

CLOVIS CITY COUNCIL MEETING

October 8, 2018

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Whalen
Flag Salute led by Councilmember Mouanoutoua

Roll Call: Present: Councilmembers Ashbeck, Bessinger, Flores, Mouanoutoua
Mayor Whalen
Absent: None

PRESENTATION 6:01 p.m.

1. RECOGNITION OF CLOVIS PUBLIC UTILITIES STAFF ON THE INSTALLATION OF THE NEW SHAW AVENUE MEDIAN LANDSCAPING.

Planning and Development Services Director Dwight Kroll recognizing the City of Clovis Public Utilities staff on the installation of the new Shaw Avenue median landscaping.

City Council recognized Planning and Development Services Director Dwight Kroll for his 38 years of service and induction into the Clovis Hall of Fame 2018 as the "Spirit of Clovis" selection.

PUBLIC COMMENTS 6:20

Mike Cunningham, resident, thanked staff and commented on the grand opening of the dog park at Bicentennial Park.

Jean Joneson, resident, commented on concerns about high density, and concerns with the parks near her home and the use of rubber mulch, no covers for the playground equipment, and requested covers for the parks.

CONSENT CALENDAR 6:26

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

2. City Clerk – Approved - Minutes for the October 1, 2018 Council meeting.
3. Administration – Approved - First Amendment to Tolling Agreement with Bush Construction for the Pet Adoption Center.
4. General Services - Approved - Claim Rejection of General Liability Claim for Margaret Conway.
5. General Services – Approved - **Res. 18-130**, Authorizing Amendments to the Geographic Information System Analyst Classification; and Approval – **Res. 18-131**, Amending the City's Position Allocation Plan for FY 18-19 in the Planning and Development Services Department by adding one (1) Geographic Information System Analyst Classification and deleting one (1) Geographic Information System Specialist Classification.

6. Planning and Development Services - Approved – Final Acceptance for Tract 6082, located at the southwest corner of Bullard and La Vona Avenues (Bonadelle Homes).

PUBLIC HEARINGS

7. 6:27 - REQUEST FOR THE CONTINUANCE OF CUP2005-24A2, A REQUEST TO APPROVE A CONDITIONAL USE PERMIT AMENDING THE MASTER SITE PLAN FOR PORTAL SIERRA II WITHIN THE RESEARCH AND TECHNOLOGY PARK, LOCATED ON THE WEST SIDE OF TEMPERANCE AVENUE, NORTH OF ALLUVIAL AVENUE, GREYHAWK, LLC., OWNER AND APPLICANT; CENTERLINE DESIGN LLC., REPRESENTATIVE. CONTINUED FROM THE MEETING OF SEPTEMBER 10, 2018.

Assistant City Planner Orlando Ramirez indicated that staff was recommending this item be continued to the meeting of October 15, 2018. Chris Ward, applicant, commented and spoke in support. Discussion by the Council. Motion Councilmember Ashbeck seconded by Councilmember Flores, for the Council to approve the continuation to the meeting of October 15, 2018. Motion carried by unanimous vote.

8. 6:29 - APPROVED ACTIONS RELATED TO ANNEXATION OF TERRITORY (ANNEXATION #53-T6193-SOUTH WEST CORNER OF ASHLAN AND HIGHLAND, T6202-SOUTHSIDE OF ALLUVIAL BETWEEN FOWLER & ARMSTRONG) TO THE CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES).

A. APPROVED - **RES. 18-132**, A RESOLUTION ANNEXING TERRITORY (ANNEXATION #53) (T6193-SOUTH WEST CORNER OF ASHLAN AND HIGHLAND, T6202-SOUTHSIDE OF ALLUVIAL BETWEEN FOWLER & ARMSTRONG) TO THE CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES) AND CALLING A SPECIAL LANDOWNER ELECTION TO ANNEX TERRITORY (ANNEXATION #53) TO CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES)

B. APPROVED - RES. 18-133, A RESOLUTION OF THE CITY OF CLOVIS DECLARING THE RESULTS OF A SPECIAL LANDOWNER ELECTION AND DIRECTING RECORDING OF THE NOTICE OF SPECIAL TAX LIEN FOR CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES).

Finance Director Jay Schengel presented a report on actions related to annexation of territory (annexation #53-T6193-south west corner of Ashlan and Highland, T6202-southside of Alluvial between Fowler & Armstrong) to the city of Clovis Community Facilities District (CFD) No. 2004-1 (Police and Fire Services). Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004 must

petition to be annexed to the existing CFD. This action is required to begin the process of annexation provided by the conditions of approval of the development entitlements. Jay Schengel provided an overview of Annexation #53. There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 18-132**, for the Council to approve a Resolution annexing territory (annexation #53-T6193-south west corner of Ashlan and Highland, T6202-southside of Alluvial between Fowler & Armstrong) to the city of Clovis Community Facilities District (CFD) No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #53) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). Motion carried by unanimous vote.

City Clerk John Holt reported out that he was in receipt of one ballot representing 48 votes all in favor and noted unanimous passage of the ballot measure. There being no comment, Mayor Whalen closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 18-133**, a Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). Motion carried by unanimous vote.

9. 6:33 - APPROVED – VARIOUS ACTIONS REQUIRED TO CONDUCT THE MARCH 2019 GENERAL MUNICIPAL ELECTION:
 - A. APPROVED - **RES. 18-134**, CALLING THE MARCH 5, 2019 GENERAL MUNICIPAL ELECTION FOR THE PURPOSE OF ELECTING THREE MEMBERS OF THE CITY COUNCIL FOR THE TERM OF THREE YEARS EIGHT MONTHS THROUGH NOVEMBER 2022; AND
 - B. APPROVED - **RES. 18-135**, ESTABLISHING CONDITIONS FOR THE FILING OF CANDIDATES' STATEMENTS; AND
 - C. APPROVED - **RES. 18-136**, AUTHORIZING THE FRESNO COUNTY ELECTIONS DIVISION TO CONDUCT THE ELECTION.

Administrative Analyst Karey Cha presented a report on various actions required to conduct the March 2019 General Municipal Election. On March 5, 2019, an election will be held in the City of Clovis for three City Council seats. In accordance with the California Elections Code, several things must occur to successfully conduct the election. Approval of staff's recommendations and the resolutions will call the election; establish conditions for filing of candidates' statements; and authorize the Fresno County Elections Division to conduct the election. City Council approved an ordinance in 2017 changing the election dates from March of odd years to November of even years beginning in 2022 to comply with SB 415.

SB 415, effective January 1, 2016, prohibits a city from holding an election on any date other than a statewide election date (i.e. March). In doing so in the past has resulted in turnout that was at least 25 percent below the average turnout in that jurisdiction in the last four statewide general elections. The City currently conducts its elections in March of odd years which is referred to as an “off-cycle election”. Turnout for the City’s off-cycle election is significantly below the threshold in SB 415 requiring the City to change to November even year elections beginning with the November 2022 election. The March 2019 and 2021 elections will continue to be held as standalone elections but the term of both elections will need to be adjusted to accommodate the November 2022 election. The term of office for the March 2019 and 2021 elections will be approximately three years eight months versus the standard four year term. The standard four year term will commence with the November 2022 Election. There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to approve **Resolution 18-134**, calling the March 5, 2019 General Municipal Election for the purpose of electing three members of the city council for the term of three years eight months through November 2022. Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to approve **Resolution 18-135**, establishing conditions for the filing of candidates’ statements. Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to approve **Resolution 18-136**, authorizing the Fresno County Elections Division to conduct the election. Motion carried by unanimous vote.

10. 6:37 - APPROVED INTRODUCTION – **ORD. 18-24**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS MAKING TECHNICAL AND CONFORMING AMENDMENTS TO ARTICLE 2 OF CHAPTER 2.2 OF TITLE 2 OF THE CLOVIS MUNICIPAL CODE RELATING TO THE PERSONNEL SYSTEM; and
11. APPROVED – **RES. 18-137**, REVISIONS TO THE CITY OF CLOVIS PERSONNEL RULES.

General Services Director Shonna Halterman presented a report on the introduction of an ordinance making technical and conforming amendments to Article 2 of Chapter 2.2 of Title 2 of the Clovis Municipal Code relating to the Personnel System, and a Resolution revising the City of Clovis Personnel Rules. Staff recently completed an update to the Personnel Rules for the first time since 2008. In coordination with the changes to the Rules, the ordinance was reviewed and revised for consistency, compliance with state laws, and to eliminate outdated information. Changes to the Personnel Rules are necessary to bring the City into compliance with State and Federal regulations, improve some procedures and processes, eliminate antiquated processes that are now completed using electronic means, and to help streamline the hiring process. Staff has met with all eight (8) bargaining units regarding the changes to the Personnel Rules. Rules

stated within existing Memorandum of Understanding take precedence over those in the Personnel Rules, unless prohibited by law. Shonna Halterman summarized the major changes and why staff is recommending them. There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to approve the introduction of an ordinance making technical and conforming amendments to Article 2 of Chapter 2.2 of Title 2 of the Clovis Municipal Code Relating to the Personnel System. Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve a resolution revising the City of Clovis Personnel Rules. Motion carried by unanimous vote.

CORRESPONDENCE

12. NONE

ADMINISTRATIVE ITEMS

13. NONE

CITY MANAGER COMMENTS 6:48

City Manager Luke Serpa showed a video of Parks Manager Eric Aller playing the new piano in Centennial Plaza.

COUNCIL ITEMS 6:52

14. Council Comments

- Councilmember Drew Bessinger commented on the grand opening of the dog park at Bicentennial Park this past Saturday and thanked staff for the work.
- Councilmember Ashbeck thanked Community and Economic Development Director Andy Haussler for being able to bring to resolution a complaint from a resident regarding her utility bill.
- Councilmember Flores commented on his role with the North Fork Kings Groundwater Sustainability Agency and the need for a new Executive Director.
- Mayor Whalen commented on an ongoing neighbor issue between two residents and thanked staff for their work on bringing some resolution to the issue.

CLOSED SESSION 7:00

15. Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Properties: APN 555-031-11 (portion)

Located north of Gettysburg, east of De Wolf
Agency Negotiators: Dwight Kroll, Ryan Burnett
Negotiating Parties: Dr. Monte Person
Under Negotiation: Price & Terms

Mayor Whalen adjourned the meeting of the Council to October 15, 2018

Meeting adjourned: 7:08 p.m.

Mayor

City Clerk