

CLOVIS CITY COUNCIL MEETING

August 21, 2023

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Ashbeck at 6:01.
Flag Salute led by Councilmember Mouanoutoua

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

PUBLIC COMMENTS – 6:02

None.

CONSENT CALENDAR – 6:04

Motion by Councilmember Mouanoutoua, seconded by Councilmember Pearce, that the items on the Consent Calendar be approved. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

1. Administration - Approved - Minutes from the August 7, 2023, Council Meeting.
2. Administration – Approved – Amending the Community Development Block Grant – Coronavirus (CDBG-CV) funded Utilities Assistance Program, for low-income residents, to allow for up to an additional five months of assistance subsequent to any initial assistance provided, as allowed by federal regulations.
3. Finance- Approved – **Res. 23-71**, Approving the submittal of the 2023-2024 Transportation Funding Claim to the Fresno Council of Governments.
4. General Services - Approved - Selection of Janitorial Supplies Vendor Imperial Bag & Paper Co. Doing Business As Imperial Dade, and Authorize the City Manager to Execute the Agreement.
5. General Services – Approved - Claim Rejection of the General Liability Claim for Sammy Olague.
6. General Services – Approved – **Res. 23-72**, Approving a Side Letter Agreement with Clovis Public Works Employees Association to Clarify Paid Holidays Eligible for Cash Out within the CPWEA MOU; and Authorizing the City Manager to Execute the Agreement.
7. General Services – Approved – **Res. 23-73**, Authorizing the Execution of the Certifications and Assurances for the FY 2023-24 California State Transit Assistance State of Good Repair Program.
8. Planning and Development Services – Approved – **Res. 23-74**, A resolution supporting and implementing the “Timely Use of Funding” as required by Assembly Bill 1012 for Candidates 2023-24 Federal Transportation Act, FAST Act Projects.
9. Planning and Development Services – Approved – Final Acceptance for CIP 23-01 Rubberized Cape Seal 2023.
10. Planning and Development Services – Approved – Final Acceptance for CIP 21-13 Alley Improvements.

11. Planning and Development Services – Approved – Final Acceptance for Final Map for Tract 6377, located at the southeast area of Leonard Avenue and Shaw Avenue (DYP 6377, LP (De Young Properties)).
12. Planning and Development Services – Approved – **Res. 23-75**, a request authorizing the City Manager to execute an amendment to a previously executed consultant agreement between the City of Clovis and Ascent Environmental, Inc. for the preparation of the Housing Element update and related services.
13. Police - Approved - **Res. 23-76**, Authorizing the Police Chief and the Police Department to execute the 2023-2024 Department of Alcoholic Beverage Control Alcohol Policing Partnership grant agreement and amend the Police Department budget to reflect the award of \$60,000.00.

PUBLIC HEARINGS – 6:05

6:05 ITEM 14 - APPROVED VARIOUS AMENDMENTS TO THE CITY OF CLOVIS MUNICIPAL CODE RELATED TO CODE ENFORCEMENT, AND RECEIVE UPDATE ON CITY OF CLOVIS CODE ENFORCEMENT TEAM:

Dave Raul, resident, shared concerns regarding adding section 5.27.512 (personal property in public right-of-way) as a backdoor measure to address homelessness.

14A. APPROVED INTRODUCTION - ORD. 23-06, AMENDING SECTION 5.22.07 OF THE CITY OF CLOVIS MUNICIPAL CODE RELATING TO THE MARIJUANA PENALTIES AND ENFORCEMENT.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

14B. APPROVED INTRODUCTION - ORD. 23-07, AMENDING SECTION 6.3.13, OF CHAPTER 6.3, OF TITLE 6, OF THE CITY OF CLOVIS MUNICIPAL CODE RELATING TO THE UNLAWFUL DUMPING OF GARBAGE.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

C. APPROVED INTRODUCTION - ORD. 23-08, ADDING SECTION 5.27.512 TO TITLE 5 OF THE CITY OF CLOVIS MUNICIPAL CODE RELATING TO THE STORING, MAINTAINING, OR PLACING OF PERSONAL PROPERTY IN THE PUBLIC RIGHT-OF-WAY.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

D. APPROVED INTRODUCTION - **ORD. 23-09**, AMENDING SECTION 5.10.06 OF THE CITY OF CLOVIS MUNICIPAL CODE RELATING TO THE APPLICATION FOR A MASSAGE ESTABLISHMENT PERMIT OR OUT-CALL MASSAGE BUSINESS PERMIT.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

E. APPROVED INTRODUCTION - **ORD. 23-10**, AMENDING SECTION 6.5.102, OF CHAPTER 6.5, OF TITLE 6, OF THE CITY OF CLOVIS MUNICIPAL CODE RELATING TO THE APPLICATIONS FOR WATER SERVICE.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

ADMINISTRATIVE ITEMS – 6:37

6:37 ITEM 15 - APPROVED - **RES. 23-77**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS AUTHORIZING THE ISSUANCE AND SALE OF WATER REVENUE REFUNDING BONDS AND APPROVING DOCUMENTS AND OFFICIAL ACTIONS RELATING TO THE REFINANCING OF THE 2013 WATER REVENUE BONDS.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

6:46 ITEM 16 - APPROVED – CONSIDER AN ASSESSMENT INCREASE ELECTION IN LANDSCAPE MAINTENANCE DISTRICT NO. 1, BENEFIT ZONES 2 AND 5.

Dave Raul, resident, spoke in support of putting up informational signs at parks to educate residents.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

7:09 ITEM 17 - APPROVED - PRESENT AND DISCUSS THE GENERAL PLAN UPDATE STRATEGY REPORT AND AUTHORIZE STAFF TO INITIATE A COMPREHENSIVE GENERAL PLAN UPDATE.

Dirben Lurin, Ellis Family Representative, spoke in support of initiating a general plan update.

Jeff Harris, Wilson Homes Representative, spoke in support of initiating a general plan update and encouraged the City Council to include implementation measures in the next general plan. In addition, he encouraged the City Council to limit the timeframe of the general plan update and asked that Councilmembers and Planning Commissioners not be on the General Plan Advisory Committee.

Brent Berdine, resident, shared concerns regarding inclusivity of residents as stakeholders.

Paul Hinkle, resident, encouraged the City Council to include members of the ADA and senior communities on the general plan update process.

Motion to authorize staff to initiate the general plan update by Councilmember Mouanoutoua, seconded by Councilmember Pearce. Motion carried 3-0-2 with Councilmember Basgall and Councilmember Bessinger absent.

CITY MANAGER COMMENTS – 8:12

COUNCIL COMMENTS – 8:12

Mayor Ashbeck adjourned the meeting of the Council to September 5, 2023

Meeting adjourned: 8:14 p.m.



Mayor



City Clerk



Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Thursday, August 10, 2023 8:23 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-08-21

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

Full Name: Alyssandra Ruiz

Email: aly_ruiz@yahoo.com

Comment: My comment is on the subject of the Clovis Library. I have heard that there have been some murmurs from some council members about "graphic books" that are supposedly located in the children's section.

The library is a fun, wholesome, and safe place in our community. The content within the library follows those parameters as well; our librarians are upright members of this community, and I trust them to keep our library sections stocked accordingly. That isn't to say that I do not sympathize with the worries of those council members; the world is much wider now than it was back when we were kids. Certainly, a parent may be worried or disturbed by the content of a book, and may not want their child to read it- but perhaps, then, it is up to the discretion of that parent to, well, parent. If you don't want your children to read about something, then you need to actively screen what they read, just like parents do for other content their children consume, such as video games, movies, and t.v.

As a member of this community, an avid reader, and a supporter of the Clovis Library- and as a constituent of this city council- I urge you to not excise censorship. We the people are watching, and shall return the favor come election time.
Supporting Files (2 Max.):

Date: August 10, 2023

Time: 8:22 pm

Remote IP: 73.2.9.190

PUBLIC COMMENTS
August 21, 2023

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Saturday, August 12, 2023 8:32 AM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-08-10

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

Full Name: Carl

Email: joshjackc@gmail.com

Comment: When is the next council meeting? I would like to discuss this disgraceful book banning that is being proposed.

Supporting Files (2 Max.):

Date: August 12, 2023

Time: 8:31 am

Remote IP: 104.56.39.0

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, August 14, 2023 7:39 AM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-08-14

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

Full Name: Karen Gentile

Email: Kgentile62@gmail.com

Comment: Does the city of Clovis consider this housing aesthetically attractive? This looks like a prison row. Absolutely ugly. I'm hoping that you won't allow any more of this type of hideous building in the city

Supporting Files (2 Max.): [https://link.edgepilot.com/s/e73c8fdd/whXM4j-](https://link.edgepilot.com/s/e73c8fdd/whXM4j-fDE2jyESCzSvg_g?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/64da3c673097d.jpg)

[fDE2jyESCzSvg_g?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/64da3c673097d.jpg](https://link.edgepilot.com/s/e73c8fdd/whXM4j-fDE2jyESCzSvg_g?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/64da3c673097d.jpg)

Date: August 14, 2023

Time: 7:38 am

Remote IP: 99.60.174.70

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Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Wednesday, August 16, 2023 2:31 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-08-16

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

Full Name: Fernandez, Rebecca

Email: rebeccarachel1224@gmail.com

Comment: I am writing today because I am very concerned about our drinking water here and Clovis. We had the same problem last year about this time. I called and spoke to someone and I was advised that it was some kind of algae problem, and that there was nothing that you could do about it. This morning as I was running my water, there was a horrible horrible odor. It smells swampy it smells like dirty, frogs and dead fish that is not humane over the last week or so I have been having diarrhea. My dog has been throwing up and my skin has been breaking out in a rash and I am been itching. I have no idea what is causing this but I am afraid to drink the water even better than that so please please do something about it. I did call a water testing company today and they advised me that more than likely there is a leak or a crack in our pipes that is bringing us our drinking water and , there is some kind of seepage coming in from the dirty water. Please please repair the problem. This is not humane it is not only my house. It is my daughters house and she lives in another neighborhood here and Clovis I'm sure you've had many complaints. I read online earlier with somebody complained and said that the water taste like dirt well and not only taste like dirt is smells horrible.

Supporting Files (2 Max.):

Date: August 16, 2023

Time: 2:31 pm

Remote IP: 104.180.6.178

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, August 21, 2023 9:51 AM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-08-21

Item Number (put "0" if your comment is regarding an item not on the agenda): 14

Full Name: Brady and Joanne Bolock

Email: bolock@outlook.com

Comment: See file attached

Supporting Files (2 Max.): [https://link.edgepilot.com/s/25edcb59/z-](https://link.edgepilot.com/s/25edcb59/z-96fcTcb0ug11bNB5hoxQ?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/64e3960524209.docx)

[96fcTcb0ug11bNB5hoxQ?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/64e3960524209.docx](https://link.edgepilot.com/s/25edcb59/z-96fcTcb0ug11bNB5hoxQ?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/64e3960524209.docx)

Date: August 21, 2023

Time: 9:51 am

Remote IP: 76.29.174.107

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CITY COUNCIL MEETING
AUGUST 21, 2023

ITEM 14 MUNICIPAL CODES

Clovis Municipal Code enforcement is currently seriously understaffed. The current Municipal Codes go unenforced and even when a violation is reported warnings go ignored with ZERO follow-up to assure the violation has been corrected.

There was an issue with a resident having twelve (12) cars parked on his property in the side yard, front yard, in tandem in the driveway; blocking the driveway approach and the sidewalk and an auto trailer in the street creating a traffic hazard with NO Municipal Code in place to protect the neighborhood from this hazard.

Construction/work vehicles and trailers parked on the residential streets creating traffic hazards due to their size and location (on the curve of the road) with no Municipal Codes in place to correct this hazard.

Inoperative vehicles, dismantling of vehicles in the driveway along with boats, trailers, RVs, campers and the like parked with total disregard for the current Municipal Codes that are NOT being enforced all over town. Not to mention weeds, rental properties not being maintained, in which a MC exists however AGAIN NOT BEING ENFORCED.

Current partial enforcement i.e. WARNINGS are only being done when a resident/citizen calls in to report the violation. Other clear violation, often on the same street, are ignored because they have NOT been **reported**.

There was an issue brought before the Council a few months ago regarding a halfway house housing drug users and sex offenders. The city sadly admitted that your hands were tied, and you could NOT assist the neighbors affected by the numerous threats they faced against their safety and neighborhood preservation. This was even despite the location being close to a park and school. Such halfway houses should be considered a business and a permit should have to be obtained from the City to assure compliance to location and preserve safety within our neighborhoods.

BOTTOM LINE IS LACK OF ADEQUATE STAFFING EXISTS TO ASSURE THE CITIZENS OF CLOVIS MUNICIPAL CODES ARE BEING UPHELD.

ADDITION MUNICIPAL CODES NEED TO BE ESTABLISHED TO PRESERVE OUR NEIGHBORHOODS AND PROVIDE THE SAFETY WE NEED.

DETERIORATION REDUCES PROPERTY VALUES AND IS PROVEN TO BRING CRIME TO THE REGION/NEIGHBORHOODS/COMMUNITIES

BRADY AND JOANNE BOLOCK
bolock@outlook.com



Building Industry Association
of Fresno/Madera Counties, Inc.

August 18, 2023

Clovis City Council
City of Clovis
1033 Fifth Street
Clovis, CA 93611

RE: Agenda Item #17

Dear Councilmembers:

On Monday, August 21 the City Council will consider authorizing the initiation of a comprehensive review of the city's General Plan.

The Building Industry Association (BIA) has been receiving updates at our regular monthly meetings on the work being done by De Novo Planning Group on the status of the city's General Plan. It is recommended that agencies have a comprehensive review of their General Plan every 10 years. As Clovis' General Plan was updated about 8 years ago, and it will likely take three years to work through the update it is time to begin the process.

The BIA supports the staff's recommendation that the City Council authorize the initiation of a comprehensive update to the General Plan and begin the process of selecting a qualified consultant to prepare the update.

If you have any questions, please call me on (559) 226-5900.

Sincerely,

Michael Prandini
President & CEO