

CLOVIS CITY COUNCIL MEETING

November 14, 2022

6:00 P.M.

Council Chamber

Meeting called to order by Councilmember Ashbeck at 6:02
Flag Salute led by Councilmember Whalen

Roll Call: Present: Councilmembers Ashbeck, Bessinger, Mouanoutoua, Whalen,
Mayor Flores

PUBLIC COMMENTS – 6:05

Norman Morrison, Dry Creek Preserve resident, shared concerns regarding traffic issues on Clovis streets adjacent to the Dry Creek Preserve.

Charles Brough, resident, shared complaints regarding street signage and crosswalk markings at Gettysburg and Armstrong Avenues where Gettysburg Elementary School is located.

Paul Pierce, resident, commented on traffic issues near Fowler and Nees Avenues.

Rich Meisner, St. Martha's Pantry representative, shared concerns with the Pantry moving out of Clovis and no longer serving Clovis residents.

CONSENT CALENDAR – 6:28

Councilmember Whalen abstained from voting on Item 10 as he owns property within 1,000 feet of the project site.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that the items on the Consent Calendar, with the exception of Item 10, be approved. Motion carried by unanimous vote.

1. Administration - Approval - Minutes from the November 7, 2022, Council Meeting.
2. Finance - Approved - **Res. 22-130**, Budget Amendment to Increase Expenditures Related to Approved Negotiated Salary and Benefit Adjustments.
3. General Services – Approved – Waive Formal Bidding or Proposal Requirements and Authorize Purchase of Office Supplies through Cooperative Purchase Contract between OMNIA Partners and Office Depot.
4. Planning and Development Services - Approved – **Res. 22-131**, Final Map Tract 6292, located at the northeast area of Clovis Avenue and Shepherd Avenue (Lennar Homes of California, LLC).
5. Planning and Development Services - Approved – **Res. 22-132**, Annexation of Proposed Tract 6292, located at the northeast area of Clovis Avenue and Shepherd Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Lennar Homes of California, LLC).

6. Planning and Development Services - Approved – **Res. 22-133**, Final Map Tract 6342, located at the northeast area of Clovis Avenue and Shepherd Avenue (Lennar Homes of California, LLC).
7. Planning and Development Services – Approved – **Res. 22-134**, Annexation of Proposed Tract 6342, located at the northeast area of Clovis Avenue and Shepherd Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Lennar Homes of California, LLC).
8. Planning and Development Services - Approved – **Res. 22-135**, Final Map Tract 6344, located at the northeast area of Clovis Avenue and Shepherd Avenue (Lennar Homes of California, LLC).
9. Planning and Development Services - Approved – **Res. 22-136**, Annexation of Proposed Tract 6344, located at the northeast area of Clovis Avenue and Shepherd Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Lennar Homes of California, LLC).
11. Planning and Development Services - Approved – Bid Award for CIP 19-15, Gettysburg/Norwich Alley Reconstruction – Villa Avenue to Gettysburg Avenue, and Authorize the City Manager to Execute the Contract on Behalf of the City.
12. Public Utilities – Approved – Contract Award for the Purchase of a Low-NOx Flare at the Clovis Landfill, and Authorize the City Manager to Execute the Contract on Behalf of the City.
13. Public Utilities – Approved – Waive Formal Bidding Requirements and Authorize the Purchase of a Global Street Sweeper from Terry Equipment Inc. Using the Sourcewell Purchasing Contract.

6:29 – ITEM 10 - Planning and Development Services – Approved – Final Acceptance for Final Map for Tract 6348, located at the northeast corner of West Nees and North Timmy Avenues (Gleneagles Homes, Gary McDonald Homes). (Councilmember Whalen has a conflict of interest on this item)

Motion for approval by Councilmember Ashbeck, seconded by Councilmember Bessinger.
Motion carried 4-0-0-1, with Councilmember Whalen abstaining.

COUNCIL ITEMS – 6:30

6:30 – ITEM 14 - APPROVED - CONFIRMATION OF CITY MANAGER'S APPOINTMENT OF ECONOMIC DEVELOPMENT, HOUSING AND COMMUNICATIONS DIRECTOR.

Motion for approval by Councilmember Ashbeck, seconded by Councilmember Whalen.
Motion carried by unanimous vote.

6:38 – ITEM 15 – APPROVED – CHANGE OF COUNCIL MEETING SCHEDULE.

Motion for approval by Councilmember Bessinger, seconded by Councilmember Ashbeck.
Motion carried by unanimous vote.

ADMINISTRATIVE ITEMS – 6:39

6:39 – ITEM 16 - CONSIDER VARIOUS ITEMS ASSOCIATED WITH ±923 ACRES OF PROPERTY LOCATED NORTH OF SHEPHERD AVENUE GENERALLY BETWEEN SUNNYSIDE AVENUE AND NORTH CARSON AVENUE (BIG DRY CREEK DAM):

Jeff Harris, Wilson Homes representative, commented on the process of the bringing this property into the sphere of influence and addressed questions by the Council.

Tro, representative of various property owners, shared concerns regarding annexation and not wanting to connect to City water services.

Norman Morrison, Dry Creek Preserve resident, commented on the lack of noticing and concerns regarding development in the area.

Lloyd Buckner, Dry Creek Preserve resident, commented on the impacts of development to transportation.

Nathaniel Wiebert, County resident, shared concerns regarding traffic and water as the City continues to grow.

Arakel Arisian, Heritage Development Company representative, commented on the development of the Heritage Grove area.

Paul Pierce, resident, commented on the traffic impacts of new development.

Jim S., County resident, commented on the lack of noticing.

Craig Howard, County resident, requested for the City Council to postpone action on this item because of the lack of noticing.

16A - APPROVED – RES. 22-137, A REQUEST AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTANT AGREEMENT BETWEEN THE CITY OF CLOVIS AND DE NOVO PLANNING GROUP FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED SERVICES.

Motion for approval by Councilmember Whalen, seconded by Councilmember Mouanoutoua. Motion carried by unanimous vote.

16B - APPROVED – RES. 22-138, A REQUEST ALLOWING FOR THE PREPARATION AND SUBMITTAL OF AN APPLICATION TO THE FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION TO AMEND THE CITY OF CLOVIS SPHERE OF INFLUENCE TO INCLUDE ±923 ACRES.

Motion for approval by Councilmember Whalen, seconded by Councilmember Mouanoutoua. Motion carried by unanimous vote.

8:39 – ITEM 17 - CONSIDER VARIOUS ITEMS ASSOCIATED WITH CLOVIS LANDMARK SQUARE, LOCATED ON THE NORTH SIDE OF THIRD STREET AT VETERANS MEMORIAL PARKWAY.

Mayor Flores abstained from hearing and voting on this item because he owns property within 1,000 feet of the project site.

17A. RECEIVED AND FILED – UPDATE ON LANDMARK SQUARE CONSTRUCTION.

17B. APPROVED – **RES. 22-139**, AMENDING THE 2022-2023 COMMUNITY INVESTMENT PROGRAM (CIP) BUDGET FOR THE LANDMARK SQUARE PROJECT.

Motion for approval by Councilmember Whalen, seconded by Councilmember Mouanoutoua. Motion carried 4-0-0-1 with Mayor Flores abstaining.

9:06 – ITEM 18 - ADOPTED – **ORD. 22-10**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTIONS 8.1.02, 8.2.101, 8.5.101, 8.6.101, 8.15.101, 8.16.101, 8.17.101 OF TITLE 8 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO ADOPTION OF 2022 CALIFORNIA BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, RESIDENTIAL, ENERGY AND GREEN BUILDING STANDARDS CODES. (VOTE: 4-0-1 WITH COUNCILMEMBER WHALEN ABSENT)

Motion for approval by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

9:08 – ITEM 19 - ADOPTED – **ORD. 22-11**, AMENDING VARIOUS SECTIONS OF TITLE 4, CHAPTER 4.4, ARTICLE 1 OF THE CLOVIS MUNICIPAL CODE RELATING TO THE CALIFORNIA FIRE CODE. (VOTE: 4-0-1 WITH COUNCILMEMBER WHALEN ABSENT)

Motion for approval by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

CITY MANAGER COMMENTS – 9:09

COUNCIL COMMENTS – 9:09

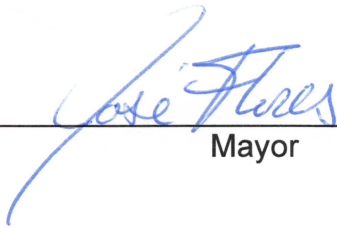
CLOSED SESSION – 9:16

ITEM 20 - GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYMENT PERFORMANCE EVALUATION TITLE: CITY MANAGER

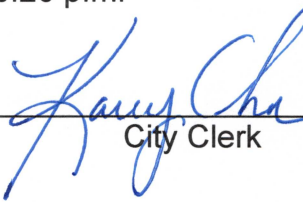
ITEM 21 - GOVERNMENT CODE SECTION 54957.6 CONFERENCE WITH LABOR NEGOTIATORS AGENCY DESIGNATED REPRESENTATIVES: CITY ATTORNEY, SCOTT G. CROSS UNREPRESENTED EMPLOYEE: CITY MANAGER

Mayor Flores adjourned the meeting of the Council to December 5, 2022

Meeting adjourned: 10:20 p.m.



Mayor



City Clerk



From: [Public Comments](#)
To: [Karey Cha](#); [Andrew Haussler](#); [Rebecca Simonian](#)
Subject: [External] Public Comment for City Council
Date: Monday, November 14, 2022 12:55:03 PM

Council Meeting Date: 2022-11-14

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

Full Name: Richard Meissner

Email: Richard.meissner@gmail.com

Comment: On July 1 of 2003 Our Lady of Perpetual Help Catholic Church established Saint Marth's Panty as a means of outreach to those in our local community. The Pantry carries out its mission through volunteers and serves the Clovis community and surrounding areas by providing food for our neighbors in need regardless of religious affiliation, race, or circumstance. Families can qualify for one standard distribution per month which provides for their basic needs for approximately one week. Located at 8th and Dewitt, the Pantry serves approximately 350 families per month through donations from Our Lady of Perpetual Help, local businesses and individuals and a volunteer staff. St Martha's receives no government funding.

Our Lady of Perpetual Help has announced its intension to cease distribution from this site opting to redirect those seeking aid to Catholic Charities at 149 Fulton Street in Fresno. The food collected from Clovis businesses and individuals would be transported to Catholic Charities for distribution. There currently is no plan as to how to transport those in need of the service the 20 mile round trip.

I respectfully submit to the City Council that as this will impact many in Clovis who have great need but no voice. Further with the many volunteers and contributors in Clovis who see the need of this outreach program I believe the City should do what it can to influence this decision. While I am not sure if it will be able to stop the shutdown of this vital support service, I ask the City to send a letter or even create a resolution in support of this program which ministers to the old, the needy and the struggling member of our community. I recognize and respect the distinction between church and state, but as both are linked to meet the needs of the poor both should seek each other's council in this regard. I firmly believe that such a letter or response to the parish of Our Lady of Perpetual Help or the Diocese of Fresno, might influence this decision and keep St. Marth's Pantry a viable outreach program for our community.

Respectfully submitted and with thanks for your consideration ,

Rich Meissner

Supporting Files (2 Max.):

Date: November 14, 2022

Time: 12:54 pm

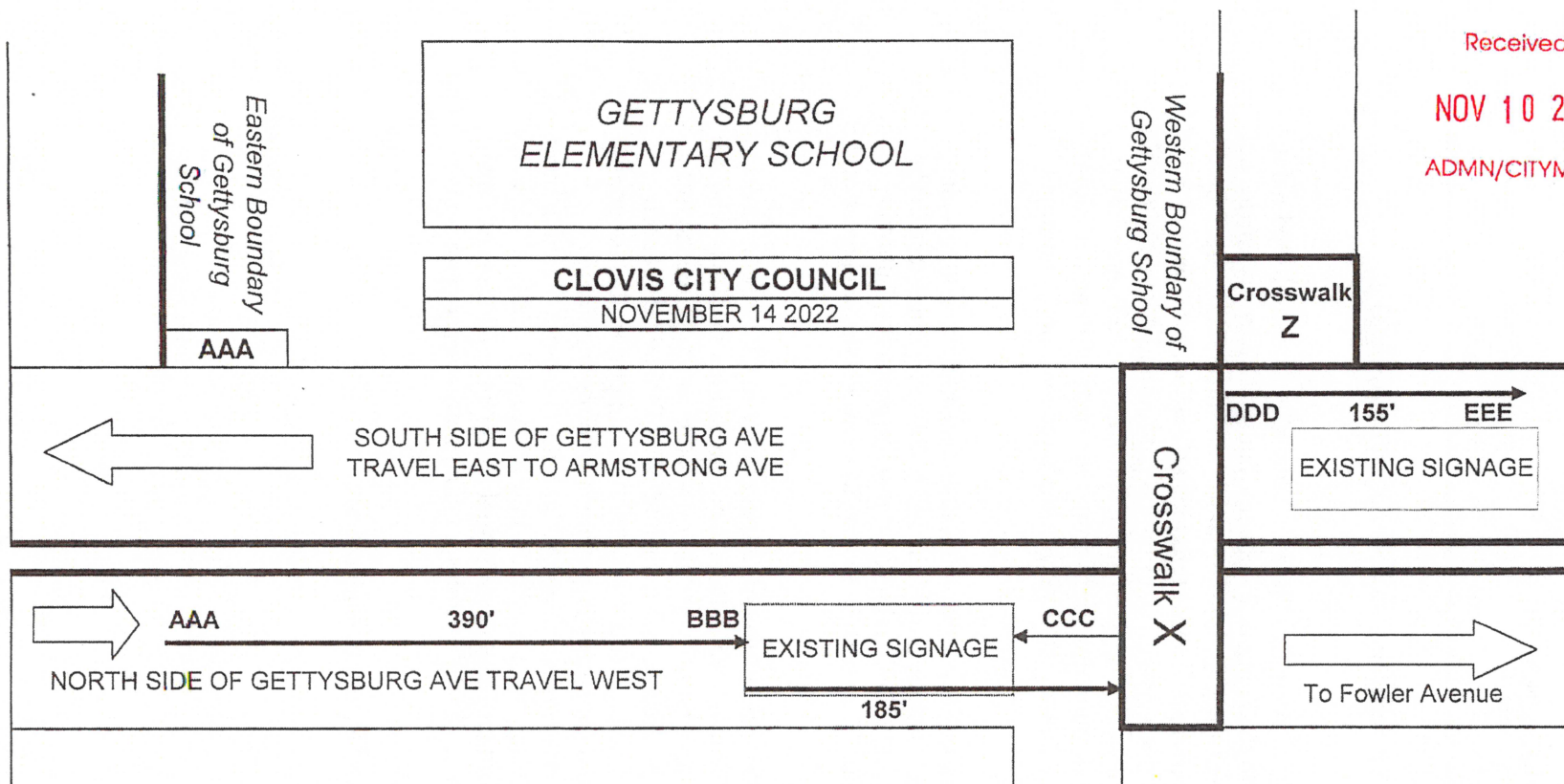
Public Comments
November 14, 2022

Received

NOV 10 2022

ADMN/CITYMGR

ARMSTRONG AVENUE



	Estimated	
AAA to BBB Eastern Edge of School to beginning of Westbound Signage	390	Feet
BBB (Signage begins) to Crosswalk X	185	Feet
CCC Distance: Crosswalk to West Edge of Westbound Signage		Feet
DDD to EEE Crosswalk X to Signage in Eastbound lane of Gettysburg Ave	155	Feet

Charles Brough
2642 Cypress Ave
Clovis CA 93611

1	I request that the existing signage on the North side of Gettysburg Avenue be painted.
2	I request that new signage at the Eastern boundary AAA be created stating "Slow - School - Zone" and the number 25 be painted on the North Side of Gettysburg Avenue
3	I request that the signage on the South side of Gettysburg Avenue be painted, and new signage further west be painted
4	I request that diagonal lines be painted in Crosswalk X and Crosswalk Z as labelled
5	I request that City Staff work with the Police Department to place police officers at all schools on an irregular basis during the hours of 7:45 am until 8:00 am or as requested by each school for the purpose of child and public safety
6	I request that the Public Works Department inform the City Council of its Maintenance Schedules for painting at all schools

Council Meeting Date: November 14, 2022

Item Number: 16

Name: Elena Bowen

Email: ebsemail2000@gmail.com

A similar request to expand the City of Clovis Sphere of Influence was submitted to Council in the past 24 months for this same area of North Clovis near Shephard and Fowler Avenues. That project was called "Shepherd North". In November 2021, Shepherd North's 1,050 acre sphere of influence (almost identical to this proposed SOI of 923 acres) was reduced to 155 acres as a result of findings from an endangered species survey conducted by Argonaut Ecological Consulting. The senior biologist with that consulting firm identified acres of potential California Tiger Salamander breeding habitat and that some acreage could be classified as California Tiger Salamander upland habitat. I'm here to notify council that in the past 6 years a few neighbors and myself personally have seen and taken a picture of a live California Tiger Salamander in this proposed expansion of the City of Clovis' Sphere of Influence.

I recommend that before this resolution is passed, and an agreement is entered into with a consulting firm, information should be presented to council that wasn't provided in this agenda packet.

I would like to bring forward these items and recommend exploring these items in more detail before approving a contract with a consulting firm and submitting an application to LAFCO.

- 1) The neighborhood meeting for Shepherd North occurred during COVID (November 2020) and concerned citizens brought their issues online. Since citizens were brought together online it makes it harder for neighbors to meet one another and discuss topics together. Is there a written record of those comments and by whom? It seems prudent to know what concerns were brought forth by that project which is almost identical to this project.
- 2) The agenda packet mentions that the Applicant may have a "viable mitigation strategy" for the environmental constraints that were previously discovered in the Shepherd North project. This "strategy" should be expounded on.
- 3) The Consultant's proposed costs for this SOI expansion may be underestimated. The detailed studies required for the Federally Threatened and Endangered California Tiger Salamanders in the project area will most likely add extra costs to the Applicant and the City than are proposed in this staff report.
- 4) The Consulting firm is proposing to conduct biological field work during the March to May spring season; primarily to focus on plant species. What has convinced the Consulting firm to place such an emphasis on plant species when there is a threatened and endangered animal species in the project area?
- 5) California Tiger Salamanders are more active and visible during the November to March rainy season. Surveys for California Tiger Salamanders require a minimum of 2 rainy seasons of field work (per US Fish and Wild Service guidance). Why are the more extensive and expensive surveys for the California Tiger Salamander not included in the Consulting agreement?
- 6) From my conversations with neighbors and community members, a majority of people in the area are not happy with further housing developments and City expansion into semi-rural areas.

I'd like to know how each council member determines whether their constituents support further housing developments. Understanding that most constituents will not speak, write in or attend council meetings, are there other avenues council members use to determine how to best represent the community? Are there specific quantitative measures that are used? Maybe ballots or community surveys with a specified number of signatures opposing further development?

Thank you for your time and consideration of these topics.

Lloyd Buckner
3143 Everglade Ave
Clovis, CA 93919

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

November 11, 2022

McKencie Perez, MPA

Subject: Consideration for Preparations of an EIR for Future Annexation

Proposal site: Bound by Shepherd to the south, the flood control leavy to the east, Behymer Ave to the north, Fowler and Sunnyside to the west. This area encompasses approximately 923 acres of Fresno County land.

I agree with this proposal with the following concern, MAJOR ARTERIAL TRAFFIC.

I am a retired Transportation Civil Engineer from the U.S. Forest Service and from Madera County Road Department as the Assistant Road Commissioner with over 30 years of experience.

Clovis has only one freeway that traverses diagonally through Clovis, freeway 168, providing direct access to points south, the L.A. metropolitan area.

Freeway 180 providing access to the Sequoia National Forest is of little use to Clovis residence except via Clovis and Fowler Avenues.

We have NO major arterial transportation access to the coastal area or points north.

This council is considering the annexation of over 900 acres and Fresno City is looking to add several hundred acres to the north. This will add well over 10,000 people plus to an area that is isolated from having direct arterial freeway access to all points north which includes Sacramento, the Bay area and Freeway 99 to Oregon and Washington.

This must be mitigated with direct input from Caltrans and Fresno County.

Thank you for the opportunity to express my concerns.



Lloyd Buckner

McKencie Perez

From: Surinder Sandhu <surindersandhu01@yahoo.com>
Sent: Sunday, November 13, 2022 3:10 PM
To: McKencie Perez
Subject: [External] City of clovis, sphere of influence.

Hello Mr.Perez,

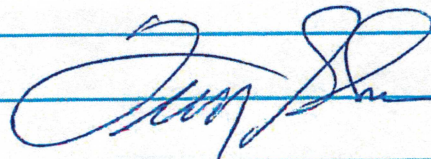
I got a letter from city of Clovis for sphere of influence amendment for an area of 923 acres in Clovis, an area north on Shepherd and South of Behymer Ave. I reside at 5818 East Shepherd. At present this location is in Shenandoah Farms. I would like to maintain my status in the county and not be incorporated into the city. Please update me with any changes or info that I need prior to any decisions are made.

Thanks,
Surinder Sandhu.
surindersandhu01@yahoo.com

11-14-22

TO THE CLAVIS CITY COUNCIL

WE ARE OPPOSED TO ANY REQUEST TO
AMEND THE SPHERE OF INFLUENCE (SOI)
BEYOND 923 ACRES. CLAVIS HAS THOUSANDS
OF ACRES OF UNDEVELOPED LAND ALREADY IN
THEIR SPHERE OF INFLUENCE. STOP THE
DEVELOPERS FROM MAKING MONEY BY JUST
ADDING MORE LAND. MAKE THEM DEVELOP
THIS LAND BEFORE MOVING ON. MOST OF THIS
LAND HAS TURNED INTO EYE SORES AND DEVELOPERS
WANT TO NOT PAY THE PRICE AND JUST GO OUT
AND TRY TO BRING IN MORE LAND. THIS PLAN
WAS TIERED A YEAR AGO AT THIS TIME AND YOU
REDUCED IT DOWN TO 155 ACRES, LET LEAVE
IT AT THAT. THANK YOU FOR YOUR CONSIDERATION

 TRUSTEE

5902 E. PRODUCE AVE



CITY of CLOVIS

CITY HALL - 1033 FIFTH ST. CLOVIS, CA 93612

CLOVIS CITY COUNCIL

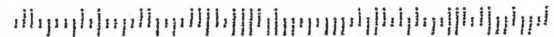
City Council Chambers



□ = Previous Boundary Request (±1,050 acres)
□ = Proposed Boundary Request (±155 acres)



9361987807 R008



CITY of CLOVIS

CITY HALL - 1033 FIFTH ST. CLOVIS, CA 93612

CLOVIS CITY COUNCIL

Clovis Council Chambers



□ = Proposed SOI Amendment boundary (± 923 acres)



DELIVER

10/24/2021

US POSTAGE

\$000.49



ZIP 93711
0115-155-040

Last year

GRAHAM TERRY W & ZETTA J
TRUSTEES
Or Current Resident
5902 E PROVINCE
CLOVIS CA 93611

Hasler

11/07/2022

US POSTAGE

\$000.52



ZIP 93704
011E11682841

GRAHAM TERRY W & ZETTA J
TRUSTEES
OR CURRENT RESIDENT
5902 E PROVINCE
CLOVIS CA 93611

This year