouanoutoua, resident, commented in support of the Youth Commission.

Bee Yang, resident, commented in support of the Youth Commission.

Alda, resident, commented in support of the Youth Commission.

Daphne Goldberg, resident, commented on her sister's participation in the Youth Commission.

PUBLIC COMMENTS – 6:23

Tobie Anderson, shared concerns regarding an RV business operation in Clovis.

Gina Martinez, resident, shared concerns regarding homeless camps new Second Street and Minnewawa.

Resident, shared concerns regarding illegal dumping near Harlan Ranch.

Paul Garcia, residents, commended the Police Department for their work and shared concerns regarding potholes throughout the city.

Marcus DiBudio, shared concerns regarding the lack of clarity of the deadlines to submit written comments for public hearing items on the agenda.

CONSENT CALENDAR – 6:51

Motion by Councilmember Bessinger, seconded by Councilmember Mouanoutoua, that the items on the Consent Calendar, with the exception of item 2, be approved. Motion carried 4-0-1 with Councilmember Basgall absent.

1. Administration - Approved - Minutes from the December 4, 2023, Council Meeting.
3. Administration - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, July - September 2023.
4. Finance – Received and Filed – Status Report of Community Facilities District 2004-1 Revenues and Expenditures.
5. Planning and Development Services – Approved – Final Acceptance for CIP 17-13 Nees Avenue Widening Minnewawa Avenue to Clovis Avenue.
6. Planning and Development Services – Approved – Final Acceptance for CIP 21-11 Fowler Avenue Street Rehabilitation.

6:53 ITEM 2 - ADMINISTRATION – APPROVED - 2024 STREET CLOSURE REQUESTS; AND APPROVED – RES. 23-109, DECLARING CERTAIN EVENTS AS OLD TOWN SPECIAL EVENTS AND SETTING PRECISE BOUNDARIES FOR THOSE OLD TOWN SPECIAL EVENTS.

Cora Shipley, BOOT representative, requested for the City Council to pull Item 2 and not approve the April Water Car Show due to concerns with too many Saturday road closures in April. She requested that the car show be moved to a Sunday or to a different month in the year.

Patrick Evans, Fresno Hot Rod representative, spoke in support of the Water Tower Car Show on the Saturday in April.

Cody Clem, resident, shared concerns about having two similar car shows too close together.

Motion to approve the street closure request for certain events declared as Old Town Special Events with the exception of the April Water Tower Car Show by Councilmember Bessinger, seconded by Councilmember Pearce. Motion carried 4-0-1 with Councilmember, Councilmember Basgall absent.

PUBLIC HEARINGS – 7:25

7:25 ITEM 7 - APPROVED INTRODUCTION – ORD. 23-12, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTIONS 5.22.02 AND 5.22.05 OF CHAPTER 5.22, OF TITLE 5 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO DEFINITIONS AND REGULATIONS FOR DELIVERIES OF MEDICAL MARIJUANA WITHIN THE CITY.

Jeni-Ann Kren, resident, shared concerns regarding possible legal action against the City should the City have a non-complying municipal code.

Resident, encouraged the Council to enforce additional regulations on the delivery of marijuana in the city.

Motion to approve the introduction of the ordinance and direct staff to report back with an update on options to regulate by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion carried 3-1-1 with Councilmember Pearce voting no and Councilmember Basgall absent.

- 7:52 ITEM 8 - CONTINUED INTRODUCTION – ORD. 23-XX, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTIONS 5.29.102, 5.29.203, AND 5.29.301 OF CHAPTER 5.29, OF TITLE 5 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO DEFINITIONS AND REGULATIONS RELATING TO MULTIPLE RESPONSES TO NUISANCE VIOLATIONS.

Motion to continue item to a date uncertain by Councilmember Mouanoutoua, seconded by Councilmember Bessinger. Motion carried 4-0-1 with Councilmember Basgall absent.

- 7:53 ITEM 9 - CONTINUED ITEMS ASSOCIATED WITH APPROXIMATELY 155 ACRES OF LAND LOCATED ON THE NORTH SIDE OF SHEPHERD AVENUE, BETWEEN N. SUNNYSIDE AND N. FOWLER AVENUES. GREAT BIGLAND, LP., OWNER/APPLICANT; HARBOUR AND ASSOCIATES, REPRESENTATIVE.

9A. CONSIDER APPROVAL - RES. 23-XX, A RESOLUTION OF THE CLOVIS CITY COUNCIL: (1) CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SHEPHERD NORTH PROJECT; (2) ADOPTING CEQA FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATION; AND (3) ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM.

9B. CONSIDER APPROVAL – RES. 23-XX, A RESOLUTION OF THE CLOVIS CITY COUNCIL APPROVING A REQUEST TO EXPAND THE CITY’S SPHERE OF INFLUENCE TO INCLUDE APPROXIMATELY 155 ACRES OF LAND.

9C. CONSIDER APPROVAL - RES. 23-XX, GPA2021-006, A RESOLUTION OF THE CLOVIS CITY COUNCIL APPROVING A REQUEST TO AMEND THE CIRCULATION ELEMENT OF THE GENERAL PLAN TO ALLOW FOR THE PLACEMENT OF A SHEPHERD AVENUE ACCESS POINT ON THE NORTH SIDE OF SHEPHERD AVENUE, BETWEEN N. SUNNYSIDE AND N. FOWLER AVENUES.

9D. CONSIDER APPROVAL - RES. 23-XX, GPA2021-005, A RESOLUTION OF THE CLOVIS CITY COUNCIL APPROVING A REQUEST TO AMEND THE LAND USE ELEMENT OF THE GENERAL PLAN FOR THE DEVELOPMENT AREA

(APPROXIMATELY 77 ACRES) FROM THE RURAL RESIDENTIAL LAND USE DESIGNATION TO THE MEDIUM-HIGH DENSITY RESIDENTIAL LAND USE DESIGNATION.

9E. CONSIDER INTRODUCTION - ORD. 23-XX, R2021-009, AN ORDINANCE OF THE CLOVIS CITY COUNCIL APPROVING A REQUEST TO PREZONE PROPERTY WITHIN THE DEVELOPMENT AREA (APPROXIMATELY 77 ACRES) OF THE PROJECT SITE FROM THE FRESNO COUNTY AL20 ZONE DISTRICT TO THE CLOVIS R-1-PRD ZONE DISTRICT.

9F. CONSIDER APPROVAL - RES. 23-XX, TM6205, A RESOLUTION OF THE CLOVIS CITY COUNCIL APPROVING A REQUEST TO APPROVE A VESTING TENTATIVE TRACT MAP FOR A 605-LOT SINGLE-FAMILY PLANNED RESIDENTIAL DEVELOPMENT.

9G. CONSIDER APPROVAL - RES. 23-XX, PDP2021-004, A RESOLUTION OF THE CLOVIS CITY COUNCIL APPROVING A REQUEST TO APPROVE A PLANNED DEVELOPMENT PERMIT FOR A 605-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.

9H. CONSIDER APPROVAL - RES. 23-XX, RO307, A RESOLUTION OF THE CLOVIS CITY COUNCIL APPROVING APPLICATION FOR THE ANNEXATION OF THE TERRITORY KNOWN AS THE SHEPHERD-SUNNYSIDE NORTHEAST REORGANIZATION FOR THE DEVELOPMENT AREA (APPROXIMATELY 77 ACRES).

9I. CONSIDER APPROVAL - RES. 23-XX, A RESOLUTION OF THE CLOVIS CITY COUNCIL APPROVING AN AMENDMENT TO THE 2017 AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF FRESNO AND CITY OF CLOVIS REGARDING A SPHERE OF INFLUENCE EXPANSION TO ADD APPROXIMATELY 155 ACRES AND THE STANDARDS OF ANNEXATION TO ADDRESS THE ANNEXATION OF APPROXIMATELY 77 ACRES OF PROPERTY (SHEPHERD-SUNNYSIDE NORTHEAST REORGANIZATION).

Josh, shared that the County will begin a traffic study testing the speed of traffic on Sunnyside Ave.

Michelle Lung, shared concerns regarding traffic and requested for the Council to postpone this item until February.

Hector, Fresno County representative, shared that the County is just beginning the assessment of traffic.

Motion to continue to the January 16, 2024, City Council meeting by Councilmember Mouanoutoua, seconded by Councilmember Bessinger. Motion carried 4-0-1 with Councilmember Basgall absent.

COUNCIL ITEMS – 8:02

8:02 ITEM 10 - APPROVED – SECOND AMENDMENT TO THE CITY MANAGER EMPLOYMENT AGREEMENT.

Motion for approval by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion carried 4-0-1 with Councilmember Basgall absent.

CITY MANAGER COMMENTS – 8:03

COUNCIL COMMENTS – 8:04

ADJOURNMENT

Mayor Ashbeck adjourned the meeting of the Council to January 8, 2024.

Meeting adjourned: 8:09 p.m.



Mayor



City Clerk



Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Wednesday, December 6, 2023 6:05 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-12-11

Item Number (put "0" if your comment is regarding an item not on the agenda): 0

Full Name: Marcus DiBuduo

Email: marcus@dibuduo.com

Comment: Please see attached letter to be considered, whether or not the items associated with approximately 77 acres of land located at the northeast corner of Shepherd and N. Sunnyside Avenues is on the Agenda for the December 11, 2023 City Council Meeting. If it is not on the Agenda, this letter should be addressed to the Public Comment portion of the meeting

Supporting Files (2 Max.): [https://link.edgepilot.com/s/e7fa7540/2_-](https://link.edgepilot.com/s/e7fa7540/2_-yUIQQ9Em5cRiRZ2EMIw?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/6571283d7b6ed.pdf)

[yUIQQ9Em5cRiRZ2EMIw?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/6571283d7b6ed.pdf](https://cityofclovis.com/wp-content/uploads/elementor/forms/6571283d7b6ed.pdf)

Date: December 6, 2023

Time: 6:04 pm

Remote IP: 97.136.116.233

PUBLIC COMMENTS
December 11, 2023

December 6, 2023

City Council
City of Clovis
1033 Fifth Street
Clovis, CA 93612

Re: December 16, 2023 City Council Meeting - Clovis Municipal Code Section 9.96.010 and items associated with approximately 77 acres of land located at the northeast corner of Shepherd and N. Sunnyside Avenues.

Dear Councilmembers,

The City's Municipal Code and practices make it difficult, if not impossible without the assistance of *Back to the Future's* Emmett Lathrop Brown, Ph.D ("Doc Brown"), to submit written comments on public hearings concerning discretionary land use entitlements.

At 6:00 PM on November 16, 2023, the Planning Commission conducted a public hearing (the "Hearing") to consider numerous items associated with approximately 77 acres of land located at the northeast corner of Shepherd and N. Sunnyside Avenues. (See "PC Meeting Agenda" attached hereto as Exhibit A).

The PC Meeting Agenda and the 1000+ page corresponding packet were published online, and notification of the publication of the PC Meeting Agenda and packet were sent, at 10:14 AM on November 11, 2023 (approximately 5.5 days before the hearing). (See "PC Agenda Publication" attached hereto as Exhibit B).

The PC Meeting Agenda indicates, in part, the following which is essentially in all agendas for both the Planning Commission and the City Council:

- "Members of the public are encouraged to submit written comments at:
www.cityofclovis.com/planning-commission-agendas at least **two (2) hours before the meeting (4:00 p.m.)**"
- "A copy of your written comment will be provided to the Planning Commission noting the item number."
- "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 Planning Commission during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to the Planning Commission during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings."

About two and a half days after publication of the PC Meeting Agenda, and about two and a half days before the Hearing, and on November 14, 2023 at 12:26 AM, we submitted written comments for

consideration at the November 16, 2023 Hearing via email to the Planning Commission and also as uploaded through the City of Clovis' website. (See "Written Comments" attached hereto as Exhibit C).

At the Public Hearing, Planning Staff indicated that our Written Comments as well as those of others were deemed late and need not be considered pursuant to Clovis Municipal Code Section 9.96.10, however they informed the Planning Commission that they intended to prepare a supplemental memo addressing matters identified in "late" written comments. (See "Notification of Untimeliness" attached hereto as Exhibit D).

Clovis Municipal Code Section 9.96.10 provides:

"Comments from the public and interested agencies on discretionary land use entitlements are welcome and strongly encouraged. In order to provide proper consideration of public comments, any **written comments should be submitted not less than five (5) calendar days before the scheduled public hearing.** Written comments and documents submitted after that time, unless also within the noticed public review period, including comments and documents submitted the day of the public hearing, will be considered at the discretion of the reviewing body. If considered, the late comments, including any response thereto, shall be given the weight they are due. Factors to consider in evaluating whether and how to respond to late comments include, but are not limited to:

- A. Time period provided for public review.
- B. Accuracy of public hearing notice.
- C. Level of detail in comments.
- D. Explanation of relevance of comments and documents.
- E. Reasons for failing to comment earlier.

(§ 1(2) (Atts. 1, 2), Ord. 20-18, eff. February 3, 2021)

Nothing in the PC Meeting Notice references CMC 9.96.10 or that it requires timely written comments to be received five days in advance of the Hearing. Rather, it explicitly states that written comments received by 4:00PM the day of the Hearing will be considered. In doing so, the City encourages the public (including particularly those that want to be heard but cannot attend the Hearing) to submit written comments well past the deadline set forth by CMC 9.996.10.

In this case, the Hearing was on November 16, 2023, and thus per CMC 9.96.10, any written comments needed to be submitted on or before November 10, 2023 --- the day before the public was notified of the PC Meeting Agenda and the corresponding packet. "Great Scott!", says Doc Brown.

The City should decide whether (i) it truly wants public participation on discretionary land use entitlements, or (ii) it would prefer to keep an "ace in the hole" ability provided by CMC 9.96.10 to refuse to consider written comments submitted sufficiently in advance of the hearing for consideration by the Commission or Council. If the former, we would suggest that the City consider amending CMC 9.96.10 and/or adopt procedures such that the City proves the public with sufficiently advance notice (i.e. at least 10 business days as set forth in California Government Code Sections 65090, 65091 and 65094) of the hearing and content and materials related thereto.

We are not sure if this written comment is "late" or not, or will be considered by the City Council. In any event, this letter is being sent on the evening of December 6, 2023 which is five days before the December 11, 2023 City Council Meeting. Frankly, as of 6:00 PM on December 6, 2023, no agenda for the December 11, 2023 City Council Meeting has been posted on the City's website at <https://cityofclovis.com/government/city-council/city-council-agendas/> so we aren't sure if the items associated with 77 acres of land located at the northeast corner of Shepherd and N. Sunnyside Avenues will even be considered at the City Council Meeting. Nonetheless we are submitting this letter in an abundance of caution.

We maintain our objections to the Shepherd North Project for the reasons stated in the previously submitted Written Comments attached hereto and incorporated herein.

Respectfully,

Marcus and Amy DiBuduo

EXHIBIT A

PC Meeting Agenda



CITY of CLOVIS

AGENDA • PLANNING COMMISSION

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2340

www.cityofclovis.com

November 16, 2023

6:00 PM

Council Chamber

In compliance with the Americans with Disabilities Act, if you require special assistance to access and/or participate in this Planning Commission meeting, please contact the Planning Division at (559) 324-2340 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable

The Clovis Planning Commission meetings are open to the public at the physical address listed above. There are numerous ways to participate in the Planning Commission meetings: you are able to attend in person; you may submit written comments as described below; you may participate by calling in by phone (see “Verbal Comments” below); and you may view the meeting which is webcast and accessed at www.cityofclovis.com/planning-commission-agendas.

Written Comments

- Members of the public are encouraged to submit written comments at: www.cityofclovis.com/planning-commission-agendas at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:
 - Planning Commission Meeting Date
 - Item Number
 - Name
 - Email
 - Comment (please limit to 300 words or 3 minutes)
- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the Planning Commission 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 Planning Commission during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to the Planning Commission during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings.



Webex Participation

- Reasonable efforts will be made to allow written and verbal comment from a participant communicating with the host of the virtual meeting. To do so, a participant will need to chat with the host and request to make a written or verbal comment. The host will make reasonable efforts to make written and verbal comments available to the Planning Commission. Due to the new untested format of these meetings, the City cannot guarantee that these written and verbal comments initiated via chat will occur. Participants desiring to make a verbal comment via chat will need to ensure that they accessed the meeting with audio transmission capabilities.

Verbal Comments Made by Telephone or Webex

- If you wish to speak to the Commission on the item by telephone, you must contact the City Planner, Dave Merchen, at (559) 324-2346 no later than 4:00 p.m. the day of the meeting.
- You will be asked to provide your name, phone number, and your email. You will be emailed instructions to log into Webex to participate in the meeting. Staff recommends participants log into the Webex at 5:30 p.m. the day of the meeting to perform an audio check.
- All callers will be placed on mute, and at the appropriate time for your comment your microphone will be unmuted.
- You will be able to speak to the Planning Commission for up to five (5) minutes.

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CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

1. Planning Commission Minutes for the Meeting of October 26, 2023.

COMMISSION SECRETARY COMMENTS

2. Distribution of Planning Commission Meeting dates for the 2024 calendar year.

PLANNING COMMISSION MEMBER COMMENTS

PUBLIC COMMENTS - This is an opportunity for the members of the public to address the Planning Commission on any matter within the Planning Commission's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the Planning Division and submit correspondence at least 10 days before the desired date of appearance.

PUBLIC HEARINGS - A public hearing is an open consideration within a regular or special meeting of the Planning Commission, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1.

3. Consider items associated with approximately 77 acres of land located at the northeast corner of Shepherd and N. Sunnyside Avenues. Great Bigland, LP., owner/ applicant; Harbour and Associates, representative.

Consider Approval, Res. 23-___, A resolution of the City of Clovis Planning Commission recommending that the City Council: (1) Certify the Final Project Environmental Impact Report for the Shepherd North Project; (2) Adopt CEQA Findings of Fact and a Statement of Overriding Consideration; and (3) Adopt a Mitigation Monitoring and Reporting Program.

Consider Approval, Res. 23-___, GPA2021-006, A resolution recommending that the City Council approve a request to amend the circulation element of the General Plan to allow for the placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, between N. Sunnyside and N. Fowler Avenues.

Consider Approval, Res. 23-___, GPA2021-005, A resolution recommending that the City Council approve a request to amend the land use element of the General Plan for the Development Area (approximately 77 acres) from the Rural Residential land use designation to the Medium-High Density Residential land use designation.

Consider Approval, Res. 23-___, R2021-009, A resolution recommending that the City Council approve a request to prezone property within the Development Area (approximately 77 acres) of the Project site from the Fresno County AL20 Zone District to the Clovis R-1-PRD Zone District.

Consider Approval, Res. 23-___, TM6205, A request to approve a vesting tentative tract map for a 605-lot single-family planned residential development subject to the City Council's approval of the annexation and sphere of influence expansion.

Consider Approval, Res. 23-___, PDP2021-004, A resolution recommending that the City Council approve a request to approve a planned development permit for a 605-lot single-family residential development.

Staff: George González, Senior Planner

Recommendation: Approve

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

ADJOURNMENT

MEETINGS & KEY ISSUES

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

December 14

January 25, 2024

February 22, 2024

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Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the City of Clovis Planning Division, located in the Planning and Development Services building, between 8:00 a.m. and 4:00 p.m. Monday through Friday. In addition, such writings and documents may be posted on the City's website at www.cityofclovis.com.

EXHIBIT B

PC Agenda Publication

marcus@dibuduo.com

From: noreply@municode.com
Sent: Saturday, November 11, 2023 10:14 AM
To: marcusdibuduo@sbcglobal.net
Subject: A New Meeting Document is Available from Clovis, CA

Categories: marcusdibuduo@sbcglobal.net

A new meeting document has been published by Clovis, CA.

Meeting: November 16, 2023 Planning Commission Meeting Agenda Document

Meeting Date & Time: 11/16/2023 6:00 PM

Document: Packet

To access the file, click [here](#).

Thank you!

You are receiving this notification because you have subscribed to Clovis, CA meeting updates. To unsubscribe, click [here](#) and complete the form.

marcus@dibuduo.com

From: noreply@municode.com
Sent: Saturday, November 11, 2023 10:13 AM
To: marcusdibuduo@sbcglobal.net
Subject: A New Meeting Document is Available from Clovis, CA

Categories: marcusdibuduo@sbcglobal.net

A new meeting document has been published by Clovis, CA.

Meeting: November 16, 2023 Planning Commission Meeting Agenda Document

Meeting Date & Time: 11/16/2023 6:00 PM

Document: Agenda

To access the file, click [here](#).

Thank you!

You are receiving this notification because you have subscribed to Clovis, CA meeting updates. To unsubscribe, click [here](#) and complete the form.

EXHIBIT C

Written Comments

September 16, 2023

Planning Commission
City of Clovis
1033 Fifth Street
Clovis, CA 93612

Re: Items associated with approximately 77 acres of land located at the northeast corner of Shepherd and N. Sunnyside Avenues

Dear Commissioners,

We are residents of Cole Ave. which is 1000 feet south of the proposed project and in an area known as the Dry Creek Preserve.

The Dry Creek Preserve is an important and sensitive location which will, in the future, be the connection between upscale North Clovis and historic Downtown Clovis. The City should be respectful to the impact City growth has on this area – an area which will, in all likelihood, be one of the only areas within the reach of the city that maintains a rural, agriculture lifestyle that many (erroneously believe) reflects the “Clovis Way of Life”. However, as discussed herein, the City has not sufficiently analyzed water, traffic, and annexation impacts of the project on the Dry Creek Preserve.

For the reasons stated herein, we are opposed to each of the following items set to be voted on during the November 16, 2023 meeting, each of which should fail to be adopted:

- Res. 23-__, A resolution of the City of Clovis Planning Commission recommending that the City Council: (1) Certify the Final Project Environmental Impact Report for the Shepherd North Project; (2) Adopt CEQA Findings of Fact and a Statement of Overriding Consideration; and (3) Adopt a Mitigation Monitoring and Reporting Program.
- Res. 23-__, GPA2021-006, A resolution recommending that the City Council approve a request to amend the circulation element of the General Plan to allow for the placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, between N. Sunnyside and N. Fowler Avenues.
- Res. 23-__, GPA2021-005, A resolution recommending that the City Council approve a request to amend the land use element of the General Plan for the Development Area (approximately 77 acres) from the Rural Residential land use designation to the Medium-High Density Residential land use designation.
- Res. 23-__, R2021-009, A resolution recommending that the City Council approve a request to prezone property within the Development Area (approximately 77 acres) of the Project site from the Fresno County AL20 Zone District to the Clovis R-1-PRD Zone District.
- Res. 23-__, TM6205, A request to approve a vesting tentative tract map for a 605-lot single-family planned residential development subject to the City Council’s approval of the annexation and sphere of influence expansion.

- Res. 23-___, PDP2021-004, A resolution recommending that the City Council approve a request to approve a planned development permit for a 605-lot single-family residential development.

Our opposition is based on our review of the following documents attached to Agenda Item 3 for the November 16, 2023 Meeting Packet: 1. Draft Resolution CEQA; 2. Draft Resolution GPA2021-006; 3. Draft Resolution GPA2021-005; 4. Draft Resolution R2021-009; 5. Draft Resolution TM6205; 6. Draft Resolution PDP2021-004; 7. Applicant's Justification for GPA2021-005 & GPA2021-006; 8. Applicant's Development Standards – Citrea; 9. Applicant's Development Standards – Elev8ions; 10. Applicant's Development Standards – Regent Park; 11. Floor & Elevation Plans – Citrea; 12. Floor & Elevation Plans – Elev8ions; 13. Floor & Elevation Plans – Regent Park; 14. Open Space & Park Exhibit; 15. Draft Project EIR – Volume I; 16. Draft Project EIR – Volume II; 17. Final EIR, including Comment Letters, Responses to Comment; Letters and Text Revisions to the Draft EIR; 18. Correspondence from Commenting Agencies; and 19. Findings in Support of Project Applications

Water

A Kenneth D. Schmidt and Associates' report from September 2023 entitled "Groundwater Conditions in the Vicinity of Proposed Tract 6205" addresses third party comments submitted during the review process, and importantly, disruption of recharge from rainfall.

The Schmidt Report states that there is south westerly flow of groundwater at the project site and that "[o]nly the north half of the project would appear to influence the groundwater in the rural residential area to the northwest." The report however does not address the impact of the proposed development (including not only loss of storm water but loss of recharge from pecan tree irrigation) on the rural residential areas to the east or south of the proposed project.

Harbour and Associates (2023) have estimated the project average storm water runoff to be about 40 acre-feet per year. The storm water from the proposed development is anticipated to be sent to a flood control basin about a mile north of the project site. However, nothing in the Final EIR or the Schmidt Report address whether 40 acre-feet of annual recharge at a basin site a mile north of the proposed project site would contribute positively to groundwater levels in the rural residential areas surrounding the project site (including north, south, and east of the project site) sufficient to offset the loss of recharge from rainfall.

An Indoor Residential Water Use Study, authored by the California Department of Water Resources, reports that the current statewide median indoor residential water use is 48 gallons per capita per day (or about 17,500 gallons per capita per year). 40 acre-feet of water is equivalent to about 13,000,000 gallons of water – enough for about 750 individuals per year. This is a significant amount of water.

It is estimated that there are 500 rural residential properties within a mile of the proposed development. Nearly half of these residences are in the Dry Creek Preserve, the unincorporated area to the south of the proposed project. Half of the Dry Creek Preserve is southwest of the proposed project – the same direction with the Schmidt Report stated the groundwater flows.

Because the impact to groundwater irrigation and the proposed mediation has not adequately addressed the Dry Creek Preserve, the Final EIR is deficient and should not be accepted. For the same reasons, the project should not be approved.

Traffic

As the City is well aware, traffic on Sunnyside Ave. within the Dry Creek Preserve ("Rural Sunnyside Ave.") is and will continue to become a significant issue as the City expands north of Shepherd. Rural Sunnyside Ave. is a two lane, double striped "no-passing" road that spans about one mile and is only about 24 feet wide. Within this one-mile stretch there are approximately 35 fronting residences and approximately 70 points of entry/exit onto Rural Sunnyside Ave. (including paved and unpaved driveways and access roads, transitions to arterial and adjacent streets).

Rural Sunnyside Ave. is a rural road in a rural environment. There are no streetlights. Several areas have mature trees or bushes which interfere with unobstructed line of sight. There is significant wildlife activity in the area which cross the road (Rural Sunnyside Ave. bisects the Dry Creek Preserve between the Dry Creek Canal and open space within the Dry Creek Preserve). Because there are no bike lanes or sidewalks cyclists and pedestrians share the roadway with the vehicles. Agricultural vehicles (including tractors, harvesting equipment, trailers, equine carriers, and the like) frequently utilize this road alongside "typical" roadway vehicles which may be passing through (including commuters, transport vehicles, construction vehicles, school busses, and waste disposal vehicles). All these factors and more require heightened awareness while driving this stretch... especially at night.

Waste collection vehicles, when collecting from the properties adjacent to Rural Sunnyside Ave., cannot pull off the roadway and instead stop in the lane (noting that stand alone and roll-off-type waste containers are placed just outside of the paved roadway to facilitate pickup). During their pickup from each residence along Rural Sunnyside Ave. the waste collection vehicles impede the flow of traffic while the waste containers are positioned, emptied, and re-positioned. Each stop, much less the cumulative impact of sequential stops along Rural Sunnyside Ave., causes a significant backup. This is especially true since the entire stretch of Rural Sunnyside Ave. is "no passing" – meaning all traffic is queued behind the waste collection vehicle while it completes the street pickup.

Similarly, school busses must stop in the roadway on Rural Sunnyside Ave. and impede the flow of traffic. Bus drivers may occasionally need to exit the bus to escort children across the roadway. In some cases, children are picked up at the bus stop by their parents who must also stop along the roadway. The alternative for those that are not picked up by their parents, is to undertake a dangerous walk along Rural Sunnyside Ave. It is especially dangerous due to the fact that there are no sidewalks, and in many places no dirt or gravel path, adjacent to Rural Sunnyside Ave.'s roadway.

There are numerous other examples of common conditions on Rural Sunnyside Ave. that make it uniquely more dangerous and deserving of attention. Long equine carries may need to reverse down portions of Rural Sunnyside Ave. as they back into their property. Oversized agricultural equipment may travel at a slow pace and significantly queue traffic that is unable to pass. During harvest time, agricultural vehicles, such as pecan shakers, sweepers, and harvesters, along with the harvesting crew, utilize Rural Sunnyside Ave. to move the slow oversized equipment from one orchard to another. Cyclists - that can only travel in roadway – either cause queued traffic behind them, or create a great risk of frustrated vehicles illegally overtaking them.

As shown above, Rural Sunnyside Ave. has unique traffic related concerns. This is unfortunate since it, along with Fowler Ave., is an important --- if not the most important --- route between the proposed project and any location in Clovis or Fresno that is south of Nees Ave. When Rural Sunnyside Ave. crosses

Nees Ave. it turns into the City's Sunnyside Ave. At this magical intersection Sunnyside Ave. transforms from a 24-foot wide, two lane, unlit road without a sidewalk to a 64-foot wide, four lane, lit road with a sidewalk. Unfortunately, however, neither the Draft EIR, the Final EIR, nor the traffic studies consider Rural Sunnyside Ave. to be anything other than a regular City road, though each admit the proposed project would significantly impact it.

The Final EIR addresses comments that were received regarding the Draft EIR. Master Response 7 (Traffic generation), Master Response 8 (Traffic Volume), Master Response 9 (Pedestrian and Cyclist Traffic), and Master Response 10 (Traffic calming/Improvements) states that the improvements identified in the traffic study --- sidewalks, curb and gutter along Sunnyside Avenue along the project frontage --- would help alleviate traffic congestion and safety issues within the project vicinity.

If these statements (or any other statement) is false, the Final EIR is untrustworthy. If these statements is true, then the Final EIR either (i) treats Sunnyside Ave. between Sheperd Ave. and Nees Ave. as not in the "vicinity" of the proposed project or (ii) fails to analyze the impact of the proposed project other than any particular impact which may be mitigated by the suggested improvements (i.e., it only finds impact to those matters which may be offset by signalization of Sunnyside/Shepherd and Sunnyside/Nees intersections. In any event, the presence of this statement underlies flaws in the Final EIR.

The responses further double down on the bizarre assertion that sidewalks north of Shepherd Ave. somehow mitigate impact south of Shepherd Ave. One of the comments to the Draft EIR was a letter from Norman D Morrison, dated September 4, 2023 and entitled "Comments in Opposition to/regarding Shepherd North Draft EIR E202310000202" ("Morrison Letter"). The Morrison Letter indicated deficiencies in adequately analyzing traffic impacts or identify mitigation measures on Sunnyside Avenue between Shepherd and Nees within the Dry Creek Preserve. Mr. Morrison is a resident on Rural Sunnyside Ave.

Rather than analyzing Mr. Morrison's comment along the situs of which it referred (i.e., Rural Sunnyside Ave.), Response R-4 again simply states "[t]he improvements proposed in the study would help address the traffic congestion issues.... within the project vicinity", and again touts the benefits of the improvements along the project frontage without identifying how such improvements would at all mitigate the impact on Rural Sunnyside Ave.

Whether these statements are false or at best misleading, they render the Final EIR unfit for acceptance. For the same reasons, the project should not be approved. The devil and deficiencies here are in the details: much like addressed above with respect to water, the Final EIR appears to not significantly address the impacts on traffic in the Dry Creek Preserve, and importantly, Rural Sunnyside Ave.

Sheperd Ave. Access Point

The project proposes an access point along Sheperd Ave. about 1000' east of the intersection of Sunnyside/Shepherd. Unlike the ill-advised access point to Heritage Grove permitted between the intersections of Sunnyside/Shepherd and Clovis/Shepherd, this stretch of Shepherd Ave. between the proposed access point and the intersection of Fowler/Shepherd is one lane in each direction. Rather than requiring the applicant to dedicate enough property to substantially convert Shepherd Ave. between Sunnyside Ave. and Fowler Ave. into four travel lanes (which would align with Shepherd Ave. east and west

of the project), the City apparently is committed to this stretch in a major arterial in North Clovis being a permanent pinch point. Because it will apparently remain a single lane from Fowler Ave. to Sunnyside Ave., any impediment to the flow of traffic appurtenant to the project along Shepherd Av. should be avoided. The City should not amend the circulation element of the General Plan to allow the Access Point as doing so would further congest an already congested stretch of Shepherd Ave.

Annexation

While the Draft EIR and Final EIR briefly address potential annexation issues to properties north of Shepherd Ave., it doesn't address a bigger concern for the City – annexation of properties in the Dry Creek Preserve south of Shepherd Ave.

Several people provided comments about annexation. Although it doesn't appear that any of these comments were directed to possible annexation of properties within the Dry Creek Preserve, it bears reminding that unconsented annexation of any property within the Dry Creek Preserve will significantly impact the proposed project and the City and its resources. The City should be reminded that most residents of the Dry Creek Preserve do and will object to annexation. Many of those which may choose to not formally object to annexation have executed annexation agreements which relieve them of many obligations and perceived benefits of being in the City.

Should the proposed project trigger annexation proceedings on property in the Dry Creek Preserve, the City and applicant should expect significant delays to final project approval.

The Final EIR should not be accepted since it fails to address the potential of the project to impact the potential for annexation in the "vicinity" anywhere south of the proposed project boundaries. For the same reasons, the project should not be approved. Should the City, however, accept the Final EIR, it should condition approval of the project on no property south of Shepherd Ave. being the subject of annexation proceedings.

Conclusion

The Final EIR is woefully deficient with respect to analyzing the impact of the proposed project and proposing mitigation measures therefor in the "vicinity" of the project: the impact to groundwater south of Shepherd; the impact to all traffic concerns on Sunnyside Ave. between Shepherd Ave. and Nees Ave.; and the potential for annexation of any property in the Dry Creek Preserve. As such, the Final EIR should not be accepted, and the project should not be approved. None of the resolutions should be passed.

Respectfully,

Marcus and Amy DiBuduo

EXHIBIT D

Notification of Untimeliness

(exhibits removed)



AGENDA ITEM NO: 3

CITY of CLOVIS

MEMO TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: November 16, 2023

SUBJECT: Consider items associated with approximately 77 acres of land located at the northeast corner of Shepherd and N. Sunnyside Avenues. Great Bigland, LP., owner/ applicant; Harbour and Associates, representative.

- a) Consider Approval, Res. 23-__, A resolution of the City of Clovis Planning Commission recommending that the City Council: (1) Certify the Final Project Environmental Impact Report for the Shepherd North Project; (2) Adopt CEQA Findings of Fact and a Statement of Overriding Consideration; and (3) Adopt a Mitigation Monitoring and Reporting Program.
- b) Consider Approval, Res. 23-__, GPA2021-006, A resolution recommending that the City Council approve a request to amend the circulation element of the General Plan to allow for the placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, between N. Sunnyside and N. Fowler Avenues.
- c) Consider Approval, Res. 23-__, GPA2021-005, A resolution recommending that the City Council approve a request to amend the land use element of the General Plan for the Development Area (approximately 77 acres) from the Rural Residential land use designation to the Medium-High Density Residential land use designation.
- d) Consider Approval, Res. 23-__, R2021-009, A resolution recommending that the City Council approve a request to prezone property within the Development Area (approximately 77 acres) of the Project site from the Fresno County AL20 Zone District to the Clovis R-1-PRD Zone District.
- e) Consider Approval, Res. 23-__, TM6205, A request to approve a vesting tentative tract map for a 605-lot single-family planned

residential development subject to the City Council's approval of the annexation and sphere of influence expansion.

- f) Consider Approval, Res. 23-___, PDP2021-004, A resolution recommending that the City Council approve a request to approve a planned development permit for a 605-lot single-family residential development.

ATTACHMENTS:

- 1. Comment Letter – DiBuduo
- 2. Comment Letter – Wilson Homes
- 3. Comment Letter – Quail Run Community
- 4. Comment Letter – Remy Moose Manley
- 5. Comment Letter – Dean & Valerie Uhrig
- 6. Comment Letter – Lewis S. Smith
- 7. Comment Letter – Patrick Quigley
- 8. Comment Letter – Fresno Irrigation District
- 9. Comment Letter – Jared Callister

ADDITIONAL COMMENTS

Planning staff has received additional comment letters for the proposed Shepherd North Project being considered by the Planning Commission this evening. Nine comment letters are attached for the Commission's review and consideration. It's important to note that these letters are considered "late" comments pursuant to CMC 9.96.010.

Clovis City Council and members of the community,

My name is Tobie Galetti-Anderson and I'm from Paso Robles California. I am not an active member of your community, but I have been coming to the area all my life. I have reviewed the city council's goals and vision for your city; "A city that is committed to the Clovis community family, their needs, their values and a quality way of life for all; reflecting that commitment in how it develops and in the activities it undertakes."

As I stand before you today I am asking the city council members to investigate further into RV Liquidation Center. (Also known as; RV'S-4-LESS, INC.) As I believe they are/were doing business illegally in your community. As a board you investigate these common code problems: Unlicensed vendors, illegal signage, and construction without permits. That being stated let me briefly tell you our story and issues.

My husband and I this past November 2022, we're in the market for a new RV or trailer that was going to be our permanent home. We drove over on a Sunday that we scheduled with Danielle Sullins via phone, to meet her salesman DJ Dupont at RV Liquidation Center, located at 984 W. Shaw Ave. Clovis Ca 93612. In the days following that initial appointment, between emails and phone conversations we decided to get prequalified for a trailer that we had not looked at in person. We put down a \$2000-deposit on a credit card to hold the trailer. We then scheduled a time to do a PDI inspection and walkthrough of the trailer on November 26, 2022. Upon arrival, the finance manager, Danielle Sullins never showed up to do the walkthrough or change the information on a few of the forms she filled out wrong and possibly complete the purchase of the trailer. We asked the salesman to contact her, we asked the mechanic Scott to call her, we text and called. She did eventually call my phone when we went to lunch, from an unfamiliar number and said she would meet us at the dealership to do a walkthrough with us and discuss the multiple issues. She came to the dealership while we were at lunch and had Scott the mechanic close and lock up trailer and she left before we got back. Scott also disclosed to us that the trailer never had the initial PDI inspection upon arrival at their dealership, and he thought that they had used that trailer for an event/rental. The trailer itself wasn't new as it was described on their website, by DJ Dupont (the salesman) or Danielle Sullins as we were dealing with both via phone and emails. So many things were not right about trailer, the dealership, and the staff. We told the salesman we do not want the trailer. We knew something was very suspicious after what we had just experienced. And because Danielle never showed in person, we also sent a text message on Sunday November 27, 2022 stating we didn't want to purchase the trailer. On November 28, 2023, we went directly to

the Credit Union, and found out that she pushed the paperwork through on a trailer loan under my husband's name. We have been paying for this trailer loan at the Credit Union for over year now, on a trailer we have never had possession of, on a trailer we didn't want, in order to keep our credit in good standing. The dealership still has possession of the trailer. After further inspection of the bank documents, we realized the bank forms have two different names. (If you look at the copy I provided you, the business registration and tax certificate show Danielle Kuehne as an owner of RVS-4-LESS, INC. located at 984 W. Shaw Ave. Clovis Ca 93612.) And that name is what appears to be signed on the bank documents. Not Danielle Sullins, of whom we were dealing with at RV Liquidation Center.

Danielle also submitted 36 line items for warranty repair on November 30, 2022, to Forrest River service department, longest line item list service person had ever seen. I never agreed to or signed any paperwork asking to have the trailer fixed, as I did not want to purchase the trailer it was not new. (Please see copy provided.)

Danielle sent in the warranty line items under, RV'S-4-LESS,INC. Not RV Liquidation Center? (Please see copy provided.)

Our lawyer sent a certified letter in December 2022, and asked that all future correspondence go through him and his office. We were unable to decide on an arbitrator for months, so now we are in the process of filling a lawsuit against RV Liquidation Center.

We have also contacted the DMV via phone on three separate occasions and have had email communication. I sent in a form asking for information about RV Liquidation Center. (Please see copy provided) At the time of the fraudulent sale in November of 2022, you can see that the DMV occupational License wasn't valid for RV Liquidation Center, but it was valid for RV's -4-LESS INC. The DMV said the prior business, RV's 4 LESS, Inc officially closed on 12/21/2021, but their occupational license was valid until 4/30/2023. RV and trailer sales businesses are only allowed to sell under one occupational license number for each business name. You have to have an occupational license for each business separately . The official copy from the DMV I provided to you all show's the start date for RV Liquidation Center is 4/30/2023. And it just so happens that Danielle appears to have waited until that date to submit the DMV paperwork. My husband received the DMV license plate in the mail directly from the dealership on 05/02/2023 for the trailer. (Please see copy provided.) A license plate...6months later? As I stated earlier my husband did not sign DMV paperwork because we didn't want to purchase the trailer. We now also have to file a fraud report with the DMV.

After researching the codes for the city of Clovis, it seems very clear to me that RV Liquidation Center is/was doing business illegally in your city. They did not hold an active business license or tax certificate for 2022. (Please see copy provided.) RV Liquidation Center was/is in violation of several municipal codes. (Illegal signage, no not getting an active tax certificate, no legal permits to remodel the interior of the building and more) Both salesmen had stated they just remodeled the interior of the building in 2022, located at; 984 W. Shaw Ave. Clovis Ca 93612.

Today if you look online at the webpage for RV Liquidation Center, they have now moved to; 14334 Hwy. 41 Madera, CA 93636. Look closely at the top of the banner, it still shows the name Clovis in the writing. (Please see copy provided.) I also researched that address and contacted the Madera County Clerk Recorders office who sent me a copy of the Fictitious business statement and it shows RV'S-4-LESS, Inc. as the last business to be at that address. Does anyone else see the connection? Please also look at the email addresses , they are the same rvsic.com. The phone numbers are also very close. Somehow they have been able to do business under a new name without the proper fictitious business filing or DBA, as legally stated by law for any corporation in California. I just recently found a few days ago on the Secretary Of State website the only legal connection to both of these businesses. A UCC 1 financing statement that was filed on December 22, 2022. (Please see copy provided.)

I found nothing prior to that connecting both companies.....except that now both businesses are trying to do the same thing in Madera.

It is my expectation that the city council will investigate further into the above business and address, and do whatever is legal and necessary to not allow for this situation to happen to anyone else that comes to your city in the future. Your very kind and helpful staff, Diana Belden, Karey Cha, and Rebecca Simonian have been efficient and helpful in sending over documents and responding to all my emails over this past year. Thank you all very much. We believe that RV Liquidation was/is in violation of the following municipal codes:

1. Municipal Code: 9.34.090. General Provisions for all Signs

The last sign permit on record was: #05-4528. That permit was issued for CLOVIS RV on September 23, 2005. As of today I haven't been made aware of or viewed any other records ever legally changing the name of the business at 984 W. Shaw Ave. Clovis 93612, since that date. (Please see copy provided.)

2. Municipal Codes:

- 9.34.100. Standards for specific types of signs.
- 9.34.110. Sign variances, minor adjustments , and revocation.
- 9.34.130. Non residential sign standards.
- 9.34.030. Definitions (see also deviation 8 of the title.

3. Municipal Code: 3.1.105 Contents of Tax Certificates

- a.) The name of the person to whom the tax certificate is issued.
- b.) The business registered.
- c.) The place where such business is to be carried out .
- d.) The date of the expiration of such tax certificate.
- e.) And such other information as the finance shall determine.

4.) Municipal Code: 3.1.110.1. Audits

“In the administration of this chapter, the finance department may require any person, as an applicant or past or present tax certificate holder to produce for inspection and review all material and relevant books, records, documents, returns, and other information reasonably necessary to validate and/or substantiate any information supplied to the City or required to be supplied to the City or its agents for review; provide or however, confidentiality shall be maintained pursuant to section 3.1.111.”

5.) Municipal Code: 3.1.120. Inspectors: Powers and Duties.

6.) Municipal Code: 3.1.201. Fees: Enumerated: Annual adjustments.

7.) Municipal Code: 3.1.204. Automotive Dealers.

8.) Municipal Code: 3.1.206. Business and personal service.

“Every person engaged in the business of selling or leasing new or used motor vehicles at retail shall pay a registration fee for each thousand dollars of gross receipts as specified in section 3.1.201.”

If the above code is correct, then as a board how can you possibly know how much they have sold legally or reported in gross receipts?

9.) Municipal Code: 3.1.124. Examination of books, records , and witnesses: Information confidential: Penalties.

10.) Remodel the interior of the building Municipal Codes.

- a.) Municipal Code 8.1.01. Uniform Administrative code adopted .
- b.) Municipal Code: 8.1.02. Adoption of California business code.
- c.) Section 309.1. Use or occupancy.
- d.) Section 309.3. Certificate Issued.

Please check any additional codes that may be applicable to the above business and address. As we were just recently made aware of permit number: BD-DEMO-23-03030

The type of permit was; Demolition-Structure. Applied on 07/10/2023. Finalized on 08/16/2023.

The description on the permit stated; Demo old RV dealership.

The public information available is very unclear like a lot of information about either of these two business. (Please see copy provided)

It is my expectation and understanding that this governing body will uphold the standards that maintain the integrity of the City of Clovis. In doing so, it protects its residents, businesses, and visitors. Thank you all for your time and swift action.



CITY OF CLOVIS
Business Registration Department
1033 Fifth Street • Clovis, CA 93612
(559) 324-2112

BUSINESS REGISTRATION AND TAX CERTIFICATE VERIFICATION

DBA: RVS-4-LESS, INC

Business Name:

Location Address: 984 W SHAW AVE
CLOVIS, CA 93612-3202

Mail Attention:

Mailing Address: 984 W SHAW AVE
CLOVIS, CA 93612-3202

Phone: (559) 291-7848

Ownership: Corporation

Account No.: BL10123354

Tax Certificate Issued: 1/1/2022

Business Status: Active

Start Date: 05/07/2018

Location: Inside

Rate Type (STD): Automotive Dealers

Tax Certificate No: BL10123354

Tax Certificate Expires: 12/31/2022

Tax Certificate Status: Pending

Close Date:

Location Type: Commercial

Business Type: rv sales, service, parts, rentals

NAIC Description: Recreational Vehicle Dealers

SIC Description: Recreational Vehicle Dealers

Owner: DAN KUEHNE

Owner: DANIELLE KUEHNE

TITLE: CEO

TITLE: CFO

"The RVs are for less, The memories are for life."



CALL OR TEXT TODAY

559-291-7848

Book A Rental Now!

CLASS A



CONTACT US

MADERA, CA

14334 hwy 41,

Madera, CA 93636

ocal: 559-291-7848

MAP & HOURS

MAIL US

SALES & RENTALS

Monday 8:30AM - 5:30PM

Tuesday 8:30AM - 5:30PM

Wednesday 8:30AM - 5:30PM

Thursday 8:30AM - 5:30PM

Friday 8:30AM - 5:30PM

Saturday 8:30AM - 5:30PM

Sunday Closed

SERVICE HOURS

Monday 8:30AM - 4:30PM

Tuesday 8:30AM - 4:30PM

Wednesday 8:30AM - 4:30PM

Thursday 8:30AM - 4:30PM

Friday 8:30AM - 4:30PM

Saturday Closed

Sunday Closed



Text Us!

Forrest River Service Department

(260) 499-2100

November 30th, 2022 @7:32am: Spoke to Kelly from the service department and asked if anything was submitted from RV Liquidation Center in regards to the 3770 Suite Arctic Wolf trailer. She said yes, this was the biggest claim she had ever seen in her 4 years of working in the service department on a new trailer. The claims Danielle sent in were as follows:

*Three separate warranty claims were sent in totaling 36 lines of work that needed to be performed:

Claim 1.)

- a.) Cabinet door hinge or latch
- b.) Slide out facia.
- c.) Ceiling panel and wall panels -X's 3
- d.) Interior door jamb
- e.) Interior trim or molding
- f.) Compartment door gasket
- g.) Porch light
- h.) Lower Radis medal, gapes in both sides of J-Wrap, screws won't secure down to tighten.

Claim 2.)

- a.) Wall panels -X's 5
- b.) Day/night roller shade
- c.) Slide out corner block.
- d.) Entry door
- e.) Hinged passage door.
- f.) Drawer glides/tracks
- g.) Ceiling panel
- h.) Ceiling battens

Claim 3.)

- a.) Wall panels**
- b.) Paint any entry compartment door.**
- c.) Bumper to Weld in 2 locations**
- d.) Metal aluminum siding pushing into siding, causing dent.**
- e.) Kitchen countertop**
- f.) Flip or storage kick board**
- g.) Interior trim/molding**
- h.) Entry door weather stripping**

***December 2, 2022: Also spoke to Manager Morgan Blankenship who gave us more information as to the details of the trailer leaving the plant. (Who also stated this was the biggest claim she had ever seen in her 6yrs. Of working at the warranty department.)**

The trailer was built on June 20th, 2022, and shipped on July 20th, 2022. The dealership is supposed to scan in the dealer acceptance form when the trailer arrives, but she had no date or information as to when the dealership accepted the trailer. They also have no record of the PDI dealership form, which confirms their employee Scott telling us that they never had the initial PDI inspection on arrival, and that's why he instructed Tai to sign the PDI paperwork that did not have the PDI Inspectors signatures on it, or any employee from the dealership.

From: Elizabeth Noble enoble@forestriverinc.com
Subject: 5ZT3CK3B9N0714955
Date: Nov 28, 2023 at 11:15:11 AM
To: tobielee22@gmail.com

Good Afternoon!

I was able to pull up your VIN in our system, and it appears that all of the claims filed for this unit was filed under the dealership:

***RVS 4 LESS INC
984 W SHAW AVE
CLOVIS, CA 93612***

Thank You.

Elizabeth Noble

Forest River Cherokee

Owner Relations

enoble@forestriverinc.com

[260.499.2100](tel:260.499.2100)

[Click here or scan the QR code below, for helpful tips, tricks, atools!](#)



DMV LICENSING AND COMPLIANCE- PHONE CALLS AND INFORMATION

(916) 229-3154

1-6-2023. Spoke to Alyssa Felipe @9:38am

She stated that RV Liquidation Center @ 984 W. Shaw Ave. Clovis Ca 93612 does not have a current occupational License with the CA DMV. The prior business, listed at the same address is called RV'S-4-LESS, Inc. of which closed on 12-21-2021. The occupational license for RV'S-4-LESS is considered active until 4-2023. However, the prior occupational license DOES NOT transfer to a new business at the same business location.

She could not find sellers permits for Danielle Sullins or DJ Dupont listed under either business name.

1-23-2023. @8:15am. Spoke to Miriam. No occupational license on file for RV Liquidation Center.

1-23-2023. @4:15pm. No occupational license on file for RV Liquidation Center. The only thing on file for 984 W. Shaw Ave. Clovis Ca is under RV'S-4-LESS Inc. valid until 4-30-2023. License does not carry over to a new business.

3-28-2023. @3:34pm Shadona said that their is no occupational license on file for RV Liquidation Center. She spoke to upper management and filed a claim. They should respond within 24-72hrs.

8-7-2023. Received official letter from DMV. It shows that RV Liquidation Center didn't have a valid occupational sales license until 4-30-2023. (Please see copy provided)



Business License

RVS 4 LESS INC - Dealer[License Overview](#)[Send Stickers](#)[Clone](#)

Period Start

Period End

Status

4/12/2011, 1:00 AM

4/30/2025, 1:00 AM

Active

Details[Related](#)[Temporary License](#)[Activity](#)

▼ Information

Name RVS 4 LESS INC - Dealer

OL License Number 48561

Regulatory Authorization Type [New Vehicle Dealer](#)License Application Type [Business License Application](#)

Email License Type New Vehicle Dealer

Contact

Business License Application Name

Individual Application Name

Contact Email

Query Email Address OLOPS@dmv.ca.gov

Period End Formatted 20250430

AB85 Sales Tax

Organization

[RV LIQUIDATION CENTER - Dealer](#)

Total License Plate Generated

Status

Active

Administrative Case Status

None

IsActive

✓

Current License Period Start [4/30/2023, 1:00 AM](#)
Date

Period Start

4/12/2011, 1:00 AM

Period End

4/30/2025, 1:00 AM

ETP Revocation Date

Reinstatement Eligible Until

Cancelled Date

Certificate Order End Date

State of California

DEPARTMENT OF MOTOR VEHICLES

hereby certify that the document to which this is affixed is a true copy of the records of the Department of Motor Vehicles
Motor Vehicles File No. _____

Date _____ Signed _____

In accordance with Section 1813.CVC, the above employee of the Department of Motor Vehicles has been authorized to prepare under seal and certify copies of records of this Department



MERCHANDISE
DEPARTMENT OF MOTOR VEHICLES
P.O. BOX 942869
SACRAMENTO, CA 94269-0001

**FIRST CLASS MAIL
ENCLOSED**

JRN SERVICE REQUESTED

OPEN HERE FIRST

**Remove the certificate from this pocket
and check the number on the enclosed
plate. If the numbers do not match, contact
the Department of Motor Vehicles.**

*Remueva el certificado de este sobre y revise el número con
la placa incluida. Si no concuerdan los números, comuníquese
con el Departamento de Vehículos Motorizados.*



RV LIQUIDATION CENTER
984 W SHAW AVE
CLOVIS CA 93636-

PS LIGHTWEIGHT
U.S. POSTAGE PAID
MVSC
eVS

ADDRESS SERVICE REQUESTED

ANDERSON TAI
PO BOX 2959
PASO ROBLES CA 93447-2959

5/2

USPS TRACKING # eVS



9274 8901 4144 2160 4836 96

12060174-1PC7993-W0481499



CITY OF CLOVIS PERMIT



Permit No: 05-4528

Type: Sign, Work Class: New Commercial Sign

Status: Finaled Issue Date: 9/26/2005 Final Date: 10/20/2005 Expire Date: 3/25/2006

Inspections may be scheduled online or over the phone:

- Visit **css.cityofclovis.com**, until midnight the DAY BEFORE requested date.
- Call the following numbers, until 4:00 PM the DAY BEFORE the requested date.
 - **BLD** - Building Inspections - https://css.cityofclovis.com/energov_prod/selfservice/#/home
 - **ENG** - Engineering inspections - (559) 324-2370.
 - **FIRE** - Fire inspections - (559) 324-2278.

Permit Information

Main Address:
984 W SHAW AVE.

Project:

Total Valuation: \$2,600.00

Legal Description:

Parcel:

GIS Location:

Description:

INSTALL (1) ONE SET OF 24" x 16' INTERNALLY ILLUMINATED PAN CHANNEL LETTERS "CLOVIS RV"

Contacts

Company Name

First Name

Last Name

Business:

Home:

Mobile:

Inspections			
Initials	Date	Initials	Date

This permit becomes null and void if work or construction authorized is not started within 180 days, or if construction or work is suspended or abandoned for a period of 180 days (failure to pass a required inspection every 180 days will constitute abandonment of work) any time after work is commenced. Failure to request progress inspections and pass in any 180 day period is evidence that work has been abandoned.

I have read and understand the business license requirements of the City and agree to abide by them.

I hereby agree to save, indemnify and hold harmless the city of Clovis or its officers, employees and agents against all liabilities, judgements, costs and expenses which may in any way accrue against the City of Clovis in consequences of this permit, and will in all things strictly comply with the conditions of the permit, regulations and ordinances of the City of Clovis and the laws of the State of California.

I certify that I have read this permit application and state that the above information is true and correct. I hereby authorize representatives of this City to enter upon the above-mentioned property for inspection. I agree to comply with all City ordinances and State laws relating to building construction.

Signature:

Date: 9/23/2005 12:00:00AM

Fees Paid

Invoice Number: 05-4528

Payment Type: Cash

Receipt Date: 09/26/2005

Receipt Number: 0

Fee Name

Amount

1030 Plan check fee 65% of permit fee & issuance

\$25.03

3000 Permit Issuance

\$15.00

1010 Information Maintenance Service (IMS)

\$5.00

1000 Building Permit Issuance

\$38.50

3220 Sign/Marquee/Lighting - Additional Circuit

\$15.00

8010 Document Management System (Number of sheets)

\$3.00

9100 Residential Strong Motion Instrumentation Fee

\$0.55

Invoice Fees Paid: \$102.08

Total Permit Fees: \$102.08



U220254081522



STATE OF CALIFORNIA
Office of the Secretary of State
UCC FINANCING STATEMENT (UCC 1)
California Secretary of State
1500 11th Street
Sacramento, California 95814
(916) 653-3516

For Office Use Only

-FILED-

File No.: U220254081522

Date Filed: 12/22/2022

B1343-4643 12/22/2022 3:17 PM Received by California Secretary of State

Submitter Information:

Contact Name	WOLTERS KLUWER LIEN SOLUTIONS
Organization Name	LIEN SOLUTIONS
Phone Number	800-331-3282
Email Address	uccfilingreturn@wolterskluwer.com
Address	P.O. BOX 29071 GLENDALE, CA 912099071

Debtor Information:

Debtor Name	Mailing Address
RV'S-4-LESS, INC.	984 W SHAW AVE CLOVIS, CA 93612
RV LIQUIDATION CENTER	984 W SHAW AVE CLOVIS, CA 93612

Secured Party Information:

Secured Party Name	Mailing Address
BAYFIRST NATIONAL BANK, A NATIONAL BANKING ASSOCIATION	700 CENTRAL AVENUE ST. PETERSBURG, FL 33701

Indicate how documentation of Collateral is provided:

Entered as Text

Description:

All present and future right, title and interest in and to any and all personal property of the Debtor, whether such property is now existing or hereafter created, acquired or arising and wherever located from time to time, including without limitation, the following categories of property: goods (including inventory, equipment, fixtures, farm products and any accessions thereto), instruments (including promissory notes), documents, accounts (including health-care-insurance receivables), chattel paper (whether tangible or electronic), deposit accounts, letter-of-credit rights (whether or not the letter-of-credit is evidenced by a writing), commercial tort claims, securities and all other investment property, general intangibles (including payment intangibles and software), all supporting obligations and all proceeds, products, additions, accessions, substitutions and replacements of the foregoing property. Any term used herein is as defined by the Uniform Commercial Code and further as modified or amended by the laws of the jurisdiction which governs this transaction. This financing statement covers, and is intended to cover, all personal property of the Debtor.

Indicate if Collateral is held in a Trust or is being administered by a Decedent's Personal Representative:

Not Applicable

Select an alternate Financing Statement type:

Select an additional alternate Financing Statement type:

Select an alternative Debtor/Secured Party designation for this Financing Statement:

Optional Filer Reference Information:

90550222



CITY of CLOVIS

Good Evening, Guest

Citizen Self Service Portal



Permit Number: BD-DEMO-23-03030

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Type: Demolition - Structure

Status: Finaled

^ (.multi-collapse)

Project Name: SPR 2020-010

Applied Date: 07/10/2023

Issue Date: 07/10/2023

District: City of Clovis

Assigned To: Newton, Jesse

Expire Date: 02/12/2024

Finalized Date: 08/16/2023

Description: Demo old RV dealership

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[Sub-Records](#)

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Locations

Sort Main