



# AGENDA CLOVIS CITY COUNCIL

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559-324-2060)  
[www.cityofclovis.com](http://www.cityofclovis.com)

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

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.cityofclovis.com](http://www.cityofclovis.com).*

*Councilmember Harry Armstrong will be participating in the meeting via teleconference from 655 West Stuart Street, Clovis CA 93612. A copy of the agenda has been posted at the teleconference location and will be open to the public during the meeting.*

June 20, 2016

6:00 PM

Council Chamber

**The City Council welcomes participation at Council Meetings. Members of the public may address the Council on any item of interest to the public that is scheduled on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less.**

Meeting called to order by Mayor Magsig  
Flag salute led by Councilmember Whalen

## ROLL CALL

### PRESENTATIONS/PROCLAMATIONS

- A. Presentation of Central Section APA award plaque for the Dry Creek Trailhead to Dwight Kroll by Rob Terry, a member of the Central Section Board.

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

**ORDINANCES AND RESOLUTIONS** (With respect to the approval of resolutions and ordinances, the reading of the title shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.)

**CONSENT CALENDAR** Consent Calendar items are considered routine in nature and voted upon as one item unless a request is made to give individual consideration to a specific item. (See Attached Consent Agenda.)

## **1. PUBLIC HEARINGS**

- A. Consider Actions related to Annexation of Territory (Annexation #45 - T6082,T6120, T6127-Northeast Corner Barstow/Leonard) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). (Staff: J. Schengel)
  - 1. Consider Approval - Res. 16-\_\_\_\_, A Resolution annexing territory (Annexation #45 - T6082,T6120,T6127-Northeast Corner Barstow/Leonard) 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 #45) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
  - 2. Consider Approval - Res. 16-\_\_\_\_, 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).
- B. Consider Introduction – Ord. 16-\_\_\_\_, Authorizing Accredited Private Educational Institutions that offer Bachelor’s or higher degrees to use the same development impact fee methodology as public educational institutions. (Staff: A. Haussler)
- C. Consider Approval - Res. 16-\_\_\_\_, A Resolution eliminating emergency water usage limitations, and Approve other water conservation measures and normal water usage rates. (Staff: L. Koehn)

## **2. CITY MANAGER COMMENTS**

- A. Consider Approval - Confirmation of City Manager’s Appointment of Community and Economic Development Director. (Staff: R. Woolley)

## **3. COUNCIL ITEMS**

- A. Consider Review and Update - Ralph M. Brown Act, California Public Meeting Laws. (Staff: D. Wolfe)
- B. Council Comments

## **4. CLOSED SESSION**

- A. Government Code Section 54956.9(d)(1)  
CONFERENCE WITH LEGAL COUNCIL- EXISTING LITIGATION

### **LITIGATION UPDATE**

### **COURT CASES**

- 1. O’Brien Development, LLC v. City of Clovis.
- 2. City of Clovis v. Shell Oil Company, et al (TCP).
- 3. California State University Fresno Association, Inc. v. County of Fresno; Interveners - Cities of Fresno, Clovis and Sanger (Tax Refund).

#### COURT CASES ARISING FROM CLAIMS

4. Bryson Ferguson, Brooke Smith v. Baumeister, Inc., dba Old Town Saloon, City of Clovis
5. Desiree Martinez v. Kyle Pennington, City of Clovis, City of Sanger and Others
6. Joseph Suarez Sr., Hayden Suarez, Hailey Suarez v. City of Clovis.
7. George Macias v. City of Clovis.
8. Dave W. Aust v. City of Clovis.
9. Lyle S. McFarland v. City of Clovis.
10. Arnold Lawrence v. City of Clovis.

#### CLAIMS

11. Rosemary Ortega v. City of Clovis.
12. Kelly Duley v. City of Clovis.
13. Robert Martin v. City of Clovis.

#### ADJOURNMENT

Meetings and Key Issues			
July 5, 2016 (Tue.)	6:00 P.M.	Regular Meeting	Council Chamber
July 11, 2016 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
July 18, 2016 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Aug. 1, 2016 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Aug. 2 – Sep. 5, 2016		Summer Recess	
Sep. 6, 2016 (Tue.)	6:00 P.M.	Regular Meeting	Council Chamber
Sep. 12, 2016 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Sep. 19, 2016 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber

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

**A. CITY CLERK**

- 1) Approval - Minutes for the June 13, 2016 Council meeting.

**B. ADMINISTRATION**

- 1) No items.

**C. COMMUNITY AND ECONOMIC DEVELOPMENT**

- 1) No items.

**D. FINANCE**

- 1) No items.

**E. GENERAL SERVICES**

- 1) Approval - Res. 16-\_\_\_\_, Approval of Memoranda of Understanding between the City of Clovis and the Clovis Public Safety Employees' Association and the Transit Employees' Bargaining Unit.
- 2) Approval – Res. 16-\_\_\_\_, Amending the City's Master Administrative Fee Schedule Related to Transit Bus Passes.

**F. PLANNING AND DEVELOPMENT SERVICES**

- 1) Approval – Bid Award for CIP 13-24, Clovis Avenue Street Improvements and; Authorize the City Manager to execute the contract on behalf of the City.

**G. PUBLIC SAFETY**

- 1) Approval - Res. 16-\_\_\_\_, Amending the Police Department's Budget for FY 2016-2017 to reflect the Department of Alcoholic Beverage Control 2016-2017 GAP grant award in the amount of \$29,871.00.
- 2) Approval - Res. 16-\_\_\_\_, Authorizing the Police Department to submit an application for the San Joaquin Valley Air Pollution Control District Public Benefits Grant Program New Alternative Vehicle Purchase and authorize the Chief of Police to implement this program.
- 3) Approval - Res. 16-\_\_\_\_, Authorizing the Police Department use of funds for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for a part-time Cadet in the amount of \$16,434.00.

**H. PUBLIC UTILITIES**

- 1) No items.

**I. REDEVELOPMENT SUCCESSOR AGENCY**

- 1) No items.

CLOVIS CITY COUNCIL MEETING

June 13, 2016

6:00 P.M.

Council Chamber

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

Roll Call: Present: Councilmembers Armstrong, Ashbeck, Flores, Whalen  
Mayor Magsig  
Absent: None

Councilmember Armstrong participated via teleconference from 655 West Stuart Street, Clovis CA 93612.

6:02 P.M. - PUBLIC COMMENTS

Councilmember Ashbeck congratulated Mayor Magsig for his recent victory being elected to the Fresno County Board of Supervisors.

6:04 - CONSENT CALENDAR

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

- A1) Approval - Minutes for the June 6, 2016 Council meeting.
- D1) Receive and File - Investment Report for the month of April 2016.
- D2) Receive and File - Treasurer's Report for the month of April 2016.
- E1) Approval - **Res. 16-79**, Approving Wage and Benefit Changes for Unrepresented Clovis Management Employees.
- G1) Approval - **Res. 16-80**, Amending the City's Master Administrative Fee Schedule Adding a "Per Tow" Administration Fee for the Police Department.

6:05 ITEM A1 - APPROVED - **RES. 16-81**, ADOPTING THE 2016-17 ANNUAL BUDGET AND 2016-17 CLOVIS REDEVELOPMENT SUCCESSOR AGENCY'S BUDGET.  
(CONTINUED FROM THE MAY 16, 2016 COUNCIL MEETING)

- A) FINANCE DEPARTMENT (J. HUGHSON)
- B) GENERAL SERVICES (R. FORD)
- C) POLICE DEPARTMENT (M. BASGALL)
- D) FIRE DEPARTMENT (M. DESPAIN)
- E) PUBLIC UTILITIES DEPARTMENT (L. SERPA)
- F) PLANNING AND DEVELOPMENT SERVICES / COMMUNITY INVESTMENT PROGRAM (D. KROLL)
- G) COMMUNITY AND ECONOMIC DEVELOPMENT / SUCCESSOR AGENCY (A. HAUSSLER)
- H) CITY COUNCIL / CITY ATTORNEY / CITY CLERK / CITY MANAGER (J. HOLT)

**\*\*\*PRELIMINARY - SUBJECT TO APPROVAL\*\*\*CC-A-1**

Department Heads presented a report on the 2016-17 Annual Budget. Section 2-8.10 of the Clovis Municipal Code provides that the budget must be adopted by June 30 for the ensuing fiscal year. After due public notice, the Council conducted public hearings on the proposed budget and has reviewed all Department budgets. Once the Council received public input on the budget and received follow up information to questions posed, deliberations ensued and the Council took final action to adopt the City Manager's recommended budget. Roger Evans, resident, commented on green waste collections and commercial development in Harlan Ranch area. Discussion by the Council. Motion by Mayor Magsig, seconded by Councilmember Ashbeck, for the Council to approve Resolution 16-81, 2016-17 Annual Budget and the 2016-17 Clovis Redevelopment Successor Agency Budget. Motion carried by unanimous vote.

**7:12 ITEM 2 - CITY MANAGER COMMENTS**

None

**7:12 ITEM 3 - COUNCIL COMMENTS**

Councilmember Flores commented on the use of an armored personnel carrier and its effectiveness.

Councilmember Whalen commented on a photo of his wife filling in the trail maps and requested additional copies be delivered to his home. He also reported out on attending the South San Joaquin League meeting last Thursday.

Councilmember Ashbeck commented on chairing a council of governments sub-committee in 2014 regarding SB375 and three local projects related to it.

Mayor Magsig reported out on the Mayor Swearingen's trail initiative ground breaking to join Fresno and Clovis trails today. He also reported out on attending the South San Joaquin League meeting last Thursday.

**ADJOURNMENT**

Mayor Magsig adjourned the meeting of the Council to June 20, 2016

Meeting adjourned: 7:20 p.m.

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Mayor

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City Clerk



AGENDA ITEM NO: **CC-E-1**

City Manager: \_\_\_\_\_

## **CITY OF CLOVIS REPORT TO THE CITY COUNCIL**

**TO:** Mayor and City Council

**FROM:** General Services Department

**DATE:** June 20, 2016

**SUBJECT:** Approval – Res. 16-\_\_\_\_, Approval of Memoranda of Understanding Between the City of Clovis and the Clovis Public Safety Employees' Association and the Transit Employees' Bargaining Unit

**ATTACHMENT:** Res. 16-\_\_\_\_

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

Approve Res. 2016-\_\_\_\_; authorizing successor Memoranda of Understanding (MOU) for the term of July 1, 2016 through June 30, 2019, between the City of Clovis and the Clovis Public Safety Employees' Association (CPSEA) and the Transit Employees' Bargaining Unit (TEBU).

### **EXECUTIVE SUMMARY**

City negotiators have recently concluded the meet and confer process with representatives of the CPSEA and TEBU bargaining units for successor MOU's for the term of July 1, 2016 through June 30, 2019. Council authorization is required in order to implement the proposed amendments to the respective MOU's.

### **BACKGROUND**

The 2014 - 2016 MOU's between the City and the CPSEA and TEBU employee bargaining units will expire on June 30, 2016. The City's negotiating team and representatives of the CPSEA and TEBU bargaining units have recently concluded negotiations for successor MOU's. Summaries of the major changes to the MOU's are attached as Exhibits A - B. The memberships of the employee bargaining units ratified the terms of the proposed MOU's on or about June 14 - 17, 2016.

**FISCAL IMPACT**

The proposed amendments to the MOU's will result in approximate net increased salary costs as follows over the next three (3) fiscal years, which will be budgeted during the term of the agreements:

- CPSEA      \$ 252,900
- TEBU        \$ 92,370

**REASONS FOR RECOMENTATION**

Council authorization is required in order to implement the proposed amendments to the respective MOU's. The proposed amendments are within the financial parameters authorized by the City Council and preserve the City's ability to attract and retain highly qualified personnel.

**ACTION FOLLOWING APPROVAL:**

City staff and representatives of the employee bargaining units will sign the proposed 2016-2019 MOU's. Staff will implement the proposed modifications as summarized in Exhibits A - B (attached).

Prepared by: Lori Shively, Personnel/Risk Manager

Submitted by: Robert K. Ford, General Services Director





**RESOLUTION 16-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS ADOPTING  
MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF CLOVIS AND THE  
THE CLOVIS PUBLIC SAFETY EMPLOYEES' ASSOCIATION (CPSEA) AND THE  
TRANSIT EMPLOYEES' BARGAINING UNIT (TEBU)**

**WHEREAS**, Memoranda of Understanding exist between the City of Clovis and the CPSEA and TEBU employee bargaining units (the Parties); and,

**WHEREAS**, the Memoranda of Understanding will expire on June 30, 2016; and,

**WHEREAS**, agreements have been reached between the Parties for successor Memoranda of Understanding; and,

**WHEREAS**, Summaries of changes in the agreements are attached as "Exhibits A - B".

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Clovis hereby adopts the Memoranda of Understanding between the City of Clovis and the CPSEA and TEBU Bargaining Units for the term of July 1, 2016 through June 30, 2019.

\* \* \* \* \*

The foregoing Resolution was approved and adopted at a meeting of the Clovis City Council on June 20, 2016, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date: June 20, 2016

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Nathan Magsig, Mayor

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John Holt, City Clerk

**EXHIBIT A**

**SUMMARY OF THE CHANGES IN THE 2016-2019 MEMORANDUM OF  
UNDERSTANDING BETWEEN THE CITY OF CLOVIS AND THE CLOVIS PUBLIC  
SAFETY EMPLOYEES' ASSOCIATION BARGAINING UNIT (CPSEA)**

1. Term – July 1, 2016 through June 30, 2019
2. Wages / Benefits – The following wage increases will be implemented for all CPSEA classifications:
  - July 1, 2016                      3.0%
  - July 1, 2017                      3.0%
  - July 1, 2018                      3.5%
3. Equity Adjustments – The Animal Control Officer and the Evidence Technician classifications will receive 1.0% equity adjustments in each year of the MOU.
4. Salary Range Adjustment – Effective July 1, 2016, the salary range of the Community Services Officer classification will be adjusted to become equal to the salary range of the Police Services Officer classification.
5. Health Premium Waiver Incentive – the amount of the incentive available to employees who waive the City's health coverage will increase by \$20.00 per month.
6. Vantage Care Retiree Medical Savings Program - Employees hired on or after July 1, 2016, will enroll in the Vantage Care Retirement Health Savings Program. Over the next six (6) months, the City and CPSEA representatives will meet to discuss the feasibility of the program for CPSEA members hired prior to July 1, 2016.
7. Professional Development – The tuition reimbursement program for employees pursuing job-related college / university degrees will be limited to \$8,000 per year / \$20,000 during the employee's employment with the City.

**EXHIBIT B**

***SUMMARY OF THE CHANGES IN THE 2016-2019 MEMORANDUM OF  
UNDERSTANDING BETWEEN THE CITY OF CLOVIS AND THE TRANSIT  
EMPLOYEES' BARGAINING UNIT (TEBU)***

1. Term – July 1, 2016 through June 30, 2019
2. Wages / Benefits – The following wage increases will be implemented for all TEBU classifications:
  - July 1, 2016                3.0%
  - July 1, 2017                3.0%
  - July 1, 2018                3.5%
3. Health Premium Waiver Incentive – the amount of the incentive available to employees who waive the City's health coverage will increase by \$20.00 per month.
4. Vantage Care Retiree Medical Savings Program - Employees hired on or after July 1, 2016, will enroll in the Vantage Care Retirement Health Savings Program. Over the next six (6) months, the City and TEBU representatives will meet to discuss the feasibility of the program for TEBU members hired prior to July 1, 2016.
5. Professional Development – the tuition reimbursement program for employees pursuing job-related college / university degrees will be limited to \$8,000 per year / \$20,000 during the employee's employment with the City.
6. Stand-By Time – Employees will receive a premium of 25% of their weekly salary for each week they are assigned to stand-by status.
7. Compensatory Time-Off – Employees may deposit up to 40 hours of their accumulated CTO into their ICMA 457 plan in December of each year.



AGENDA ITEM NO: CC-E-2

City Manager: ms

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

**TO:** Mayor and City Council

**FROM:** General Services Department

**DATE:** June 20, 2016

**SUBJECT:** Approval – Res. 16-\_\_\_\_, Amending the City's Master Administrative Fee Schedule Related to Transit Bus Passes

**ATTACHMENTS:** Resolution 16-\_\_\_\_  
Attachment A: DRAFT Revised Fee Schedule

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

Approve Res. 16-\_\_\_\_ amending the City's Master Administrative Fee Schedule pertaining to Transit bus passes.

### **EXECUTIVE SUMMARY**

As part of the transit electronic farebox project, some of the fare media needs revision. The actual cost per trip has not changed but the configuration and type of passes offered needs to be revised. The changes will reduce the types of passes offered making it easier for passengers to understand.

### **BACKGROUND**

The Transit Section of the General Services Department has recently installed new electronic fareboxes. These fareboxes will ultimately accept magnetic stripe cards, Fresno State University student ID cards, and smart card technology.

Previously, our bus passes were either a punch pass or a monthly flash pass. With the new fareboxes, the bus pass structure can be more efficiently designed. The cash fares for the transit system are not changing, only the pass configurations are.

Stageline buses currently accept a punch pass or the regional Metro Pass. The Metro Pass is available under an agreement with Fresno Area Express and can be used on both Clovis and Fresno bus systems. Purchasing the 20-ride punch pass provides the passenger with \$2.00 extra value over paying cash for 20 rides.

The proposed changes to the master fee schedule for Stageline are as follows:

<b>Current</b>	<b>Cost</b>	<b>Proposed</b>	<b>Cost</b>
<b>Stageline Service 20-Ride Pass</b> Pass is for twenty \$1.25 value rides and does not expire.	\$23.00	<b>Stageline Service 10-Ride Pass</b> Pass is for ten \$1.25 value rides and does not expire.	\$11.50
<b>Stageline Service Monthly Pass.</b> Pass can be used on Fresno or Clovis buses and is valid for unlimited rides within a calendar month.	\$48.00	<b>Stageline Service 31-Day Pass</b> Pass can be used on Fresno or Clovis buses and is valid for unlimited rides for 31 days from first use.	\$48.00

The Roundup service has three different fare zones depending upon the distance of the trip. Current punch passes are specific to the zone and do provide an incentive for buying passes over cash fares. Proposed passes are electronic smart cards with a pre-loaded value so that one pass can be used in all zones. The card will deduct the required fare amount from the card balance until it is exhausted.

<b>Current</b>	<b>Cost</b>	<b>Proposed</b>	<b>Cost</b>
Roundup Zone 1 Pass-20 rides	\$23.00	\$27.50 value smart card would replace all other Roundup passes. The system will deduct the correct value for the required fare	\$25.00
Roundup Zone 2 Pass-20 rides	\$36.00		
Roundup Zone 3 Pass-20 rides	\$50.00		

## **FISCAL IMPACT**

The cost per ride remains unchanged so there will be no fiscal impact. The fiscal impact in purchasing the electronic fare media is offset by a reduction in fraud and short fares inherent with traditional fare media and fareboxes. The vendor states that a 5% or greater farebox increase is often seen with new electronic fareboxes due to a reduction in fraud.

## **REASON FOR RECOMMENDATION**

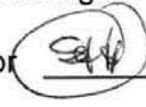
Amending the Master Administrative Fee Schedule to adjust for the new electronic media is in line with the entire fare plan structure which will allow transit passengers to use one fare media throughout the Fresno/Clovis metropolitan area.

**ACTIONS FOLLOWING APPROVAL**

Update the Master Fee Schedule and convert to the new electronic fare media when the farebox system is fully implemented in summer 2016.

Prepared by: Shonna Halterman, General Services Manager

Submitted by: Robert Ford, General Services Director

A handwritten signature, likely of Robert Ford, is written over a horizontal line. The signature is enclosed within a hand-drawn oval.

**RESOLUTION 16 -**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING  
AMENDMENTS TO THE MASTER ADMINISTRATIVE FEE SCHEDULE**

**WHEREAS**, On June 20, 2016, the City Council reviewed the City's Master Fee Schedule as related to transit bus passes; and,

**WHEREAS**, bus pass configurations are revised to facilitate the use of the electronic regional fareboxes; and,

**WHEREAS**, the new Stageline bus pass configurations will coordinate with Fresno Area Express allowing for easier use between the transit systems; and,

**WHEREAS**, the fares for transit service are not changing, only the configurations of bus passes.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Clovis adopts the revisions to the City of Clovis Master Fee Schedule transit bus passes as specified in Attachment "A". The Fee Schedule will become effective September 1, 2016, and reflected in the Master Administrative Fee Schedule.

The foregoing resolution was approved at the regularly scheduled meeting of the Clovis City Council on the 20th day of June, 2016, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated:

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Mayor

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City Clerk



## MASTER ADMINISTRATIVE FEE SCHEDULE

### Description Fee

Standard Photocopying for Black and White (per page – standard 8 ½ x 11).....	\$ .10
Standard Photocopying for Color (per page– standard 8 ½ x 11) .....	\$ .15
Blue Line Map	
24 x 36 .....	4.00
30 x 48 .....	5.00
Each successive sheet .....	2.50
Map of Developable Areas .....	30.00
Standard Specifications (per set) .....	20.00
Research Fee (1/2 hr. minimum) .....	45.00/hr.
Facility Use Permit.....	(minimum) \$100.00
Lobbyist Registration (annual) .....	25.00
Amendment to Lobbyist Registration .....	10.00
Annual Financial Report .....	20.00
Annual Budget.....	20.00
Copy of Fire Report (made immediately).....	25.00
Copy of Fire Reports (mailed within 5 days) .....	5.00
Copy of Clovis Municipal Code (full copy).....	125.00
Copy of Clovis Municipal Code Supplements .....	20.00
Video Tape Copy.....	25.00
Reproduction of Photographs .....	40.00
Standby Fireworks Fee (3 hr. minimum).....	369.92
Fire Permit.....	15.00

### Park Facility Reservation Fees

Permit processing fee (all reservations) .....	9.00
Plus	
Half-day rental.	
Each 5 - 11 ft. table.....	2.75
Each 12 - 19 ft. table.....	5.50
Each 20 - 27 ft. table.....	8.25
Full-day rental:	
Each 5 - 11 ft. table .....	5.50
Each 12 - 19 ft. table.....	11.00
Each 20 - 27 ft. table.....	16.50

### Hydrant Water - Metered

First 30 days, plus 5,000 gallons .....	20.00
Per 1,000 gallons over 5,000 gallons .....	1.00
Late Return Charge - Per day .....	15.00
Lost or stolen meter .....	500.00

Administrative Charge pertaining to Administrative Citations..... 50.00

### General Services Department

#### Community Services Division

#### Transit Section

##### Stageline Service:

General Public (age 6-64) (per one-way trip) .....	\$1.25
Seniors age 65 and over with I.D. (per one-way trip).....	Free
Persons with disability with proof of disability (per one-way trip) .....	Free
Attendant to assist a person with a disability (one attendant per disabled person).....	Free
Children under age 6 with fare paying adult (up to 4 children).....	Free
<b>10-ride pass.....</b>	<b>\$11.50</b>





**Stageline/FAX Metro Pass – Valid 31-days from first use ..... \$48.00**

Roundup Service (Disabled residents of Clovis):

**\$27.50 value smart card..... \$25.00**

Trolley Fee Schedule:

Non Holiday Hourly Rate (minimum of two hours)..... 125.00

Holiday Hourly Rate (all holidays recognized by the City of Clovis, minimum of two hours) .... 140.00

Reduced hourly rate after four hours at full rate ..... \$75.00

Wait time (vehicle not in motion) after two hours at full rate ..... \$50.00

Clean-up of any bodily fluid spills on a per incident basis ..... 100.00

#### **Senior Services Section**

Banquet Hall Rental ..... \$700.00 for first 5 hours; \$75.00 each additional hour

Banquet Hall Rental (non-profit rate)..... \$75.00 per hour

Classroom Rental..... \$375.00 for first 5 hours; \$50.00 each additional hour

Classroom Rental (non-profit rate)..... \$50.00 per hour

Senior Center Classes ..... \$1.00 to \$5.00 per day per activity

Senior Center Class Registration..... Free to \$35.00 per 8-week session

Ceramic Firing Fee (one class)..... \$15.00 per month

Ceramic Firing Fee (two or more classes)..... \$20.00 per month

Senior Trips and Tours ..... \$5.00 administrative fee plus actual activity cost

Lifeline Service (City owned units)..... \$30.00 per month

Lifeline Service (leased units) ..... \$35.00 per month

Notary Public Service..... \$5.00

Event Table Sponsorship ..... \$75.00 to \$150.00

#### **Recreation Section**

Batting Range Fees..... \$1.50-\$2.50 for 20 pitches, exclusive of special promotions

Youth Program Fees ..... Fee Range: Free to \$85.00 per program

Youth Leagues and Tournaments ..... Fee Range: \$85.00 to \$125.00

Adult Program Fees..... Fee Range: \$1.00 to \$125.00 per program

Adult Leagues and Tournaments ..... Fee Range: \$50.00 to \$500.00

Special Events and Camps..... Fee Range: Free to \$250.00 per event/camp

Recreation Facility Reservations (north portion of building) ..... Fee Range: \$40.00 to \$90.00

Recreation Facility Reservations (south portion of building) ..... Fee Range: \$40.00 to \$90.00

Sponsorship Banners ..... \$150.00 to \$2,000.00

#### **Police Department Fees**

##### **Entertainment Permit Fees**

Application Fee ..... \$500.00

##### **Annual Permits**

Heavy Use (annual) ..... \$1,000.00 per year

Medium Use (annual) ..... \$500.00 per year

Light Use (annual)..... \$250.00 per year

Single Event Permit..... \$250.00

##### **Appeal Fees:**

Heavy Use (per appeal) ..... \$250.00 per appeal

Medium Use (per appeal) ..... \$125.00 per appeal

Light Use (per appeal) ..... \$60.00 per appeal

##### **Other Fees:**

Copy of Police Report ..... \$5.00

Fingerprinting (Clovis residents or works in Clovis only), per card ..... 10.00

ABC License Review ..... \$200.00

ABC Permit - Special Event Alcohol Permit: Profit ..... 22.00

ABC Permit - Special Event Alcohol Permit: Non Profit..... No Charge

Local Background Check ..... 40.00

Audio Dispatch Recording (with case # and time of call) ..... 39.00

Audio/ Video Dispatch Recording (with name only) single camera view and time increment..... 68.00

Audio/ Video Dispatch Recording (involving staff time up to 1.5 hrs)..... 247.00

Audio or Video Dispatch Recording (involving staff time of 1.5 hrs+)	425.00
Card Room Permit (includes fingerprinting)	258.00
Card Room Permit Renewal (includes fingerprinting)	228.00
Production of Records - Video Tapes, CD's, DVD's	54.00
Reproduction of Photographs (Digital)	40.00
Reproduction of Photographs (35 mm)	142.00
Report - Discovery (Reports or Audio or Video)	170.00
Second Hand Dealer License	44.00
Vehicle Impound Release	206.00
Per Tow Administration Fee	40.00
Gun Storage - Clovis Resident \$55.00 First Gun \$35 Each Additional Gun	55.00
Gun Storage - Non-Clovis Resident \$75.00 First Gun \$35 Each Additional Gun	75.00
Massage Therapist Permit Application Fee	250.00
Shopping Cart Pick Up Fee	25.00
Shopping Cart Daily Storage Fee	5.00

#### False Alarms:

False Alarms, first 2 alarms	No Charge
False Alarms, 3 – 5 alarms	100.00 each
False Alarms, 6 or more	250.00 each

#### Animal Services Fees

##### Dog License (Unaltered)

One year	25.00
2 years	50.00
3 years	75.00
Replacement Tag	1.00

##### Dog and Vietnamese pot bellied pig License

(Spayed or neutered or owned by Senior Citizen)

One year	5.00
2 years	10.00
3 years	15.00

Additional Animal Fees (see Table 1 below)

**TABLE 1**

IMPOUND FEES			
Type	1 <sup>st</sup> Time	2 <sup>nd</sup> Time	3 <sup>rd</sup> & Subsequent
Altered dog with license	Free*	\$35.00*	\$65.00*
Unaltered dog with license	Free* & \$35 State	\$60.00* & \$50 State	\$85.00* & \$100 State
Altered dog – no license	\$35.00*	\$60.00*	\$85.00*
Unaltered dog – no license	\$35.00* & \$35 State	\$60.00* & \$50 State	\$85.00* & \$100 State
Altered Cat	Free *	\$30.00*	\$30*
Unaltered Cat	Free* & \$35 State	\$25.00 * & \$50 State	\$35.00 * & \$100 State
Other animals	Free*	\$30.00*	\$55.00*
Animal returned to owner by Field Officer	\$65.00*	65.00*	65.00*
* plus \$15.00 per day board			
OTHER ANIMAL SHELTER FEES			
Cat trap			\$60.00 deposit
Skunk trap			\$100.00 deposit
Large Animal Trap Deposit			\$100.00
Owner surrendered altered dog			\$20.00
Owner surrendered unaltered dog			\$ 30.00
Owner surrendered altered cat			\$15.00
Owner surrendered unaltered cat			\$20.00
Owner surrendered litter			\$25.00
Owner surrendered Pocket Pets (hamster, mice)			\$5.00

guinea pig, etc)	
Dog/cat euthanasia	\$100.00
Dead animal disposal (under 10 pounds)	\$10.00
Dead animal disposal (over 10 pounds)	\$20.00
Pick-up fee (surrender fee separate)	\$65.00
Dog Adoption	\$150.00
Transfer Dog License	\$5.00
Dog License Late Fee	\$10.00
Cat Adoption	\$75.00
Quarantined Animals – Daily board	\$25.00
After Hour Service	\$50.00
Dangerous and Vicious Animal Registration	\$100.00
Spay and Neuter Deposit	\$100.00
Obedience Training Deposit	\$100.00

### Fire Department Fees

Front Counter Fees	Office Use	Rate
Incident Report	61000-46310	\$0
Records & Fee For Copies (20 pages - ¢5 per copy after)	61000-46310	\$0
Photographs/ Electronic Format / CD	61000-46310	\$0
WAV (Western Audio Format) File on CD	61000-43610	\$0
Fireworks Booth	62000-46001	\$300
Fire Investigation Report and Photos	62000-46310	\$159

Construction Permits	Office Use	Rate
Underground	62000-46001	\$372
Overhead (Up to 20 heads)	62000-46001	\$163
Overhead (21 – 50 heads)	62000-46001	\$297
Overhead (each additional 50 heads after 51+)	62000-46001	\$224
Fire Pump	62000-46001	\$290
Fire Standpipes (per standpipe)	62000-46001	\$114
Fire Alarm (Base Fee)	62000-46001	\$325
Fire Alarm (Per 25 Devices)	62000-46001	\$7
Fire Sprinkler System Alarms	62000-46001	\$163
5yr Sprinkler System Certification (Compliant)	62000-46001	\$0
5yr Sprinkler System Certification (non-Compliant)	62000-46001	\$363
Fire Suppression Hood System	62000-46001	\$363
LP Gas	62000-46001	\$172
Above Ground Tank Installation	62000-46001	\$297
Plan Review Re-submittal (Ea. Additional 1/2 hour)	62000-46001	\$66
Re- Inspection Fee (Ea. Additional 1/2 hour)	62000-46001	\$99
Expedited Plan Review	62000-46001	\$132
Investigation Fee for Work Started Without Permits is the Total Cost of the Construction Permit Fee Doubled.	62000-46001	\$661

Annual Occupancy Fire and Life Safety Inspections (3 <sup>rd</sup> Visit Non-Compliant)	Office Use	Rate
Annual Inspection - (Occupancy type: B, F, M, S) Factory/Industrial, Retail, Business/Office, except for combustible dust producing operations and repair		

garages.		
Up to 5,000 sq. ft.	62000-46001	\$161
5,001 - 40,000 sq. ft.	62000-46001	\$149
40,001 sq. ft. and Above	62000-46001	\$287

<b>Annual Occupancy Fire and Life Safety Inspections (3<sup>rd</sup> Visit Non-Compliant; Schools 1<sup>st</sup> Visit)</b>	<b>Office Use</b>	<b>Rate</b>
<i>Annual Inspection - (Occupancy type: A, E) (Excludes R-1 apartments, hotels/motels), Assembly (Theatre, Churches, Auditorium, Restaurant), Education (any school), Excessive Hazardous Material - Welding, Open - flame, High Hazard Storage:</i>		
Up to 5,000 sq. ft.	62000-46001	\$113
5,001 - 20,000 sq. ft.	62000-46001	\$218
20,001 sq. ft. and Above	62000-46001	\$357

<b>Annual Occupancy Fire and Life Safety Inspections (3<sup>rd</sup> Visit Non-Compliant)</b>	<b>Office Use</b>	<b>Rate</b>
<i>Annual Inspection - (Occupancy type: H) Excessive Hazardous Material - Welding, Open - flame, High Hazard Storage:</i>		
Up to 5,000 sq. ft.	62000-46001	\$297
5,001+.	62000-46001	\$694

<b>Annual Occupancy Fire and Life Safety Inspections (Hospitals and Fire Clearances 1<sup>st</sup> Visit)</b>	<b>Office Use</b>	<b>Rate</b>
<i>Annual Inspection - (Occupancy type: I)* Hospitals, nursing homes with medical care, prisons and mental facilities:</i>		
Hospitals	62000-46001	\$3,998
Other I Occupancies	62000-46001	\$430
Fire Clearances	62000-46001	\$231

<b>Annual Occupancy Fire and Life Safety Inspections (3<sup>rd</sup> Visit Non-Compliant)</b>	<b>Office Use</b>	<b>New Rate</b>
<i>Annual Inspection / each per year - Occupancy type R-1 (Hotels/Motels)</i>		
3 – 19 units	62000-46001	\$89
20 – 49 units	62000-46001	\$129
50 + units	62000-46001	\$169

<b>Annual Occupancy Fire and Life Safety Inspections (3<sup>rd</sup> Visit Non-Compliant)</b>	<b>Office Use</b>	<b>Rate</b>
<i>Annual Inspection / each per year - Occupancy type R-2 (Apartments)</i>		
3 – 19 units	62000-46001	\$69
20 – 49 units	62000-46001	\$109
50 + units	62000-46001	\$129

<b>Residential Care Facilities Pre-Inspection</b>	<b>Office Use</b>	<b>Rate</b>
6 or less clients	62000-46001	\$109
7 or more clients	62000-46001	\$208

<b>Fire Suppression Hood System - Existing</b>	<b>Office Use</b>	<b>Rate</b>
Compliant	62000-46001	\$0
Non-Compliant (2 <sup>nd</sup> visit)	62000-46001	\$69

<b>Operational Permits (1-Day Event)</b>	<b>Office Use</b>	<b>Rate</b>
Base Fee for 1/2 hour Plan Review and One (1) Inspection	62000-46001	\$114
Each Additional Plan Review Per 1/2 hour	62000-46001	\$57
Each Additional Inspection Per 1/2 hour	62000-46001	\$57

<b>False Alarm Response</b>	<b>Office Use</b>	<b>Hourly Rate</b>
Prevention (1 unit)	62000-46001	\$165
Suppression (1 BC unit)	62000-46001	\$316

<b>Fireworks Standby / Special Events Code Enforcement</b>	<b>Office Use</b>	<b>Hourly Rate</b>
Prevention Staff (1 unit)	62000-46001	\$91

<b>Plan Review</b>	<b>Office Use</b>	<b>Rate</b>
Plan Review per ½ hours (1/2 hour minimum)	62000-46001	\$66
Inspection	62000-46001	\$66

<b>Miscellaneous Fees</b>	<b>Office Use</b>	<b>Rate</b>
Emergency Response – Admin (plus equipment)	62000-46001	\$45
HazMat Response – Admin (plus equipment)	62000-46001	\$45
Electronic Gate	62000-46001	\$109
Firefighter Standby Fee	62000-46001	\$586





AGENDA ITEM NO:

CCF1

City Manager:

*[Signature]*

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: June 20, 2016

SUBJECT: Approval – Bid Award for CIP 13-24, Clovis Avenue Street Improvements, and; Authorize the City Manager to execute the contract on behalf of the City

ATTACHMENTS: (A) Vicinity Map

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

1. For the City Council to award a contract for CIP 13-24, Clovis Avenue Street Improvements, to Dave Christian Construction Company, Inc. in the amount of \$ 344,648.00 and;
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

### **EXECUTIVE SUMMARY**

The project consists of constructing a street overlay on approximately 0.45 mile of Clovis Avenue from Pico Avenue to Shaw. The purpose of this project is preventive maintenance on an aging street to increase the life of the structural section by creating a new paved surface. The construction involves grinding the top 2 inches of the existing asphalt concrete pavement and replace with 2 inch asphalt concrete overlay. The work shall include, but not be limited to, partial reconstruction of asphalt concrete pavement, adjustments of existing facilities to finish grades, replacements of concrete curb returns, concrete median islands, traffic loop detectors, and traffic striping, modification of existing traffic signal, and miscellaneous improvements.

All street grinding, paving, and traffic striping for this project shall be executed with night work construction only to avoid major traffic issues. Hours of night work construction shall be from 10:00PM to 6:00AM each night, starting from Sunday night (Monday morning) thru Thursday night (Friday morning) each week. At the end of each work shift, all travel lanes shall be restored in safe condition and available for traffic.

Staff has evaluated the project site and all design aspects within the scope of this project for compliance with the Americans with Disabilities Act (ADA) accessibility standards as of June 20, 2016. The project will be ADA compliant upon completion.

## **BACKGROUND**

The following is a summary of the bid results of May 24, 2016:

BIDDERS	BASE BIDS
Dave Christian Construction Company, Inc.	\$ 344,648.00
Emmett's Excavation, Inc.	\$ 374,453.00
A S Dezign, Inc. d.b.a. Asphalt Design, Inc.	\$ 375,610.65
Yarbs Grading and Paving, Inc.	\$ 425,271.75

## **ENGINEER'S ESTIMATE**

**\$ 386,069.00**

All bids were examined and the bidders' submittals were found to be in order. Staff has validated the lowest responsive bidder contractor's license status; the contractor is in good standing with no record of complaints or violations recorded in the last three years. A record search for complaints or violations was performed through Cal OSHA and no violations were found.

## **FISCAL IMPACT**

This project was approved in the 2015-2016 fiscal year budget. The project is supported by the City Community Investment Program and Regional Surface Transportation Program (RSTP).

## **REASON FOR RECOMMENDATION**

Dave Christian Construction Company, Inc. is the lowest responsible bidder. There are sufficient funds available for the anticipated costs of this project.

## **ACTIONS FOLLOWING APPROVAL**

1. The contract will be prepared and executed, subject to the Contractor providing performance security that is satisfactory to the City.
2. Construction will begin approximately two (2) weeks after contract execution and be completed in thirty (30) working days thereafter.

Prepared by: Thomas K. Cheng, Project Engineer

Submitted by:

  
Michael Harrison  
Interim City Engineer

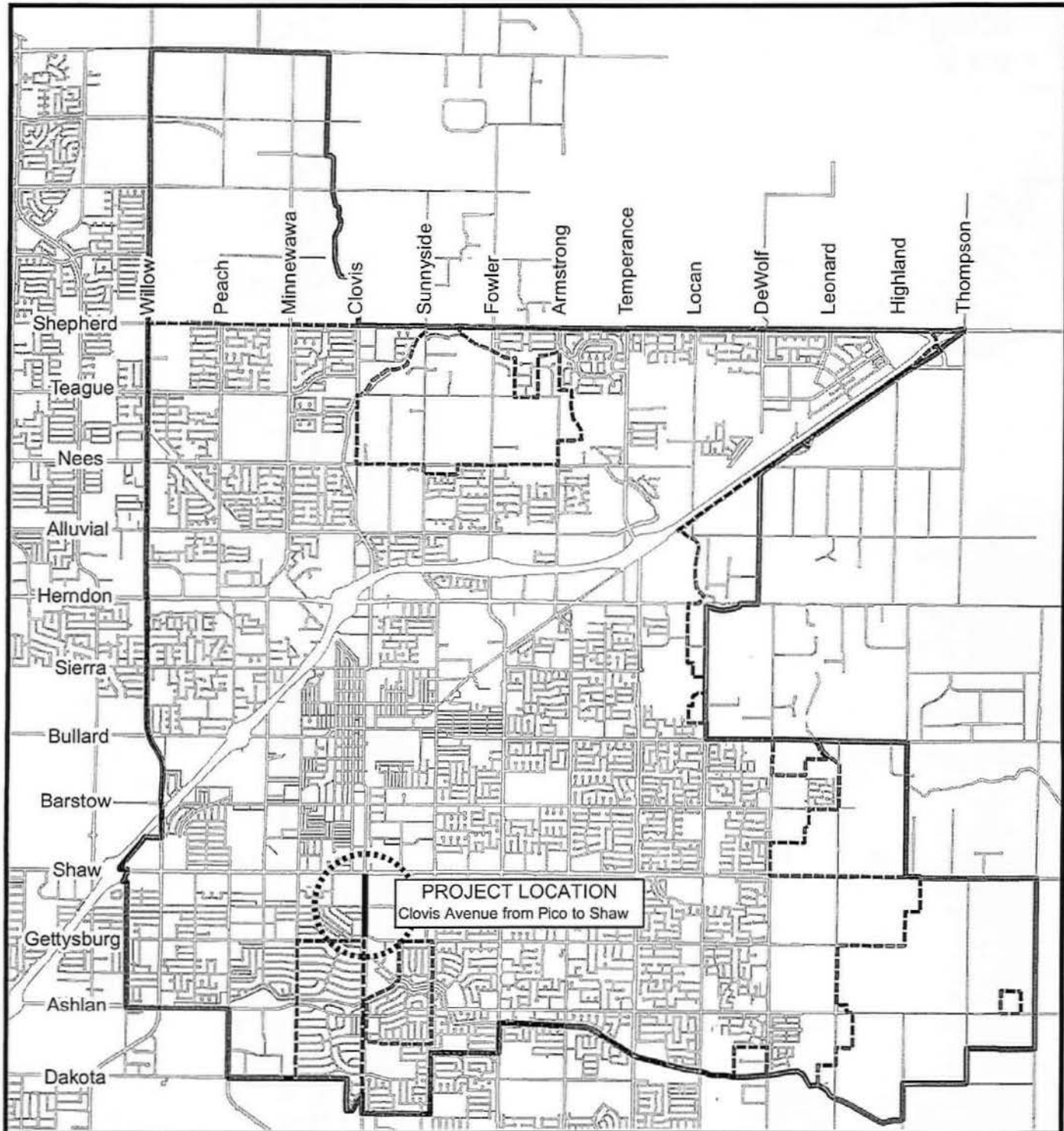
Recommended by:

  
Dwight Kroll, AICP  
Director of Planning  
and Development Services



# VICINITY MAP

CIP 13-24 Clovis Avenue Street Improvements



May 26, 2016

## ATTACHMENT A

 CITY LIMITS  SPHERE OF INFLUENCE



Prepared By: Thomas Cheng



AGENDA ITEM NO: **CC-G1**

City Manager:     

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Police Department

DATE: June 20, 2016

SUBJECT: Approval - Res. 16-\_\_\_\_, Amending the Police Department's Budget for FY 2016-2017 to reflect the Department of Alcoholic Beverage Control 2016-2017 GAP grant award in the amount of \$29,871.00.

ATTACHMENTS: (A) Summary of Expenditures  
(B) Resolution for ABC

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

1. Approve the acceptance of a GAP grant from ABC.
2. Approve Resolution 16-\_\_\_\_, amending the Police Department's budget for FY 16-17.

### **EXECUTIVE SUMMARY**

The Clovis Police Department has been awarded a grant through ABC's Grant Assistance Program for \$29,871 to reduce the number of violations at ABC licensed establishments and reduce minor access to alcohol through a combination of enforcement and education. Grant funds will primarily be used to offset personnel costs, allowing the Police Department to staff directed enforcement details utilizing minor decoy operations, shoulder tap operations, licensee inspections, and Teenage Party Prevention and Dispersal (TAPPED) operations. These operations will be done in conjunction with ABC. Funding will also be used to allow the department to provide outreach and education to ABC licensed business owners on prevention and to middle and high school students.

## **BACKGROUND**

The Police Department applied for this grant early in 2016 and just recently received notification of award of the grant. The Police Department received a GAP grant in 2013. The grant was of similar size and used for similar enforcement activities resulting in greater ABC compliance by local businesses and a reduction in alcohol related crime at ABC licensed establishments.

## **FISCAL IMPACT**

The Police Department will utilize grant funds to pay for all overtime costs for officers to work enforcement and education details. All details will be staffed with overtime and will not pull resources from other patrol responsibilities. Some administrative activities associated with the grant will be conducted during the regular duty hours of the program manager. The grant will also completely cover miscellaneous expenses associated with education materials and investigations.

Acceptance of this grant is not expected to have any impact on the allocation of funds in the previous city budget.

## **REASON FOR RECOMMENDATION**

To comply with the requirements of the ABC Grant Assistance Program, it is necessary for the City Council to take action to approve the acceptance of the grant and amend the Police Department budget.

## **ACTIONS FOLLOWING APPROVAL**

1. The Police Department's summary of expenditures in the FY 16-17 budget will be shown on Exhibit A.

Prepared by: Max Garces, Police Corporal

Submitted by:   
Matthew Basgall, Chief of Police

## **EXHIBIT A**

### **SUMMARY OF EXPENDITURES BY DEPARTMENT**

#### **DEPARTMENT**

POLICE	\$29,871
TOTAL DEPARTMENT	\$29,871

### **SUMMARY OF EXPENDITURES BY FUND**

GENERAL FUND	\$29,871
TOTAL FUND	\$29,871

## **RESOLUTION NO. 16-\_\_\_\_\_**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS FOR THE USE OF ALCOHOLIC BEVERAGE CONTROL FUNDS FOR 2016-2017**

WHEREAS, the City Council of the City of Clovis approved the 2016-2017 Budget on June 13, 2016; and

WHEREAS, the Police Department will be awarded \$29,871 from the Department of Alcoholic Beverage Control for the Grant Assistance Program; and

WHEREAS, the City Council determines that these expenditures are necessary

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis that the 2016-2017 Budget be amended as provided in the Exhibit A "Summary of Expenditures, By Department", " Summary of Expenditures by Fund."

IT IS AGREED that any liability arising out of the performance of the contract, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and ABC disclaim responsibility for any such liability.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on June 20, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: June 20, 2016

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



AGENDA ITEM NO: CC-G2

City Manager: ps

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Police Department

DATE: June 20, 2016

SUBJECT: Approval - Res. 16-\_\_\_\_, Authorizing the Police Department to submit an application for the San Joaquin Valley Air Pollution Control District Public Benefits Grant Program New Alternative Vehicle Purchase and authorize the Chief of Police to implement this program.

ATTACHMENTS: Res. 16-\_\_\_\_

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

Approve the use of the San Joaquin Valley Air Pollution Control District Public Benefits Grant Program funds to purchase four New Alternative fuel Vehicles: Two (2) Zero Motorcycles and Two (2) Light Duty Vehicles.

### **EXECUTIVE SUMMARY**

The Clovis Police Department will apply for the San Joaquin Valley Air Pollution Control District Alternative Fuel Vehicle Purchase Program. The grant period starting date is still to be determined. The grant is to provide public agencies as defined by Government Code section 6252 with new electric, plug-in hybrid, or alternative fuel vehicles.

The Police Department is proposing that these funds be used to purchase two 2016 Zero DS ZF11.4 PD Motorcycles and two 2016 Focus Electric Base vehicles.

## **BACKGROUND**

The purpose of this program is to fund the purchase of new electric, plug-in hybrid, or alternative fuel vehicle for public agencies to promote clean air alternative-fuel technologies and the use of low-or zero-emission vehicles in public fleets.

## **FISCAL IMPACT**

The Clovis Police Department could receive up to \$106,000.00 for law enforcement to promote clean air alternative-fuel in public fleets. Any costs that exceed the \$106,000.00 funds will be taken out of Police Department Budget.

## **REASON FOR RECOMMENDATION**

To comply with the requirements of San Joaquin Valley Air Pollution Control District Public Benefit Grant Program and authorize the Clovis Police Department to submit an application for the Benefits Grant Program New Alternative Vehicle Purchase and authorize the Chief of Police to implement this program.

## **ACTIONS FOLLOWING APPROVAL**

To approve the resolution for the use of funds; and authorization of implementation of grant program by the Chief of Police, as required by the grant.

Prepared By: Sandi Macy, Principal Office Assistant

Submitted by:

  
Matt Basgall, Chief of Police



**RESOLUTION NO. 16-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
FOR APPROVAL TO ALLOW POLICE DEPARTMENT TO APPLY FOR  
SJVAPCD PUBLIC BENEFIT GRANT PROGRAM AND CHIEF OF POLICE  
AUTHORIZATION TO IMPLEMENT PROGRAM**

WHEREAS, the City Council of the City of Clovis approved the 2016-2017 Budget on June, 13 2016; and

WHEREAS, the Police Department is to apply for \$106,000.00 under the San Joaquin Valley Air Pollution Control District Public Benefit Grants Program; and

WHEREAS, the Police Department has need for alternative fuel vehicles for public agencies; and

WHEREAS, the City Council determines that the use of funds are approved.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis to allow the Clovis Police Department to apply for these grant funds and authorize the Chief of Police to implement grant program.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on June, 20, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk





AGENDA ITEM NO: CC-G3

City Manager: *rw*

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Police Department

DATE: June 20, 2016

SUBJECT: Approval - Res. 16-\_\_\_, Authorizing the Police Department use of funds for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for a part-time Cadet in the amount of \$16,434.00.

### **CONFLICT OF INTEREST**

There is no conflict of interest with these funds.

### **RECOMMENDATION**

Approve the use of FY 2016/2017 Justice Assistance Grant (JAG) funds.

### **EXECUTIVE SUMMARY**

The Clovis Police Department is applying for Edward Byrne Memorial Justice Assistance Grant (JAG) Program for fiscal year 2016-2017. The federal government requires as a condition of this grant, that a public hearing be held prior to receipt of the funds. The grant period starts October 1, 2016 and ends September 30, 2018.

The Police Department is proposing to maintain one part-time Cadet to assist patrol in several functions in the Police Department. These functions could include, but not be limited to, patrol field work, jail duties and animal services duties in patrol and community events.

### **BACKGROUND**

These funds are provided by the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG). This program furthers the Department of Justice's mission by assisting state and local efforts to prevent and/or reduce crime and violence.

**FISCAL IMPACT**

The Clovis Police Department could receive up to \$16,434.00 for law enforcement activities. There is not a match required for this grant.

**REASON FOR RECOMMENDATION**

To approve the use of FY 2016 Justice Assistance Grant funds.

**ACTIONS FOLLOWING APPROVAL**

A resolution will follow after notification of the receipt of funds.

Prepared by: Sandi Macy, Principal Office Assistant

Submitted by:   
Matt Basgall, Chief of Police



AGENDA ITEM NO: **1-A-1&2**

City Manager: *pu*

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Finance Department

DATE: June 20, 2016

SUBJECT: Consider Actions related to Annexation of Territory (Annexation #45 – T6082, T6120, T6127 - Northeast Corner Barstow/Leonard) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). (Staff: J. Schengel)

1. Consider Approval - Res. 16-\_\_\_\_, A Resolution annexing territory (Annexation #45 – T6082, T6120, T6127 - Northeast Corner Barstow/Leonard) 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 #45) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
2. Consider Approval - Res. 16-\_\_\_\_, 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).

ATTACHMENTS: (A) Resolution of Annexation  
(B) Resolution Declaring Results  
(C) Exhibit A – Canvass and Statement of Result Election  
(D) Map

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

- That the Council hold a public hearing and approve actions related to the Annexation of Territory (Annexation #45) to Community Facilities District No. 2004-1.

- Consider Approval – Res. 16-\_\_\_\_, A Resolution of annexation of territory (Annexation #45) to the Community Facilities District (City of Clovis Community Facilities District No. 2004-1) and to authorize the levy of Special Taxes therein and submitting Levy of Special Taxes to Qualified Electors.
- Call for Special Election and have Clerk announce the vote.
- Consider Approval – Res. 16-\_\_\_\_, A Resolution of the City Council of the City of Clovis Declaring the Results of the Special Annexation Election; Determining Validity of Prior Proceedings and Directing Recording of the Notice of Special Tax Lien (City of Clovis Community Facilities District No. 2004-1) (Police and Fire Services).

## EXECUTIVE SUMMARY

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. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property within the District as provided by the conditions of approval of the development entitlements.

To initiate the process for annexation of territory to a CFD, the Council approved a Resolution of Intention-Annexation #45 (ROI) to annex territory to the CFD on May 16, 2016. The ROI set a public hearing for June 20, 2016. The action today finalizes the annexation to the CFD.

## BACKGROUND

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. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property within the District as provided by the conditions of approval of the development entitlements.

To initiate the process for annexation of territory to a CFD, the Council approved a Resolution of Intention-Annexation #45 (ROI) to annex territory to the CFD. The ROI set a public hearing for June 20, 2016. The Rate and Method of Apportionment (RMA) referred to in the ROI is the same as adopted by the Council with the Resolution of Formation adopted March 8, 2004. RMA provides, among other things, definitions, identifies what properties will be taxed, and the maximum special tax.

The conditions as provided in the Rate and Method of Apportionment will apply to territory annexed to the Community Facilities Districts to provide funding for public safety operations in new growth areas. The major conditions include:

1. The maximum annual tax will be \$227.68 for single family residential and \$196.59 for multi-family residential.

2. The maximum tax will be increased by the Escalator Factor, which is the greater of the change in CPI or percentage change in population.
3. There will be a review not later than five years of inception of the CFD.
4. The annual tax will not apply to commercially zoned property.
5. The tax will apply only to that property for which a building permit is issued after January 1, 2004.
6. The costs of salary and benefit increases funded by the CFD will be limited to the Escalator Factor.

The purpose of the hearing is to take public comment on the annexation of territory to the CFD and to accept protests from any property owner within the proposed boundaries. If no property owner protests are received, the Council may take the initial actions to annex the territory to the CFD by approving a resolution on the annexation to the CFD and approving calling a special property owner election. Once the election is called, the City Clerk tabulates the ballots. If the property owners of two-thirds of the property within the proposed boundaries vote in favor of the CFD, then the Council can take the action to direct the recording of Notice of Special Tax Lien. The recording of the Tax Lien is contingent upon the property being annexed to the City. The property included within the CFD is being processed for annexation to the City and the Local Agency Formation Commission has approved the annexations.

After the annexation is complete and the Notice of Tax Lien has been recorded, any final maps within the CFD may be recorded and construction permits for homes can be issued. One of the conditions of the CFD is that the tax will only be collected on those properties where a building permit for a residence has been issued.

## **FISCAL IMPACT**

If approved, residential units built within the boundaries of the CFD will be assessed annually according to the conditions of the CFD formation and those assessments will be utilized to fund police and fire services.

## **REASON FOR RECOMMENDATION**

All requirements for the annexation of territory to the CFD have been completed and the Council may take action to annex territory to the CFD.

## **ACTIONS FOLLOWING APPROVAL**

After approval of the resolution directing the recordation of the Notice of Tax Lien, the lien will be recorded.

Submitted by: Jamie G. Hughson, Finance Director





**RESOLUTION NO. 16-\_\_**

**A RESOLUTION OF ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES  
DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN AND  
SUBMITTING LEVY OF SPECIAL TAXES TO QUALIFIED ELECTORS**

**CITY OF CLOVIS  
Community Services District No. 2004-1  
(Police and Fire Services)  
Annexation No. 45**

**RESOLVED** by the City Council (the "Council") of the City of Clovis (the "City"), County of Fresno, State of California, that:

**WHEREAS**, this Council, on May 16, 2016, adopted A Resolution of Intention to Annex Territory to the Community Services District and to Authorize the Levy of Special Taxes Therein (the "Resolution of Intention") stating its intention to annex the territory to the City's Community Services District 2004-1 (the "District"), pursuant to Mello Roos Community Facilities Act of 1982, Sections 53311 and following of the California Government Code (the "Act"); and

**WHEREAS**, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory to be annexed to the District and stating the services to be provided and the rate and method of apportionment of the special tax to be levied within the District to pay for the services for the District, is on file with the Clerk of the Council and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein; and

**WHEREAS**, on the date hereof, this Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the District; and

**WHEREAS**, at such hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to the District and the levy of said special taxes within the area proposed to be annexed were heard and a full and fair hearing was held; and

**WHEREAS**, prior to the time fixed for said hearing, written protests had not been filed against the proposed annexation of territory to the District by (i) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the existing District, or (ii) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be annexed to the District, or (iii) owners of one-half or more of the area of land in the territory proposed to be annexed to the District; and

**WHEREAS**, Annexation Map No. 45 to the District, has been filed with the City Clerk, which map shows the territory to be annexed in these proceedings, and a copy thereof is on file with the City Clerk.

**NOW, THEREFORE, IT IS HEREBY ORDERED,**

1. All prior proceedings taken by this Council with respect to the District and the proposed annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act, and the District has been validly established pursuant to the Act.
2. The description and map of the boundaries of the territory to be annexed to District, as described in said Annexation Map No. 45 to the District on file with the Clerk are hereby finally approved, are incorporated herein by reference, and shall be included within the boundaries of the District, and said territory is hereby ordered annexed to the District, subject to voter approval of the levy of the special taxes therein as hereinafter provided.
3. The provisions of the Resolution of Intention and Resolution No. 16- adopted by this Council for the District on May 16, 2016, each as heretofore adopted by this Council are by this reference incorporated herein, as if fully set forth herein.
4. Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the District shall be submitted to the voters of the area to be annexed to the District at an election called therefore as hereinafter provided.
5. This Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the District for each of the 90 days preceding the close of the hearing heretofore conducted and concluded by this Council for the purposes of these annexation proceedings. Accordingly, and pursuant to the Act, this Council finds that for purposes of these proceedings the qualified electors are the landowners within the territory proposed to be annexed to the District and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the District.
6. Pursuant the Act, the election shall be conducted by mail ballot under Section 4000 of the California Elections Code. This Council hereby determines that paragraphs (a), (b), (c)(1), and (c)(3) of said Section 4000 are applicable to this election.
7. The Council hereby calls a special election to consider the measure described in the ballot referred to below, which election shall be held on June 20, 2016, in the regular meeting place of this Council, City Council Chambers, City Hall, 1033 5<sup>th</sup> Street, Clovis, California. This Council hereby further finds that the provision of the Act requiring a minimum of 90 days to elapse before said election is for the protection of voters and that the voters have waived such requirement and the date for the election herein specified is established accordingly.
8. The City Clerk is hereby appointed as the election official to conduct the election and shall cause to be provided to each landowner in the territory to be annexed to the District. The City Clerk shall accept the ballots of the qualified electors received prior to 5:00 o'clock p.m. on June 20, 2016, whether received by mail or by personal delivery.

\*\*\*\*\*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis June 20, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE: June 20, 2016

---

Mayor

---

City Clerk



**RESOLUTION NO. 16-\_\_**

**A RESOLUTION DECLARING RESULTS OF SPECIAL ANNEXATION ELECTION,  
DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING RECORDING OF  
AMENDED NOTICE OF SPECIAL TAX LIEN**

**CITY OF CLOVIS  
Community Facilities District No. 2004-1  
(Police and Fire Services)  
Annexation No. 45**

**RESOLVED** by the City Council (the "Council") of the City of Clovis (the "City"), County of Fresno, State of California, that:

**WHEREAS**, in proceedings heretofore conducted by the Council pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), this Council has heretofore adopted a resolution calling a special election of the qualified landowner electors in the territory of land proposed to be annexed to Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD"); and

**WHEREAS**, pursuant to the terms of the resolution which is hereby incorporated herein by this reference, the special election has been held and the City Clerk has filed a Canvass of Votes Cast in Special Election, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, this Council has reviewed the Canvass and hereby approves it.

**NOW, THEREFORE, IT IS HEREBY ORDERED** as follows:

1. The issue presented at the special election was the levy of a special tax within the territory annexed to the CFD, to be levied in accordance with the formula heretofore approved by this Council as described in Resolution No. 16-, a Resolution of Annexation of Territory to Community Facilities District, authorizing the Levy of a Special Tax and Submitting Levy of Tax to Qualified Electors, adopted May 16, 2016.
2. Pursuant to the Canvass on file with the City Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the CFD by more than two-thirds of the landowners voting at the special election.
3. Pursuant to the voter approval, said annexed territory to the CFD is hereby declared to be fully annexed to and part of the CFD and this Council may levy special taxes therein as heretofore provided in these proceedings.

4. It is hereby found that all prior proceedings and actions taken by this Council pursuant to the CFD and the territory annexed thereto were valid and in conformity with the Act.

Within 15 days of the date hereof, the City Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of Fresno, an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on June 20, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: June 20, 2016

---

Mayor

---

City Clerk

**EXHIBIT A**

**CITY OF CLOVIS  
Community Facilities District No. 2004-1  
(Police and Fire Services)  
Annexation No. 45**

**CANVASS AND STATEMENT OF RESULT OF ELECTION**

I hereby certify that on this date, I canvassed the returns of the election held on this date, in the territory annexed to Community Facilities District No. 2004-1 (Police and Fire Services) of the City of Clovis which election is designated as the Special Tax Annexation Election, and the total number of ballots cast in the territory to be annexed and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

Qualified Landowner Votes	Votes Cast	YES	NO
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City of Clovis  
Community Facilities District No. 2004-1  
(Police and Fire Services), Annexation No. 45  
Special Tax Annexation Election,  
June 20, 2016.

**BALLOT MEASURE:** Shall the City of Clovis, by and for its Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in Resolution No. 16-\_\_\_ of the City of Clovis, adopted by its Council on June 20, 2016?

**IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND** this \_\_\_ day of \_\_\_\_\_ 2016.

**CITY OF CLOVIS**

By: \_\_\_\_\_  
City Clerk

**Attachment C**



# LEGEND

## PARCEL

ANNEXATION BOUNDARY  
 APN 554-030-215  
 APN 554-030-245  
 APN 554-030-305  
 APN 554-030-315  
 APN 554-030-345  
 APN 554-030-495  
 APN 554-030-525

FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016. I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 45 TO COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES), CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLOVIS AT A REGULAR MEETING THEREOF, HELD ON THE 28TH DAY OF \_\_\_\_\_, 2016, BY ITS RESOLUTION NO. 16-\_\_\_\_\_.

JOHN HOLT  
 CITY CLERK  
 CITY OF CLOVIS

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN THE BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL A. DICTOS, C.P.A. BY: DEPUTY COUNTY RECORDER  
 COUNTY ASSESSOR-RECORDER  
 COUNTY OF FRESNO  
 STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES) OF THE CITY OF CLOVIS RECORDED WITH THE FRESNO COUNTY RECORDER'S OFFICE ON FEBRUARY 19, 2004, IN BOOK 40 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 57.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSORS MAPS FOR THOSE PARCELS LISTED.

THE FRESNO COUNTY ASSESSORS MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OF PARCELS.

ANNEXATION MAP NO. 45

COMMUNITY FACILITIES DISTRICT NO. 2004-1  
 (POLICE AND FIRE SERVICES)

CITY OF CLOVIS  
 COUNTY OF FRESNO  
 STATE OF CALIFORNIA

Attachment D

0 100' 200'  
 SCALE 1" = 500'



AGENDA ITEM NO: **1-B**

City Manager:                     

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Community and Economic Development

DATE: June 20, 2016

SUBJECT: Consider Introduction - Ord. 16-\_\_\_, Authorizing accredited private educational institutions that offer Bachelor's or higher degrees to use the same development impact fee methodology as public educational institutions.

ATTACHMENT: (A) Uncodified Ordinance 16-\_\_\_

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

For the City Council to adopt an Uncodified Ordinance to authorize accredited private educational institutions that offer Bachelor's or higher degrees in Clovis to use the same development impact fee methodology as public educational institutions.

### **EXECUTIVE SUMMARY**

On July 14, 2014 City Council adopted an Economic Development Strategy for the City of Clovis. Strategy 7 focuses on Workforce as a critical aspect of improving the local economy and specifically states the City should partner and support organizations that provide advanced educational opportunities within the City. In order to facilitate this, staff is proposing that an accredited private educational institution developing facilities that offer bachelor's or more advanced degrees in Clovis be treated the same as public educational institutions in determining development impact fees. This would allow the City to encourage this type of use and thus reach its goal of bolstering the workforce in Clovis, the region, and maintain Clovis' position as a leader in education in the region. At the May 2, 2016 City Council meeting, direction was given to staff to return with more details on the accreditation process review of what would happen if the school failed to operate. Both of these items are discussed in the background discussion. At the May 16, 2016 Council Meeting, Council directed staff to develop an ordinance to authorize

accredited private educational institutions that offer Bachelor's or higher degrees in Clovis to use the same development impact fee methodology as public educational institutions.

## **BACKGROUND**

On July 14, 2014, City Council adopted an Economic Development Strategy for the City of Clovis. Strategy 7 focuses on Workforce as a critical aspect of improving the local economy and specifically states the City should partner and support organizations that provide advanced educational opportunities within the City. It is not likely that a public institution offering bachelor degrees and/or advanced degrees will be locating in Clovis with California State University Fresno (CSUF) nearby. Additionally, CSUF is not able to offer significant doctoral and advanced professional programs.

Private educational institutions have a strong opportunity to fill the need for higher education in our growing community. Encouraging accredited private institutions that offer higher education (bachelor degrees and higher) to locate in Clovis would allow our residents to stay in Clovis as they are pursuing advanced education. This would bolster the quality of the regional workforce and improve the likelihood Clovis can attract companies that require highly educated employees.

At the May 2, 2016 City Council meeting, direction was given to staff to return with more details on the accreditation process review of what would happen if the school failed to operate.

On May 16, 2016 Council directed staff to develop an Ordinance that would authorize accredited private educational institutions that offer Bachelor's or higher degrees in Clovis to use the same development impact fee methodology as public educational institutions. Based on input from Council, the following criteria have been developed:

1. The educational institution must offer a bachelor's or more advanced degree at the location of the facility in Clovis.
2. The educational institution must be accredited or be in the candidacy process for accreditation by an accreditation body recognized by the United States Secretary of Education.
3. Open space areas and recreation or sports facilities and assembly buildings are available to the public in a manner similar to public higher educational institutions within the City.
4. If the facility housing the educational institution becomes vacant within five (5) years from occupancy, and no new qualified educational institution occupies the space, the new use will require payment of development impact fees at the rates then in effect, with credit for any fees paid. A lien in



a form approved by the City Engineer and City Attorney shall be recorded on the property providing notice of this obligation.

Staff has developed an Uncodified Ordinance including these criteria (Attachment A) for consideration. In light that staff is planning an update to the City's Fee Ordinance, an Uncodified Ordinance is appropriate at this time to implement this policy. When the update comes back to Council, most likely in the Fall of 2016, this policy will be codified and address all areas of the Ordinance that need to be amended at that time, allowing for efficiency and timeliness of implementing the policy change proposed.

### **FISCAL IMPACT**

Currently, the City's development impact fees are based on a cash flow model which programs annual expenditures for capital improvements based on growth and debt service for 30+ years into the future. Accredited private educational institutions developing facilities that offer bachelor's or more advanced degrees in Clovis being treated the same as public educational institutions will have a relatively small impact. It is expected that accredited private educational institutions would use a small portion of the City's developable land, and growth of these institutions would encourage other businesses to locate in Clovis. The value of the jobs created today, the increased levels of educated residents, and associated revenues received by the city, continue to outweigh the minor impact on the 30+ year development impact fee accounts. This proposal would not increase fees for other uses.

### **REASON FOR RECOMMENDATION**

To achieve a healthy jobs/housing balance, the City needs to be more competitive in business development. Having a well-educated workforce is a key component and the jobs the educational institutions will offer are also highly desirable. The existing fee structure is a deterrent for many job-creating businesses including private educational institutions from locating in Clovis as opposed to other portions of the county or the metropolitan area. Authorizing this change in methodology will make Clovis more attractive for higher education institutions. This would allow the City to encourage this type of use and thus reach its goal of bolstering the workforce in Clovis, the region, and maintain Clovis position as a leader in education in the region.

### **ACTIONS FOLLOWING APPROVAL**

The Uncodified Ordinance will be considered for a second reading at the next Council Meeting and go into effect in 30 days thereafter. The changes will then be included in the upcoming Fee Ordinance update scheduled for the Fall of 2016.

Recommended by: Andy Haussler, Deputy City Manager





**ATTACHMENT A**

**UNCODIFIED ORDINANCE NO 16-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
PERTAINING TO DEVELOPMENT IMPACT FEES FOR HIGHER  
EDUCATIONAL INSTITUTIONS**

**WHEREAS**, the City Council has determined that it is in the best interests of the City to treat accredited private educational institutions offering a bachelor's degree or higher the same development impact fee methodology as public institutions, provided specified criteria are met; and

**WHEREAS**, the Department of Planning and Development Services ("Department") is proposing an update to the City's development impact fee ordinances ("Impact Fee Ordinance") to provide consistency and clarity among the various fee categories, as well as consolidation of location and elimination of duplication, with the update scheduled to occur in the Fall of 2016; and

**WHEREAS**, in light of the pending Impact Fee Ordinance update, the Department has determined it would be prudent to adopt a single uncodified ordinance addressing impact fees for private educational institutions rather than amending multiple existing code sections until such time as the private educational institution fee can be incorporated into the Impact Fee Ordinance; and

**WHEREAS**, treating accredited private educational institutions the same as public institutions for the purposes of calculating development impact fees will not result in an increase in fees, and therefore the procedures set forth in Government Code section 66000 et seq. for imposing development impact fees are inapplicable.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVIS DOES ORDAIN AS FOLLOWS:**

**SECTION 1. AMENDMENT OF CODE.**

Notwithstanding anything to the contrary in the Clovis Municipal Code pertaining to development impact fees in Chapters 3.4 (Park Acquisition and Development), 4.11 (Police Department Fee), 4.10 (Fire Facility Development Impact Fee), 6.3 (Garbage and Rubbish), 6.4 (Sewage Disposal) 6.5, Article 2 (Water System), 7.7 (Major Street Development), 7.8 (Library Facilities Development Impact Fee), private higher educational institutions meeting the following criteria shall be subject to the rates for schools as set forth in the Master Development Fee Schedule:

1. The educational institution must offer a bachelor's or more advanced degree at the location of the facility in Clovis.

2. The educational institution must be accredited or be in the candidacy process for accreditation by an accreditation body recognized by the United States Secretary of Education.

3. Open space areas and recreation or sports facilities and assembly buildings are available to the public in a manner similar to public higher educational institutions within the City.

4. If the facility housing the educational institution becomes vacant within five (5) years from occupancy, and no new qualified educational institution occupies the space, the new use will require payment of development impact fees at the rates then in effect, with credit for any fees paid. A lien in a form approved by the City Engineer and City Attorney shall be recorded on the property providing notice of this obligation.

5. The City Manager shall prepare and maintain a written policy containing criteria for determining whether an educational institution meets these requirements and for recording the required lien.

6. Private higher educational institutions not meeting the criteria shall be subject to the rates for office projects or the rate associated with the zoning on which the school is sited, whichever is greater.

## SECTION 2. EFFECTIVE DATE.

This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

APPROVED:

\_\_\_\_\_  
Nathan Magsig, Mayor

\_\_\_\_\_  
John Holt, City Clerk

\* \* \* \* \*

The foregoing ordinance was introduced at a regular meeting of the City Council held on June 20, 2016 and was adopted at a regular meeting of said Council held on July 5, 2016 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED \_\_\_\_\_, 2016

\_\_\_\_\_  
CITY CLERK



AGENDA ITEM NO: 1-C

City Manager: JA

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: June 20, 2016

SUBJECT: Consider Approval – Res.16-\_\_\_\_, Eliminating Emergency Water Usage Limitations, and Approve Other Water Conservation Measures and Normal Water Usage Rates.

ATTACHMENT: (A) Res. 16- \_\_\_\_, Eliminating Emergency Water Usage Limits

### **CONFLICT OF INTEREST**

None.

### **RECOMMENDATION**

For the City Council to:

1. Approve Res. 16- \_\_\_\_, A Resolution Eliminating Emergency Water Usage Limits;
2. Approve outdoor water use of three days per week April through October;
3. Approve the use of the normal water rates under the new rate schedule which is effective July 1, 2016.

### **EXECUTIVE SUMMARY**

In response to water conservation mandates that the State placed upon the City, Council approved Resolution 15-49 on April 20, 2015, which mandated 36% reduction in water usage from all users in Clovis and imposed penalties for failing to achieve the required conservation. The penalties were lifted by Resolution 15-49A on October 5, 2015. Effective June 1, 2016, the State Board is allowing urban water suppliers to self-certify what their conservation standard needs to be. Staff has evaluated the requirements and has determined that adequate supplies are available to certify a zero percent mandatory conservation requirement. However, because the groundwater level

is still in decline, per the City's Water Shortage Contingency Plan, the City is still in Stage 2. Under Stage 2, outdoor watering is restricted to three days per week. Staff also recommends that due to the length of the recent drought conditions and the uncertainty of next year's weather, that during the winter months the outdoor watering schedule continue as per this year at one day per week, November through March.

## **BACKGROUND**

Council approved Resolution No. 15-49 on April 20, 2015 in response to the State Water Resources Control Board's (SWRCB's) regulations requiring the City of Clovis to reduce water usage by 36% below the amount used in 2013. The resolution required all customers in Clovis to reduce their water usage by 36% compared to 2013 and imposed penalties for those customers that failed to achieve the required reductions. On October 5, 2016, Council approved eliminating the penalties as they had served their purpose.

Since that time the weather conditions have improved and water supplies have increased for the City of Clovis and other areas of the State. In the State's evaluation of conditions they determined that some areas were still short of water but that other areas had adequate supplies. Their most recent regulations allow water suppliers to evaluate their own individual water supply situation and then self-certify what their water conservation standard needs to be. If a water supplier did not self-certify, they were subject to the standards that the State set based on residential usage from 2014. For Clovis the updated conservation standard from the State was a 33% reduction.

Staff reviewed the requirements for the self-certification and has determined that with its groundwater, FID surface water allocation and banking projects that the City has adequate supplies to meet demands during water years 2017, 2018 and 2019, assuming conditions are similar to 2013, 2014 and 2015.

## **FISCAL IMPACT**

Based on normal water conditions this year, and allowing customers to irrigate three days per week during the growing season, it is appropriate to implement the normal water rate schedule. If consumption is similar to fiscal year 2014-15, adequate revenues should be realized.

## **REASON FOR RECOMMENDATION**

The State is allowing water suppliers to self-certify their supplies and corresponding water conservation goals. Since the City has adequate supplies, it is appropriate to lift

the mandatory usage limits and allow customers to irrigate three days per week during the growing season.

#### **ACTIONS FOLLOWING APPROVAL**

Staff will post the new watering days on the City's website and will notify the local newspaper of the change in the watering schedule. Staff will continue monitoring water usage and reporting conservation to the SWRCB.

Prepared by: Lisa Koehn, Assistant Public Utilities Director

Submitted by: LS  
Luke Serpa, Public Utilities Director



Attachment A

**RESOLUTION NO 16-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
ELIMINATING EMERGENCY WATER USAGE LIMITS**

**WHEREAS**, on January 17, 2014, the Governor of the State of California proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

**WHEREAS**, on April 25, 2014, the Governor proclaimed a Continued State of Emergency to exist throughout the State due to the ongoing drought; and

**WHEREAS**, on April 1, 2015, the Governor issued Executive Order B-29-15, which directed the State Water Resources Control Board (Water Board), to impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016; and

**WHEREAS**, on May 9, 2016, the Governor issued Executive Order B-37-16, that directs the State Board to adjust and extend its emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions for many communities; and

**WHEREAS**, the regulations have been revised to allow urban water suppliers to identify and report to the State Board, the conservation standard that the supplier will be required to meet assuming that the next three years' precipitation is the same as it was in water years 2013-2015, that the supplier's total potable water demand for each of the next three years will be the supplier's average annual total potable water production for the years 2013 and 2014 and the supplier's total potable water supply shall include only water sources of supply available to the supplier that could be used for potable drinking water purposes; and

**WHEREAS**, each urban water supplier's conservation standard shall be the percentage by which the supplier's total potable water supply is insufficient to meet the total potable water demand in the third year after 2016; and

**WHEREAS**, the City has calculated that its required conservation standard is zero; and

**WHEREAS**, by Resolution 15-49 the City Council approved mandatory water usage limits and penalties for violations of those limits; and

**WHEREAS**, by Resolution 15-49A the City Council eliminated the penalties for exceeding the usage limits.

**NOW, THEREFORE, the City Council of the City of Clovis resolves as follows:**

Effective June 1, 2016, customers will have no mandatory water use limitations. Nothing in this Resolution is intended to preclude the City from enforcing other City requirements relating to water conservation and waste.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on June 20, 2016, by the following vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Date: June 20, 2016

Attest:

\_\_\_\_\_  
Nathan Magsig, Mayor

\_\_\_\_\_  
John Holt, City Clerk





AGENDA ITEM NO: 2-A

City Manager : ps

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Administration

DATE: June 20, 2016

SUBJECT: Consider Approval - Confirmation of City Manager's Appointment of  
Community and Economic Development Director

### **CONFLICT OF INTEREST**

None.

### **RECOMMENDATION**

Consider confirmation of the City Manager's appointment of Andrew Haussler as Community and Economic Development Director effective July 1, 2016.

### **EXECUTIVE SUMMARY**

The City Manager has appointed Andrew Haussler as Community and Economic Development Director effective July 1, 2016, subject to confirmation by the City Council. Mr. Haussler has been with the City of Clovis for 10 years.

### **BACKGROUND**

Tina Sumner retired on June 30, 2015. Since July 1, 2015, Andrew Haussler has been the Acting Community and Economic Development Director. Mr. Haussler has served the City of Clovis for 10 years in a variety of capacities including Community Development Grants Coordinator, Housing Program Manager, and most recently Deputy City Manager where he oversaw the Community and Economic Development activities since July 2015. The City Manager has determined that Andrew Haussler is well qualified and prepared for this leadership position, and has made the appointment as Community and Economic Development Director, subject to City Council confirmation, effective July 1, 2016.

**FISCAL IMPACT**


The City has budgeted sufficient funds for this position.

**REASON FOR RECOMMENDATION**

Pursuant to Clovis Municipal Code, Chapter 2.2.103, the City Council must confirm Department Director appointments made by the City Manager.

**ACTIONS FOLLOWING APPROVAL**

The City Manager will follow up with any appropriate action as directed by the City Council.

Recommended by: Rob Woolley, City Manager 



AGENDA ITEM NO: 3-A

## **- CITY OF CLOVIS - REPORT TO THE CITY COUNCIL**

TO: Mayor and City Council

FROM: Administration

DATE: June 20, 2016

SUBJECT: Consider Review and Update - Ralph M. Brown Act, California Public Meeting Laws.

City Attorney will give oral presentation. Please direct questions to the City Manager's office at 559-324-2060.