



CITY of CLOVIS

AGENDA • CLOVIS CITY COUNCIL
Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060
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.

July 10, 2017

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, or 10 minutes per topic.

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

ROLL CALL

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, or 10 minutes per topic. 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 Approval - Res. 17-____, A request to appeal the Planning Commission's approval of a conditional use permit for an 80-unit multi-family development on approximately 5.58 acres of land located at the northeast corner of Bullard and Temperance Avenues. Vandenberghe Properties, Inc, property owner; Motschieder Consulting, Inc., project applicant; Centerline Design, LLC., project representative. Appeal filed by Tom Abshere. The Planning Commission Recommends approval of CUP2017-02. (Staff: O. Ramirez)
- B. Consider Approval - Res. 17-____, A request to initiate rezoning to the R-3 (Medium Density Multiple Family Residential) Zone District for four properties located on the east side of De Wolf Avenue, between Shaw and San Jose Avenues. Virginia R. & David Simpson, Marcella A. Deanda Trs., Liru Huang & Michael Blackston, Herbert Paul Bethel, owners; Westgate Construction and Development, applicant; Burrell Consulting Group, representative. (Continued from the June 19, 2017 Council Meeting.) (Staff: G. Gonzalez)

2. ADMINISTRATIVE ITEMS

- A. **ADMINISTRATION** (City Manager, City Clerk, Finance)
 - 1. Consider Approval – Res 17-____, A Resolution of the City Council of the City of Clovis authorizing the issuance and sale of Wastewater Revenue Refunding Bonds to refinance outstanding 2007 Wastewater Revenue Bonds of the Clovis Public Financing Authority and approving related documents and actions. (Staff: J. Schengel)

3. CITY MANAGER COMMENTS

4. COUNCIL ITEMS

- A. Council Comments

5. CLOSED SESSION

- A. Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Parcels B, C, D, H & I of the Research and Technology Park at Temperance and Alluvial Avenues (a portion of APN: 564-090-14T);
Agency Negotiators: L. Serpa, A. Haussler, D. Wolfe
Negotiating Parties: Henry Mata and Greyhawk, LLC
Under Negotiation: Price & Terms

ADJOURNMENT

Meetings and Key Issues			
July 17, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Aug. 7, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Aug. 8 – Sep. 4, 2017		Summer Recess	
Sep. 5, 2017 (Tue.)	6:00 P.M.	Regular Meeting	Council Chamber
Sep. 11, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Sep. 18, 2017 (Mon.)	6:00 P.M.	Joint Meeting with CUSD	CUSD
Oct. 2, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Oct. 9, 2017 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Oct. 16, 2017 (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 19, 2017 Council meeting.
- 2) Adopt - Ord. 17-09, R2016-16, A request to prezone from the County AE-20 Zone District to the R-1-MD (Single-Family Residential Medium Density) Zone District. (Vote: 5-0)
- 3) Adopt – Ord. 17-10, R2017-02, A request to approve a rezone of approximately 11.03 acres of land located on the west side of Leonard Avenue at Dakota Avenue from the R-1-7500 (Single Family Residential – 7,500 Sq. Ft.) Zone District to the R-1 (Single Family Residential – 6,000 Sq. Ft.) Zone District. Michael Lynn Doolittle, Cindy Gill, owners; De Young Properties, applicant; Quad Knopf, Inc., representative. (Vote: 5-0)
- 4) Adopt – Ord. 17-11, An Ordinance of the City Council of the City of Clovis Amending sections 10.3.02 and 10.3.05, of Chapter 3, of Title 10, of the Clovis Municipal Code Pertaining to Prohibited acts in City Parks and Park Suspensions. (Vote: 5-0)
- 5) Adopt – Ord. 17-12, An Ordinance of the City Council of the City of Clovis Amending sections 5.5.02 and 5.5.04, of Chapter 5, of Title 5, of the Clovis Municipal Code Pertaining to Entertainment Establishments. (Vote: 5-0)
- 6) Adopt – Ord. 17-13, An Ordinance of the City Council of the City of Clovis Amending section 5.27.403, of Chapter 27, of Title 5, of the Clovis Municipal Code pertaining to nuisances related to real property management. (Vote: 5-0)

B. ADMINISTRATION

- 1) Approval - Res. 17-____, Amending budget Resolution 17-58.

C. COMMUNITY AND ECONOMIC DEVELOPMENT

- 1) Approval – FY 2017-18 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County.
- 2) Approval - Agreement between City of Clovis and the Business Organization of Old Town for Fiscal Year 2017-2018.
- 3) Receive and File – Business Organization of Old Town (BOOT) Fourth Quarter Report, April through June 2017.

D. FINANCE

- 1) Approval - Res.17-____, For the Council to approve the Lease Purchase Agreement with Municipal Finance Corporation, for the lease purchase of Fire Safety and Police Vehicles.
- 2) Approval - Res. 17-____, Measure C Extension Local Transportation Pass through Revenues Certification and Claim Forms for 2017-18.
- 3) Receive and File - Investment Report for the month of April 2017.
- 4) Receive and File - Treasurer's Report for the month of April 2017.

E. GENERAL SERVICES

- 1) Approval – Res. 17-____, Declaring the City’s intent to continue to be a direct sponsor of the Clovis Senior Services Programs; and Authorize the City Manager to submit an application for Older Americans Act Funding for Title III C-1 Nutrition Services through the Fresno-Madera Area Agency on Aging (FMAAA).
- 2) Approval - Res. 17-____, Amending the FY 2017-2018 General Government Services Fund to provide \$31,000 for improvements to Sierra Bicentennial Park.
- 3) Approval - Res. 17-____, Authorizing Amendments to the Equipment Mechanic Classification.
- 4) Approval - Res. 17-____, Amending the City’s FY 2017-2018 Classification and Compensation Plans to Adopt a Crime Analysis Supervisor Classification and Salary Range; and Approval - Res. 17-____, Amending the City’s FY 2017-2018 Position Allocation Plan.
- 5) Approval - Res. 17-____, Amending the City’s FY 2017-2018 Classification and Compensation Plans to Adopt a Planning and Development Administrative Manager Classification and Salary Range; and, Approval - Res. 17-____, Amending the City’s FY 2017-2018 Position Allocation Plan.
- 6) Approval – Res. 17-____ Amending the FY 2016-2017 General Services Department Budget to reflect \$6,080 for the Clovis Senior Center awarded by the Fresno-Madera Area Agency on Aging; and Amending the Transit Budget to Reflect Receipt of \$64,345 of Low Carbon Transit Operations Program funds.
- 7) Receive and File - Third Quarter FY 2016-17 General Services Department Report.

F. PLANNING AND DEVELOPMENT SERVICES

- 1) Approval - Final Acceptance for CIP 15-08 Winery Demolition.
- 2) Approval - Final Acceptance for CIP 15-22, Fire Station 3 Security Fence.

G. PUBLIC SAFETY

- 1) Approval - Waive the City’s Usual Purchasing Requirements and Authorize the Purchase of a New Bomb Squad Robot from ICOR Technologies.

H. PUBLIC UTILITIES

- 1) Receive and File – Public Utilities Report for the month of April 2017.

I. REDEVELOPMENT SUCCESSOR AGENCY

- 1) No items.

CLOVIS CITY COUNCIL MEETING

June 19, 2017

6:00 P.M.

Council Chamber

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

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

6:01 PUBLIC COMMENTS

Ron Sundquist, resident, requested direction on painting a mural of the American Flag in the downtown area.

Robert Bendorf, Hero Program Coordinator, provided City Council an update on the Hero Program.

6:11 CONSENT CALENDAR

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, that the items on the Consent Calendar, except item E2, be approved. Motion carried by unanimous vote.

- A1) Approved - Minutes for the June 12, 2017 Council meeting.
- D1) Received and Filed - Investment Report for the month of March 2017.
- D2) Received and Filed - Treasurer's Report for the month of March 2017.
- E1) Approved - Claim Rejection of General Liability claim for Lionel Hawkins.
- F1) Approved - Final Acceptance for CIP 14-15, Shepherd and N. Fowler Traffic Signal.
- F2) Approved – Partial Acceptance for Tract 5701A, located on the southeast corner of Ashlan and Leonard Avenues (Wilson Homes).

6:12 CONSENT CALENDAR (E2) - APPROVED – RES. 17-59, ADOPTING THE FY2017 - 2018 CONSOLIDATED TRANSPORTATION SERVICE AGENCY (CTSA) OPERATIONS AND PROGRAM BUDGET FOR ROUNDUP TRANSIT SERVICES.

Mayor Whalen indicated that Consent Calendar item E2 be pulled from the consent calendar. Transit Supervisor Amy Hance presented a short overview and responded to Council questions. There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council. Motion by Councilmember Bessinger, seconded by Councilmember Mouanoutoua, for the Council to approve a resolution adopting the FY2017-2018 Consolidated Transportation Service Agency (CTSA) Operations and Program Budget for Roundup Transit Services. Motion carried by unanimous vote.

6:26 **ITEM 1A1** - APPROVED - **RES. 17-60**, APPROVING AN ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT GPA2016-10, REZONE R2016-16 AND VESTING TENTATIVE TRACT MAP TM6161; AND **ITEM 1A2** - APPROVED - **RES. 17-61**, GPA2016-10, AMENDING THE GENERAL PLAN AND LOMA VISTA SPECIFIC PLAN TO RE-DESIGNATE FROM LOW DENSITY RESIDENTIAL (2.1 TO 4.0 DU/AC) AND SCHOOL CLASSIFICATIONS TO A SINGLE-FAMILY RESIDENTIAL MEDIUM DENSITY (4.1 TO 7.0 DU/AC) CLASSIFICATION; AND **ITEM 1A3** - APPROVED INTRODUCTION - **ORD. 17-09**, R2016-16, PREZONING FROM THE COUNTY AE-20 ZONE DISTRICT TO THE R-1-MD (SINGLE-FAMILY RESIDENTIAL MEDIUM DENSITY) ZONE DISTRICT; AND **ITEM 1A4** - APPROVED - **RES. 17-62**, TM6161, APPROVING A VESTING TENTATIVE TRACT MAP FOR A 142-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

Associate Planner Orlando Ramirez presented a report on various items associated with approximately 40 acres of property located at the southeast corner of Ashlan and Thompson Avenues. The applicant is requesting to amend the General Plan Land Use Diagram and Loma Vista Specific Plan designations for approximately 40 acres of property from Low Density Residential (2.1 to 4.0 DU/AC) and School classifications to a Medium Density Residential (4.1 to 7.0 DU/AC) and prezone the same project site from the County AE-20 Zone District to the R-1-MD (Single Family Residential Medium Density) Zone District. Additionally, the application is requesting a vesting tentative tract map approval for a 142-lot single-family residential development with public streets, reduced setbacks and increased lot coverage. Approval of this Project would allow the developer to continue processing a residential site plan review and development drawings.

Manny Penn, applicant, spoke in favor of the recommendations. Dan Hawkins, representing the applicant, spoke in support. Discussion by the Council.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, for the Council to approve - Res. 17-60, approving an environmental finding of a Mitigated Negative Declaration for General Plan Amendment GPA2016-10, Rezone R2016-16 and Vesting Tentative Tract Map TM6161. Motion carried by unanimous vote.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, for the Council to approve - Res. 17-61, GPA2016-10, amending the General Plan and Loma Vista Specific Plan to re-designate from Low Density Residential (2.1 to 4.0 DU/AC) and School classifications to a Single-Family Residential Medium Density (4.1 to 7.0 DU/AC) classification. Motion carried by unanimous vote.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, for the Council to approve Introduction - Ord. 17-09, R2016-16, prezoning from the County AE-20 Zone District to the R-1-MD (Single-Family Residential Medium Density) Zone District. Motion carried by unanimous vote.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Bessinger, for the Council to approve Res. 17-62, TM6161, approving a vesting tentative tract map for a 142-lot single-family residential development. Motion carried by unanimous vote.

- 6:49 ITEM 1B - APPROVED INTRODUCTION - **ORD. 17-10**, R2017-02, APPROVING A REZONE OF APPROXIMATELY 11.03 ACRES OF LAND LOCATED ON THE WEST SIDE OF LEONARD AVENUE AT DAKOTA AVENUE FROM THE R-1-7500 (SINGLE FAMILY RESIDENTIAL – 7,500 SQ. FT.) ZONE DISTRICT TO THE R-1 (SINGLE FAMILY RESIDENTIAL – 6,000 SQ. FT.) ZONE DISTRICT. MICHAEL LYNN DOOLITTLE, CINDY GILL, OWNERS; DE YOUNG PROPERTIES, APPLICANT; QUAD KNOPF, INC., REPRESENTATIVE

Associate Planner George Gonzales presented a report on a request to approve a rezone of approximately 11.03 acres of land located on the west side of Leonard Avenue at Dakota Avenue from the R-1-7500 (Single Family Residential – 7,500 Sq. Ft.) Zone District to the R-1 (Single Family Residential – 6,000 Sq. Ft.) Zone District. The applicant is requesting to rezone property located on the west side of Leonard Avenue at Dakota Avenue from the R-1-7500 (Single-Family Residential – 7,500 Sq. Ft. Min.) Zone District to the R-1 (Single-Family Residential – 6,000 Sq. Ft. Min.) Zone District. The project area's land use designation of Low Density Residential in the Loma Vista Specific Plan is consistent with the proposed rezone. Due to the irregular shape of the parcels and the existing Dog Creek alignment, the need for lots smaller than 7,500 square feet is required. The applicant proposes lot sizes ranging from 6,000 to 19,000 square feet (see Figure below). Ernie Escabedo, representing the applicant, spoke in support of the project. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve the introduction of **Ord. 17-10**, R2017-02, approving a rezone of approximately 11.03 acres of land located on the west side of Leonard Avenue at Dakota Avenue from the R-1-7500 (Single Family Residential – 7,500 Sq. Ft.) Zone District to the R-1 (Single Family Residential – 6,000 Sq. Ft.) Zone District. Motion carried by unanimous vote.

- 7:09 ITEM 1C - CONTINUED - RES. 17-XX, INITIATE PREZONING TO THE R-3 (MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL) ZONE DISTRICT FOR FOUR PROPERTIES LOCATED ON THE EAST SIDE OF DE WOLF AVENUE, BETWEEN SHAW AND SAN JOSE AVENUES. VIRGINIA R. & DAVID SIMPSON, MARCELLA A. DEANDA TRS., LIRU HUANG & MICHAEL BLACKSTON, HERBERT PAUL BETHEL, OWNERS; WESTGATE CONSTRUCTION AND DEVELOPMENT, APPLICANT; BURRELL CONSULTING GROUP, REPRESENTATIVE

Associate Planner George Gonzales presented a report on a request to initiate prezoning to the R-3 (Medium Density Multiple Family Residential) Zone District for four properties located on the east side of De Wolf Avenue, between Shaw and San Jose Avenues. The City recently received a request to initiate a prezone to accommodate a commercial project within the Loma Vista Community Center North and annexation of approximately 77 acres. The annexation boundary (Exhibit "D"), has been established in cooperation with the Fresno Local Agency Formation Commission (LAFCo) and County of Fresno. All properties within an annexation are required to be prezoned consistent with the General Plan Land Use Diagram and for this specific project, the Loma Vista Specific Plan. The boundary consists of twenty one properties, two of which are related to the proposed commercial development and nineteen others which are required to create a logical boundary. The applicant has requested authorization from the four property

owners to prezone and annex their properties; however the applicant was not successful in the attempt. Therefore, the applicant is requesting the Council to initiate the prezone request in accordance with Section 9.86.020 of the Clovis Development Code. Approval of this request will allow the applicant to move forward with their development proposal.

Developer spoke in support and explained the process they are going through to develop the properties. Dirk Poeschel, representing Benchmark Homes, adjacent this project, spoke in support. Darrel Finn, landowner in the area, spoke in support. Michael Blackston, area resident, raised concerns that he was not notified, and would like to know how this change will affect him and his property. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to continue this item to the meeting to July 10, 2017. Motion carried 3-2 with Councilmembers Flores and Mouanoutoua voting no.

7:42 ITEM 2A1 - APPROVED – EMPLOYMENT AGREEMENT FOR CITY MANAGER.

General Services Director Shonna Halterman presented a report on a request to approve an employment agreement for city manager. After the City's previous City Manager retired in December of 2016, former Public Utilities Director, Luke Serpa was appointed to serve as Interim City Manager. Following six months of satisfactory performance as Interim City Manager, the City Council approved the appointment of Luke Serpa as City Manager effective July 1, 2017. The agreement sets forth the terms and conditions of Mr. Serpa's employment as City Manager. 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 an employment agreement for city manager. Motion carried by unanimous vote.

7:46 ITEM 2B1 - APPROVED INTRODUCTION – **ORD. 17-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTIONS 10.3.02 AND 10.3.05, OF CHAPTER 3, OF TITLE 10, OF THE CLOVIS MUNICIPAL CODE PERTAINING TO PROHIBITED ACTS IN CITY PARKS AND PARK SUSPENSIONS**

Corporal Curtis Shurtliff and Captain George Gomez presented a report on a request to approve the introduction of an ordinance amending sections 10.3.02 and 10.3.05, of Chapter 3, of Title 10, of the Clovis Municipal Code Pertaining to Prohibited acts in City Parks and Park Suspensions

The Police Department requests an amendment to 10.3.02 subsection (4) and adding additional subsections (12), and (13). Currently section (4) of this ordinance states that it is prohibited to "Make or kindle a fire for any purpose, except at places provided for such purpose or in cooking apparatus approved by the Public Utilities Director".

10.3.02 (4) does not regulate the material to be ignited in the installed park cooking apparatuses which has caused damage to the barbeque grates and allows unlawful warming fires. An amendment to this section would limit the combustible material to igniting briquettes only for cooking. Adding Subsection (12) Drive or ride any vehicle powered by an internal combustion engine; and Adding Subsection (13) Drive or ride any vehicle of any type in excess of fifteen (15) miles per hour will reduce the speeds of

pedestrian driven vehicles and prohibit the use of combustible motor driven bicycles and mini bikes that endanger pedestrians in our parks and City Trails.

The Police Department requests an amendment to 10.3.05 Suspensions from park. This ordinance states person(s) who violate City Ordinances in the park, violate applicable park rules and regulations, or engage in unsportsmanlike conduct during organized park events are subject to suspension from the City Park as follows:

- a. First offense: warning.
- b. Second offense within any fourteen (14) day period: seven (7) day suspension.
- c. Third offense within any thirty (30) day period: thirty (30) day suspension.
- d. Fourth offense within any one hundred eighty (180) day period: ninety (90) day suspension.
- e. Fifth offense within any three hundred sixty (360) day period: one year suspension.

This ordinance only includes the park where the violation occurred and is not clearly defined in relation to the multiple parks in the City of Clovis. If a person is issued a warning at one park, (e.g. smoking, drinking alcoholic beverages, or camping), they could go to the next park and commit the same offence, and again, receive only another warning, and move on to the next park etc.

Robert Evans, resident, commented on private parks in Harlan Ranch, and questioned if this applied to them. Staff responded that it did not. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve the introduction of ordinance amending sections 10.3.02 and 10.3.05, of Chapter 3, of Title 10, of the Clovis Municipal Code Pertaining to Prohibited acts in City Parks and Park Suspensions. Motion carried by unanimous vote.

8:03 ITEM 2B2 - APPROVED INTRODUCTION – ORD. 17-12, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTIONS 5.5.02 AND 5.5.04, OF CHAPTER 5, OF TITLE 5, OF THE CLOVIS MUNICIPAL CODE PERTAINING TO ENTERTAINMENT ESTABLISHMENTS

Corporal Jared Binford presented a report on a request to approve the introduction of an ordinance amending sections 5.5.02 and 5.5.04, of Chapter 5, of Title 5, of the Clovis Municipal Code Pertaining to Entertainment Establishments.

In May 2008, the City Council of the City of Clovis passed an ordinance to regulate the operations of entertainment establishments for public health, safety, and welfare. As part of that ordinance establishments providing entertainment who were exempt from the requirement of obtaining an entertainment permit included theaters, motion picture theaters not providing live entertainment, dance lessons, theatrical and performing arts lessons, book readings, book signings, poetry recitations, and other similar entertainment. The current entertainment permit requirements do not address these events in conjunction with the service or consumption of alcohol. This amendment to the existing ordinance closes the gap as it pertains to businesses or other establishments who serve alcohol.

There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve the introduction of ordinance amending sections 5.5.02 and 5.5.04, of Chapter 5, of Title 5, of the Clovis Municipal Code Pertaining to Entertainment Establishments. Motion carried by unanimous vote.

8:07 ITEM 2B3 - APPROVED INTRODUCTION – ORD. 17-13, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTION 5.27.403, OF CHAPTER 27, OF TITLE 5, OF THE CLOVIS MUNICIPAL CODE PERTAINING TO NUISANCES RELATED TO REAL PROPERTY MANAGEMENT.

Corporal Iri Guerra presented a report on a request to approve the introduction of an ordinance amending section 5.27.403, of Chapter 27, of Title 5, of the Clovis Municipal Code pertaining to nuisances related to real property management.

The Police Department has dealt with properties in which stolen property has been located on more than one occasion. When such a location is found, a considerable amount of time is spent attempting to track down the owner of the stolen property, as well as the time it takes to catalog and book it. The Police Department believes that an additional section dealing with possessing, or storing, of stolen property will add the ability for officers to notice the owner that they too may be in future violation of the ordinance if the acts continue. If the owner at that point chooses to ignore the notice and the acts continue, the Police Department would have another avenue to pursue in an attempt to gain compliance against the owners who allow this type of activity to continue to occur at their properties. The Police Department would immediately be able to address the owners who had knowledge of the illegal activity happening at their property but chose to ignore it.

The Police Department has found that this ordinance generally helps gain compliance and remedies the situation quicker than if the owner was not held responsible.

In addition, the existing Multiple Response Ordinance (Article 2 of Chapter 29, Title 5) would also benefit from the new section. The "MRO" is used for multiple responses to the same "nuisance" and can be used as a means to recover costs. This is usually used as a "last resort" type of method.

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 the introduction of Ordinance amending sections 5.5.02 and 5.5.04, of Chapter 5, of Title 5, of the Clovis Municipal Code Pertaining to Entertainment Establishments. Motion carried by unanimous vote.

8:21 ITEM 2B4 - APPROVED INTRODUCTION – ORD. 17-14, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS ADDING CHAPTER 31 TO TITLE 5 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO PREVENTION OF CREDIT CARD FRAUD AT PUBLIC LODGING FACILITIES

Corporal Jared Binford presented a report on a request to approve the introduction of an ordinance adding Chapter 31 to Title 5 of the Clovis Municipal Code Pertaining to Prevention of Credit Card Fraud at Public Lodging Facilities.

The Police Department requests an addition to the Clovis Municipal Code to aid in the prevention of credit card fraud taking place at public lodging facilities. Currently there is no regulation as to what personal and payment information is provided or verified by a public lodging facility at the time of reservation or check in. With the uptick of identity theft and credit card fraud across the country, it has become necessary to put in place guidelines for public lodging facilities to adhere to in order to prevent fraud related crimes.

There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve the introduction of Ordinance adding Chapter 31 to Title 5 of the Clovis Municipal Code Pertaining to Prevention of Credit Card Fraud at Public Lodging Facilities. Motion carried by unanimous vote.

8:34 ITEM 2B5 - APPROVED- RES. 17-63, ADOPTING THE CLOVIS FIRE DEPARTMENT MASTER SERVICES PLAN

Fire Chief John Binaski presented a report and recommendation to adopt the Clovis Fire Department Master Services Plan. One of the key components of an accredited fire agency is the ability to have a Master Services Plan. A Master Services Plan consists of three major components: 1) Strategic Plan, 2) Standards of Cover and 3) 2016 Annual Report. In addition, the annual budget adopted by City Council and the California Fire Code support planning and deployment of fire services. The Clovis Fire Department adopted the first Master Services Plan in June 2009 and has updated it several times with the last update in July 2015.

The Master Services Plan is developed to provide guidance to the Fire Department and the community stakeholders regarding fire and life safety issues and deployment. Updating and adopting the Master Services Plan provides for efficient emergency response based on service level objectives established by Council, ensures fiscal resources are utilized responsibly, fulfills a key element of the accreditation process and has a direct impact on reducing insurance rates for customers by evaluation services such as the Insurance Services Office. Adoption of the Master Services Plan is not binding, but demonstrates the City's commitment to the Fire Department's planning process. The Master Services Plan is also referenced in the City's General Plan.

There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to adopt the Clovis Fire Department Master Services Plan. Motion carried by unanimous vote.

9:44 ITEM 3 - CITY MANAGER COMMENTS

City Manager Luke Serpa commented on a community survey scheduled to be sent out later this year.

9:45 ITEM 4 - COUNCIL COMMENTS

Councilmember Mouanoutoua commented on the amount of detail in the minutes, staff responded.

Mayor Whalen commented on a Clovis East Book Club effort to raise money and install a "Little Free Library" at the Paso Tiempo Park.

ADJOURNMENT

Mayor Whalen adjourned the meeting of the Council to July 10, 2017

Meeting adjourned: 9:50 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: July 10, 2017

SUBJECT: Adopt - Ord. 17-09, R2016-16, A request to prezone from the County AE-20 Zone District to the R-1-MD (Single-Family Residential Medium Density) Zone District. (Vote: 5-0)

Adopt – Ord. 17-10, R2017-02, A request to approve a rezone of approximately 11.03 acres of land located on the west side of Leonard Avenue at Dakota Avenue from the R-1-7500 (Single Family Residential – 7,500 Sq. Ft.) Zone District to the R-1 (Single Family Residential – 6,000 Sq. Ft.) Zone District. Michael Lynn Doolittle, Cindy Gill, owners; De Young Properties, applicant; Quad Knopf, Inc., representative. (Vote: 5-0)

Adopt – Ord. 17-11, An Ordinance of the City Council of the City of Clovis Amending sections 10.3.02 and 10.3.05, of Chapter 3, of Title 10, of the Clovis Municipal Code Pertaining to Prohibited acts in City Parks and Park Suspensions. (Vote: 5-0)

Adopt – Ord. 17-12, An Ordinance of the City Council of the City of Clovis Amending sections 5.5.02 and 5.5.04, of Chapter 5, of Title 5, of the Clovis Municipal Code Pertaining to Entertainment Establishments. (Vote: 5-0)

Adopt – Ord. 17-13, An Ordinance of the City Council of the City of Clovis Amending section 5.27.403, of Chapter 27, of Title 5, of the Clovis Municipal Code pertaining to nuisances related to real property management. (Vote: 5-0)

Please direct questions to the City Manager's office at 559-324-2060.



AGENDA ITEM NO: **CC-B-1**
City Manager: *AA*

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: July 10, 2017

SUBJECT: Approval - Res. 17-____, Amended Resolution 17-58

ATTACHMENTS: (A) Amended Resolution 17-
(B) Resolution 17-58

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve a resolution amending the 2017-18 City of Clovis Annual Budget.

EXECUTIVE SUMMARY

Descriptions and exhibits regarding the adopted rates to be implemented for Sewer, Water and Community Sanitation were added to Budget Resolution 17-58 as items 10, 11 and 12.

BACKGROUND

The 2017-18 City of Clovis Annual Budget was adopted by Council on June 12, 2017.

FISCAL IMPACT


None.

REASON FOR RECOMMENDATION

The added descriptions and exhibits are for informational purposes only. Staff decided to include them in the budget resolution in order to bring them to Council's attention and to explicitly state the rates being implemented for fiscal year 2017-2018.

ACTIONS FOLLOWING APPROVAL

After the Council approval, the 2017-18 City of Clovis Annual Budget Resolution will be amended as described.

Prepared by: John Holt, Assistant City Manager 

Submitted by: Luke Serpa, City Manager 

RESOLUTION 17-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING THE ANNUAL BUDGET FOR FISCAL YEAR 2017-2018, ORDERING TRANSFERS, AND ADOPTING THE SUMMARY OF APPROPRIATIONS BY FUND AND DEPARTMENT AND OTHER NECESSARY ACTIONS RELATED TO APPROVING THE 2017-2018 BUDGET

WHEREAS, the City Council is required to adopt the Budget by June 30 of each year; and

WHEREAS, the Council has conducted a public hearing on the recommended 2017-2018 Budget; and

WHEREAS, the adoption of Proposition 111 on June 5, 1990, requires the Council adopt an Appropriation Limit; and

WHEREAS, the Council intends to establish the City's Appropriation Limit in conformance with the provisions of Proposition 111; and

WHEREAS, the City Council finds it necessary to adopt the 2017-2018 Budget.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Clovis as follows:

1. The 2017-2018 Annual Budget and corresponding Personnel Allocation are approved.
2. The City Council approves and orders the transfer of moneys in and out of various funds as set forth in the "Notes to Resources and Appropriations Summary" of said 2017-2018 Budget Book.
3. The "Summary of Expenditures/Expenses 2017-18 by Department within Fund-Legal Level of Budgetary Control" attached as Exhibit "A" is approved.
4. The Appropriation Limit as calculated and shown on Page 13 of the 2017-2018 Budget book is approved for \$247,817,348.
5. The Council orders that any budget savings or unanticipated revenue be transferred to reserves in accordance with the Appropriation Limit.
6. Any amendments to the appropriations as may be subsequently approved by the Council shall be in conformance with Section 2-8.11, Section 2-8.13 and Section 2-8.17 of the Clovis Municipal Code.

7. The City Council orders that \$11,600,000 of the Fund Balance from the City's General Fund be designated as Emergency Reserve.
8. The City Council approves the Five-Year Capital Improvement Program that is included within the Annual Budget.
9. The Monthly Salary Schedules by bargaining group attached as Exhibit "B" is approved.
10. The Clovis Redevelopment Successor Agency's information is included in the City budget and accounting systems for administrative purposes and is shown on Exhibit A.
- ➡ 11. The City Council will waive the approved 3% annual increase in sewer user rates and rebate to sewer customers \$7.30 per month for the sewer bond surcharge thereby adopting the fees itemized in Exhibit C.
- ➡ 12. The City Council will implement the approved annual 4% increase in rates for residential recycling and greenwaste, and will waive the annual 4% increase for residential and commercial refuse rates and instead increase these rates by 2% as shown in Exhibit D.
- ➡ 13. The City Council will implement the approved 3% annual increase in water user rates thereby adopting the fees itemized in Exhibit E. The non-drought rates on Exhibit E will be in effect for 2017-2018.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017

Mayor

City Clerk

City of Clovis
Summary of Expenditures/Expenses 2017-2018
By Department within Fund-Legal Level of Budgetary Control

FUND	DEPARTMENT											City 2017-18 Total	Clovis Successor Agency
	City Council	City Clerk	City Attorney	City Manager	General Services	Finance	Planning & Dev Serv	Police	Fire	Public Utilities	Capital Improvements		
GENERAL													
General Fund	\$ 365,300	\$ 221,800	\$ 738,300	\$ 1,778,000	\$ 2,069,200	\$ 2,947,800		\$ 33,565,600	\$ 14,468,900	\$ 9,440,500		\$ 65,595,400	
SPECIAL REVENUE FUNDS													
Housing & Community Development				146,800								146,800	
Landscape Assessment District										3,311,000		3,311,000	
Total Special Revenue				146,800						3,311,000		3,457,800	
INTERNAL SERVICE FUNDS													
Liab & Prop Ins					2,171,900							2,171,900	
Employee Benefits					22,701,000							22,701,000	
Fleet Maintenance										9,387,600		9,387,600	
General Govt Services		3,967,900			7,700,400							11,668,300	
Total Internal Service		3,967,900			32,573,300					9,387,600		45,928,800	
ENTERPRISE FUNDS													
Community Sanitation										19,743,000		19,743,000	
Wastewater										12,041,400		12,041,400	
Water										13,616,900		13,616,900	
Transit					6,026,900							6,026,900	
Planning & Development Services							9,177,500					9,177,500	
Total Enterprise					6,026,900		9,177,500			45,401,300		60,605,700	
CAPITAL IMPROVEMENT FUNDS													
Sewer Construction													
Capital-Enterprise													
Capital-Developer											8,651,300	8,651,300	
Park Projects											3,340,000	3,340,000	
Street Construction											34,152,000	34,152,000	
Water Construction													
Capital-Enterprise											2,378,500	2,378,500	
Capital-Developer											8,631,600	8,631,600	
Housing & Community Development											2,542,000	2,542,000	
Community Sanitation Construction													
General Govt Facilities											1,550,000	1,550,000	
Total Capital Improvement											61,245,400	81,245,400	
Citywide Grand Totals	\$ 365,300	\$ 4,189,700	\$ 738,300	\$ 1,924,800	\$ 40,669,400	2,947,800	\$ 9,177,500	\$ 33,565,600	\$ 14,468,900	\$ 87,540,400	\$ 61,245,400	\$ 236,833,100	
Clovis Successor Agency Grand Total													\$ 1,702,900

EXHIBIT A

CITY OF CLOVIS
CEA - Monthly Salary Schedule - July 1, 2017

Unit 5

Revised 7/1/17

3% Wage Increase (Add 1% Equity Adjustment - Custodian)

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
5060	Administrative Assistant	490	4,486	4,710	4,946	5,193	5,453
5375	Custodian	090	3,146	3,303	3,468	3,641	3,823
5670	Office Assistant	130	3,138	3,295	3,460	3,633	3,815
5795	Principal Account Clerk	340	3,915	4,111	4,317	4,533	4,760
5805	Principal Office Assistant	340	3,915	4,111	4,317	4,533	4,760
5826	Recreation Leader	040	2,609	2,739	2,876	3,020	3,171
5830	Recreation Specialist	310	3,835	4,027	4,228	4,439	4,661
5850	Senior Account Clerk	250	3,586	3,765	3,953	4,151	4,359
5840	Sr Center Nutrition Services Worker	180	3,239	3,401	3,571	3,750	3,938
5930	Senior Custodian	110	3,580	3,759	3,947	4,144	4,351

Exhibit B

CITY OF CLOVIS

CFFA Monthly Salary Schedule - July 1, 2017

Revised 7/1/17

3% Wage Increase

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
2125	Firefighter (Base)	100	5,934	6,231	6,543	6,870	7,214
2150	Firefighter (2.5%) Ed Incent		6,082	6,387	6,707	7,042	7,394
2175	Firefighter (5.0%) Ed Incent		6,234	6,547	6,875	7,218	7,579
2425	Firefighter Lateral	100	5,934	6,231	6,543	6,870	7,214
2450	Firefighter (2.5%) Ed Incent		6,082	6,387	6,707	7,042	7,394
2475	Firefighter (5.0%) Ed Incent		6,234	6,547	6,875	7,218	7,579
2225	Fire Engineer (Base)	200	6,576	6,905	7,250	7,613	7,994
2250	Fire Engineer (2.5%) Ed In		6,740	7,078	7,431	7,803	8,194
2275	Fire Engineer (5.0%) Educ Inc		6,909	7,255	7,617	7,998	8,399
2600	Fire Inspector (Base)	250	6,019	6,320	6,636	6,968	7,316
2610	Fire Inspector (2.5%) Educ In		6,169	6,478	6,802	7,142	7,499
2620	Fire Inspector (5.0%) Educ Inc		6,323	6,640	6,972	7,321	7,686
2325	Fire Captain (Base)	300	7,684	8,068	8,471	8,895	9,340
2350	Fire Captain (2.5%) Educ Inc		7,876	8,270	8,683	9,117	9,574
2375	Fire Captain (5.0%) Ed Inc		8,073	8,477	8,900	9,345	9,813
2200	Deputy Fire Marshal (Base)	350	8,261	8,674	9,108	9,563	10,041
2210	Deputy Fire Marshal 2.5% Ed In		8,468	8,891	9,336	9,802	10,292
2220	Deputy Fire Marshal 5.0% Educ		8,680	9,113	9,569	10,047	10,549
2800	Fire Training Officer (Base)	350	8,261	8,674	9,108	9,563	10,041
2810	Fire Training Officer (2.5%)		8,468	8,891	9,336	9,802	10,292
2820	Fire Training Officer (5.0%)		8,680	9,113	9,569	10,047	10,549

CITY OF CLOVIS

CPOA - Monthly Salary Schedule - July 1, 2017

Revised 7/1/17

3% Wage Increase (Add'l 1% Equity Adjustment for Police Officer)

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
4025	Police Officer (Trainee)	100	3,714	3,900	4,095	4,300	4,515
4050	Police Officer (Recruit)	250	5,628	5,909	6,204	6,514	6,840
4125	Police Officer (Base)	300	6,326	6,642	6,974	7,323	7,689
4150	Police Officer (2.5%) Ed Inc		6,484	6,808	7,148	7,506	7,881
4175	Police Officer (5.0%) Ed Inc		6,642	6,974	7,323	7,689	8,073
4180	Police Officer (7.5%) Ed Inc		6,800	7,140	7,497	7,872	8,266
4225	Police Corporal (Base)	350	6,869	7,212	7,573	7,952	8,350
4250	Police Corporal (2.5%) Ed Inc		7,041	7,392	7,762	8,151	8,559
4275	Police Corporal (5.0%) Ed Inc		7,212	7,573	7,952	8,350	8,768
4280	Police Corporal (7.5%) Ed Inc		7,384	7,753	8,141	8,548	8,976
4325	Police Sergeant (Base)	400	7,917	8,313	8,729	9,165	9,623
4350	Police Sergeant (2.5%) Ed Inc		8,115	8,521	8,947	9,394	9,864
4375	Police Sergeant (5.0%) Ed Inc		8,313	8,729	9,165	9,623	10,104
4380	Police Sergeant (7.5%) Ed Inc		8,511	8,936	9,384	9,852	10,345

CITY OF CLOVIS

Unit 13

CPSEA - Monthly Salary Schedule - July 1, 2017

Revised 7/1/17

3% Wage Increase (1% Equity Adj for Animal Control Officer, Property Evidence Tech)

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
5076	Animal Control Officer	330	3,915	4,111	4,317	4,533	4,760
5081	Animal Services Aide	090	3,084	3,238	3,400	3,570	3,749
5301	Community Service Officer	460	4,500	4,725	4,961	5,209	5,469
5356	Crime Specialist	600	5,589	5,868	6,161	6,469	6,792
5481	Digital Forensic Analyst	760	6,546	6,873	7,217	7,578	7,957
5553	Fire Code Compliance Officer	650	5,988	6,287	6,601	6,931	7,278
5557	Fire Prevention Officer	550	4,921	5,167	5,425	5,696	5,981
5663	Lead Police Service Officer	565	5,294	5,559	5,837	6,129	6,435
5786	Police Service Officer	460	4,500	4,725	4,961	5,209	5,469
5809	Property and Evidence Technician	350	4,103	4,308	4,523	4,749	4,986
5558	Senior Fire Prevention Officer	560	5,481	5,755	6,043	6,345	6,662
5979	Senior Systems Video Analyst	760	6,546	6,873	7,217	7,578	7,957
5981	Systems Video Technician	390	4,090	4,295	4,510	4,736	4,973

CITY OF CLOVIS

Unit 12

CPTA - Monthly Salary Schedule - July 1, 2017

Revised 7/1/17

3% Wage Increase (Add'l 1% Equity Adjustment for Permit Technician)

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
5101	Assistant Engineer	750	6,853	7,196	7,556	7,934	8,331
5126	Assistant Planner	570	5,448	5,720	6,006	6,306	6,621
5151	Associate Planner	650	6,153	6,461	6,784	7,123	7,479
5176	Building Inspector	610	5,500	5,775	6,064	6,367	6,685
5161	Business Workflow Analyst	760	6,546	6,873	7,217	7,578	7,957
5526	Engineering Inspector	590	5,479	5,753	6,041	6,343	6,660
5551	Engineering Technician	450	4,485	4,709	4,944	5,191	5,451
5561	Geographic Info Sys Analyst	630	5,952	6,250	6,563	6,891	7,236
5564	Geographic Info Sys Specialist	555	4,970	5,219	5,480	5,754	6,042
5566	Geographic Info Sys Technician	390	4,090	4,295	4,510	4,736	4,973
5576	Housing Program Coordinator	780	6,719	7,055	7,408	7,778	8,167
5626	Junior Engineer	640	6,068	6,371	6,690	7,025	7,376
5681	Permit Technician	355	4,125	4,331	4,548	4,775	5,014
5726	Planning Technician I	370	4,089	4,293	4,508	4,733	4,970
5751	Planning Technician II	530	4,661	4,894	5,139	5,396	5,666
5776	Plans Examiner	590	5,479	5,753	6,041	6,343	6,660
5836	Redevelopment Technician	540	4,707	4,942	5,189	5,448	5,720
5901	Senior Building Inspector	690	6,214	6,525	6,851	7,194	7,554
5936	Senior Engineering Inspector	670	6,190	6,500	6,825	7,166	7,524
5951	Senior Engineering Technician	560	5,070	5,324	5,590	5,870	6,164

CITY OF CLOVIS

CPWEA - Monthly Salary Schedule - July 1, 2017

Revised 7/1/17

3% Wage Increase (Add'l 1% Equity Adjustment for Utility Worker)

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
1040	Assistant Building Technician	600	4,929	5,175	5,434	5,706	5,991
1080	Asst Water Systems Technician	670	5,029	5,280	5,544	5,821	6,112
1130	Building Maintenance Leadworker	800	5,526	5,802	6,092	6,397	6,717
1140	Building Maintenance Worker	300	4,145	4,352	4,570	4,799	5,039
1160	Disposal Leadworker	800	5,526	5,802	6,092	6,397	6,717
1175	Electrician	900	5,906	6,201	6,511	6,837	7,179
1200	Equipment Mechanic	650	5,012	5,263	5,526	5,802	6,092
1240	Equipment Mechanic Assistant	450	4,663	4,896	5,141	5,398	5,668
1280	Equipment Operator	700	5,175	5,434	5,706	5,991	6,291
1320	Equipment Service Worker	300	4,145	4,352	4,570	4,799	5,039
1360	Fleet Maintenance Leadworker	800	5,526	5,802	6,092	6,397	6,717
1370	Fleet Maintenance Service Writer	350	4,365	4,583	4,812	5,053	5,306
1400	Landfill Leadworker	800	5,526	5,802	6,092	6,397	6,717
1440	Maintenance Leadworker	800	5,526	5,802	6,092	6,397	6,717
1480	Maintenance Worker	150	3,682	3,866	4,059	4,262	4,475
1520	Meter Reader	200	4,161	4,369	4,587	4,816	5,057
1540	Parks Equipment Mechanic	425	4,655	4,888	5,132	5,389	5,658
1560	Parks Maintenance Leadworker	800	5,526	5,802	6,092	6,397	6,717
1600	Parks Sr. Maintenance Worker	400	4,521	4,747	4,984	5,233	5,495
1640	Parts Clerk	350	4,365	4,583	4,812	5,053	5,306
1680	Sanitation Operator	250	4,104	4,309	4,524	4,750	4,988
1720	Senior Maintenance Worker	400	4,521	4,747	4,984	5,233	5,495
1760	Senior Sanitation Operator	550	4,787	5,026	5,277	5,541	5,818
1800	Street Sweeper Operator	500	4,604	4,834	5,076	5,330	5,597
1820	Utility Worker	100	2,816	2,957	3,105	3,260	3,423
1840	Water Systems Technician	850	5,635	5,917	6,213	6,524	6,850
1860	Water Treatment Plant Operator	850	5,635	5,917	6,213	6,524	6,850

CITY OF CLOVIS

Unit 14

CTFP - Monthly Salary Schedule - July 1, 2017

Revised 7/1/17

3% Wage Increase

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
5027	Accountant	710	6,247	6,559	6,887	7,231	7,593
5052	Accounting Systems Technician	510	4,522	4,748	4,985	5,234	5,496
5592	Information Technology Analyst	630	5,952	6,250	6,563	6,891	7,236
5594	Information Technology Specialist	555	4,970	5,219	5,480	5,754	6,042
5597	Information Technology Technician	390	4,090	4,295	4,510	4,736	4,973
5847	Senior Accountant	770	6,559	6,887	7,231	7,593	7,973
5857	Senior Accounting Systems Technician	560	5,070	5,324	5,590	5,870	6,164
5962	Senior Information Technology Analyst	760	6,546	6,873	7,217	7,578	7,957

CITY OF CLOVIS

Unit 11

TEBU - Monthly Salary Schedule - July 1, 2017

Revised 7/1/17

3% Wage Increase

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
5201	Bus Driver	150	3,203	3,363	3,531	3,708	3,893
5661	Lead Bus Driver	190	3,704	3,889	4,083	4,287	4,501
5986	Transit Dispatcher	250	3,767	3,955	4,153	4,361	4,579

CITY OF CLOVIS
MANAGEMENT (MSC) - Monthly Salary Schedule - July 1, 2017

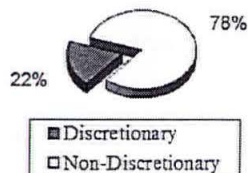
Revised 7/1/17

3% Wage Increase (1% Equity Adjustment-Deputy City Planner, Information Tech Supervisor, Public Info Officer, Utilities Mgr)

Code	Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5
6010	Accounting Supervisor	220	7,171	7,530	7,907	8,302	8,717
6020	Assistant City Manager/City Clerk	820	12,654	13,287	13,951	14,649	15,381
6100	Assist. Dir. Of Planning and Develop.	670	10,739	11,276	11,840	12,432	13,054
6050	Assistant Finance Director	640	10,429	10,950	11,498	12,073	12,677
6670	Assistant Public Utilities Director	640	10,429	10,950	11,498	12,073	12,677
6090	Associate Civil Engineer	370	8,250	8,663	9,096	9,551	10,029
6365	Battalion Chief	610	9,821	10,312	10,828	11,369	11,937
6150	Building Official	520	9,561	10,039	10,541	11,068	11,621
6220	Business Development Manager	280	7,898	8,293	8,708	9,143	9,600
6120	City Engineer	640	10,429	10,950	11,498	12,073	12,677
6160	City Manager	899	16,612	17,443	18,315	19,231	20,193
6780	City Planner	520	9,561	10,039	10,541	11,068	11,621
6180	Communications Supervisor	220	7,171	7,530	7,907	8,302	8,717
6270	Community & Economic Develop. Director	700	11,869	12,462	13,085	13,739	14,426
6225	Construction Manager	250	7,818	8,209	8,619	9,050	9,503
6235	Department Support Manager	385	8,263	8,676	9,110	9,566	10,044
6145	Deputy Building Official/Plan Checker	385	8,263	8,676	9,110	9,566	10,044
6430	Deputy City Manager	850	10,224	10,735	11,272	11,836	12,428
6230	Deputy City Planner	400	8,462	8,885	9,329	9,795	10,285
6240	Deputy Finance Director	580	9,976	10,475	10,999	11,549	12,126
6368	Deputy Fire Chief	670	10,739	11,276	11,840	12,432	13,054
6580	Deputy Police Chief	650	11,543	12,120	12,726	13,362	14,030
6540	Director of Planning & Development Serv	700	11,869	12,462	13,085	13,739	14,426
6255	Engineering Program Supervisor	220	7,171	7,530	7,907	8,302	8,717
6250	Executive Assistant	160	6,305	6,620	6,951	7,299	7,664
6280	Facilities Maintenance Supervisor	220	7,171	7,530	7,907	8,302	8,717
6330	Finance Director	700	11,869	12,462	13,085	13,739	14,426
6385	Fire Chief	730	11,877	12,471	13,095	13,750	14,438
6395	Fleet Manager	250	7,818	8,209	8,619	9,050	9,503
6410	General Services Director	700	11,869	12,462	13,085	13,739	14,426
6411	General Services Manager	460	9,221	9,682	10,166	10,674	11,208
6412	General Services Supervisor	220	7,171	7,530	7,907	8,302	8,717
6415	Housing Program Manager	280	7,898	8,293	8,708	9,143	9,600
6436	Information Technology Manager	460	9,221	9,682	10,166	10,674	11,208
6438	Information Technology Supervisor	230	7,315	7,681	8,065	8,468	8,891
6420	Management Analyst	190	6,490	6,815	7,156	7,514	7,890
6445	Parks Manager	250	7,818	8,209	8,619	9,050	9,503
6470	Personnel/Risk Manager	550	9,591	10,071	10,575	11,104	11,659
6480	Personnel Technician	100	5,082	5,336	5,603	5,883	6,177
6570	Police Captain	670	10,739	11,276	11,840	12,432	13,054
6600	Police Chief	820	12,654	13,287	13,951	14,649	15,381
6630	Police Lieutenant	625	10,098	10,603	11,133	11,690	12,275
6645	Police Services Manager	420	9,221	9,682	10,166	10,674	11,208
6675	Public Information Officer	195	6,620	6,951	7,299	7,664	8,047
6680	Public Utilities Director	790	12,432	13,054	13,707	14,392	15,112
6720	Records Supervisor	220	7,171	7,530	7,907	8,302	8,717
6730	Recreation Coordinator	130	5,392	5,662	5,945	6,242	6,554
6743	Recreation Supervisor	220	7,171	7,530	7,907	8,302	8,717
6790	Senior Planner	280	7,898	8,293	8,708	9,143	9,600
6835	Solid Waste Manager	250	7,818	8,209	8,619	9,050	9,503
6825	Special Projects and Life Safety Mgr	460	9,221	9,682	10,166	10,674	11,208
6845	Street Maintenance Manager	250	7,818	8,209	8,619	9,050	9,503
6850	Supervisor of Animal Services	220	7,171	7,530	7,907	8,302	8,717
6885	Transit Supervisor	220	7,171	7,530	7,907	8,302	8,717
6895	Utilities Manager	260	7,975	8,374	8,793	9,233	9,695
6950	Water Production Manager	250	7,818	8,209	8,619	9,050	9,503

Budget Highlights-continued

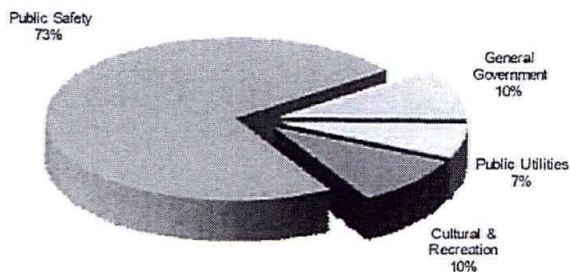
Only departments within the General Fund contain discretionary money. That is, money for which the City Council may determine the use without restriction. All other departments, like water, sewer, and refuse, receive money that is intended for a particular purpose (non-discretionary) and can only be used for that purpose. As indicated in the chart, only a very small part (22%) of the City's total budget is discretionary. Discretionary funds are available to finance activities such as public safety (police and fire) operations. The City's total operating budget for FY 2017-18 is \$176 million.



General Fund-Expenditures

The General fund is the primary source of funding for basic government services such as public safety, street maintenance, parks and recreation, and general administration. General Fund revenues are projected to be equal to expenditures for FY 2017-18.

2017-18 General Fund Budget-By Function
\$66 Million



The General fund budget is made up of the following:

Police: \$34 million. 175 employees. Consists of seven divisions and provides protection and police related services including Code Enforcement to the community in a manner that builds public confidence and improves the quality of life in Clovis.



Fire: \$15 million. 67 employees. Provides fire and emergency medical services including hazardous condition mitigation, investigation and emergency preparedness.



Public Utilities (partial): \$4 million. 14 employees. Includes three sections for street maintenance, street lighting and storm drain. Performs preventative maintenance on streets, traffic signals and street lights.



General Government: \$7 million. 32 employees. Provides policy direction, legal services, city management, economic development, financial and personnel services for all other city departments.



Culture and Recreation: \$6 million. 27 employees. Is made up of parks, recreation and senior services. Maintains parks and landscape strips and provides activities for individuals of all ages.

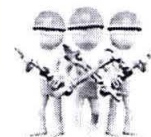


Other Departments/Funds

Planning and Development Services: \$9 million. 47 employees. Consists of three sections; planning, building and engineering. Coordinates development, implements the General Plan, performs building inspections and plan checks, provides engineering services for the CIP.



General Services: \$39 million. 39 employees. Includes employee benefits, facilities maintenance, liability and property insurance, transit services and department support.



Information Technology: \$4 million. 15 employees. Maintains the financial and network systems, personal computers, phones, CAD, as well as the geographic information system.



Public Utilities (partial): \$58 million. 119 employees. Consists of sections for refuse, fleet, water, wastewater and street cleaning services as well as the City's Landscape Maintenance District.



Housing and Community Development Program

This program assists low/moderate income families with first home purchases, home improvements and repairs and replacement of substandard mobile homes for low income senior citizens. The funding source for these programs are CalHome grants, CDBG (Community Development Block Grant) and RDA Funding.



Community Investment Program (CIP)

The community investment program (CIP) budget makes up \$61 million of the City's budget. The following major projects are included in the 2017-18 CIP:

Government Facilities: \$2 million. Design & develop the Landmark Commons Campus, design & construction of a new Transit station, roof repairs to the Senior Center and Police/Fire Headquarters buildings and fire station facility upgrades.

Sewer System Improvements: \$9 million. Reconstruction of sanitary sewer mains, continued work on Recycled Water Master Plan and reconstruction of the Recycled Water System.

Park Improvements: \$3 million. Master planning for regional parks, updating city parks, construction of the Sierra Gateway trail from Shepherd to DeWolf and acquiring property for future parks and trails.

Street Construction: \$34 million. Bike and Pedestrian facilities, multiple traffic signals, various overlays, landscape improvements, various street widening and reconstruction.

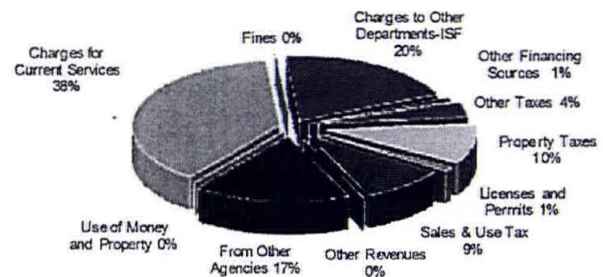
Water System Improvements: \$11 million. Construction of new water mains and granular activated carbon treatment facilities for removal of 1, 2, 3-Trichloropropane (TCP), improvements at various well sites, design and construction of the Northern Water Intertie and investment in water development.

Housing and Community Development: \$2 million. Assistance with affordable housing and assist low-moderate income families with first home purchases.

The City's Resources

The City's total resources for FY 2017-18 are estimated at \$322 million. This is a combination of \$228 million in current revenues and \$94 million in available fund balances for projects. Additions to balances above current demands total \$85 million.

2017-18 Total Current Year Revenues - \$228 Million



General Fund-Revenues

Property and sales taxes make up nearly two-thirds of all General fund revenues. The following major revenue categories make up the total General Fund FY 2017-18 revenue:

Property Tax: \$24 million. The City's share of the county wide 1% property tax and property tax in lieu of VLF.

Sales Tax: \$21 million. This is the City's second largest source of discretionary revenue.

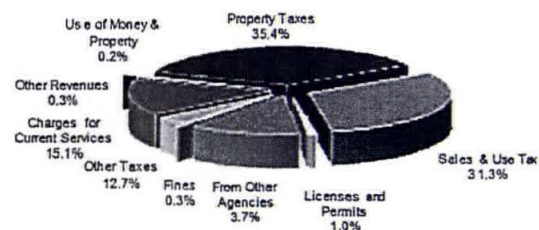
From Other Agencies: \$2 million. Includes gas tax and grants.

Other Taxes: \$8 million. Business license fees, franchise fees, transient occupancy, card room fees and real property transfer tax.

Charges for Current Services: \$10 million. Processing fees, user fees and inter-governmental charges.

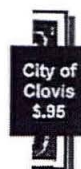
All Other Revenues: \$1 million. Interfund charges and miscellaneous items.

2017-18 General Fund Revenues - \$66 Million



Do You Know Where Your Tax Dollars Go?

Sales Taxes: Collected by the State and distributed to the City based upon taxable sales within the City boundaries. Although the City's sales tax rate is 1%, this amount is shared with the County of Fresno. Currently the County receives 5% of the City's 1%. Therefore, when you make \$100 in taxable purchases you pay \$7.975 in sales tax. Of that \$7.975 the City of Clovis receives \$0.95 of general sales tax revenue. The remaining \$7.025 is retained by the State and distributed to other agencies.



Property Taxes: Collected by the County and distributed to other governmental agencies based on their sharing percentage. The City's share of the Countywide 1% tax is about 17.95%. That means when you pay \$100 in property tax the City of Clovis receives \$17.95.



Motor Vehicle License Fees (MVLF): The VLF-Property Tax Swap of 2004 was passed through Proposition 1A and changed the way MVLF is distributed to cities and counties. It resulted in the State Legislature permanently reducing the MVLF tax rate (from 2% to 0.65%) and eliminating the state backfill to cities and counties. Instead, the backfill was replaced with a like amount of property taxes. This results in the property tax amount increasing annually in proportion to the growth in assessed valuation in each jurisdiction. In 2017-18 the City anticipates receiving \$9 million of property tax in lieu of VLF.

The City of Clovis

The City of Clovis was incorporated on February 27, 1912, as a general law city of the State of California. The City is governed by the City Council/Manager form of government in which the City Council governs the policy direction for the City's programs and spending plans and appoints the City Manager to oversee the day-to-day operation of the City. The City Council consists of five members elected at large for alternating four-year terms. The City Council in turn elects a mayor for a two-year term. The City Council for 2017-18 is as follows:

Robert Whalen - Mayor

Drew Bessinger - Mayor Pro-Tem

Lynne Ashbeck - Council Member

Jose G. Flores - Council Member

Vong Mouanoutoua - Council Member

The City of Clovis is located in the northeast quadrant of the Fresno-Clovis Metropolitan Area. The Clovis Civic Center houses Clovis City Hall, Clovis Public Safety Facility, the Council Chambers, and the Clovis Branch of the Fresno County Court and Library.



City Hall offices are located at:
1033 Fifth Street, Clovis, CA 93612
We're on the Web
www.ci.clovis.ca.us

EXHIBIT C

Clovis Sewer Monthly Charges

Residential Rates	7/1/17
SFR per unit	\$21.47
MFR & Mobile Home per unit	\$16.67
Pretreatment per residential unit	\$0.06
Sewer Bond Charge per residential unit	\$7.30
Rebate (2017-18) per residential unit	(\$7.30)
School Rates	
Elementary school per student	\$8.00
Middle school per student	\$11.79
High school per student	\$15.75
College per student	\$3.67
Pretreatment per school connection	\$3.95
Commercial Rates	
Low per 1,000 gallons	\$2.78
Medium per 1,000 gallons	\$3.13
High (markets, convenience, mortuaries	\$6.64
High (bakeries, ice cream, restaurant, hotels	\$6.60
Industrial Rates	
Low - per 1,000 gallons	\$2.78
High - per 1,000 gallons	\$2.232
High – per lb BOD	\$0.317
High - per lb SS	\$0.343
Minimum commercial or industrial flow charge per account	\$16.67
Pretreatment charge per commercial or industrial unit	
Category I	\$27.54
Category II	\$4.05
Category III	\$1.29
Sewer Bond Charge per school, commercial or industrial connection	\$7.30
Rebate per school, commercial or industrial connection	(\$7.30)

Exhibit D

Residential Curbside Refuse Rates:

Basic Service (96-gallon)	\$23.17
Basic Service (48-gallon)	\$22.00
Additional Service (96-gallon)	\$11.59

Residential Recycling Rates:

Basic Service (96-gallon)	\$3.64
Additional Service (96-gallon)	\$3.64

Residential Curbside Greenwaste Rates:

Basic Service (96-gallon)	\$5.35
Additional Service (96-gallon)	\$5.35

Commercial Refuse Rates:

1-yard commercial bin service:

No. of bins:	Once a week	Twice a week	Three times a week	Four times a week	Five times a week	Six times a week
1	\$ 65.22	\$ 130.44	\$ 195.66	\$ 260.72	\$ 326.11	\$ 391.01
2	\$ 143.48	\$ 260.72	\$ 391.01	\$ 521.44	\$ 651.88	\$ 782.16
3	\$ 215.23	\$ 391.01	\$ 586.66	\$ 782.16	\$ 977.66	\$ 1173.33
4	\$ 260.72	\$ 521.44	\$ 782.16	\$ 1043.05	\$ 1303.76	\$ 1564.48
5	\$ 326.11	\$ 651.88	\$ 977.66	\$ 1303.76	\$ 1629.54	\$ 1955.65

2-yard commercial bin service:

No. of bins:	Once a week	Twice a week	Three times a week	Four times a week	Five times a week	Six times a week
1	\$ 114.21	\$ 228.11	\$ 342.32	\$ 456.38	\$ 570.28	\$ 684.33
2	\$ 228.11	\$ 456.38	\$ 684.33	\$ 912.76	\$ 1140.87	\$ 1368.98
3	\$ 342.32	\$ 684.33	\$ 1026.66	\$ 1368.98	\$ 1710.99	\$ 2053.32
4	\$ 456.38	\$ 912.76	\$ 1368.98	\$ 1825.21	\$ 2281.58	\$ 2737.81
5	\$ 571.72	\$ 1140.87	\$ 1710.99	\$ 2281.58	\$ 2851.87	\$ 3422.31

3-yard commercial bin service:

No. of bins:	Once a week	Twice a week	Three times a week	Four times a week	Five times a week	Six times a week
1	\$ 169.48	\$ 338.96	\$ 508.59	\$ 678.06	\$ 847.54	\$ 1016.70
2	\$ 338.96	\$ 678.06	\$ 1016.70	\$ 1355.33	\$ 1694.77	\$ 2033.72
3	\$ 606.26	\$ 1016.70	\$ 1455.57	\$ 2033.72	\$ 2541.93	\$ 3050.90
4	\$ 678.06	\$ 1355.81	\$ 2033.72	\$ 2711.79	\$ 3389.69	\$ 4067.76
5	\$ 847.54	\$ 1694.77	\$ 2542.31	\$ 3389.69	\$ 4237.07	\$ 5084.46

Additional Service (extra bin):	\$33.19
Commercial Can Service:	\$32.56

EXHIBIT E

Clovis Water Rates Bi-Monthly		
	7/1/2017	7/1/2017
	Non-drought	Drought
Residential		
Dwelling Unit Charge	\$21.86	\$21.86
Water Use		
Tier 1 (0-23) (\$/kgal)	\$0.89	\$1.07
Tier 2 (23-40) (\$/kgal)	\$1.49	\$2.16
Tier 3 (40+) (\$/kgal)	\$1.83	\$2.74
Tarpey Unmetered (65kgal)-(63kgal)	\$109.78	\$136.68
Tarpey Large Lot	\$5.27	\$5.27
Tarpey Excess Use Charges (\$/kgal)	\$1.83	\$2.56
Commercial		
1" or smaller	\$17.61	\$17.61
1 1/2"	\$23.42	\$23.42
2"	\$32.34	\$32.34
3"	\$64.05	\$64.05
4"	\$161.11	\$161.11
6"	\$642.62	\$642.62
8"	\$1,139.14	\$1,139.14
10"	\$1,784.62	\$1,784.62
Commercial Water Use		
Tier 1 (0-23) (\$/kgal)	\$0.89	\$1.07
Tier 2 (23+) (\$/kgal)	\$1.21	\$1.44
Recycled Water		
2"	\$32.34	\$32.34
3"	\$64.05	\$64.05
4"	\$161.11	\$161.11
6"	\$642.62	\$642.62
8"	\$1,139.14	\$1,139.14
10"	\$1,784.62	\$1,784.62
Recycled Water Use (\$/kgal)	\$0.55	\$0.58
Construction Water	\$109.78	\$136.68

RESOLUTION 17-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING THE ANNUAL BUDGET FOR FISCAL YEAR 2017-2018, ORDERING TRANSFERS, AND ADOPTING THE SUMMARY OF APPROPRIATIONS BY FUND AND DEPARTMENT AND OTHER NECESSARY ACTIONS RELATED TO APPROVING THE 2017-2018 BUDGET

WHEREAS, the City Council is required to adopt the Budget by June 30 of each year; and

WHEREAS, the Council has conducted a public hearing on the recommended 2017-2018 Budget; and

WHEREAS, the adoption of Proposition 111 on June 5, 1990, requires the Council adopt an Appropriation Limit; and

WHEREAS, the Council intends to establish the City's Appropriation Limit in conformance with the provisions of Proposition 111; and

WHEREAS, the City Council finds it necessary to adopt the 2017-2018 Budget.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Clovis as follows:

1. The 2017-2018 Annual Budget and corresponding Personnel Allocation is approved.
2. The City Council approves and orders the transfer of moneys in and out of various funds as set forth in the "Notes to Resources and Appropriations Summary" of said 2017-2018 Budget Book.
3. The "Summary of Expenditures/Expenses 2017-18 by Department within Fund-Legal Level of Budgetary Control" attached as Exhibit "A" is approved.
4. The Appropriation Limit as calculated and shown on Page 13 of the 2017-2018 Budget book is approved for \$247,817,348.
5. The Council orders that any budget savings or unanticipated revenue be transferred to reserves in accordance with the Appropriation Limit.
6. Any amendments to the appropriations as may be subsequently approved by the Council shall be in conformance with Section 2-8.11, Section 2-8.13 and Section 2-8.17 of the Clovis Municipal Code.

7. The City Council orders that \$11,600,000 of the Fund Balance from the City's General Fund be designated as Emergency Reserve.
8. The City Council approves the Five-Year Capital Improvement Program that is included within the Annual Budget.
9. The Monthly Salary Schedules by bargaining group attached as Exhibit "B" is approved.
10. The Clovis Redevelopment Successor Agency's information is included in the City budget and accounting systems for administrative purposes and is shown on Exhibit A.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on June 12, 2017, the following vote, to wit:

AYES: Councilmembers Ashbeck, Bessinger, Flores, Mouanoutoua, Mayor Whalen

NOES: None

ABSENT: None

ABSTAIN: None

Dated: June 12, 2017

Mayor

City Clerk



AGENDA ITEM NO: **CC-C-1**
City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Community and Economic Development

DATE: July 10, 2017

SUBJECT: Approval – FY 2017-18 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County

ATTACHMENTS: 2017-18 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County

CONFLICT OF INTEREST

None

RECOMMENDATION

Approve and authorize the City Manager to execute the fiscal year 2017-18 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County (EDC) up to an amount of \$50,000.

EXECUTIVE SUMMARY

The attached agreement is between the City of Clovis and the Economic Development Corporation serving Fresno County up to an amount of \$50,000. The agreement outlines activities and responsibilities that the EDC will provide for the funding.

BACKGROUND

The Agreement continues the formalized relationship between the City and the EDC. Performance standards were adjusted in the previous contract which included a pay-for-performance incentives. These changes have been continued in the proposed contract as they have shown to be successful. A full report on results of the 2016-17 contract will be provided in August or September of 2017 for Council to review. Entering into the 2017-18 contract now will allow for services to be uninterrupted into the new fiscal year. The deliverables target the EDC efforts on attraction with some support work for business retention.

Attraction efforts will include data analysis to determine likely industries and subsequent businesses that are ideal for Clovis to focus on, general marketing efforts, trade show attendance, out-reach to brokers, and an incentive for site tours completed for businesses looking to locate in Clovis. Retention efforts will include utilizing access to economic data the EDC has to ensure Clovis staff is focusing on critical businesses in retention efforts and the EDC acting as a business resource expert. This structure allows for the City and the EDC to leverage their expertise and increase the ability of economic development efforts in Clovis.

To facilitate continued close coordination between the City and EDC, the Community and Economic Development Director sits on the Board of Directors and the Executive Committee of the EDC. The City's Community and Economic Development staff maintains a close working relationship with the EDC's Executive Director and staff.

FISCAL IMPACT

The City of Clovis will pay the EDC up to \$50,000, including performance incentives, in the 2017-18 fiscal year in four quarterly payments contingent on submission of a quarterly report of activities to the City Council. These funds are included in the 2017-18 City budget.

REASON FOR RECOMMENDATION

This agreement is consistent with the adopted budget, policies, goals, and objectives of the City Council. As a regional economic development organization, it is appropriate that the City collaborates with the EDC on the implementation of goals and objectives to facilitate the creation of jobs for Clovis and the region.

Approval of this agreement will allow the City to continue its coordinated approach to enhancing the City's economy and job creation efforts with the County of Fresno and other cities within the County.

ACTIONS FOLLOWING APPROVAL

After approval, the City Manager will execute the agreement; the Community and Economic Development staff will administer the agreement.

Prepared by: Andrew Haussler, Community and Economic Development Director

Submitted by: Andrew Haussler, Community and Economic Development Director 

ATTACHMENT A

**AGREEMENT BETWEEN THE CITY OF CLOVIS AND THE
ECONOMIC DEVELOPMENT CORPORATION SERVING FRESNO COUNTY FOR
FISCAL YEAR 2017-2018**

WHEREAS, the City Council of the City of Clovis (City) is committed to a balanced and diversified economy as one of its most important priorities to ensure the future well-being of the citizens of Clovis; and

WHEREAS, the City has invested considerable resources to encourage a Clovis location for new and expanding businesses and industries and to ensure the economic vitality of commercial areas; and

WHEREAS, the Economic Development Corporation Serving Fresno County (EDC) continues to maintain regional, national, and international marketing and promotional efforts to attract the location and expansion of businesses and industries in all of the communities within Fresno County; and

WHEREAS, the State of California (State) has designated the EDC as its regional contact and referral point for businesses and industries that contact the State while seeking a location for new or expanded facilities; and

WHEREAS, the City desires to secure such services, and allocates funds to the EDC for purpose of hiring an EDC Economic Development Specialist to be jointly funded with the City of Fresno and to assist in implementing and administering certain local economic development activities such as advocacy, marketing and promotion, and technical support for the City of Fresno and City of Clovis by the EDC toward business attraction goals to create ongoing opportunities for both cities; and

WHEREAS, the City seeks to enhance its support of the EDC in order to utilize the unique position the EDC maintains within the business community, and to promote economic growth in the City;

NOW, THEREFORE, the City and the EDC agree as follows:

1. The EDC agrees to assist the City in promoting the economic growth in the City by providing the following services to the City:
 - (a) Provide information to industrial and office representatives not currently located in Clovis for the purpose of recruiting new businesses and industries to Clovis.
 - (b) Assist in the development of marketing materials to attract new investment to Clovis.

- (c) Provide the opportunity for a representative of Clovis to attend one tradeshow of choice with the EDC. Registration fee will be covered by EDC.
- (d) Assist existing Clovis businesses and industries that contact the EDC with informational and technical assistance needs through the Economic Development Team.
- (e) Assist in marketing the City of Clovis Research and Technology Park.
- (f) Market the City of Clovis to commercial and industrial brokers, developers, site selectors, and businesses.
- (g) Serve as a distribution point for City of Clovis economic development materials.
- (h) Assist the City in the implementation of the City's Economic Development Strategy and the Business Retention, Expansion and Attraction Program.
- (i) The Economic Development team will work towards fostering a closer working relationship with local business associations to enhance the accessibility of EDC's services to City of Clovis employers. Level of partnership is dependent on willingness and capacity of local business associations to participate.
- (j) Provide City of Clovis points-of-contact with login information and training on EDC's Fresno County Cities self-management portal which offers the ability to keep up to date information on parcel availability and an economic profile.
- (k) Continue its leadership role in the promotion of High Speed Rail in Fresno County and the State and promote the City of Clovis for business opportunities and housing.
- (l) Assist City of Clovis points-of-contact in fully utilizing social media and online marketing tools to advance economic and community development efforts in the City of Clovis.
- (m) The EDC will inform the City of Clovis of legislation important to the Economic and Community Development of the region and advocate on their behalf.

- (n) In addition to periodic reports to the Economic Development Director and City Manager, submit quarterly status reports to the City Council, detailing the progress of the EDC and related activities.
 - (o) The EDC shall assist in identifying economic development projects on the City's behalf for inclusion in the County of Fresno's Comprehensive Economic Development Strategy (CEDS) for possible grant funding.
 - (p) The EDC agrees to provide a designated Economic Development Specialist as an EDC staff member to respond to City business attraction and expansion leads and to ensure City participation.
2. For performance of the services described in Section 1, paragraphs (a) through (n) and for measurable outcomes identified in Exhibit A, the City agrees to pay the EDC the sum of \$40,000 to be paid in four (4) quarterly installments, at the end of each quarter, with the quarter commencing July 1, 2017. With a performance bonus of \$10,000 for the completion of 4 site visits.
 3. It is understood and agreed that in the performance of this agreement the EDC is an independent contractor. The EDC shall take out and maintain Workers Compensation, State Disability, and other insurance coverage as required by law and shall in all other respects comply with applicable provisions of federal, state, and local laws, rules and regulations.
 4. The EDC shall indemnify, hold harmless, and defend the City, its officers, agents, and employees, from all claims for money, damages, or other relief arising in any form from the performance of this agreement by the EDC, its officers, agents, or employees. The EDC shall take out and maintain for the full term of this agreement liability insurance providing protection for personal injury, wrongful death, and property damage; such insurance to be in amounts and issued by carriers acceptable to the City. The EDC shall provide the City with a Certificate of Insurance evidencing such coverage.
 5. The funds provided EDC by the City pursuant to this agreement shall not be directly or indirectly used for any political purpose whatsoever. This prohibition includes, but is not limited to, campaigns, events, promotions, literature, lobbying or other activities for, against or on behalf of any state, local or federal legislation, issue, candidate(s) or action, whether partisan in nature or not.

6. As part of the annual financial audit of the books and records of the EDC by the EDC's independent auditor, the audit shall include tests for compliance with this Agreement. These tests shall be performed in conformance with generally accepted auditing standards. The auditor shall prepare a separate written report on the compliance with the provisions of this agreement. The City reserves the right to review, during normal business hours, the books and records of the EDC's expenditures which are related to the programs required by the provisions of this Agreement.

DATED: _____

DATED: _____

CITY OF CLOVIS

ECONOMIC DEVELOPMENT
CORPORATION SERVING FRESNO
COUNTY

BY: _____
Luke Serpa, City Manager

BY: _____
Lee Ann Eager, CEO

ATTEST:

John Holt, City Clerk

APPROVED AS TO FORM:

City Attorney

2017-2018 Work Product Overview

<p>Economic Development Corporation Serving Fresno County</p> <p>Contract- \$40,000</p> <p>Performance Base- \$10,000 (\$2500.00 per site tour)</p> <p>Staff:</p> <p>CEO-Lee Ann Eager</p> <p>COO-</p> <p>Director of Business Services Will Oliver</p>	<p>Retention: Targeted businesses will be contacted by a variety of methods to educate Clovis businesses on local, regional and statewide incentive programs</p> <ul style="list-style-type: none"> - Conduct Analysis to determine top 50 companies in Clovis that should be focused on for retention and expansion <p>New Business Recruitment: Provide information and tours to industrial and commercial representatives not currently located in Clovis for the purpose of recruiting new businesses and industries to the City of Clovis. Assist the City of Clovis in marketing identified industrial parks or industrial areas to new clients.</p> <ul style="list-style-type: none"> • Coordinate site tours for the purpose of business attraction and expansion. • Create and update marketing materials. • Coordinate commercial and industrial broker events for the city of Clovis. • Conduct analysis to determine expansion industries and companies to target for expansion. • Attend trade shows/missions and market Clovis. 	<p>Top 50 target business analysis for expansion completed</p> <p>Respond all City of Clovis Business inquires and connect them to appropriate resources</p> <p>4 Site Tours</p> <p>Incentive brochure created and distributed to targeted Clovis businesses in cooperation with City staff</p> <p>Economic Profile Demographic Information Business Park Brochures</p> <p>2 Broker events</p> <p>40 new business leads will be provided</p> <p>A minimum of 5 trade shows/missions attended</p>	
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AGENDA ITEM NO: **CC-C-2**
City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Community and Economic Development

DATE: July 10, 2017

SUBJECT: Approval – Agreement Between City of Clovis and the Business Organization of Old Town for Fiscal Year 2017-2018

ATTACHMENT: (A) Proposed Agreement Between the City of Clovis and Business Organization of Old Town for Fiscal Year 2017-2018

CONFLICT OF INTEREST

None

RECOMMENDATION

That the City Council approve the request to enter into an agreement between the City of Clovis and Business Organization of Old Town (BOOT).

EXECUTIVE SUMMARY

This agreement will serve as a mechanism for the City of Clovis to process payments to BOOT. This will enable BOOT to continue marketing Old Town as a destination for shopping, dining and community events.

There are no changes from last year's agreement.

BACKGROUND

Although many shopping areas exist in the City of Clovis, Old Town showcases as a turn-of-the century Central Business District, which reflects the unique diversity and positive image of our community. BOOT represents business owners and operators within Old Town Clovis. The City of Clovis and the former Clovis Community Development Agency has invested a great deal of financial assistance in regard to development, sustainability and marketability of Old Town. In 1992, the Agency expanded its promotion of Old Town by entering into annual contracts with BOOT for the following:

Old Town attractions (Farmer's Market, Antiques and Collectibles Fairs, Old Town Christmas activities, etc.).

Multi-media advertising (print, radio and television) for special events.

Participation on the Tourism Committee regarding activities and opportunities in Old Town related to the patronage of retail and restaurants.

For many years, the funding source to fulfill the financial obligation for these contracts was the Parking and Business Improvement Area (PBIA). The PBIA Fund is generated through an assessment of the PBIA Area. This is a geographical area which includes the commercial building located (roughly) between Second and Seventh Streets and Woodworth and Hughes Avenues. The assessment is charged to all businesses and calculated by doubling the amount paid for an annual City of Clovis Business License (or multiplying the amount of the Business License by .5 if the business has adequate on-site parking per code).

During the past several years, the PBIA has consistently generated approximately \$45,000 per year through the assessment.

Attached is the proposed Agreement Between the City of Clovis and Business Organization of Old Town for Fiscal Year 2015-2016. For performance of services described in Section 1, paragraphs (a) through (d), the City of Clovis, subject to the terms and conditions of this agreement, wishes to support BOOT by payment of a sum of \$45,000 during the fiscal year 2017-2018. Payment shall be made as follows: \$11,250 on September 30, 2017, \$11,250 on December 31, 2017, \$11,250 on March 31, 2018, and \$11,250 on June 30, 2018.

Parking enforcement and sidewalk cleaning was discontinued following the elimination of Redevelopment. In addition to this contract, the City of Clovis will continue parking enforcement and regularly scheduled sidewalk cleaning. It is expected that these items will be funded through the General Fund.

FISCAL IMPACT


It is expected that the entire contract will be paid using PBIA Funds. If a shortfall exists, other General Fund monies will be used.

REASON FOR RECOMMENDATION

Approval of this Agreement will allow the City of Clovis to continue its coordinated approach to promote Clovis as an ideal place to conduct business, reside, and promote tourism.

ACTIONS FOLLOWING APPROVAL

After approval, the City Manager will execute the agreement, and City of Clovis staff will administer it.

Prepared by: Shawn Miller, Business Development Manager 

Submitted by: Andrew Haussler, Community & Economic Development Director

**AGREEMENT BETWEEN THE CITY OF CLOVIS
AND THE BUSINESS ORGANIZATION OF OLD TOWN
2017 – 2018 FISCAL YEAR
(JULY 1, 2017 THROUGH JUNE 30, 2018)**

WHEREAS, THE CITY OF CLOVIS recognizes the significant role Old Town Clovis has played in creating a favorable image for THE CITY OF CLOVIS; and

WHEREAS, THE CITY OF CLOVIS is committed to advancing economic growth with Old Town Clovis as a priority to ensure the future and well-being of the entire City of Clovis; and

WHEREAS, THE CITY OF CLOVIS has invested considerable time and effort to encourage new business to locate and expand in Old Town Clovis, thereby continuing the economic vitality of the Central Trading district; and

WHEREAS, THE CITY OF CLOVIS recognizes the success of Old Town Clovis is dependent on both private and public sector; and

WHEREAS, the Business Organization of Old Town Clovis (B.O.O.T.) represents many business owners and operators within the Central Business District who will be effected directly or indirectly by future business promotion efforts; and

WHEREAS, THE CITY OF CLOVIS seeks to strengthen its support of B.O.O.T.'S promotion of Old Town Clovis, thereby assuring its continued influence on economic growth in both Old Town Clovis and the City at large.

NOW THEREFORE, THE CITY OF CLOVIS and B.O.O.T. agree as follows:

1. B.O.O.T. agrees to assist THE CITY OF CLOVIS in promoting economic expansion in Clovis by providing the following services to THE CITY OF CLOVIS:
 - (a) Maintain a viable organization with membership reflective of the diversity of Old Town Clovis.
 - (b) Maintain Old Town Clovis promotional activity including, but not limited to the following:
 - (1) Twenty-one Farmers Markets (mid-May through September)
 - a. Commodity party nights (i.e. Peach Party, Pistachio Party, etc.), North American Pole Vault Championships, ArtHop and other special events built into the Farmers Market footprint.
 - (2) Year-Round Saturday Morning Farmers Market
 - (3) Two Antiques and Collectible Fairs (March and September)
 - (4) Old Town Christmas Activities
 - (5) One Enchanted Evening
 - (6) Two Wine Walks (May and October)
 - (7) Two Craft Beer Crawls (March and August)
 - (8) Two Glorious Junk Days (May and October)
 - (9) Car Show (April)

(c) Maintain marketing strategies and advertising techniques to position the image of Clovis through Old Town Clovis' unique character.

(1) Promote and provide information to merchants of Old Town on activities that are conducted both within Old Town as well as outside of the Old Town area. Information on such activities shall be provided by the Tourism Committee.

(2) Participate on the Tourism Committee.

(3) Advertising and promotion of event activity in Old Town Clovis through a variety of mediums.

(4) Create additional events and participate on committees as requested, (examples of these additional events include, but are not limited to, the Local Organizing Committee for the Amgen Tour of California and the Centennial Planning Committee).

(d) Submit quarterly status reports to THE CITY OF CLOVIS, no later than 15 days prior to payment, detailing the progress of B.O.O.T.'s promotional and marketing activities.

2. B.O.O.T. is required to obtain a yearly business license.
3. For performance of services described in Section 1, paragraphs (a) through (d), THE CITY OF CLOVIS, subject to the terms and conditions of this agreement, wishes to support B.O.O.T. by payment of a sum of \$45,000 during the fiscal year 2017-2018. Payment shall be made as follows: \$11,250 on September 30, 2017, \$11,250 on December 31, 2017, \$11,250 on March 31, 2018 and \$11,250 on June 30, 2018.
4. In an effort to assure collection of business license fees for businesses within the PBIA, THE CITY OF CLOVIS and B.O.O.T. will work toward full compliance of business license issues. B.O.O.T. will notify THE CITY OF CLOVIS when a new business moves into Old Town to determine if the business applied for a proper license. Likewise, THE CITY OF CLOVIS will alert B.O.O.T. of a new business applying for a license so that B.O.O.T. can send a welcome package to the new business and explain the PBIA and benefits of being located in Old Town Clovis.
5. THE CITY OF CLOVIS Business Licensing Division will share reports regarding collection of business license fees for the PBIA.
6. B.O.O.T. agrees to obey all laws and adhere to all rules, regulations, policies and procedures during day to day operations as well as during special event planning, management and execution. This includes, but is not limited to, request(s) for street closure, set-up and break down of special events, and use of maintenance of CITY OF CLOVIS equipment, utilities and resources.
7. B.O.O.T. agrees to work towards informing and educating PBIA businesses about parking. This should include providing information about the importance of business owners and employees parking in designated areas, freeing up "prime" parking areas for customers.
8. B.O.O.T. agrees to repair damage to landscape, hardscape, hardware and other city-owned property that occurs as a result from B.O.O.T. owned special events.
9. It is understood and agreed that in the performance of this agreement, B.O.O.T. is an independent contractor. B.O.O.T. shall take out and maintain Workers Compensation,

State Disability, and other insurance coverage as required by law and shall in all other respects comply with applicable provisions of Federal, State, and local laws, rules and regulations.

10. B.O.O.T. shall indemnify, hold harmless and defend THE CITY OF CLOVIS, its officers, agent or employees from all claims for money, damages or other relief arising in any way from the performance of this agreement by B.O.O.T., its officers, agents, members or employees. B.O.O.T. shall take out and maintain for the full term of this agreement liability insurance providing protection for personal injury, wrongful death and property damage; such insurance to be in amounts and issued by carriers acceptable to THE CITY OF CLOVIS. B.O.O.T. shall provide THE CITY OF CLOVIS with Certificates of Insurance evidencing such coverage naming THE CITY OF CLOVIS as "additional insured". In respect to "special events" undertaken pursuant to this agreement, B.O.O.T. shall provide THE CITY OF CLOVIS with additional Certificates of Insurance showing THE CITY OF CLOVIS, its officers, agents and employees as additional named insured under the "special events" policy (ies) of insurance. All certificates shall show cross liability endorsements. All certificates shall expressly state that the policy (ies) may not be terminated, cancelled or modified without (30) days prior written notice actually received by THE CITY OF CLOVIS at its regular address, 1033 Fifth Street, Clovis, California 93612.
11. The funds provided B.O.O.T. by THE CITY OF CLOVIS pursuant to this agreement shall not be directly or indirectly used for any political purpose whatsoever. This prohibition includes, but is not limited to, campaigns, events, promotions, literature, lobbying or other activities for, against or on behalf of any state, local or federal legislation, issue, candidate(s) or action, whether partisan in nature or not.
12. As part of the annual financial audit of the books and records of B.O.O.T. by B.O.O.T.'s independent auditor, the audit shall include tests for compliance with this Agreement. The tests shall be performed in conformance with the generally accepted auditing standards. The auditor shall prepare a separate written report on the compliance with the provisions of this agreement. THE CITY OF CLOVIS reserves the right to review, during normal business hours, the books and records of B.O.O.T.'s expenditures which are related to the programs required by the provisions of this agreement.

DATED: _____

THE CITY OF CLOVIS

BY: _____

DATED: June 28, 2017

BUSINESS ORGANIZATION OF OLD TOWN

BY: Carol Lester

APPROVED AS TO FORM:

(CLOVIS CITY ATTORNEY)



AGENDA ITEM NO: **CC-C-3**
City Manager: *S*

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Community and Economic Development

DATE: July 10, 2017

SUBJECT: Receive and File – Business Organization of Old Town (B.O.O.T.) Fourth Quarter Report, April through June 2017

ATTACHMENT: (A) Business Organization of Old Town (B.O.O.T.) Fourth Quarter Report, April through June 2017

CONFLICT OF INTEREST

None.

RECOMMENDATION

That the City Council receive and file the B.O.O.T. Fourth Quarter Report, April through June 2017.

EXECUTIVE SUMMARY

According to the 2016–2017 agreement between the City of Clovis and the Business Organization of Old Town, B.O.O.T. is to submit quarterly reports to the City Manager and City Council. The amount to be funded is \$11,250.

BACKGROUND

According to the 2016-2017 agreement between the City of Clovis and the Business Organization of Old Town, B.O.O.T. is to submit quarterly reports to the City Manager and City Council detailing progress of B.O.O.T.'s promotional and marketing activity. Attached as Attachment "A" is the Fourth Quarter Report, April through June 2017 activities. The amount to be funded is \$11,250.

FISCAL IMPACT

The amount to be funded is \$11,250, which is called out in the 2016-2017 Budget.

REASON FOR RECOMMENDATION

The attached report meets the requirement established in the 2016-2017 agreement between the City of Clovis and the Business Organization of Old Town.

ACTIONS FOLLOWING APPROVAL

Staff will process payment to B.O.O.T.

Prepared by: Shawn Miller, Business Development Manager



Submitted by: Andrew Haussler, Deputy City Manager



Business Organization of Old Town

Quarterly Agreement/Compliance Report

4th Quarter – April 1 through June 30, 2017

In accordance with the Agreement between City of Clovis/Community & Economic Development Department and the Business Organization of Old Town Clovis for the fiscal year 2016-2017, the following items have been accomplished to date.

Goal #1:

Maintain a viable organization with membership reflective of the diversity of Old Town Clovis.

Objective:

- To maintain current level of membership and seek new members each year.
- To unite the merchants of Old Town as a group of businesses working together for the betterment of the whole downtown district.

Strategy:

- Provide information on the website about B.O.O.T., B.O.O.T. membership, benefits of membership and application forms year round.
- Personal visits to businesses in the PBIA to recruit and retain memberships.
- Contact with businesses outside the PBIA to recruit and retain Associate Memberships/"Friends of B.O.O.T."
- Allow members to pay dues monthly, quarterly or semi annually.
- Create a benefits package to attract both regular and associate members.
- Design benefits that will be exclusive to B.O.O.T. membership.
- Attract Members to a co-op advertising program that runs in the last 4th quarter of the year and at other times if funds are available.
- Plan and post meeting notices for monthly B.O.O.T. membership meetings.
- Advertise frequently to promote Old Town Clovis on behalf of all merchants.
- Enhance existing programs to draw more people to Old Town.

Results:

- A membership and organization characteristic of Old Town Clovis.
- Members are sought throughout the year and new businesses are invited to join.
- The 2017 campaign started in November 2016. Members meet at a local restaurant on the 4th Wednesday of each month.
- Board of Directors meets monthly on the 3rd Wednesday of each month to discuss issues pertinent to the organization, i.e. status of B.O.O.T members, review finances and report on events.
- Board members represent our diverse merchant groups: office professional, property owners, restaurants, bars, antique, gift and specialty stores. The 2017 Board of Directors is as follows:

- ◆ Cora Shipley, President (through 2018)
- ◆ Tom Frost, Vice President (through 2017)
- ◆ Karen Chisum, Secretary (through 2018)
- ◆ Sheryl Michael, Treasurer (through 2018)
- ◆ Larry Baumeister, Director at Large (through 2017)
- ◆ Brian Smart, Director at Large (through 2017)
- ◆ Ronnie Silva, Director at Large (through 2018)
- The Marketing / Events Committee continues to create new events and activities specifically designed to bring customers directly into the businesses.

Goal #2:

Maintain Old Town Clovis' promotional activities

Objective:

- Successfully manage, promote, and operate events in Old Town Clovis, as well as create new events on an ongoing basis that attract visitors to Old Town Clovis.
- To provide a quality event giving people a reason to visit the downtown district.
- To showcase Old Town Clovis as a shopping and dining destination.
- To develop marketing strategies to keep Old Town competitive with malls and other shopping areas.
- To attract customers and visitors, both old and new, to the downtown district.
- To present Old Town Clovis as an attractive, appealing, friendly, and inviting business community.

Strategy:

- Develop, operate, promote, maintain and pay for events that bring people to Old Town Clovis.
- Establish and maintain events that highlight Old Town Clovis locally, nationally and internationally.
- Meet all requirements set by City, State and other agencies for activities, events and attractions.
- Develop new events and activities like One Enchanted Evening, the Wine Walks and the Craft Beer Crawls to bring visitors directly into the businesses.
- Create and pay for multi-media advertising campaigns for general advertising such as generic "Shop Local in Old Town Clovis".
- Continue to evolve events so they continue to attract new people.
- Contract with entertainers that have a following and will bring new people to Old Town.

Results:

- Spring events included the Year-Round Saturday Morning Farmers Market, Craft Beer Crawl, Antiques & Collectibles Fair, 2nd Annual Car Show, Wine Walk, Glorious Junk Days and the start of the Friday Night Farmers Market. These events bring thousands of people to Old Town to shop and dine on a weekly basis. The car show crowd was estimated at 25,000 and the antique fairs saw the largest crowds in a

decade or more. The Friday Night Farmers Market saw great crowds every night until a heat wave hit June 23rd. Prior to that, nightly attendance has exceeded 5,000 people.

Goal #3:

Maintain marketing strategies, including safety and appearance, and advertising techniques to position the image of Clovis through Old Town Clovis' unique character.

Objective:

- Create a broad awareness of Old Town Clovis.
- Establish Old Town Clovis as an immediate, intermediate and end destination.
- Retain the established customer base.
- Reach out to Central California so that more people become aware of what Clovis offers.
- Work with City Officials to maintain a safe, crime free area where people feel safe and like bringing their families to Old Town.

Strategy:

- An ad agency has been hired to handle all marketing for B.O.O.T.
- Secure multi-media advertising campaigns to promote Old Town Clovis along with event generated promotions.
- Submit calendar of events to community and online calendars.
- Use Twitter, Instagram, Pinterest, Snapchat and Facebook to promote Old Town Clovis in general, merchant businesses and specific events.
- Secure interview segments on radio and television.
- Contribute to the cost of the Clovis Appliance/General Electric ABC/30 Skycam at 5th and Pollasky when B.O.O.T. has sufficient funds (co-op advertising).
- Advertise antique events in focused publications that are regional and national in scope for our four annual antique events. Advertise in classified ad section of regional papers as well as Craigslist to further reach surrounding areas.
- Utilize cable tv advertising for antiques events.
- Print and distribute more than 20,000 event-specific postcards, as well as over 30,000 Calendar of Events cards. Merchants and B.O.O.T. staff go to out-of-the-area antique events to solicit dealers to come to Old Town antique shows. Merchants also distribute these very popular cards to customers.
- Ongoing outreach to businesses to locate to Old Town Clovis.
- Work with City of Clovis Police Department to create a safe atmosphere in Old Town.
- Work with City of Clovis department heads to create a clean, well maintained streetscape in Old Town.

Results:

- Archer & Hound has been retained as our advertising agency. They used non traditional advertising avenues for our spring events, Cable TV and Digital Ads on Social Media. They also took over BOOT's social media postings, which resulted in a consistent message and branding.

- Archer and Hound created many traditional TV opportunities with “stories” that were carried by local TV and Radio and Print.
- Facilitated wide exposure for Old Town Clovis, its events, character and appeal.
- Event generated advertising was assigned in cable TV, and Radio and social media to improve event attendance, vendor participation, as well as awareness of Old Town Clovis.
- The Clovis Appliance/General Electric skycam with ABC-30 Action News reaches approximately 684,700 people every week and approximately 400,000 monthly unique visitors online at abc30.com. Old Town Clovis is mentioned a minimum of 3 to 4 times per day on the news program during weather reports and if we have anything special going on in Old Town, i.e. Farmers Market, the camera will show the activity. B.O.O.T. contributes co-op advertising dollars when available.
- Stimulated customer and visitor traffic in Old Town, as evidenced by increase number of customers in town for all of our free events.

Goal #4:

Provide information on activities to the Tourism Advisory Committee.

Objective:

- Communicate information to sources essential for tourism opportunities, capturing disposable money from customers who have an option to spend it elsewhere.

Strategy:

- Participate as an active member of the Tourism Advisory Committee.
- Supply the Clovis Visitors Center with information regarding events, activities and leads for tour groups.
- Publish names and dates of tour groups through B.O.O.T. newsletter and email so businesses are prepared to show Old Town Clovis’ hospitality.
- Provide information to merchants of Old Town regarding activities conducted in and around Old Town through the B.O.O.T. newsletter. The newsletter is emailed to those who sign up for the electronic newsletter on B.O.O.T.’s website. It is mailed to all known businesses within the PBIA twice a year.
- Communicate information to merchants on activities at the monthly B.O.O.T. membership meetings and through E-Blasts. Post events for all organizations in Clovis on B.O.O.T. Website and insure that if someone searches for an event, B.O.O.T.’s website is in the top results.
- Provide event information for visitclovis.com.
- Actively promote Old Town Clovis and Member Businesses on Facebook, Twitter, Instagram, Snapchat, Pinterest and B.O.O.T.’s website.

Results:

- Ensured Old Town Clovis is recognized as a tourism destination.
- Businesses in Old Town showcased Old Town as a friendly and inviting throughout the spring and summer months.
- B.O.O.T. works directly with the Visitors Center to be sure they have current event information.

Goal #5:

Obtain and maintain Workers Compensation, State Disability, and Directors and Officers Policy as well as any other insurance coverage as required by law.

Objective:

- Qualify for Workers Compensation, State Disability coverage, General Liability and any and all required insurances.

Strategy:

- To meet all requirements of renewal; indemnify, hold harmless and defend the City of Clovis, Community and Economic Development Department, its officers, agents or employees.
- Submit for renewal Directors and Officers Insurance Policy through Philadelphia Insurance.
- Complete and submit for renewal the State Fund Compensation Insurance Fund policy information update to Valley Regional Insurance Services, Agent Ron Petersen.
- Submit for approval General Liability Insurance through Charity First an "A" rated Insurance company through Agent Ron Petersen, Valley Regional.

Results:

- Obtained General Liability Policy coverage period April 21, 2017 to April 21, 2018.
- State Fund Compensation Policy renewed for period April 1 2017 to April 1, 2018.
- Directors and Officers Policy will renew for period August 4, 2017 to August 4, 2018.
- Certificates of Insurance with Endorsements provided to the City of Clovis.

Goal #6:

Annual compliance audit

Objective:

- To successfully complete a compliance audit conducted by an independent auditor.

Strategy:

- Efficiently maintain and preserve all records needed to demonstrate full compliance.

Results:

- The annual compliance audit is scheduled for late July 2017. The audit will be conducted by Steve Cauthen, Classic Professional Services. The agreement between the City of Clovis, Community and Economic Development Department and the Business Organization of Old Town for July 1, 2016 through June 30, 2017 will be reviewed. A letter from Classic Professional Services will confirm contract compliance and will be submitted to the City of Clovis, Community and Economic Development Department.

Financial Status:

- See Balance Sheet Attached

SUMMARY:

Old Town Clovis plays a significant role in creating a favorable image for the City of Clovis. Growth within Old Town Clovis is one of the more important priorities to ensure the future and well-being of Clovis' Redevelopment Project Area. In order to continue the economic vitality of the central trading district, considerable time and effort has been invested in an effort to encourage new businesses to locate and expand in Old Town Clovis.

UPDATES TO THE PBIA:

- The Business Organization of Old Town represents many business and property owners and operators, within the central business district, who will be affected directly or indirectly by future business promotion efforts and seeks to strengthen the promotion of Old Town Clovis, thereby assuring its continued influence on economic growth in both Old Town Clovis and the City as a whole.
- The Centennial Plaza high rise buildings are nearing completion. Many B.O.O.T. Members and others are concerned about the parking situation once the buildings are open for business. The City of Clovis will monitor the impact once the buildings open. New signage was put up this spring indicating Parking Lot locations for people new to Old Town.
- There are always changes taking place in Old Town Clovis. The following details most of these changes:

- **New Businesses within the PBIA**

Xena Rose Boutique is subletting in AvonClovis, 429 Pollasky Avenue
Smokin' Spur has opened in the Corner Café location; 361 Pollasky Avenue
Two Cities Coffee took over 559 Local's location at 608 4th Street
The Smog Shop, corner of 4th and Clovis Avenue

Business Closures within the PBIA

559 Local left Old Town at 608 4th Street
Bear Creek Gifts has closed. Owners retired; 400 Clovis Avenue, #107; still vacant



AGENDA ITEM NO: **CC-D-1**
City Manager: IS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: July 10, 2017

SUBJECT: Approval - Res.17-___ For the Council to approve the Lease Purchase Agreement with Municipal Finance Corporation, for the lease purchase of Fire Safety and Police Vehicles.

ATTACHMENTS: (A) Resolution
(B) Lease Documents

CONFLICT OF INTEREST

None

RECOMMENDATION

Approval - Res.17-___ For the Council to approve the Lease Purchase Agreement with Municipal Finance Corporation, for the lease purchase of Fire Safety and Police Vehicles.

EXECUTIVE SUMMARY

The City Council approved the purchase of Police and Fire vehicles on December 12, 2016. Financing for the safety vehicles has been arranged through Municipal Finance Corporation. A lease purchase structure has been utilized for the financing due to the attractive interest rate received after requesting bids from several lending institutions, with Municipal Finance Corporation proposing the lowest interest rate. Net proceeds from the lease purchase are \$573,000.

BACKGROUND

The City Council approved the purchase of Police and Fire vehicles on December 12, 2016. Financing for the safety vehicles has been arranged through Municipal Finance Corporation. A lease purchase structure has been utilized for the financing due to

the attractive interest rate received after requesting bids from several lending institutions, with Municipal Finance Corporation proposing the lowest interest rate. Net proceeds from the lease purchase are \$573,000. Also, the lease purchase methodology is attractive as it allows us to maintain our cash reserves and allows for the payment of the safety vehicles over their usable life. With lease purchase financing the city will own the safety vehicles at the end of the lease purchase agreement for no additional cost.

The safety will be financed over 5 years at a bank qualified rate of 2.38%. The annual lease payments will be about \$61,000.

FISCAL IMPACT

The total cost to purchase the safety vehicles is \$573,000 and is being financed through lease financing proceeds. Annual lease purchase payments will be made from the Fleet Replacement funds. The Fire and Police Departments will make payments to the Fleet Fund beginning in 2017-18 to offset the lease purchase payments.

REASON FOR RECOMMENDATION

The City Council approved the purchase of Police and Fire vehicles on December 12, 2016. Financing for the safety vehicles has been arranged through Municipal Finance Corporation.

ACTIONS FOLLOWING APPROVAL

Following Council's approval of the Resolution staff will execute the appropriate Lease documents.

Prepared by: Haley Lynch, Deputy Finance Director

Submitted by: Jay Schengel, Finance Director



RESOLUTION 17-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE WITH OPTION
TO PURCHASE, AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION
THEREWITH**

The City Council of the City of Clovis resolves as follows:

WHEREAS, the City of Clovis (the "City") is a municipal corporation organized and existing under and pursuant to the laws of the State of California; and

WHEREAS, the City desires to provide for financing in the approximate amount of \$573,000.00 for the acquisition of a fire safety and police vehicles (the "Property"); and

WHEREAS, the City Council previously adopted Resolution No. 16-179 declaring its intent to issue a tax-exempt financing to reimburse the City for prior expenditures on police and fire vehicles; and

WHEREAS, Municipal Finance Corporation (the "Corporation") has proposed a cost-effective five year lease purchase financing arrangement at a 2.38% interest rate;

NOW THEREFORE, BE IT RESOLVED it is resolved by the City Council of the City of Clovis as follows:

SECTION 1. Lease with Option to Purchase. The City Manager or a designee (each, an "Authorized Officer") is hereby authorized to enter into a Lease with Option to Purchase (the "Lease") with the Corporation to finance the Property, subject to approval as to form by the City Attorney.

SECTION 2. Attestations. The City Clerk or other appropriate City officer is hereby authorized and directed to attest the signature of the Authorized Officer as may be required or appropriate in connection with the execution and delivery of the Lease.

SECTION 3. Other Actions. The Authorized Officer and other officers of the City are each hereby authorized and directed, jointly and severally, to take any and all actions and to execute and deliver any and all agreements, documents and certificates which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms of this Resolution. Such actions are hereby ratified, confirmed and approved.

SECTION 4. Qualified Tax-Exempt Obligations. The Lease is hereby designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)

of the Internal Revenue Code of 1986, as amended (the "Code"). The City, together with all subordinate entities of the City, do not reasonably expect to issue during the calendar year in which the Lease is issued more than \$10,000,000 of obligations which it could designate as "qualified tax-exempt obligations" under Section 265(b) of the Code.

SECTION 5. Effect. This Resolution shall take effect immediately upon its passage.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017:

Mayor

City Clerk

DOCUMENTATION INSTRUCTIONS AND REFERENCE

The following documents represent the complete Lease documentation package:

1. Lease with Option to Purchase
2. Lease Schedule
3. Assignment of Lease and Acknowledgment of Assignment
4. Arbitrage and Tax Certificate
5. Certificate of the City
6. Incumbency and Signature Certificate
7. Certificate of Acceptance (executed upon final acceptance of Property)

All of the above documents shall be executed with original signatures. The signatory should be the officer(s) referenced in the resolution.

In addition to the above documents, the following additional items are required:

- | | |
|----------------------|--|
| Resolution | Please send an original or certified copy of the resolution adopted by the governing body. |
| Legal Opinion | Please send the Lease documentation to your counsel for legal review and the issuance of a legal opinion like the sample provided. The legal opinion should be on the counsel's letterhead and bear an original signature. |
| Insurance | Please fill out the Insurance Authorization Letter and return completed original along with the other Lease documents. |
| 8038-G Form | Please sign and date on the second page. MFC will complete and file the form upon funding. |

LEASE WITH OPTION TO PURCHASE

This LEASE WITH OPTION TO PURCHASE dated as of May 30, 2017 (this "Lease") is by and between MUNICIPAL FINANCE CORPORATION, a corporation duly organized and existing under the laws of the State of California (the "Corporation") as lessor and CITY OF CLOVIS, a public agency duly organized and existing under the laws of the State of California (the "City") as lessee.

RECITALS:

WHEREAS, the City deems it essential for the City to acquire the property described herein for its own public purposes; and

WHEREAS, it is intended that this Lease be treated as a tax-exempt obligation of the City for federal income tax purposes;

WHEREAS, the City and the Corporation agree to mutually cooperate now and hereafter, to the extent possible, in order to sustain the intent of this Lease and the bargain of both parties hereto.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

SECTION 1. Lease. The Corporation hereby leases to the City, and the City hereby leases and hires from the Corporation all property (the "Property") described in the schedule or schedules (collectively, the "Schedule") executed by the parties concurrently herewith and hereafter and made a part hereof. Hereinafter, reference to the Corporation means the Corporation and the Corporation's assigns for those rights, interests and obligations that may be assigned by the Corporation.

SECTION 2. Term. The terms and conditions of this Lease shall become effective upon the authorized execution of this Lease by the parties hereto. The rental term of the Property leased hereunder commences and terminates on the dates specified in the Schedule unless the term of this Lease is extended as provided in this Section. If on the scheduled date of termination of this Lease the Rental Payments shall not be fully paid, or provision therefor made, or if such Rental Payments shall have been abated at any time and for any reason, then the term of this Lease shall be extended until the date upon which all such Rental Payments shall be fully paid, except that the term of this Lease shall in no event extend beyond the date that corresponds to the end of the useful life of the Property.

SECTION 3A. Representations, Covenants and Warranties of the City. The City represents, covenants and warrants to the Corporation that:

(a) The City is a public agency and political subdivision, duly organized and existing under the Constitution and laws of the State of California with authority to enter into this Lease and to perform all of its obligations hereunder.

(b) The City's governing body has duly authorized the execution and delivery of this Lease and further represents and warrants that all requirements have been met and procedures followed to ensure its enforceability.

(c) The execution, delivery and performance of this Lease do not and will not result in any breach of or constitute a default under any indenture, mortgage, contract, agreement or instrument to which the City is a party by which it or its property is bound.

(d) There is no pending or, to the knowledge of the City, threatened action or proceeding before any court or administrative agency which will materially adversely affect the ability of the City to perform its obligations under this Lease.

(e) The City has complied with all laws applicable to the acquisition of the Property leased hereunder.

(f) The Property being leased is essential to the City in the performance of its governmental functions and its estimated useful life to the City exceeds the term of this Lease.

(g) Within two hundred seventy (270) days of the end of each fiscal year of the City during the term hereof, the City shall provide the Corporation with a copy of its audited financial statements for such fiscal year.

SECTION 3B. Budget and Appropriation. The City shall take such action as may be necessary to include all rental payments in its annual budget and annually to appropriate an amount necessary to make such rental payments. During the term of this Lease, the City will furnish to the Corporation, if so requested, copies of each proposed budget of the City within thirty (30) days after it is filed and of each final budget of the the City within thirty (30) days after it is printed. The covenants on the part of the City shall be deemed and construed to be duties imposed by law and it shall be the duty of each and every public official of the City to take such action and do such things as are required by law in the performance of the official duty of such officials to enable the City to carry out and perform the covenants and agreements in this Lease agreed to be carried out and performed by the City.

SECTION 4. Representations and Warranties of the Corporation.
The Corporation represents and warrants to the City that:

(a) The Corporation is duly organized, validly existing and in good standing under the laws of the State of California, with full corporate power and authority to lease and own real and personal property.

(b) The Corporation has full power, authority and legal right to enter into and perform its obligations under this Lease, and the execution, delivery and performance of this Lease have been duly authorized by all necessary corporate actions on the part of the Corporation and do not require any further approvals or consents.

(c) The execution, delivery and performance of this Lease do not and will not result in any breach of or constitute a default under any indenture, mortgage, contract, agreement or instrument to which the Corporation is a party by which it or its property is bound.

(d) There is no pending or, to the knowledge of the Corporation, threatened action or proceeding before any court or administrative agency which will materially adversely affect the ability of the Corporation to perform its obligations under this Lease.

SECTION 5. Property Acquisition. The Corporation hereby appoints the City as its purchasing agent to acquire the Property leased hereunder and the City hereby accepts said appointment (hereinafter, the "Agency"). The Agency is limited to i) negotiation of terms, conditions and acquisition cost of acquiring the Property from suppliers and contractors (collectively, the "Supplier") selected by the City; ii) to the inspection and acceptance of the Property upon its delivery and installation; and iii) to the exercise of any rights or remedies with respect to Property warranties or guarantees. All warranties and guarantees, either express or implied, that inure to the Corporation by virtue of the Agency are hereby passed through to the City to prosecute at the City's sole discretion.

SECTION 6. Lease Proceeds. Moneys available to pay Property costs are defined as the "Lease Proceeds". Disbursement of Lease Proceeds to pay Property costs can be made either directly to the Supplier or to the District as a reimbursement of its prior expenditures for Property costs. The District shall deliver to the Corporation a disbursement authorization form along with Supplier invoices and required reconciliation documents prior to the Corporation making a disbursement to the Supplier or a reimbursement to the District.

SECTION 7. Rental Payments. THE CITY SHALL PAY TO THE CORPORATION RENTAL PAYMENTS (the "Rental Payments") IN THE AMOUNTS AND AT THE TIMES SET FORTH IN THE SCHEDULE, AT THE OFFICE OF THE CORPORATION OR TO SUCH OTHER PERSON OR AT SUCH OTHER PLACE AS THE CORPORATION MAY FROM TIME TO TIME DESIGNATE IN WRITING. Should the City fail to pay any part of the Rental Payments herein within fifteen (15) days from the due date thereof, the City shall upon the Corporation's written request, pay interest on such delinquent Rental Payment from the date said Rental Payment was due until paid at the rate of twelve percent (12%) per annum or the maximum legal rate, whatever is less. The City shall pay Rental Payments exclusively from legally available funds, in lawful money of the United States of America, to the Corporation. The obligation of the City to pay Rental Payments hereunder shall constitute a current expense of the City and shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the City, nor shall anything contained herein constitute a pledge of the general tax revenues of the City. Except as specifically provided in Section 8, the obligation of the City to pay the Rental Payments will be absolute and unconditional in all events, and will not be subject to set-off, defense, abatement, reduction, counterclaim, or recoupment for any reason whatsoever. The periodic Rental Payments paid by the City shall be conclusive as to its fair value for the possession, use and/or occupancy of the Property.

SECTION 8. Rental Abatement. Rental Payments due hereunder with respect to the Property, other than the Advance Rental Payments, shall be subject to abatement during any period in which, by reason of material damage to or destruction of the Property there is substantial interference with the use and right of possession by the City of the Property or any substantial portion thereof. For each potential incident of substantial interference, decisions to be made on i) whether or not abatement shall apply; ii) the date upon which abatement shall commence; iii) the applicable portion of Rental Payments to be abated and; iv) the concluding date of the abatement period shall all be subject to determinations by the City in concert with the provider of the insurance issued pursuant to Section 20 herein. The amount of rental abatement shall be such that the Rental Payments paid by the City during the period of Property restoration do not exceed the fair rental value of the usable portions of the Property. The actual amount of Rental Payments paid by the City shall be conclusive as to its fair value. In the event of any damage or destruction to the Property, this Lease shall continue in full force and effect.

SECTION 9. Security Interest. As security for the payment of all of the City's obligations hereunder, the City hereby grants the Corporation, its successors and assigns, a security interest in the Property, its accessions and attachments thereto and replacements thereof and substitutions therefor and all proceeds of the Acquisition

Fund, the Grant Funds and all proceeds of any of the foregoing. The City agrees to execute such additional documents, including financing statements, and authorizes the Corporation to file such financing statements, which the Corporation deems necessary or appropriate to establish, perfect and maintain the Corporation's security interest.

SECTION 10. Use. The City shall use the Property in a careful and proper manner and shall comply with and conform to all national, state, municipal, police, and other laws, ordinances, and regulations in anyway relating to the possession, use, or maintenance of the Property.

SECTION 11. Acceptance. The City shall acknowledge receipt, inspection and acceptance of the Property by executing a "Certificate of Acceptance".

SECTION 12. Corporation's Inspection. Upon forty-eight (48) hours prior notice, the Corporation shall at any and all times during normal business hours have the right to enter into and upon the City's premises where the Property is located for the purpose of inspecting the same or observing its use. the City shall give the Corporation immediate notice of any attachment or other judicial process affecting the Property.

SECTION 13. Property Selection and Ordering. The City has selected or will select the type and quantity of the Property leased hereunder. The Corporation shall not be liable for, nor shall the validity, enforceability or effectiveness of this Lease be affected by, any delay in or failure of delivery of the Property. The City acknowledges that it is solely responsible for determining the suitability of the Property for its intended use. The Corporation shall have no duty to inspect the Property. If the Property is not properly installed, does not operate as represented or warranted by the Supplier, or is unsatisfactory for any reason, the City shall make any claim on account thereof solely against the Supplier. The City hereby assumes the risks, burdens and obligations to the Supplier on account of nonacceptance of the Property and/or cancellation of this Lease and upon the occurrence of any such event, the Corporation will assign to the City, without recourse or warranty, its rights and title to the Property and any documents related thereto.

SECTION 14. Disclaimer of Warranty. THE CORPORATION NOT BEING THE MANUFACTURER OR SUPPLIER OF THE PROPERTY NOR A DEALER IN SIMILAR PROPERTY, HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATION, WARRANTY, OR COVENANT, EXPRESS OR IMPLIED, WITH RESPECT TO THE DESIGN, DURABILITY, FITNESS FOR USE, SUITABILITY, OR MERCHANTABILITY OF THE PROPERTY IN ANY RESPECT, AND AS BETWEEN THE CORPORATION AND THE CITY, ALL PROPERTY SHALL BE ACCEPTED AND LEASED BY THE CITY "WHERE IS," "AS IS," AND "WITH ALL FAULTS," AND THE CORPORATION SHALL NOT BE RESPONSIBLE FOR ANY PATENT OR LATENT DEFECTS THEREIN. THE CITY AGREES TO SETTLE DIRECTLY SUCH CLAIMS

WITH THE SUPPLIER AND WILL NOT ASSERT ANY SUCH CLAIMS AGAINST THE CORPORATION.

SECTION 15. Alterations and Attachments. All additions and improvements that are made to the Property shall belong to and become the property of the Corporation except that separately identifiable attachments added to the Property by the City may remain the property of the City as long as (i) the attachment is paid for in full by the City and (ii) the City agrees to remove the attachment and restore the Property to substantially as good condition as when received, normal wear and tear excepted, if and when the Property may be returned to the Corporation.

SECTION 16. Relocation. The City shall provide the Corporation prior written notice of its intent to relocate the Property. The City assumes all risks of loss to the Property attendant to its movement and relocation. The Property location shall at all times be under the City's full control for its own governmental purpose.

SECTION 17. Maintenance and Repairs. The City, at its own cost and expense, shall furnish necessary labor and materials to maintain the Property in good repair, condition, and working order. The City's obligations to maintain the Property does not relieve the Supplier of its responsibility to fully perform with respect to all applicable Property warranties and guarantees.

SECTION 18. Risk of Loss; Damage; Destruction. With the exception of acts resulting from intentional misconduct or gross negligence by the Corporation, its agents and representatives, the City hereby assumes and shall bear the entire risk of loss and damage to the Property from any and every cause whatsoever. No loss or damage to the Property or any part thereof shall impair any obligation of the City under this Lease which shall continue in full force and effect, subject to Section 8 of this Lease. The City waives the benefit of Civil Code Sections 1932(2) and 1933(4) and any and all other rights to terminate this Lease by virtue of any damage or destruction to the Property.

SECTION 19. Physical Damage/Public Liability Insurance. The City shall keep the Property insured, as nearly as practicable, against risk of loss or damage from any peril covered under an "all-risk" insurance policy for not less than the replacement value thereof, and the City shall carry public liability and property damage insurance covering the Property. All said insurance shall be in form and amount and with reputable companies and shall name the Corporation as an additional insured and loss payee. The City shall pay the premiums therefore and deliver certification of said policies to the Corporation. Each insurer shall agree, by endorsement upon the policy or policies issued by it or by independent instrument furnished to the Corporation, that it will give the Corporation thirty (30) days' written notice before the policy

or policies shall be altered or canceled. The proceeds of such insurance, at the option of the City, shall be applied: (a) toward the replacement, restoration, or repair of the Property, or (b) toward payment of the total remaining obligations of the City hereunder; provided, however, that the City shall be responsible for the amount by which such insurance proceeds are insufficient to satisfy the cost of option (a) or option (b) above, as applicable. Should the City replace, restore, or repair the Property as set out in option (a) above, this Lease shall continue in full force and effect. The City may self-insure up to specified limits as evidenced by a certificate of self insurance to be attached hereto in form and amount acceptable to the Corporation. Any self-insurance program in which the City is a participant shall comply with the provisions under this Lease respecting cancellation and modification and payment of losses to the Corporation as its respective interests may appear. Such self-insurance shall be maintained on a basis which is actuarially sound as established by the City's risk manager or an independent insurance consultant which determination shall be made annually. Any deficiency shall be corrected within sixty (60) days of the City becoming aware of such deficiency.

SECTION 20. Rental Interruption Insurance. The City shall maintain or cause to be maintained at its expense and throughout the term of this Lease, insurance covering the loss of use of the Property or portions thereof for an amount not less than Rental Payments payable by the City for a twelve (12) month period. This coverage shall insure against abatement of Rental Payments payable by the City that come due hereunder resulting from the City's loss of use of the Property or any substantial portion thereof and caused by any peril covered under the City's physical damage insurance policy or self-insurance program, as applicable. Such insurance may be maintained in conjunction with or separate from any other similar insurance maintained by the City. The insurance proceeds shall be payable to the Corporation in amounts proportionate to the loss of use of the Property and shall supplement the City's applicable Rental Payments, if any, during the restoration period in sufficient amount to make the Corporation whole during the period of abatement.

SECTION 21. Liens and Taxes. The City shall keep the Property free and clear of all levies, liens, and encumbrances and shall promptly pay all fees, assessments, charges, and taxes (municipal, state and federal), including personal property taxes, which may now or hereafter be imposed upon the ownership, leasing, renting, sale, possession, or use of the Property, excluding, however, all taxes on or measured by the Corporation's income.

SECTION 22. Indemnity. Subject to California law concerning contribution and enforceability of indemnifications, the City shall indemnify the Corporation against and hold the Corporation harmless from any and all claims, actions, suits, proceedings, costs, expenses,

damages, and liabilities, including attorneys' fees, arising out of, connected with or resulting from the selection, possession, use, operation, or return of the Property excepting that the City shall not be required to indemnify the Corporation in the event that such liability or damages are caused by the gross negligence or intentional misconduct of the Corporation, its agents or representatives.

SECTION 23. Events of Default. The term "Event of Default", as used in this Lease, means the occurrence of any one or more of the following events: (a) the City fails to make any Rental Payment (or any other payment) within fifteen (15) days after the due date thereof or the City fails to perform or observe any other covenant, condition or agreement to be performed or observed by it hereunder and such failure to either make the payment or perform the covenant, condition or agreement is not cured within ten (10) days after written notice thereof by the Corporation; (b) the Corporation discovers that any statement, representation or warranty made by the City in this Lease or in any document ever delivered by the City pursuant hereto or in connection herewith is false or misleading or erroneous in any material respect; (c) the City becomes insolvent, is unable to pay its debts as they become due, makes an assignment for the benefit of creditors, applies or consents to the appointment of a receiver, trustee, conservator or liquidator of the City or of all or a substantial part of its assets, or a petition for relief is filed by or against the City under federal bankruptcy, insolvency or similar laws.

SECTION 24. Remedies. Upon the occurrence of an Event of Default, the Corporation may, at its option, exercise any one or more of the following remedies: (a) by written notice to the City, request the City to (and the City agrees that it shall), at the City's expense, promptly return the Property to the Corporation freight prepaid and insured to any location in the State of California as designated by the Corporation, or the Corporation, at its option, may enter upon the premises where the Property is located and take immediate possession of and remove the same without liability to the Corporation or its agents for such entry or for damage to property or otherwise; (b) sell or lease the Property or sublease it for the account of the the City, holding the City liable for all Rental Payments and other payments due to the effective date of such selling, leasing or subleasing plus any accrued interest to the date of termination; and (c) exercise any other right, remedy or privilege which may be available to it under applicable law, including the right to (i) proceed by appropriate court action to enforce the terms of this Lease, (ii) recover damages for the breach of this Lease, and (iii) rescind this Lease as to any portion of or all of the Property. No right or remedy herein conferred upon or reserved to the Corporation is exclusive of any other right or remedy herein, but each shall be cumulative of every other right or remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise, and may be enforced concurrently therewith or from time to time;

provided, however, that notwithstanding any provisions to the contrary herein, the Corporation shall not under any circumstances have the right to accelerate the Rental Payments that fall due in future rental periods or otherwise declare any Rental Payments not then in default to be immediately due and payable.

SECTION 25. Non-Waiver. No covenant or condition to be performed by the City under this Lease can be waived except by the written consent of the Corporation. Forbearance or indulgence by the Corporation in any regard whatsoever shall not constitute a waiver of the covenant or condition in question. Until performance by the City of said covenant or condition is complete, the Corporation shall be entitled to invoke any remedy available to the Corporation under this Lease or by law or in equity despite said forbearance or indulgence.

SECTION 26. Assignment and Subleasing. The City shall not (a) assign, transfer, pledge, or hypothecate this Lease, the Property, or any part thereof, or any interest therein, or (b) sublet or lend the Property or any part thereof except with the prior written consent of the Corporation which, in the case of subletting, shall not be unreasonably withheld; provided such subletting shall not affect the tax-exempt status of the interest components of the Rental Payments payable by the City hereunder. No such pledge, assignment, sublease or any other transfer shall in any event affect or reduce the obligation of the City to make the Rental Payments due hereunder. Consent to any of the foregoing acts applies only in the given instance and is not a consent to any subsequent like act by the City or any other person. The Corporation shall not assign its obligations under this Lease with the exception of its obligation to issue default notices and its obligations pursuant to Section 30. The Corporation may assign its right, title and interest in this Lease, the Rental Payments and other amounts due hereunder and the Property in whole or in part to one or more assignees or subassignees at any time, without the consent of the City. Any such assignment by the Corporation or its assigns shall comply with the requirements of Sections 5950-5955 of the California Government Code. No such assignment shall be effective as against the City unless and until the Corporation shall have filed with the City a copy of such assignment or written notice thereof. The City shall pay all Rental Payments hereunder pursuant to the direction of the Corporation or the assignee named in the most recent assignment or notice of assignment filed with the City. During this Lease term, the City shall keep a complete and accurate record of all such assignments or notices of assignment. Subject to the foregoing, this Lease inures to the benefit of, and is binding upon, the successors and assigns of the parties hereto.

SECTION 27. Ownership. The Property is and shall at all times be and remain the sole and exclusive property of the Corporation, and the City shall have no right, title, or interest therein or thereto except as expressly set forth in Sections 29 and 30. The City shall take all

actions necessary to insure that legal title to the Property being acquired by the City hereunder, whether by the City or by a third party acting on behalf of the City, is vested in the Corporation.

SECTION 28. Personal Property. The Property is and shall at all times be and remain personal property notwithstanding that the Property or any part thereof may now be or hereafter become in any manner affixed or attached to or imbedded in, or permanently resting upon, real property or any building thereon, or attached in any manner to what is permanent by means of cement, plaster, nails, bolts, screws or otherwise.

SECTION 29. Purchase Option. If the City is not in default of any term, condition or payment specified hereunder, the City may exercise options to prepay this Lease and purchase not less than all of the Property in "as-is" and "where-is" condition on the specified dates and for the specified amounts set forth in the Schedule. The purchase option price specified for a particular date is in addition to the Rental Payment due on the same date.

SECTION 30. Release of Liens. Upon the City either making all of the Rental Payments scheduled herein or making a purchase option payment, the Corporation, its successors or assigns shall cause i) legal title to the Property to be transferred to the City and ii) the release of all liens, encumbrances or security interests on the Property created pursuant to the Corporation's rights under this Lease.

SECTION 31. Tax Covenants.

(a) Generally. The City shall not take any action or permit to be taken any action within its control which would cause or which, with the passage of time if not cured would cause, the interest components of the Rental Payments to become includable in gross income for federal income tax purposes.

(b) Private Activity Bond Limitation. The City shall assure that the Lease Proceeds are not so used as to cause this Lease to satisfy the private business tests of Section 141(b) of the Internal Revenue Code of 1986, as amended (the "Code"), or the private loan financing test of Section 141(c) of the Code.

(c) No Arbitrage. The City will not take any action or omit to take any action which action or omission, if reasonably expected on the date of this Lease, would have caused this Lease to be an "arbitrage bond" within the meaning of Section 148(a) of the Code.

(d) Federal Guarantee Prohibition. The Rental Payments are not directly guaranteed or indirectly guaranteed in whole or in part by the United States or any agency or instrumentality of the United States so

as to cause the Rental Payments to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

(e) Reimbursement Regulations. The Lease Proceeds used for reimbursement of prior expenditures will be made pursuant to and in compliance with Income Tax Regulations Section 1.150-2.

(f) Bank Qualified. The City hereby designates this Lease for purposes of paragraph (3) of Section 265(b) of the Code and represents that not more than \$10,000,000 aggregate principal amount of obligations the interest on which is excludable (under Section 103(a) of the Code) from gross income for federal income tax purposes (excluding (i) private activity bonds, as defined in Section 141 of the Code, except qualified 501(c)(3) bonds as defined in Section 145 of the Code and (ii) current refunding obligations to the extent the amount of the refunding obligation does not exceed the outstanding amount of the refunded obligation, including this Lease, has been or will be issued by the City, including all subordinate entities of the City, during calendar year 2017.

(g) Arbitrage Rebate. The City shall take any and all actions necessary to assure compliance with Section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to this Lease.

SECTION 32. Extraordinary Costs. In the case of litigation, the prevailing party shall be entitled to recover from the opposing party all costs and expenses, including attorneys' fees (which may be the allocable cost of in-house counsel), incurred by the prevailing party in exercising any of its rights or remedies hereunder or enforcing any of the terms, conditions or provisions hereof.

SECTION 33. Severability. If any provision of this Lease shall be held invalid or unenforceable by a court of competent jurisdiction, such holdings shall not invalidate or render unenforceable any other provision of this Lease, unless elimination of such provision materially alters the rights and obligations embodied in this Lease.

SECTION 34. Entire Agreement. This Lease, the Schedule, and any agreements that specifically refer to this Lease that are duly executed by authorized agents of the parties hereto constitute the entire agreement between the Corporation and the City, and it shall not be further amended, altered, or changed except by a written agreement that is properly authorized and executed by the parties hereto.

SECTION 35. Notices. Service of all notices under this Lease shall be sufficient if given personally or mailed to the party involved at its respective address hereinafter set forth or at such address as such party may provide in writing from time to time. Any such notice

mailed to such address shall be effective when deposited in the United States mail, duly addressed and with postage prepaid.

SECTION 36. Titles. The titles to the Sections of this Lease are solely for the convenience of the parties and are not an aid in the interpretation thereof.

SECTION 37. Further Assurances and Corrective Instruments. The Corporation and the City agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may be reasonably required for correcting any inadequate or incorrect description of the Property hereby leased or intended so to be or for carrying out the expressed intention of this Lease.

SECTION 38. Execution in Counterparts. This Lease may be executed in several counterparts, each of which shall be original and all of which shall constitute but one and the same instrument.

SECTION 39. Time. Time is of the essence in this Lease and each and all of its provisions.

SECTION 40. Lease Interpretation. This Lease and the rights of the parties hereunder shall be determined in accordance with the laws of the State of California.

IN WITNESS WHEREOF, the parties hereto have caused their authorized agents to execute this Lease on the dates specified below.

MUNICIPAL FINANCE CORPORATION
2945 Townsgate Road, Suite 200
Westlake Village, CA 91361

CITY OF CLOVIS
1033 Fifth Street
Clovis, CA 93612

By _____

By _____

Title _____

Title _____

Date _____

Date _____

LEASE SCHEDULE

This Schedule is issued pursuant to the Lease with Option to Purchase dated as of May 30, 2017 by and between the undersigned.

A. Property Location:

B. Property Description: Fire safety and police vehicles

C. Name and Address of the Supplier: Elk Grove Auto Group Inc.
8575 Laguna Grove Drive, Elk Grove, CA 95757

D. Lease Proceeds: Fire safety and police vehicles

E. Lease Term. The term of this Schedule is for a period commencing on the Closing Date and concluding 5 years thereafter.

F. Rental Payments. The Rental Payments for this Schedule are due in semi-annual payments in accordance with the Payment Schedule herein. Each payment includes interest at the rate of 2.38% per annum on the principal component of the unpaid Rental Payments.

LEASE PAYMENT SCHEDULE

PMT #	Due Date	Rent Payment	To Principal	To Interest	Purchase Option
1		\$61,116.82	\$54,298.12	6,818.70	523,888.90
2		61,116.82	54,944.27	6,172.55	468,395.19
3		61,116.82	55,598.10	5,518.72	412,241.11
4		61,116.82	56,259.72	4,857.10	355,418.79
5		61,116.82	56,929.21	4,187.61	297,920.29
6		61,116.82	57,606.67	3,510.15	239,737.55
7		61,116.82	58,292.19	2,824.63	180,862.44
8		61,116.82	58,985.87	2,130.95	121,286.71
9		61,116.82	59,687.80	1,429.02	61,002.03
10		61,116.82	60,398.05	718.77	0.00

TOTALS: \$611,168.20 \$573,000.00 \$38,168.20

MUNICIPAL FINANCE CORPORATION
2945 Townsgate Road, Suite 200
Westlake Village, CA 91361

CITY OF CLOVIS
1033 Fifth Street
Clovis, CA 93612

By _____

By _____

Title _____

Title _____

Date _____

Date _____

PROPERTY DESCRIPTION/LOCATION/SUPPLIER LIST

- 2 Fire safety command vehicles
- 11 Police safety vehicles

ASSIGNMENT OF LEASE

FOR VALUE RECEIVED, MUNICIPAL FINANCE CORPORATION (the "Corporation") as assignor without recourse does hereby sell, assign, and transfer to WESTAMERICA BANK (the "Assignee") as assignee and its successors and assigns (i) all of its right, title and interest in and to the Lease with Option to Purchase dated as of May 30, 2017 between the Corporation as lessor and CITY OF CLOVIS (the "City") as lessee (hereinafter said lease and any supplements, amendments, additions thereof and any extension or renewals thereof is referred to as the "Lease") and (ii) all moneys, sums and amounts now due or hereinafter to become due under the Lease.

The Corporation represents and warrants that it has made no prior sale or assignment of any interest covered hereby; that the Lease is genuine and in all respects is what it purports to be; that the Assignee shall not be liable for and does not assume responsibility for the performance of any of the covenants, agreements, or obligations specified in the Lease to be kept, paid or performed by the Corporation with exception of the Assignee's obligation to issue notices upon the City's default of the Lease and to convey title to the leased Property upon the City's exercise of its option to purchase said Property in conformance with the terms of the Lease. The Corporation further represents and warrants that as of the date this assignment is made, the Lease is in full force and effect, has not been amended except as set forth in instrument delivered to the Assignee and the City is not in default of any terms thereunder.

The Corporation hereby constitutes and irrevocably appoints the Assignee the true and lawful attorney of the Corporation to demand, receive and endorse payments and to give receipts, releases and satisfactions either in the name of the Assignee or in the name of the Corporation in the same manner and with the same effect as the Corporation could do if this Assignment of Lease had not been made. Within fifteen (15) days after receiving its full bargain with respect to the Lease, the Assignee shall cause to be released to the City its vested interest in the Property thereto.

This Assignment of Lease shall be construed and governed in accordance with the laws of the State of California. Any provision of this Assignment of Lease found to be prohibited by law shall be ineffective only to the extent of such prohibition, and shall not invalidate the remainder of this Assignment of Lease.

This Assignment of Lease shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. In the case of litigation, the prevailing party shall be entitled to recover from the opposing party all costs and expenses, including attorneys' fees which may be the allocable cost of in-house counsel, incurred by the prevailing party in exercising any of its rights or remedies

hereunder or enforcing any of the terms, conditions, or provisions hereof.

IN WITNESS WHEREOF, the Corporation has caused this Assignment of Lease to be executed by its duly authorized agent on the date specified below.

MUNICIPAL FINANCE CORPORATION

By _____

Title _____

Date _____

ACKNOWLEDGEMENT OF ASSIGNMENT

The undersigned hereby acknowledges the assignment by MUNICIPAL FINANCE CORPORATION over to WESTAMERICA BANK of that certain Lease with Option to Purchase dated as of May 30, 2017 (the "Lease"), entered into between MUNICIPAL FINANCE CORPORATION as lessor and the undersigned as lessee.

With respect to the Lease, the undersigned agrees to pay, commencing with the first scheduled Rental Payment, all rentals and moneys due or to become due under said Lease to WESTAMERICA BANK, Fairfield Credit Administration, P.O. Box 1200, MAC A-1B, Suisun City, CA 94585-1200, and further agrees it shall have no counterclaim or offset against rentals due thereunder as to said Assignee and expressly further agrees that said Assignee shall not (except for the obligations specifically set forth in the foregoing Assignment of Lease) be liable for any of the obligations of the lessor under said Lease.

IN WITNESS WHEREOF, the lessee has caused this Acknowledgment of Assignment to be executed by its authorized agent on the date specified below.

CITY OF CLOVIS

By _____

Title _____

Date _____

CERTIFICATE OF ACCEPTANCE

This Certificate of Acceptance is issued pursuant to the Lease with Option to Purchase dated as of May 30, 2017 ("Lease") between the City of Clovis (the "City") as lessee and Municipal Finance Corporation (the "Corporation") as lessor. The City hereby acknowledges as of the date specified below, the receipt and acceptance of the Property described on Lease Schedule .

The City hereby certifies that the Property has been inspected and is now in the City's possession and is in good order and repair (subject to any undischarged vendor/contractor warranty obligations). The City further certifies that no event has occurred and is continuing which constitutes, or would constitute, an event of default but for any requirement of notice or lapse of time or both.

Property Acceptance Date: _____

IN WITNESS WHEREOF, the City's authorized agent confirms the Property acceptance date specified above by executing this Certificate of Acceptance.

CITY OF CLOVIS

By _____

Title _____

AUTHORIZATION TO REIMBURSE

Pursuant to the terms of that certain LEASE AGREEMENT dated May 30, 2017 between MUNICIPAL FINANCE CORPORATION (the "Corporation") as lessor and CITY OF CLOVIS (the "City") as lessee, the undersigned hereby requests the Corporation (or the Assignee) to reimburse \$573,000.00 to the District in consideration of delivery and acceptance of the leased Property. Attached herewith, in support of this request, is documentation including applicable Supplier invoices reconciling prior expenditures for the Property made by the the District. Upon making this disbursement, the Corporation (or the Assignee) will have advanced the aggregate sum of \$573,000.00 in Lease Proceeds.

CITY OF CLOVIS

By _____

Title _____

Date: _____

APPROVED BY CORPORATION

By _____

Title _____

Date: _____

CERTIFICATE OF THE CITY

The undersigned, duly authorized officer of City of Clovis (the "City") as lessee under that Lease with Option to Purchase dated as of May 30, 2017 (the "Lease") with Municipal Finance Corporation as lessor, hereby certifies as follows:

1. I have been duly authorized to execute and deliver, on behalf of the City, the Lease and related documents pursuant to a resolution adopted by the City's governing body, which resolution is in full force and effect and has not been amended, modified, supplemented or rescinded as of the date hereof.
2. The City has complied with all agreements and covenants and satisfied all conditions contemplated by the Lease on its part to be performed or satisfied on or before the date hereof.
3. The representations, warranties and covenants of the City contained in the Lease are true and correct in all material respects as of the date hereof, as if made on this date.
4. No litigation is pending or, to the best of my knowledge, threatened (either in state or federal courts) (a) to restrain or enjoin the issuance and delivery of the Lease or the collection of revenues to be used to meet the City's obligations under the Lease; (b) in any way contesting or affecting the authority for the execution or delivery of the Lease, or the validity of the Lease; (c) in any way contesting the existence or powers of the City, as such existence or powers in any way relate to the issuance of the Lease or the City's obligations under the Lease, or (d) could materially adversely affect the financial position of the City.
5. The Property being leased pursuant to the Lease is essential to the function of the City and is immediately needed by the City. Such need is neither temporary nor expected to diminish during the Lease term. The Property is expected to be used by the City for a period in excess of the Lease term.
6. The scheduled Rental Payments for the Property do not exceed the fair rental value of the Property.
7. The City's federal tax identification number is 94-6000311.

The meaning of the capitalized terms in this Certificate are the same as those provided in the Lease.

CITY OF CLOVIS

By: _____

Title: _____

Date: _____

INCUMBENCY AND SIGNATURE CERTIFICATE

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Clovis, a public agency validly existing under the Constitution and laws of the State of California (the "City"), and that, as of the date hereof, the individual named below is the duly appointed officer of the City holding the office set forth opposite his/her respective name. I further certify that (i) the signature set forth opposite his/her respective name and title is true and authentic and (ii) such officer has the authority on behalf of the City to enter into that certain Lease with Option to Purchase dated as of May 30, 2017, between the City and Municipal Finance Corporation, and all documents relating thereto.

Name

Title

Signature

IN WITNESS WHEREOF, I have duly executed this certificate hereto this _____ day of _____, 2017.

City Clerk

SAMPLE ONLY
(PLEASE PREPARE ON COUNSEL'S LETTERHEAD
AND FORWARD 1 ORIGINAL TO ADDRESSEE)

MUNICIPAL FINANCE CORPORATION
2945 Townsgate Road, Suite 200
Westlake Village, CA 91361

RE: Lease with Option to Purchase dated as of May 30, 2017 by
 and between MUNICIPAL FINANCE CORPORATION (the "Corporation")
 as lessor and CITY OF CLOVIS (the "City") as lessee.

Ladies and Gentlemen:

I have acted as counsel to the City with respect to the Lease with Option to Purchase described above (the "Lease") and in this capacity have reviewed a copy of the executed Lease and related documents or exhibits attached thereto. Based upon the examination of these and such other documents as I deem relevant, it is my opinion that:

1. The City is a municipal corporation and political subdivision of the State of California (the "State"), duly organized, existing and operating under the Constitution and laws of the State.

2. The City is authorized and has the power under applicable law to enter into the Lease, and to carry out its obligations thereunder and the transactions contemplated thereby.

3. The Lease has been duly authorized, approved, executed and delivered by and on behalf of the City, and is a legal, valid and binding contract of the City enforceable in accordance with its terms, except to the extent limited by State and Federal laws affecting remedies and by bankruptcy, reorganization or other laws of general application relating to or affecting the enforcement of creditor's rights.

4. A resolution duly authorizing the execution and delivery of the Lease and related documents was duly adopted by the governing body of the City on _____ and such resolution has not been amended or repealed and remains in full force and effect.

MUNICIPAL FINANCE CORPORATION

RE: Lease with Option to Purchase dated as of May 30, 2017 by and between MUNICIPAL FINANCE CORPORATION ("the Corporation") as lessor and CITY OF CLOVIS ("the City") as lessee.

(Date)

Page 2

5. There is no litigation, action, suit or proceeding pending or, to the best of my knowledge after due inquiry, threatened before any court, administrative agency, arbitrator or governmental body that challenges the authority of the City to enter into the Lease or the ability of the City to perform its obligations under the Lease and the transactions contemplated thereby.

This opinion may be relied upon by Municipal Finance Corporation, its successors and assigns.

Dated: _____ Very truly yours,

Please type name and title under signature.

INSURANCE AUTHORIZATION LETTER

TO: _____

Attn: _____

RE: Lease With Option To Purchase dated May 30, 2017 between the undersigned as lessee and MUNICIPAL FINANCE CORPORATION (the "Corporation") as lessor and WESTAMERICA BANK ("Assignee") as assignee of Lessor.

The Insurance Requirements listed below are required to cover the property described in Lease Schedule

Evidence of insurance in the form of a binder or cover letter is acceptable until formal certificates can be issued. Mail this within five (5) working days to:

WESTAMERICA BANK
P.O. Box 1990
Suisun City, CA 94585-1990

- I. BODILY INJURY AND PROPERTY DAMAGE:
 - A. \$1,000,000 combined limits (primary plus umbrella) for Bodily Injury and Property Damage Coverage.
 - B. Endorsement naming Assignee as an Additional Insured.
 - C. Endorsement giving Assignee thirty (30) days written notice of any cancellation, reduction, or alteration of coverage.
 - D. Endorsement stating: "It is understood and agreed that this insurance is primary insurance insofar as it relates to any and all equipment leased from Assignee."
- II. PHYSICAL DAMAGE REQUIREMENTS:
 - A. All Risk Coverage for not less than the total cost of \$573,000.00.
 - B. Endorsement naming Assignee as Loss Payee.
 - C. Endorsement giving Assignee thirty (30) days written notice of any cancellation, reduction, or alteration of coverage.
 - D. Endorsement stating: "It is understood and agreed that this insurance is primary insurance insofar as it relates to any and all equipment leased from Assignee."
- III. RENTAL INTERRUPTION INSURANCE: (See Section 20 of Lease)
 - A. Coverage for abatement of rentals for a maximum amount of \$61,116.82 equal to twelve (12) months rental payments due the Assignee.
 - B. Endorsement naming Assignee as loss payee.
 - C. Coverage may be provided as a separate policy or as a rider to the policy of casualty insurance on the Property.

The undersigned the City hereby authorizes you to provide the lessor and Assignee with Certificates and Endorsements per the above.

CITY OF CLOVIS

By _____

Date _____



AGENDA ITEM NO: **CC-D-2**

City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: July 10, 2017

SUBJECT: Approval - Res. 17-____, Measure C Extension Local Transportation Pass Through Revenues Certification and Claim Forms for 2017-18

ATTACHMENTS: (A) Resolution
(B) Certification and Claim Forms

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve Resolution 17-____, Measure C Extension Local Transportation Pass Through Revenues Certification and Claim Forms for 2017-18.

EXECUTIVE SUMMARY

The Fresno County Transportation Authority (FCTA) adopted the apportionment for Local Transportation Purpose Funds (Measure C Extension) for fiscal year 2017-18. The funds are distributed monthly based on the adopted percentages for each city. To receive the funds from FCTA it is necessary for each city to submit a Certification and Claim form for each sub program and a resolution of the City Council approving the Certification and Claim forms. The total estimated amount to be distributed to the City of Clovis is \$3,815,440.

BACKGROUND

Annually the City receives notification from the Fresno County Transportation Authority (FCTA) which adopts the methodology and estimated apportionments of Local Transportation Purpose Funds (Measure C Extension) due each City. The estimated percentage due the City of Clovis for each sub program varies from 1.97% to 16.25% of the total \$96,557,356 to be apportioned. The percentage due each City is based on population and road miles. The FCTA has estimated that the City will receive \$1,040,498

for the Street Maintenance Category, \$36,417 for the ADA Compliance Category, \$1,004,081 for the Flexible Funding Category, \$251,777 for the Pedestrian/Trails-Urban Category, \$62,822 for the Bicycle Facilities Category, and \$1,419,845 for the Clovis Transit Regional Public Transit Program Category. The total estimate to be disbursed to the City for all sub programs is \$3,815,440 for fiscal year 2017-18.

In order for each city to receive its apportionment the City must submit a Certification and Claim for each sub program and a resolution of the City Council approving the Certification and Claim forms. These Certification and Claim forms are for the Measure C Extension (2007-2027) that began July 1, 2007.

FISCAL IMPACT

In order for the City to receive its annual apportionment of Local Transportation Purpose Funds (Measure C Extension), the City must submit a Certification and Claim form for each sub program and a resolution of the City Council approving the Certification and Claim forms.

REASON FOR RECOMMENDATION

In order to receive the 2017-18 Measure C funds, the City needs to submit to the FCTA the Certification and Claim forms and authorizing resolution.

ACTIONS FOLLOWING APPROVAL

After the Council approval, the Certification and Claim forms and the resolution will be forwarded to the FCTA.

Prepared by: Gina Daniels, Assistant Finance Director

Submitted by: Jay Schengel, Finance Director



RESOLUTION NO. 17-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING THE LOCAL TRANSPORTATION PURPOSE FUNDS
CERTIFICATION AND CLAIM FOR 2017-18**

WHEREAS, the City of Clovis is an eligible claimant of funds for Local Transportation Purposes (Measure C Extension) pursuant to California Public Utilities Code Section 142257; and

WHEREAS, the Fresno County Transportation Authority (FCTA) has adopted a Resolution of Apportionment for Fiscal Year 2017-18's estimated revenue setting 9.44% of \$11,027,223 for the Local Transportation Program, Local Allocation – Street Maintenance Category sub program available to the claimant; and

WHEREAS, the FCTA has adopted a Resolution of Apportionment for Fiscal Year 2017-18's estimated revenue setting 9.51% of \$382,796 for the Local Transportation Program, Local Allocation – ADA Compliance Category sub program available to the claimant; and

WHEREAS, the FCTA has adopted a Resolution of Apportionment for Fiscal Year 2017-18's estimated revenue setting 9.18% of \$10,936,290 for the Local Transportation Program, Local Allocation – Flexible Funding Category sub program available to the claimant; and

WHEREAS, the FCTA has adopted a Resolution of Apportionment for Fiscal Year 2017-18's estimated revenue setting 16.25% of \$1,549,577 for the Local Transportation Program, Local Allocation – Pedestrian/Trails-Urban Category sub program available to the claimant; and

WHEREAS, the FCTA has adopted a Resolution of Apportionment for Fiscal Year 2017-18's estimated revenue setting 10.68% of \$588,121 for the Local Transportation Program, Local Allocation – Bicycle Facilities Category sub program available to the claimant; and

WHEREAS, the FCTA has adopted a Resolution of Apportionment for Fiscal Year 2017-18's estimated revenue setting 1.97% of \$72,073,349 for the Regional Public Transit Program, Public Transit Agencies – Clovis Transit sub program available to the claimant; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis as follows:

1. The Finance Director is hereby authorized to execute the Certification and Claim forms and submit the forms to the FCTA for 2017-18.
2. The City hereby requests the release of funds to the City on a monthly basis, consistent with the adopted percentage and based on actual receipts.
3. The City hereby requests the release of funds to the City in accordance and compliance with Steps 5 and 6 of the Local Agency Handbook – Local Agency Pass-Through Funding Programs.
4. The City Council hereby certifies as follows:
 - a. That the sub programs' funds are not being used to substitute for property tax funds which the City had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257; and
 - b. That the City has segregated property tax revenues from the City's other General Fund revenues used to support the sub programs' funds so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to the City's entire general fund; and
 - c. That the City shall separately account for the sub program funds received pursuant to Public Utilities Code Section 142257. The City shall maintain records in accordance with generally accepted accounting principles and shall separately record expenditures for each type of eligible purpose. The City shall make such records available to the FCTA for inspection or audit at any time.
5. The City understands that should financial or compliance audit exceptions be found, the FCTA will take immediate steps to resolve the exceptions in accordance with adopted procedures.
6. The City understands they must follow the Reporting Requirements as indicated in the Measure C Extension Local Agency Handbook and the Measure C Extension Local Agency Handbook, Other Revenue Funding and submit the appropriate Reporting Requirements Form for each Program/Project of expenditures for the 2017-18 fiscal year no later than November 15, 2017. The City understands if these Reporting Requirements are not met by the date listed above the Fresno County Transportation Authority will stop any and all Local Transportation Purposes Pass-Through funds until such Reporting Requirements have been met.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: July 10, 2017

Mayor

City Clerk

**MEASURE C EXTENSION
LOCAL TRANSPORTATION PASS THROUGH REVENUES
CERTIFICATION AND CLAIM FOR FY2017-18**

TO: Fresno County Transportation Authority

FROM: City of Clovis
Local Agency Name

Address: 1033 Fifth Street, Clovis, CA 93612

Telephone: (559) 324-2845 FAX: _____

Contact: Jay Schengel

Email Address: jays@cityofclovis.com

1. Applicable Funding Program: (Check One)

Regional Public Transit Program

- ☐ Fresno Area Express
- ☐ Clovis Transit
- ☐ FCRTA
- ☐ PTIS/Transit Consolidation
- ☐ ADA/Seniors/Paratransit
- ☐ Farmworker Van Pools
- ☐ Car/Van Pools
- ☐ New Technology Reserve

Local Transportation Program

- ☒ Street Maintenance
- ☐ ADA Compliance
- ☐ Flexible Funding
- ☐ Pedestrian/Trails Urban
- ☐ Pedestrian/Trails Rural
- ☐ Bicycle Facilities
- Regional Transportation Program*
- ☐ Fresno Airports

Alternative Transportation Program

- ☐ Rail Consolidation Subprogram
- Environmental Enhancement Program*
- ☐ School Bus Replacement
- ☐ Transit Oriented Infrastructure for In-Fill
- Administrative/Planning Program*
- ☐ Fresno COG

2. The City of Clovis ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to
Local Agency Name
California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2017-2018 setting 9.44% of \$11,027,223 (or \$1,040,498) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:

- (a) Monthly payments consistent with adopted percentage, based on actual receipts
- (b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass Through Funding programs and Other Implementation Plan Provisions

4. On behalf of claimant, I hereby certify as follows:

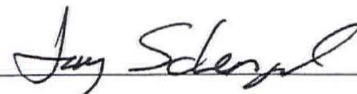
- (a) That the Subprogram or Category of funds checked above are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.
- (b) That claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Subprogram or Category of funds checked above so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.
- (c) That claimant shall account for Subprogram or Category of funds checked above and received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles, and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

5. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Authorized Signature: _____

Title: _____

Date: _____



Finance Director
7/10/17

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board by Date: _____

MEASURE C EXTENSION
LOCAL TRANSPORTATION PASS THROUGH REVENUES
CERTIFICATION AND CLAIM FOR FY2017-18

TO: Fresno County Transportation Authority

FROM: City of Clovis
Local Agency Name

Address: 1033 Fifth Street, Clovis, CA 93612

Telephone: (559) 324-2845 FAX: _____

Contact: Jay Schengel

Email Address: jays@cityofclovis.com

1. Applicable Funding Program: (Check One)

Regional Public Transit Program

- ☐ Fresno Area Express
- ☐ Clovis Transit
- ☐ FCRTA
- ☐ PTIS/Transit Consolidation
- ☐ ADA/Seniors/Paratransit
- ☐ Farmworker Van Pools
- ☐ Car/Van Pools
- ☐ New Technology Reserve

Local Transportation Program

- ☐ Street Maintenance
- ☒ ADA Compliance
- ☐ Flexible Funding
- ☐ Pedestrian/Trails Urban
- ☐ Pedestrian/Trails Rural
- ☐ Bicycle Facilities
- Regional Transportation Program*
- ☐ Fresno Airports

Alternative Transportation Program

- ☐ Rail Consolidation Subprogram
- Environmental Enhancement Program*
- ☐ School Bus Replacement
- ☐ Transit Oriented Infrastructure for In-Fill
- Administrative/Planning Program*
- ☐ Fresno COG

2. The City of Clovis ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to
Local Agency Name
California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2017-2018 setting 9.51% of \$382,796 (or \$36,417) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:

- (a) Monthly payments consistent with adopted percentage, based on actual receipts
- (b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass Through Funding programs and Other Implementation Plan Provisions

4. On behalf of claimant, I hereby certify as follows:

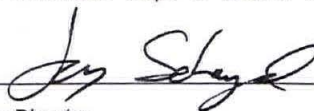
- (a) That the Subprogram or Category of funds checked above are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.
- (b) That claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Subprogram or Category of funds checked above so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.
- (c) That claimant shall account for Subprogram or Category of funds checked above and received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles, and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

5. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Authorized Signature: _____

Title: _____

Date: _____



Finance Director

7/10/17

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board by Date: _____

**MEASURE C EXTENSION
LOCAL TRANSPORTATION PASS THROUGH REVENUES
CERTIFICATION AND CLAIM FOR FY2017-18**

TO: Fresno County Transportation Authority

FROM: City of Clovis
Local Agency Name

Address: 1033 Fifth Street, Clovis, CA 93612

Telephone: (559) 324-2845 FAX: _____

Contact: Jay Schengel

Email Address: jays@cityofclovis.com

1. Applicable Funding Program: (Check One)

Regional Public Transit Program

- ☐ Fresno Area Express
- ☐ Clovis Transit
- ☐ FCRTA
- ☐ PTIS/Transit Consolidation
- ☐ ADA/Seniors/Paratransit
- ☐ Farmworker Van Pools
- ☐ Car/Van Pools
- ☐ New Technology Reserve

Local Transportation Program

- ☐ Street Maintenance
- ☐ ADA Compliance
- ☒ Flexible Funding
- ☐ Pedestrian/Trails Urban
- ☐ Pedestrian/Trails Rural
- ☐ Bicycle Facilities
- Regional Transportation Program*
- ☐ Fresno Airports

Alternative Transportation Program

- ☐ Rail Consolidation Subprogram

Environmental Enhancement Program

- ☐ School Bus Replacement
- ☐ Transit Oriented Infrastructure for In-Fill

Administrative/Planning Program

- ☐ Fresno COG

2. The City of Clovis ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to *Local Agency Name* California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2017-2018 setting 9.18% of \$10,936,290 (or \$1,004,081) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:

- (a) Monthly payments consistent with adopted percentage, based on actual receipts
- (b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass Through Funding programs and Other Implementation Plan Provisions

4. On behalf of claimant, I hereby certify as follows:

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Authorized Signature: _____

Title: _____

Date: _____

Finance Director

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board by Date: _____

**MEASURE C EXTENSION
LOCAL TRANSPORTATION PASS THROUGH REVENUES
CERTIFICATION AND CLAIM FOR FY2017-18**

TO: Fresno County Transportation Authority

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Local Agency Name

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Authorized Signature: _____

Title: Finance Director

Date: 7/10/17

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board by Date: _____

MEASURE C EXTENSION
LOCAL TRANSPORTATION PASS THROUGH REVENUES
CERTIFICATION AND CLAIM FOR FY2017-18

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- ☐ FCRTA
- ☐ PTIS/Transit Consolidation
- ☐ ADA/Seniors/Paratransit
- ☐ Farmworker Van Pools
- ☐ Car/Van Pools
- ☐ New Technology Reserve

Local Transportation Program

- ☐ Street Maintenance
- ☐ ADA Compliance
- ☐ Flexible Funding
- ☐ Pedestrian/Trails Urban
- ☐ Pedestrian/Trails Rural
- ☒ Bicycle Facilities
- Regional Transportation Program*
- ☐ Fresno Airports

Alternative Transportation Program

- ☐ Rail Consolidation Subprogram
- Environmental Enhancement Program*
- ☐ School Bus Replacement
- ☐ Transit Oriented Infrastructure for In-Fill
- Administrative/Planning Program*
- ☐ Fresno COG

2. The City of Clovis ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to
Local Agency Name
California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2017-2018 setting 10.68% of \$588,121 (or \$62,822) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:

- (a) Monthly payments consistent with adopted percentage, based on actual receipts
- (b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass Through Funding programs and Other Implementation Plan Provisions

4. On behalf of claimant, I hereby certify as follows:

- (a) That the Subprogram or Category of funds checked above are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.
- (b) That claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Subprogram or Category of funds checked above so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.
- (c) That claimant shall account for Subprogram or Category of funds checked above and received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles, and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

5. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Authorized Signature: _____

Title: _____

Date: _____

Finance Director

7/10/17

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board by Date: _____

**MEASURE C EXTENSION
LOCAL TRANSPORTATION PASS THROUGH REVENUES
CERTIFICATION AND CLAIM FOR FY2017-18**

TO: Fresno County Transportation Authority

FROM: City of Clovis - Clovis Transit Agency
Local Agency Name

Address: 155 N. Sunnyside Avenue, Clovis, CA 93611 Contact: Amy Hance
Telephone: (559) 324-2768 FAX: _____ Email Address: amyh@cityofclovis.com

1. Applicable Funding Program: (Check One)

Regional Public Transit Program

- ☐ Fresno Area Express
- ☒ Clovis Transit
- ☐ FCRTA
- ☐ PTIS/Transit Consolidation
- ☐ ADA/Seniors/Paratransit
- ☐ Farmworker Van Pools
- ☐ Car/Van Pools
- ☐ New Technology Reserve

Local Transportation Program

- ☐ Street Maintenance
- ☐ ADA Compliance
- ☐ Flexible Funding
- ☐ Pedestrian/Trails Urban
- ☐ Pedestrian/Trails Rural
- ☐ Bicycle Facilities
- Regional Transportation Program*
- ☐ Fresno Airports

Alternative Transportation Program

- ☐ Rail Consolidation Subprogram
- Environmental Enhancement Program*
- ☐ School Bus Replacement
- ☐ Transit Oriented Infrastructure for In-Fill
- Administrative/Planning Program*
- ☐ Fresno COG

2. The City of Clovis - Clovis Transit Agency ("claimant") is an eligible claimant of funds for local transportation
Local Agency Name
purposes pursuant to California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2016-2017 setting 1.97% of \$72,073,349 (or \$1,419,845) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:

- (a) Monthly payments consistent with adopted percentage, based on actual receipts
- (b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass Through Funding programs and Other Revenue Program Funding

4. On behalf of claimant, I hereby certify as follows:

- (a) That the Subprogram or Category of funds checked above are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.
- (b) That claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Subprogram or Category of funds checked above so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.
- (c) That claimant shall account for Subprogram or Category of funds checked above and received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles, and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

5. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Authorized Signature: _____

Title: _____

Date: _____

Jay Schaefer

Finance Director
2/10/17

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board on: _____



AGENDA ITEM NO: **CC-D-3**

City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: July 10, 2017

SUBJECT: Receive and File - Investment Report for the Month April 2017

Exhibits: (A) Distribution of Investments
(B) Monthly Investment Transactions
(C) Certificates of Deposit
(D) Graph of April 30, 2017 Treasury Rates

Attached is the Investment Report for the month of April 2017. Shown in Exhibit A is the distribution of investments which lists all the individual securities owned by the City with the book and market values. Book value is the actual price paid for the investment. Market value is the amount that the investment is worth if sold in the open market. The market value (which fluctuates daily) that is used in the report is as of the last working day of the month. Exhibit B reflects the monthly investment transactions for the month of April 2017. Exhibit C lists the certificates of deposit. Exhibit D is a graph of Treasury rates on April 30, 2017.

The investment of the City's funds is performed in accordance with the adopted Investment Policy. Funds are invested with the following objectives in mind:

1. Assets are invested in adherence with the safeguards and diversity of a prudent investor.
2. The portfolio is invested in a manner consistent with the primary emphasis on preservation of the principal, while attaining a high rate of return consistent with this guideline. Trading of securities for the sole purpose of realizing trading profits is prohibited.
3. Sufficient liquidity is maintained to provide a source for anticipated financial obligations as they become due.
4. Investments may be made, consistent with the Investment Policy Guidelines, in fixed income securities maturing in three years or less and can be extended to five years with the City Manager's approval.

The Finance Department invests the City's assets with an expectation of achieving a total rate of return at a level that exceeds the annualized rate of return on short-term government guaranteed or insured obligations (90 day Treasury bills) and to assure that the principal is preserved with minimal risk of depreciation or loss. In periods of rising interest rates the City of Clovis portfolio return may be less than that of the annualized 90 day Treasury bill. In periods of decreasing interest rates, the City of Clovis portfolio return may be greater than the annualized 90 day Treasury bill. The current 90 day Treasury bill rate (annualized) is 0.45%. The rate of return for the City of Clovis portfolio is 0.96%. The goal for the City of Clovis investment return is 120% of the 90 day Treasury bill rate. The current rate of return is 214% of the Treasury bill rate.

In accordance with the Investment Policy the investment period on each investment does not exceed three years and can be extended to five years with the City Manager's approval. As of April 2017 the average investment life of the City's investment portfolio is 0.61 years.

Current Investment Environment and Philosophy

During the month of April 2017 the Federal Reserve did not adjust the federal funds rate and it remained at 0.75 - 1.00%.

On April 30, 2017 the Treasury yield curve shows a steady increase in yields for three month treasuries through six month treasuries. As the holding period extended out beyond six months higher yields are realized.

Certificates of Deposit (CD's)

The City purchases both negotiable and non-negotiable Certificates of Deposit (CD's). Although negotiable CD's can be traded, it is the City's policy to buy and hold all CD's. Negotiable CD's are held by U.S. Bank, a third party custodian. Non-negotiable CD's are held in the City's safe.

Purchases and Maturities

- No government securities were purchased.
- No government securities were called or matured.
- 3 certificates of deposit totaling \$735,000.00 were purchased.
- 4 certificates of deposit totaling \$980,000.00 were called or matured.

Market Environment

- During April, the federal funds rate was maintained at .75% - 1.00%.
- On April 30, the yield curve increased steadily for shorter term treasuries (through six months) and shows larger increases beyond six month treasuries. See Exhibit D, Graph of Treasury Rates on April 30, 2017.

Prepared by: Haley Lynch, Deputy Finance Director

Submitted by: Jay Schengel, Finance Director 

**CITY OF CLOVIS
DISTRIBUTION OF INVESTMENTS
AS OF APRIL 30, 2017**

Exhibit A

	COST	NET BOOK VALUE	MARKET VALUE *	YIELD TO MATURITY	STATED INTEREST RATE	INVEST DATE	MATURITY DATE	DAYS TO MATURITY FROM 4/30/2017
<u>GOV'T SECURITIES</u>								
FHLMC	3,007,944	3,007,944	3,000,810	1.000%	1.000%	12/01/15	07/28/17	89
FHLB	3,015,870	3,015,870	3,000,540	1.125%	1.125%	07/02/15	12/08/17	222
FNMA	2,998,479	2,998,479	2,990,610	0.875%	0.875%	09/29/15	05/21/18	386
FNMA	3,018,480	3,018,480	2,991,930	1.125%	1.125%	06/09/16	12/14/18	593
FHLB	3,000,000	3,000,000	2,982,300	1.250%	1.250%	04/29/16	04/29/19	729
FFCB	3,007,560	3,007,560	2,979,120	1.300%	1.300%	06/09/16	06/06/19	767
FNMA	3,006,150	3,006,150	2,986,290	1.250%	1.250%	07/13/16	06/28/19	789
FNMA	3,002,400	3,002,400	2,978,520	1.125%	1.125%	07/26/16	07/26/19	817
FNMA	3,000,000	3,000,000	2,978,400	1.250%	1.250%	11/16/16	11/15/19	929
FHLMC	3,000,000	3,000,000	2,984,460	1.300%	1.300%	11/28/16	11/27/19	941
FNMA	3,000,000	3,000,000	3,000,180	1.700%	1.700%	12/30/16	12/30/19	974
FFCB	994,500	994,500	993,800	1.400%	1.400%	03/30/17	02/24/20	1,030
FHLB	1,008,597	1,008,597	1,008,310	1.875%	1.875%	03/22/17	03/13/20	1,048
SECURITIES TOTAL	\$ 35,059,980	\$ 35,059,980	\$34,875,270					
LAIF		\$ 64,409,669	\$ 64,409,669					
MONEY MARKET		\$ 9,691,963	\$ 9,691,963					
PREMIUM-IOC		\$ -	\$ -					
TOTAL CD'S		\$ 14,279,000	\$ 14,268,146					
TOTAL INVESTMENTS		\$ 123,440,611	\$ 123,245,048					

* Market values for securities obtained from US Bank.

**CITY OF CLOVIS
MONTHLY INVESTMENT TRANSACTIONS
FOR THE MONTH OF APRIL 2017**

Exhibit B

Institution	Description	Activity	Amount	Market Value	Rate	Activity Date	Maturity Date
MINNESOTA NATIONAL	CD	Maturity	(245,000)	(245,000)	0.800%	04/17/17	04/17/17
TRADITION CAPITAL	CD	Maturity	(245,000)	(245,000)	0.800%	04/17/17	04/17/17
UNITED	CD	Maturity	(245,000)	(245,000)	0.650%	04/17/17	04/17/17
BARCLAYS BANK	CD	Maturity	(245,000)	(245,000)	1.050%	04/18/17	04/18/17
AMERICAN EXPRESS	CD	Purchase	245,000	245,000	1.900%	04/17/17	04/06/20
ION BANK	CD	Purchase	245,000	245,000	1.600%	04/17/17	04/20/20
FIRST BANK	CD	Purchase	245,000	245,000	1.600%	04/17/17	04/20/20
Union Bank	LAIF	Interest	109,923			01/14/17	

PORTFOLIO DATA

Current Month (4/17)

	Book	Market
CD'S	\$ 14,279,000	\$14,268,146
Gov't Securities*	35,059,980	34,875,270
LAIF	64,409,669	64,409,669
Money Market	9,691,963	9,691,963
Premium IOC	0	0
TOTAL	\$ 123,440,611	\$123,245,048

One Month Previous (3/17)

	Book	Market
CD'S	\$ 14,524,000	\$14,512,502
Gov't Securities*	35,059,980	34,860,570
LAIF	64,299,746	64,299,746
Money Market	9,691,963	9,691,963
Premium IOC	0	0
TOTAL	\$ 123,575,689	\$ 123,364,781

Three Months Previous (1/16)

	Book	Market
CD'S	\$ 14,524,000	\$14,539,233
Gov't Securities*	36,066,936	35,860,950
LAIF	50,299,746	50,299,746
Money Market	9,691,963	9,691,963
Premium IOC	0	0
TOTAL	\$ 110,582,645	\$ 110,391,892

Six Months Previous (10/16)

	Book	Market
CD'S	\$ 15,503,939	\$ 15,575,022
Gov't Securities*	27,066,936	27,028,140
LAIF	50,214,214	50,214,214
Money Market	9,691,963	9,691,963
Premium IOC	0	0
TOTAL	\$ 102,477,052	\$ 102,509,339

One Year Previous (4/16)

	Book	Market
CD'S	\$ 16,969,000	\$ 17,020,568
Gov't Securities*	36,034,669	36,027,880
LAIF	50,069,913	50,069,913
Money Market	9,691,963	9,691,963
Premium IOC	899	899
TOTAL	\$ 112,766,444	\$ 112,811,223

*Adjusted Quarterly for Premium/Discount Amortization

Exhibit C

CITY OF CLOVIS
CERTIFICATES OF DEPOSIT
AS OF APRIL 30, 2017

Negotiable CDs	COST	MARKET PRICE	INTEREST RATE	INVEST DATE	MATURITY DATE	MATURITY FROM 04/30/17	INTEREST FREQUENCY
NBT BANK	245,000	245,042	1.000%	05/14/14	05/15/17	15	SEMI-ANNUALLY
FRANKLIN SYNERGY	245,000	245,025	0.900%	07/17/15	05/17/17	17	MONTHLY
MERRICK BANK	245,000	245,098	0.900%	06/11/14	06/12/17	43	MONTHLY
NORTHBROOK BANK AND TRUST	245,000	245,123	1.000%	06/27/14	06/27/17	58	SEMI-ANNUALLY
FIRSTTRUST	245,000	245,100	1.000%	06/30/15	06/30/17	61	MONTHLY
APPLE BK	245,000	245,218	1.000%	01/13/16	07/13/17	74	SEMI-ANNUALLY
BANK HAPOALIM	245,000	245,203	1.150%	07/17/14	07/17/17	78	SEMI-ANNUALLY
EVERBANK FLORIDA	230,000	230,239	1.250%	06/24/14	07/17/17	78	SEMI-ANNUALLY
AMERICAN EXPRESS	245,000	245,279	1.200%	08/07/14	08/07/17	99	SEMI-ANNUALLY
CUSTOMER'S BANK	245,000	245,475	1.350%	09/10/14	09/11/17	134	SEMI-ANNUALLY
CAMBRIDGE TRUST	245,000	245,252	1.050%	07/22/15	09/22/17	145	MONTHLY
CAPITAL ONE BANK	245,000	245,272	1.350%	10/01/14	10/02/17	155	SEMI-ANNUALLY
PINNACLE BANK SCOTTSDALE	245,000	245,414	1.100%	10/30/14	10/30/17	183	MONTHLY
DOLLAR BANK FED	245,000	245,419	1.200%	11/17/14	11/17/17	201	SEMI-ANNUALLY
BANKUNITED	245,000	245,409	1.200%	11/21/14	11/21/17	205	SEMI-ANNUALLY
FLUSHING BANK	245,000	245,488	1.300%	12/12/14	12/12/17	226	MONTHLY
CATHAY BANK	245,000	245,524	1.150%	07/07/15	12/29/17	243	MONTHLY
GUARANTY BANK	245,000	244,868	0.900%	05/15/15	01/16/18	261	MONTHLY
MERCANTILE BANK	245,000	245,098	1.050%	01/30/15	01/30/18	275	MONTHLY
JP MORGAN CHASE	245,000	245,838	1.200%	02/27/15	02/27/18	303	QUARTERLY
CONNECTONE BANK	245,000	245,708	1.150%	03/13/15	03/13/18	317	MONTHLY
WEBBANK CORP	245,000	245,078	1.200%	03/27/15	03/27/18	331	MONTHLY
PEOPLES UNITED	245,000	244,833	1.050%	04/15/15	04/16/18	351	SEMI-ANNUALLY
INVESTORS BANK	245,000	245,608	1.100%	04/30/15	04/30/18	365	SEMI-ANNUALLY
YADKIN BANK	245,000	245,348	1.050%	05/08/15	05/08/18	373	MONTHLY
WORLDS FOREMOST	200,000	200,172	1.300%	05/13/15	05/14/18	379	MONTHLY
B-BAY LLC PROMI	245,000	245,191	1.300%	05/22/15	05/22/18	387	SEMI-ANNUALLY
COMMERCE BANK	245,000	245,167	1.250%	06/18/15	06/18/18	414	MONTHLY
FIRST COMMERCIAL	245,000	245,105	1.250%	06/26/15	06/26/18	422	MONTHLY
ENERBANK	245,000	245,524	1.400%	07/14/15	07/13/18	439	MONTHLY
WELCH STATE BANK	245,000	245,784	1.350%	07/17/15	07/17/18	443	MONTHLY
CAPITAL ONE N.A.	245,000	246,066	1.650%	07/29/15	07/30/18	456	SEMI-ANNUALLY
FIRST BUSINESS	245,000	245,451	1.400%	08/18/15	08/17/18	474	SEMI-ANNUALLY
BUCKS COUNTY BANK	245,000	246,362	1.300%	08/31/15	08/31/18	488	MONTHLY
WASHINGTON COUNTY	129,000	129,722	1.250%	09/23/15	09/24/18	512	MONTHLY
KEY BANK	245,000	246,267	1.300%	11/12/15	11/13/18	562	SEMI-ANNUALLY
WELLS FARGO BANK	245,000	246,083	1.400%	11/12/15	11/13/18	562	MONTHLY
GOLDMAN SACHS BK	245,000	246,958	1.750%	01/13/16	01/14/19	624	SEMI-ANNUALLY
FIRST SAVINGS BANK	245,000	244,120	1.250%	02/19/16	02/19/19	660	MONTHLY
FIRST WESTERN	245,000	245,796	1.150%	02/26/16	02/26/19	667	MONTHLY
KATAHDIN TRUST	245,000	245,137	1.200%	02/26/16	02/26/19	667	MONTHLY
BRYN MAWR TR	245,000	244,757	1.200%	03/30/16	03/29/19	698	MONTHLY
PRIVATE BANK	245,000	243,956	1.100%	05/20/16	05/20/19	750	SEMI-ANNUALLY
HORIZON BANK	245,000	243,187	1.100%	05/25/16	05/24/19	754	MONTHLY
QUANTUM NATIONAL BANK	245,000	243,060	1.150%	06/22/16	06/21/19	782	QUARTERLY
DISCOVER BANK	245,000	243,055	1.200%	07/01/16	07/01/19	792	SEMI-ANNUALLY
NORTHERN BANK TRUST	245,000	242,925	1.100%	07/12/16	07/12/19	803	QUARTERLY
WEX BANK	245,000	242,121	1.200%	08/12/16	08/12/19	834	SEMI-ANNUALLY
FNB OF MCGREGOR	245,000	242,173	1.100%	08/18/16	08/19/19	841	MONTHLY
ALLY BANK	245,000	241,852	1.300%	09/15/16	09/16/19	869	SEMI-ANNUALLY
ATLANTIC	245,000	241,737	1.200%	09/30/16	09/30/19	883	MONTHLY
MORTON COMMUNITY BANK	245,000	243,719	1.500%	12/15/16	12/16/19	960	MONTHLY
SALLIE MAE	245,000	245,154	1.750%	01/11/17	01/13/20	988	SEMI-ANNUALLY
STEARNS BANK	245,000	244,022	1.600%	02/10/17	02/10/20	1,016	SEMI-ANNUALLY
CRESCENT BANK	245,000	243,665	1.550%	02/15/17	02/14/20	1,020	MONTHLY
PYRAMAX BANK	245,000	243,973	1.600%	02/17/17	02/18/20	1,024	MONTHLY
AMERICAN EXPRESS	245,000	245,767	1.900%	04/17/17	04/06/20	1,072	MONTHLY
FIRST BANK	245,000	243,579	1.600%	04/17/17	04/20/20	1,086	MONTHLY
ION BANK	245,000	243,579	1.600%	04/17/17	04/20/20	1,086	MONTHLY

Negotiable CD TOTAL

\$ 14,279,000

\$ 14,268,146

CD TOTAL

\$ 14,279,000

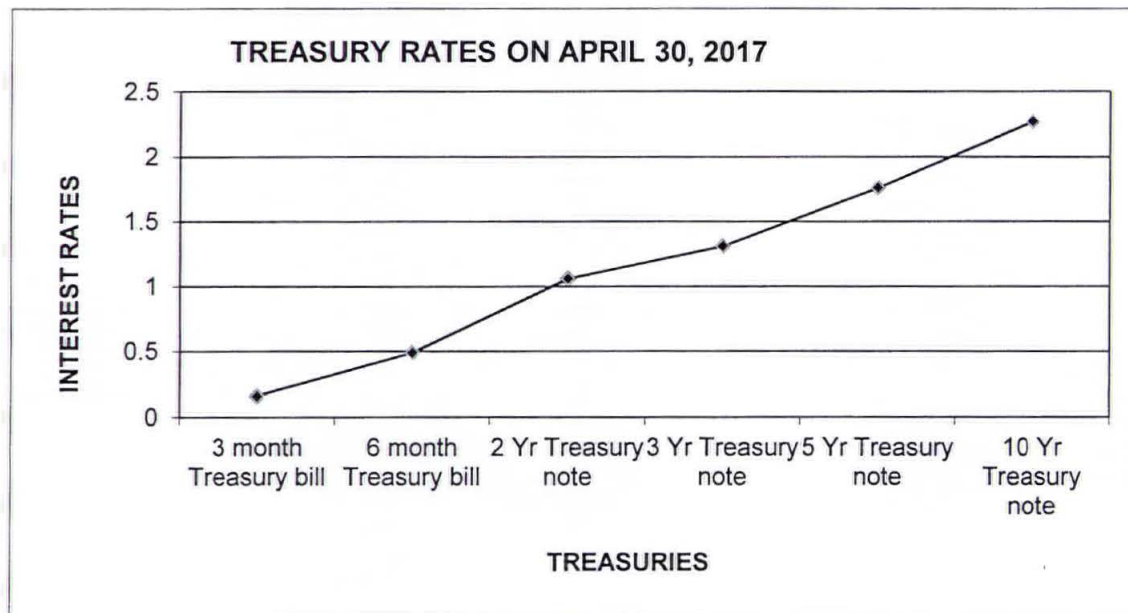
\$ 14,268,146

**CITY OF CLOVIS
FINANCE DEPARTMENT
APRIL 30, 2017 TREASURY RATES**

Exhibit D

Treasury Rates as of April 30, 2017

3 month Treasury bill	0.80
6 month Treasury bill	0.99
2 Yr Treasury note	1.28
3 Yr Treasury note	1.45
5 Yr Treasury note	1.81
10 Yr Treasury note	2.29



As indicated in the above graph, treasuries climb at a steady pace as duration increases with an increase that is only slightly more pronounced at the interval between 6 months and 2 years.



AGENDA ITEM NO: **CC-D-4**
City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: July 10, 2017

SUBJECT: Receive and File - Treasurer's Report for the Month of April 2017

ATTACHMENTS: (A) Statement of Cash Balances
(B) Summary of Investment Activity
(C) Investments with Original Maturities Exceeding One Year

Attached for the Council's information is the Treasurer's Report for the month ended **April 30, 2017**.

Pursuant to Section 41004 of the Government Code of the State of California, the City Treasurer is required to submit a monthly report of all receipts, disbursements and fund balances. The first page of the report provides a summary of the beginning balance, total receipts, total disbursements, ending balance for all funds, and a listing, by fund, of all month end fund balances. The second page of the report summarizes the investment activity for the month and distribution, by type of investment, held by the City. The third page lists all investments with original maturities exceeding one year as of the month ended **April 30, 2017**.

Prepared by: Haley Lynch, Deputy Finance Director

Submitted by: Jay Schengel, Finance Director 

**CITY OF CLOVIS
STATEMENT OF CASH BALANCES
AS OF APRIL 30, 2017**

Previous Balance		\$ 31,765,253.89
Deposits		27,029,087.89
Disbursements		<u>(10,120,292.78)</u>
Current Balance		<u>\$ 48,674,049.00</u>
FUNDS		BALANCE
100	General Fund	\$ 4,259,983.21
201	Local Transportation	11,048,227.52
202	Parking and Business Improvements	147,755.56
203	Off Highway Use	66,476.10
205	Senior Citizen Memorial Trust	48,952.17
207	Landscape Assessment District	1,948,489.88
208	Blackhorse III (95-1) Assessment District	100,069.28
275	HCD Block Grant Fund	(589,460.74)
301	Park & Recreation Acquisition	4,727,846.58
305	Refuse Equipment Reserve	1,321,849.46
310	Special Street Deposit Fund	16,264,803.31
313	Successor Agency	(1,027,398.66)
314	Housing Successor Agency	133,053.08
402	1976 Fire Bond Redemption	25,591.17
404	1976 Sewer Bond Redemption Fund	383,043.42
501	Community Sanitation Fund	14,178,413.40
502	Sewer Service Fund	31,173,666.62
504	Sewer Capital Projects-Users	741,612.68
506	Sewer Capital Projects-Developer	(1,649,595.51)
507	Water Service Fund	43,247,730.57
508	Water Capital Projects-Users	2,971,340.01
509	Water Capital Projects-Developer	1,174,932.22
515	Transit Fund	2,583,906.92
540	Planning & Development Services	8,396,750.20
601	Property & Liability Insurance	942,818.91
602	Fleet Maintenance	10,063,414.48
603	Employee Benefit Fund	7,793,804.09
604	General Government Services	9,765,969.11
701	Curb & Gutter Fund	150,341.63
702	Sewer Revolving Fund	132,452.50
703	Payroll Tax & Withholding Fund	938,526.98
712	Temperance/Barstow Assmt Dist (98-1)	71,034.75
713	Shepherd/Temperance Assmt Dist (2000-1)	8,753.51
715	Supp Law Enforcement Serv	152,530.20
716	Asset Forfeiture	10,656.56
720	Measure A-Public Safety Facility Tax	329,738.57
736	SA Admin Trust Fund	1,421.40
741	SA Debt Service Trust Fund	74,021.18
747	Housing Successor Trust Fund	1,137.98
SUBTOTALS		<u>\$ 172,114,660.30</u>
999	Invested Funds	<u>(123,440,611.30)</u>
TOTAL		<u>\$ 48,674,049.00</u>

**CITY OF CLOVIS
SUMMARY OF INVESTMENT ACTIVITY
FOR THE MONTH OF APRIL 2017**

Balance of Investments Previous Month End		\$ 123,575,688.10
Time Certificates of Deposit Transactions		
Investments	735,000.00	
Withdrawals	(980,000.00)	
Total CD Changes		(245,000.00)
Other Changes		
Government Securities	0.00	
US Treasury Notes	0.00	
Local Agency Investment Fund	109,923.20	
Money Market	0.00	
UBOC-Premium IOC	0.00	
Total Other Changes		109,923.20
Balance of Investments Current Month End		\$ 123,440,611.30

**CITY OF CLOVIS
DISTRIBUTION OF INVESTMENTS
AS OF APRIL 30, 2017**

Insured CD's	14,279,000.00
Government Securities	35,059,979.72
Local Agency Investment Fund	64,409,668.75
US Treasury Notes	0.00
Medium Term Notes	0.00
Money Market	9,691,962.83
UBOC-Premium IOC	0.00
Investment Total	\$ 123,440,611.30

**CITY OF CLOVIS
ORIGINAL MATURITIES EXCEEDING ONE YEAR
AS OF APRIL 30, 2017**

Institution	Face Value	Investment Balance At Amortized Cost	Maturity	Stated Rate
FHLMC-GOVT SEC	\$3,000,000	\$3,007,944	07/28/17	1.000%
FHLB-GOV SEC	\$3,000,000	\$3,015,870	12/08/17	1.125%
FNMA-GOVT SEC	\$3,000,000	\$2,998,479	05/21/18	0.875%
FNMA-GOVT SEC	\$3,000,000	\$3,018,480	12/14/18	1.125%
FHLB-GOV SEC	\$3,000,000	\$3,000,000	04/29/19	1.250%
FFCB-GOVT SEC	\$3,000,000	\$3,007,560	06/06/19	1.300%
FNMA-GOVT SEC	\$3,000,000	\$3,006,150	06/28/19	1.250%
FNMA-GOVT SEC	\$3,000,000	\$3,002,400	07/29/19	1.250%
FNMA-GOVT SEC	\$3,000,000	\$3,000,000	11/15/19	1.250%
FHLMCMTN-GOVT SEC	\$3,000,000	\$3,000,000	11/27/19	1.300%
FNMA-GOVT SEC	\$3,000,000	\$3,000,000	12/30/19	1.700%
FFCB-GOVT SEC	\$1,000,000	\$994,500	02/24/20	1.400%
FHLB-GOV SEC	\$1,000,000	\$1,008,597	03/12/20	1.875%



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

City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: July 10, 2017

SUBJECT: Approval – Res. 17-____; Declaring the City's Intent to Continue to be a Direct Sponsor of the Clovis Senior Services Programs; and, Authorize the City Manager to Submit an Application for Older Americans Act Funding for Title III C-1 Nutrition Services Through the Fresno-Madera Area Agency on Aging (FMAAA)

ATTACHMENT: Resolution 17-____

CONFLICT OF INTEREST

None

RECOMMENDATION

For the Council to approve Resolution 17-____; declaring the City's intent to continue to be a direct sponsor of the Clovis Senior Services programs; and, authorize the City Manager to submit an application for Older Americans Act Funding for Title III C-1 Nutrition services through the Fresno-Madera Area Agency on Aging (FMAAA).

EXECUTIVE SUMMARY

The City of Clovis has annually received funding for nutrition programs through the FMAAA. The total nutrition grant request for FY 17-18 is \$16,000. The funding will allow the Clovis Senior Activity Center to continue to provide both in-center and homebound meals for those seniors who are in the most need of a nutritious meal.

BACKGROUND

The City of Clovis has received grant funds from the FMAAA for senior service programs since 1981. The funding is made available on an annual basis and the City must reapply each year for the funds. The FMAAA recently released its request for proposal for FY 17-18 senior services program funding for the nutrition program.

The City of Clovis' proposal requests a total of \$16,000 for nutrition services. The expected FY17-18 funding is used for senior nutrition site management, which includes homebound assessments, nutrition information, coordinated meal orders and on-site

management of the lunch program at the Clovis Senior Activity Center. An average of 60 hot meals are served at the center daily. This program also provides groceries and prepared meals on a weekly basis to approximately 40 homebound seniors. The hot meals are prepared and delivered to the Clovis Senior Activity Center by Fresno County EOC. The Clovis Senior Activity Center has managed the senior nutrition program since 1994 and meets all of the monitoring criteria for this program.

The Clovis Committee on Senior Activities recommends that the City Council approve the proposed Resolution for continued program funding.

FISCAL IMPACT

The FMAAA grant funding for FY 17-18 is as follows:

• Title III C-1 Congregate Nutrition July, 2017-June 2018	\$16,000
Total FMAAA Funding for 17/18	\$16,000

REASON FOR RECOMMENDATION

The FMAAA funds are essential in continuing the nutrition programs at the Clovis Senior Activity Center. The grant funding helps to provide staff and supplies for the nutrition program.

ACTIONS FOLLOWING APPROVAL

Upon approval of the grant proposal by the FMAAA, the City Manager will sign contract 18-0051 for the funding.

Prepared by: Amy Hance, General Services Manager

Submitted by: Shonna Halterman, General Services Director



RESOLUTION 17-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS FOR OLDER AMERICANS ACT FUNDING

The City Council of the City of Clovis hereby resolves as follows:

WHEREAS, the City of Clovis is the direct sponsor of the Clovis Senior Services Program with partial funding from an Older Americans Act Grant from the Fresno Madera Area Agency on Aging; and,

WHEREAS, the Clovis Community Services Division provides multi-purpose supportive services at the Clovis Senior Activity Center, which includes information and assistance, nutrition, consumer services, community services, education and recreation services for the older adult population in Clovis; and,

WHEREAS, the City of Clovis intends to reapply for Older Americans Act funding for Title III C-1 (Nutrition services) to be administered through the Senior Services Program of the Clovis Community Services Division located at the Clovis Senior Activity Center.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clovis:

1. Intends to continue to be a direct sponsor of the Clovis Senior Services Program.
2. Authorizes the City Manager to submit the application for Older Americans Act funding, grant #18-0051 for the fiscal year beginning July 1, 2017 through June 30, 2018, including any subsequent amendments and all necessary supporting documents.

* * * * *
The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated:

Mayor

City Clerk



AGENDA ITEM NO: **CC-E-2**

City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: July 10, 2017

SUBJECT: Approval - Res. 17-____, Amending the FY2017-2018 General Government Services Fund to provide \$31,000 for improvements to Sierra Bicentennial Park.

ATTACHMENTS: Exhibit A - Budget Amendment Resolution
Exhibit B - Summary of Expenditure

CONFLICT OF INTEREST

None

RECOMMENDATION

For Council to approve - Res. 17-____, Amending the FY2017-2018 General Government Services Fund to provide \$31,000 for improvements to Sierra Bicentennial Park.

EXECUTIVE SUMMARY

In 2016, \$31,000 for Sierra Bicentennial Park field improvements was approved by the City Manager but was not allocated to the budget pending results of a grant. The City was not selected as a grant recipient and therefore, the funds to make improvements to fields needs to be allocated to the FY 17-18 budget.

BACKGROUND

The General Services Department applied for a State of California grant to rehabilitate existing sports fields and add a new field at Sierra Bicentennial Park. Unfortunately, the City was not selected as a grant recipient. However, it has been many years since the fields have been rehabilitated and field improvements are necessary. Funds were approved for the project by the City Manager in 2016 but were not allocated pending the determination of the grant funding for which the City applied.

In March, 2017, City Council approved a fee increase which included fees for reserving fields at Sierra Bicentennial Park. Justification for charging a fee was directly related to improving the fields. The purpose of these fees is to help fund rehabilitation and continued maintenance of the fields.

FISCAL IMPACT

\$31,000 will be allocated from the General Government Services Fund Balance for the Sierra Bicentennial Park project.

REASON FOR RECOMMENDATION

A budget amendment is necessary to provide funding for the necessary field and turf improvements. Amendments to the adopted FY2017-2018 City budget require Council approval.

ACTIONS FOLLOWING APPROVAL

The Finance Department will make the appropriate budget amendments to reflect the transfer of funds.

Prepared by: Shonna Halterman, General Services Director

Submitted by: Shonna Halterman, General Services Director



EXHIBIT A

Resolution 17-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AN AMENDMENT TO THE FY 2017-2018
GENERAL SERVICES DEPARTMENT BUDGET**

WHEREAS, the City Council adopted the FY2017-2018 city budget on June 12, 2017; and,

WHEREAS, funding is needed for rehabilitation of Sierra Bicentennial Park sports fields; and,

WHEREAS, these expenditures were not included in the original adopted budget; and,

WHEREAS, the funds will be allocated to the Sierra Bicentennial Park project.

NOW, THEREFORE BE IT RESOLVED, that the City Council of The City of Clovis hereby approves the budget amendment as shown in the "Summary of Expenditures by Department" and "Summary of Expenditures by Fund" as attached as Exhibit B.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote, to wit:

AYES:

NOS:

ABSENT:

Dated: July 10, 2017

Mayor

City Clerk

EXHIBIT B

SUMMARY OF EXPENDITURES BY DEPARTMENT

DEPARTMENT – GENERAL SERVICES

General Government Facilities	\$31,000
TOTAL DEPARTMENT	\$31,000
TOTAL ALL DEPARTMENTS	\$31,000

SUMMARY OF EXPENDITURES BY FUND

General Services	<u>\$31,000</u>
TOTAL FUND	\$31,000



AGENDA ITEM NO: **CC-E-3**
City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: July 10, 2017

SUBJECT: Approval - Res. 17-____, Authorizing Amendments to the Equipment Mechanic Classification

ATTACHMENTS: Res. 17-____, Amendments to the Equipment Mechanic Classification
Exhibit A - Equipment Mechanic Classification

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve Res. 17-____; Authorizing amendments to the Equipment Mechanic classification specification to amend the license requirement for the position.

EXECUTIVE SUMMARY

In order to attract a more qualified and suitable candidate pool, staff is recommending a minor revision to the vehicle licensing requirement for the Equipment Mechanic classification.

BACKGROUND

Through evaluation of two recent recruitments for the Equipment Mechanic classification, staff is recommending a revision to the specification to attract a more qualified and suitable candidate pool. The current classification requires a Class B California Commercial Driver's License. The classification revision would require the selected candidate to obtain a Class B California Commercial Driver's License within twelve (12) months of employment. The recommended change to the classification is expected to attract a larger pool of qualified individuals to fill current and future vacancies.

The Equipment Mechanic classification is assigned to the Clovis Public Works Employee's Affiliation (CPWEA) bargaining unit for purposes of employee representation. Representatives of the CPWEA bargaining unit have been advised of the proposed revisions to the classification and are supportive of the recommended changes.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

The Equipment Mechanic classification is recommended for revision in order to facilitate the development of a larger applicant pool of qualified individuals. Modification of the City's Classification Plan requires the City Council's approval.

ACTIONS FOLLOWING APPROVAL

The City's Classification Plan will be updated to include the revised Equipment Mechanic classification (Exhibit A).

Prepared by: Melissa Paminto, Management Analyst

Submitted by: Shonna Halterman, General Services Director

A handwritten signature in black ink, appearing to be 'SHW', enclosed within a circular scribble.

RESOLUTION 17-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AMENDMENTS TO THE CITY'S CLASSIFICATION PLAN FOR
THE EQUIPMENT MECHANIC CLASSIFICATION**

The City Council of the City of Clovis resolves as follows:

WHEREAS, a review of the Equipment Mechanic classification has identified a need to update the classification specification; and

WHEREAS, an evaluation of the Equipment Mechanic classification has identified the need to revise the license requirement in order to attract a pool of qualified applicants; and,

WHEREAS, the change would modify the Class B driver's license requirement by allowing the selected candidates the ability to obtain the Class B within 12 months of hire; and,

WHEREAS, modification of the City's Classification Plan requires authorization by the City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis that the City's Classification Plan shall be modified to include the revised Equipment Mechanic classification specification (Exhibit A) attached.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017:

Mayor

City Clerk

Exhibit A

**City of Clovis
Equipment Mechanic**

SALARY RANGE

\$5,012.00 - \$6,092.00 Monthly
\$60,144.00 - \$73,104.00 Annually

DESCRIPTION:
DEFINITION

Under general supervision, to perform skilled diagnostic and mechanical repair work involving automobiles, trucks, tractors, street sweepers, fire apparatus, and other gasoline and diesel heavy and light power-driven equipment; and to perform related work as required.

CLASS CHARACTERISTICS

Positions in this class are skilled, journey-level and involve the diagnosis and repair of light and heavy motorized and mechanical equipment. Positions in this class perform work which has some variation and which allows or requires a limited range of choice in the application of defined methods or procedures. Incumbents receive instructions when tasks are assigned and have some latitude in selecting work methods. Work is generally reviewed upon completion for final results. Incumbents are expected to refer to the supervisor for instruction matters which do not fit a clear pattern.

EXAMPLES OF DUTIES:

Makes skilled repairs and maintains a fleet of light and heavy duty equipment common to a municipal government fleet; inspects motorized and mechanical equipment; diagnoses trouble and determines extent of necessary repairs; performs routine preventive maintenance on vehicles; overhauls, repairs, and adjusts engines, transmissions, clutches, differentials, carburetors, generators, distributors, and pumps; fits and adjusts bearings; installs axles and wheels; performs welding, brazing, and silver soldering; makes minor repairs to radiators, fenders, and body areas; installs and reconditions electrical systems, spark plugs, distributors, condensers, points, and rotors; tests and repairs starters and recharges batteries; overhauls master and wheel cylinders; relines and adjusts brakes; operates motorized equipment in connection with repair and servicing; repairs and adjusts ignition computers, fuel injectors, and related parts; fabricates parts to accommodate the conversion of a stock car to a police car; adjusts and replaces steering geometry; repairs and replaces parts and components of air conditioning units; repairs damaged sheet metal; maintains records; requisitions supplies and parts; operates City vehicles; and performs related work as required.

TYPICAL QUALIFICATIONS:
LICENSE AND CERTIFICATIONS REQUIRED
License:

- Possession of a valid California Driver's License and a good driving record.
- Within twelve (12) months of employment must obtain a valid Class B California Commercial Driver's License with appropriate endorsements.

Certifications:

- Possession of a current National Institute for Automotive Service Excellence (ASE) Master Certified as either a:
 - Automobile (MA) Technician;
or
 - Truck (MT) Technician;
or
 - State Fire Marshal Fire Equipment Mechanic II.
- *Possession of current ASE certifications are not a requirement with the maintenance and repair of heavy duty construction or landfill equipment experience.
- As a condition of advancement within the classification salary range, incumbents hired in this classification will be required to continuously work towards and obtain a second certification as an ASE Master Automobile (MA) or Truck (MT) Technician or a State Fire Marshal Fire Equipment Mechanic II. The required certification will be determined by the needs of the division.
- Within four (4) years of employment, shall become certified by State Fire Marshall as a Fire Equipment Mechanic II or ASE MA or MT.
- Incumbents shall maintain all required ASE and Fire Equipment Mechanic Certifications.

EDUCATION AND EXPERIENCE

Education:

- High school diploma or equivalent.

Experience:

- Five (5) years of journey-level work experience in the maintenance and repair of automotive and other power-driven equipment including heavy equipment, diesel engines, and automobiles. Work experience as a City of Clovis Equipment Mechanic Assistant is qualifying for this classification.
- Or
- *Five (5) years of journey-level work experience in the maintenance and repair of heavy duty construction or landfill equipment.

QUALIFICATIONS

Knowledge of:

- Proper tools, parts, equipment, and procedures used in the overhaul, repair, and

adjustment of motor equipment:

- Fuel, ignition, electrical, and cooling systems and their repair and adjustment;
- Operation and care of internal combustion engines and chassis;
- Simple record-keeping;
- Simple math applicable to the mechanical trade;
- Appropriate safety precautions and procedures.

Ability to:

- Perform skilled automotive and heavy equipment repair involving gasoline and diesel work;
- Use shop tools, including drills, presses, grinders, reamers, and brake relining machines safely and efficiently;
- Use gas and electric welding and cutting apparatus;
- Make skilled repairs to motorized equipment;
- Operate a vehicle observing legal and defensive driving practices;
- Read, write, and perform shop math at the level required for successful job performance;
- Maintain simple records;
- Understand and carry out oral and written instructions;
- Establish and maintain effective relationships with those contacted in the course of work.

SUPPLEMENTAL INFORMATION:

PHYSICAL DEMANDS AND WORKING CONDITIONS

Strength: Medium work-lifting, carrying and/or pushing 50 pounds with frequent lifting and/or carrying of objects weighing up to 25 pounds.



AGENDA ITEM NO: **CC-E-4**
City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: July 10, 2017

SUBJECT: Approval - Res. 17-____, Amending the City's FY2017-2018 Classification and Compensation Plans to Adopt a Crime Analysis Supervisor Classification and Salary Range; and, Approval - Res. 17-____, Amending the City's FY2017-2018 Position Allocation Plan.

- ATTACHMENTS:
- 1) Resolution 17-____, Adopting a Crime Analysis Supervisor Classification and Salary Range
 - 2) Exhibit A - Crime Analysis Supervisor Classification
 - 3) Resolution 17-____, Amending the City's FY17-18 Position Allocation Plan
 - 4) Exhibit B - Position Allocation Adjustment by Department

CONFLICT OF INTEREST

None

RECOMMENDATION

For Council to approve Res. 17-____; amending the City's FY17-18 Classification and Compensation Plans to Adopt a Crime Analysis Supervisor Classification and Salary Range; and, approve - Res. 17-____, amending the City's FY17-18 Position Allocation Plan.

EXECUTIVE SUMMARY

The Police Department is requesting adoption of a Crime Analysis Supervisor Classification to provide the Investigations and Patrol Divisions with enhanced crime analysis data to assist with identifying and apprehending criminals. Due to increased criminal activity, the current Management Analyst has taken the lead role with the additional crime analysis responsibilities. A classification review of the current Management Analyst has determined that the staff person in the position has been actively fulfilling the tasks of a Crime Analysis Supervisor and therefore, a reclassification into the higher level position is appropriate.

Modification of the City's Classification, Compensation, and Position Allocation Plans require the City Council's approval.

BACKGROUND

In September 2005, the department created a Management Analyst position to perform the specialized functions of crime analysis. In January 2014, a Crime Specialist was added to assist with the increasing job functions. The data provided assists officers with investigating, locating, and apprehending suspects. Advancements in crime analysis and technology and an increased need for statistical research and data, merit the need to add a Crime Analysis Supervisor classification.

In addition, staff conducted a review of the current Management Analyst duties in relation to the proposed Crime Analysis Supervisor classification. The current Management Analyst has been performing the advanced level job functions of the proposed Crime Analysis Supervisor classification. Therefore, reclassification of the current incumbent from a Management Analyst to a Crime Analysis Supervisor classification is appropriate.

The proposed single classification is a non-sworn management classification assigned to support the Investigations and Patrol Divisions. The incumbent's role is to supervise and perform crime analysis functions for the department. It is recommended that the new Crime Analysis Supervisor classification be assigned to the Management Employee Group.

FISCAL IMPACT

The fiscal impact for salary in FY17-18 is approximately an additional \$4,800.00. The additional costs can be absorbed in the Police Administrative Services Division of the Police Department's current budget allocation.

REASON FOR RECOMMENDATION

The Police Department has a need to adopt a Crime Analysis Supervisor classification to provide the division non-sworn support performing supervision and job functions for the crime analysis program. Modification of the City's Classification and Compensation Plan requires the City Council's approval.

ACTIONS FOLLOWING APPROVAL

Personnel staff will add the new classification description to the City's Classification and Compensation Plans. The position allocation in the Police Department will be modified as noted in Exhibit B attached.

Prepared by: Melissa Paminto, Management Analyst

Submitted by: Shonna Halterman, General Services Director



RESOLUTION 17-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING
AMENDMENTS TO THE CITY'S CLASSIFICATION AND COMPENSATION
PLANS BY ADOPTING A CRIME ANALYSIS SUPERVISOR CLASSIFICATION**

The City Council of the City of Clovis resolves as follows:

WHEREAS, it has been determined that the Police Department has a need of a Crime Analysis Supervisor classification to act as the primary incumbent to supervise and perform crime analysis functions for the Police Administrative Services Division; and,

WHEREAS, it has been determined that the appropriate salary range for the Crime Analysis Supervisor classification is \$7,171.00 to \$8,717.00 per month; and,

WHEREAS, it has been determined that it is appropriate to assign the Crime Analysis Supervisor to the Clovis Management Employee Group.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis that the City's FY17-18 Classification and Compensation Plans shall be modified to include the Crime Analysis Supervisor classification (Exhibit A) with a monthly salary range of \$7,171.00 to \$8,717.00 per month.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017:

Mayor

City Clerk

Exhibit A

**City of Clovis
Crime Analysis Supervisor**

SALARY RANGE

\$7,171.00 - \$8,717.00 Monthly
\$86,052.00 - \$104,604.00 Annually

DESCRIPTION:

DEFINITION

Under direction, to supervise, plan, and coordinate the collection and research of data or information for crime and intelligence analysis functions in support of the Police Department; train and coordinate the work flow of subordinate staff; and to perform related work as required.

CLASS CHARACTERISTICS

This single person classification under the direction of Police Command Staff is a professional supervisory and technical position. Positions in this class have considerable independence in selecting work methods from a variety of standard methods or procedures. Instructions given by a supervisor generally do not provide all of the information needed to complete the assignment. Incumbents are expected to resolve most problems confronted through the application of judgment and precedent, referring to the supervisors only those which involve the establishment of new procedures or which involve solutions that are inconsistent with departmental procedures and policies. Incumbents may be assigned to work outside their regular shift and may be required to work weekends and holidays.

EXAMPLES OF DUTIES:

Supervise and direct the operation of the Police Department's Crime Analysis Section; manage and apply the collection, collation, and analysis, to track crime and intelligence data to forecast trends, track patterns, and identify existing and new crime patterns; coordinate all requests for crime analysis services, including those from other jurisdictions and criminal justice agencies; access data from a variety of sources, including offense and arrest reports, census reports, and law enforcement databases, and prepare and interpret oral and written reports to assist in criminal investigations; create and distribute a variety of investigation correspondence including alerts, bulletins, charts, graphs, maps, photos, profiles, reports, and spreadsheets in accordance with guidelines, procedures, and laws for the release and distribution of classified information; serve as the Department liaison with national, state, regional, and law enforcement agencies on criminal analysis information; assist in the preparation of the section budgets and monitors budgets throughout the fiscal year; coordinate and supervise the work of subordinates; complete performance evaluations and disciplinary actions as needed; conduct staff meetings and employee training programs; manage the department grants; coordinate and conduct training in areas of assigned responsibility; and perform related work as required.

**TYPICAL QUALIFICATIONS:
LICENSE AND CERTIFICATION**

License Required:

- Possession of a valid California Driver's License and a good driving record.

Certification Required:

- Possession of a Certified Crime and Intelligence Analyst (CCIA) certificate issued by a college or university and recognized by the California Department of Justice.

EDUCATION AND EXPERIENCE

Education:

- Graduation from an accredited college or university with a Bachelor's Degree in Criminology, Administration of Justice, Public Administration, Behavioral Science, or a closely related field.

Experience:

- A minimum of three (3) years of increasingly responsible experience performing advanced criminal analysis and analytical experience within a law enforcement agency;
- A minimum of two (2) years of lead or supervisory experience.

Experience Desirable:

- Geographic Information Systems (GIS);
- Analytics Software.

QUALIFICATIONS

Knowledge of:

- Basic operations, services, and principles and practices of a crime analysis program;
- Advanced crime analysis methodologies;
- Advanced statistical analysis, theories, and concepts;
- Advanced research and analytical skills;
- Analytical methods and their application;
- Criminal theory and practice;
- Investigation techniques;
- Applicable Federal, State, and Local laws, codes and ordinances;
- Law enforcement operations, procedures, techniques, demands, and structure;
- Computer systems and associated hardware and software applications;
- Geographic Information Systems technology, mapping processes and/or other GIS software applications;
- Principles of management, supervision, and training;
- Presentation of evidence in a court setting;
- Principles and practices of budget development and administration;
- Appropriate safety precautions and procedures.

Ability to:

- Use materials and tools for statistical analysis research and findings;
- Use complex databases and software applications;
- Identify and distinguish crime patterns and trends;
- Analyze, interpret, and explain statistical and analysis results;
- Prepare and present clear and concise oral presentations;
- Generate reports, maps, charts, graphs, and other visual or electronic aids to assist in presenting research and findings;
- Assist with the development of tactics, strategies, and planning in response to crime trends;
- Communicate effectively both orally and in writing;
- Work effectively in a confidential and sensitive environment including disturbing content;
- Resolve minor grievances and disciplinary actions;
- Establish and maintain effective working relationships with the general public, City personnel, and other outside law enforcement personnel;
- Operate a vehicle observing legal and defensive driving practices.

SUPPLEMENTAL INFORMATION:

PHYSICAL DEMANDS AND WORKING CONDITIONS

- Incumbent in this class is required to successfully perform the essential functions as specified;
- Work is primarily sedentary;
- Incumbent is required to travel within and outside of the City with the ability to attend periodic evening meetings or meetings outside of regularly scheduled shift;
- Strength: Light work-lifting, carrying and/pushing 25 pounds maximum with infrequent lifting and/or carrying of objects weighing up to 25 pounds;
- Conceptual: May be exposed to photographs of a graphic nature, evidence related to gruesome crime scenes, and evidence of a sensitive nature;
- Meyers-Milias Brown Act and are exempt employees under the Fair Labor Standards Act.

RESOLUTION 17-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AN AMENDMENT TO THE FY17-18 POSITION ALLOCATION
PLAN**

The City Council of the City of Clovis resolves as follows:

WHEREAS, the FY17-18 Position Allocation Plan was approved as part of the FY17-18 City budget adoption process; and,

WHEREAS, a review of the staffing needs of the Police Department indicates that the addition of one (1) Crime Analysis Supervisor and the deletion of (1) Management Analyst position is necessary in order to provide necessary support to the Police Department; and,

WHEREAS, amending the City's adopted FY17-18 Position Allocation Plan requires City Council authorization.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis that the City's FY17-18 Position Allocation Plan shall be amended as noted in (Exhibit B) attached.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017:

Mayor

City Clerk

Exhibit B

POSITION ALLOCATION ADJUSTMENT BY DEPARTMENT FY17-18

<u>DEPARTMENT</u>	<u>NUMBER OF POSITIONS</u>
Police Department	

Add:	Crime Analysis Supervisor	1.0
Delete:	Management Analyst	1.0



AGENDA ITEM NO: **CC-E-5**

City Manager:

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: July 10, 2017

SUBJECT: Approval - Res. 17-____, Amending the City's FY 2017-2018 Classification and Compensation Plans to Adopt a Planning and Development Administrative Manager Classification and Salary Range; and, Approval- Res. 17-____, Amending the City's FY 2017-2018 Position Allocation Plan.

ATTACHMENTS:

- 1) Resolution 17-____, Adopting a Planning and Development Administrative Manager Classification and Salary Range
- 2) Exhibit A- Planning and Development Administrative Manager Classification
- 3) Resolution 17-____, Amending the City's FY 17-18 Position Allocation Plan
- 4) Exhibit B – Position Allocation Adjustment by Department

CONFLICT OF INTEREST

None

RECOMMENDATION

For Council to approve Res. 17-____, amending the City's FY17-18 Classification and Compensation Plans to Adopt a Planning and Development Administrative Manager Classification and Salary Range; and, approve – Res. 17-____, amending the City's FY17-18 Position Allocation Plan.

EXECUTIVE SUMMARY

The Planning and Development Services Department has a need to add a Planning and Development Administrative Manager classification. The proposed classification will be responsible for implementing and administering policies and procedures for the department as well as manage the department budget. Adequate funds were included in the adopted FY17-18 Planning and Development Services Department budget for the new classification to provide operational support for the Director of Planning and Development.

Modification of the City's Classification, Compensation, and Position Allocation Plans require the City Council's approval.

BACKGROUND

Funds were included in the adopted FY17-18 Planning and Development Services Department budget for an Assistant Director of Planning and Development Services. The department has determined that it would be more beneficial to have a manager classification that would be responsible for the operational needs of the Planning and Development Department. The Assistant Planning and Development Services Director would be deleted from the current Position Allocation Plan and the Planning and Development Administrative Manager would be added to the Position Allocation Plan.

This proposed single classification would be responsible for the department's budget, personnel, state and federal grants, establishing work programs and policies and procedures. In addition, this recommended classification will confer with other departments and agencies on proposed projects. It is recommended that the Planning and Development Administrative Manager classification be assigned to the Management Employee Group.

FISCAL IMPACT

The fiscal impact of salary and benefits for the remainder of FY 17-18 will be a saving of approximately \$16,000. There are adequate funds in the Planning and Development Services budget to cover the costs of this position

REASON FOR RECOMMENDATION

Creation of the Planning and Development Administrative Manager classification is necessary in order meet the operational needs of the department. The recommended changes to the City's Classification, Compensation, and Position Allocation Plans require Council approval.

ACTIONS FOLLOWING APPROVAL

Personnel staff will add the new classification description to the City's Classification and Compensation Plans. The position allocation in the Planning and Development Services Department will be modified as noted in Exhibit B attached.

Prepared by: Lori Shively, Personnel/Risk Manager

Submitted by: Shonna Halterman, General Services Director 

RESOLUTION 17-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING
AMENDMENTS TO THE CITY'S CLASSIFICATION AND COMPENSATION
PLANS BY ADOPTING A PLANNING AND DEVELOPMENT ADMINISTRATIVE
MANAGER CLASSIFICATION**

The City Council of the City of Clovis resolves as follows:

WHEREAS, it has been determined that the Planning and Development Services Department has a need for a Planning and Development Administrative Manager classification to provide operational assistance for the department's budget, personnel, state and federal grants, establishing work programs and policies and procedures; and,

WHEREAS, it has been determined that the appropriate salary range for the Planning and Development Administrative Manager classification is \$9,221.00 to \$11,208.00 per month; and,

WHEREAS, it has been determined that it is appropriate to assign the Planning and Development Administrative Manager classification to the Management Employee Group.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis that the City's FY17-18 Classification and Compensation Plans shall be modified to include the Planning and Development Administrative Manager classification (Exhibit A) with a monthly salary range of \$9,221.00 to \$11,208.00 per month.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017

Mayor

City Clerk

Exhibit A

Planning and Development Administrative Manager

SALARY RANGE

\$9,221 to \$11,208 Monthly
\$110,652 to \$134,496 Annually

DEFINITION

Under direction of the Director of Planning and Development Services, plans, organizes and supervises the operations of the Planning and Development Services Department; to advise the Director of Planning and Development Services, the Public Utilities Director, the City Manager and the City Council regarding the department's organizational, planning, engineering and building matters; and performs related work as required.

CLASS CHARACTERISTICS

This single class position is responsible for providing advice and consultation on department operational matters and the efficient operation of supporting staff to the Department. Positions in this class act with a high degree of independence of action in the assigned area of responsibility. Direction received consists of the assignment of the responsibility to attain objectives according to policy guidelines, department, and city objectives. Incumbents are expected to develop methods and procedures and solve problems encountered. Except where a deviation in policy is involved, most work is not reviewed directly by a supervisor, and when work is reviewed, the review is directed toward final outcomes and results.

EXAMPLES OF DUTIES

Assists in developing and administering policies and procedures for department operations; monitors effectiveness of policies and procedures and makes revisions or recommendations for improvement as appropriate; administers, manages and coordinates the department budget; plans, organizes and controls the activities of assigned staff; manages and directs personnel actions; prepares and conducts performance evaluations; monitors departmental performance evaluations; responds to employee issues and grievances; participates in the selection of new employees; recommends and takes disciplinary actions; defines and resolves complex work problems; establishes work standards and operational objectives in assigned areas of responsibility; participates in evaluating and developing plans and schedules for work programs; confers with the Director of Planning and Development Services, City Manager, other departments, various public groups and agencies on proposed projects and improvements; coordinates and manages federal and state grants including research, writing, monitoring and financial reporting; explains policies, procedures and objectives of the department to staff by written directive and by oral

communications; conducts staff and public informational meetings; and performs related work as required.

LICENSES REQUIRED

- Possession of a valid appropriate California Driver's License and a good driving record.

QUALIFICATIONS

Knowledge Of:

- Technical, legal, financial and public relations problems involved in the conduct of Planning and Development Services programs;
- Principles and techniques needed to organize and manage various programs and research methods;
- Programs, funding sources and mandates of assigned areas of specialization;
- Grant writing/application processes;
- Principles of supervision, training and performance evaluation;
- Principles of budgeting and financial management;
- Organizational principles and practices as applied to Planning and Development within a municipal government;
- Applicable Federal, State, and local laws, regulations, ordinances and policies;
- Appropriate safety precautions and procedures.

Ability to:

- Prepare comprehensive and complex technical reports;
- Manage all aspects of grant programs;
- Plan the work of professional and technical staff;
- Perform advanced research and develop sound recommendations;
- Read, understand and apply highly complex materials;
- Formulate and administer budgets;
- Formulate and carry out City and department policy;
- Communicate clearly and concisely, orally and in writing;
- Supervise, plan, assign, and evaluate the work of assigned staff;
- Establish and maintain effective working relationships with officials, employees, organizations, and the general public.

TRAINING AND EXPERIENCE

Experience:

Five (5) years of increasingly responsible professional management experience working in an Engineering or a Planning Department for a municipality or county government, with at least two (2) years in a supervisory capacity in a municipal or county government.

Education:

Graduation from an accredited four-year college or university and possession of a bachelor degree in Business or Public Administration, Civil Engineering, Planning or a closely related field. A Master's Degree is desirable.

PHYSICAL DEMANDS AND WORKING CONDITIONS

- Incumbent is required to attend frequent evening meetings.
- Incumbent is required to travel within and out of the City to attend meetings.
- Positions in this classification are designated as confidential under the Meyers-Milias Brown Act and are exempt employees under the Fair Labor Standards Act.
- The work is primarily sedentary.

RESOLUTION 17-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING
AN AMENDMENT TO THE FY17-18 POSITION ALLOCATION PLAN**

The City Council of the City of Clovis resolves as follows:

WHEREAS, the FY17-18 Position Allocation Plan was approved as part of the FY17-18 City budget adoption process; and,

WHEREAS, a review of the staffing needs of the Planning and Development Services Department indicates that the addition of one (1) Planning and Development Administrative Manager and the deletion of (1) Assistant Planning and Development Services Director position is necessary in order to provide necessary support to the Planning and Development Services Department; and,

WHEREAS, amending the City's adopted FY17-18 Position Allocation Plan requires City Council authorization.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis that the City's FY17-18 Position Allocation Plan shall be amended as noted in (Exhibit B) attached.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017:

Mayor

City Clerk

Exhibit B

POSITION ALLOCATION ADJUSTMENT BY DEPARTMENT FY17-18

<u>DEPARTMENT</u>	<u>NUMBER OF POSITIONS</u>
-------------------	----------------------------

Planning and Development Services Department

Add: Planning and Development Administrative Services Manager	1.0
Delete: Assistant Planning and Development Services Director	1.0



AGENDA ITEM NO: **CC-E-6**
City Manager: S

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: July 10, 2017

SUBJECT: Approval - Res. 17-___, Amending the FY2016-2017 General Services Department Budget to reflect \$6,080 for the Clovis Senior Center awarded by the Fresno-Madera Area Agency on Aging; and Amending the Transit Budget to Reflect Receipt of \$64,345 of Low Carbon Transit Operations Program funds.

ATTACHMENTS: Exhibit A - Budget Amendment Resolution
Exhibit B - Summary of Expenditure

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve a resolution amending the FY2016-2017 General Services Department Budget to reflect \$6,080 in grant funding for the Clovis Senior Center awarded by the Fresno-Madera Area Agency on Aging; and amending the Transit Budget to reflect receipt of \$64,345 of Low Carbon Transit Operations Program (LCTOP) funds.

EXECUTIVE SUMMARY

The General Services Department requests approval of an amendment to the FY2016-2017 budget in the Senior Services section to reflect additional revenue in the amount of \$6,080 awarded by the Fresno-Madera Area Agency on Aging. The additional Senior Center funds will be used to offset staff costs for administration of the senior nutrition program. The additional Transit revenue of \$64,345 is received from FY15-16 Low Carbon Transit Operations Program (LCTOP) funding and will be used for bus stop enhancements and amenities.

BACKGROUND

The Senior Center received additional revenue above those in the FY2016-2017 budget. The Senior Center was notified in December, 2016, that the Fresno-Madera Area Agency on Aging allocated an additional \$6,080 in funds for the senior nutrition

program grant. The additional revenue has been used to offset a portion of the matching funds provided by the City to administer the program.

The Transit section received \$64,345 from the Low Carbon Transit Operations Program (LCTOP), which is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established in 2014 by the California Legislature. Funds from LCTOP are used to reduce greenhouse gas emission and improve mobility with a priority of serving disadvantaged communities. As per the application for these funds, they will be spent on the purchase and installation of bus stop shelters with solar lighting.

FISCAL IMPACT

The Senior Center budget will be revised to illustrate additional grant revenue in the amount of \$6,080.

The fiscal impact to the Transit Section will be to increase the budget revenue and expenditure allocations by \$64,345.

REASON FOR RECOMMENDATION

A budget amendment is necessary to acknowledge additional grant funds received and to allocate their use. Amendments to the adopted FY2016-2017 City budget require Council approval.

ACTIONS FOLLOWING APPROVAL

The Finance Department will make the appropriate budget amendments to reflect the transfer of funds.

Prepared by: Amy Hance, General Services Manager

Submitted by: Shonna Halterman, General Services Director



EXHIBIT A

Resolution 17-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AN AMENDMENT TO THE FY 2016-2017
GENERAL SERVICES DEPARTMENT BUDGET**

WHEREAS, the City Council adopted the FY2016-2017 City budget on June 13, 2016; and,

WHEREAS, additional funding for senior services and transit became available throughout the year; and,

WHEREAS, these expenditures were not included in the original adopted budget; and,

WHEREAS, the additional funds are intended for the senior center and transit sections.

NOW, THEREFORE BE IT RESOLVED, that the City Council of The City of Clovis hereby approves the budget amendment as shown in the "Summary of Expenditures/Revenues by Department" and "Summary of Expenditures/Revenues by Fund" as attached as Exhibit B.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote, to wit:

AYES:

NOS:

ABSENT:

Dated: July 10, 2017

Mayor

City Clerk

EXHIBIT B

SUMMARY OF EXPENDITURES BY DEPARTMENT

DEPARTMENT – GENERAL SERVICES

Senior Services	\$6,080
Transit	\$64,345
TOTAL DEPARTMENT	\$70,425
TOTAL ALL DEPARTMENTS	\$70,425

SUMMARY OF EXPENDITURES BY FUND

General Fund	\$6,080
TOTAL FUND	\$6,080
Transit	\$64,345
TOTAL FUND	\$64,345

SUMMARY OF REVENUES BY DEPARTMENT

DEPARTMENT – GENERAL SERVICES

Senior Services	
FMAAA Grant	\$6,080
Transit	
LCTOP Grant	\$64,345
TOTAL DEPARTMENT	\$70,425

SUMMARY OF REVENUES BY FUND

General Fund	\$6,080
TOTAL FUND	\$6,080
Transit	\$64,345
TOTAL FUND	\$64,345



AGENDA ITEM NO: CC-E-7

City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: July 10, 2017

SUBJECT: Receive and File – Third Quarter FY 2016-17 General Services Department Report

The General Services Department Quarterly Report contains statistical data and information related to the Personnel/Risk Management section, Department Support section, and Community services section.

GENERAL SERVICES DEPARTMENT Personnel/Risk Management Division

Quarterly Report
January- March 2017

Departmental Performance Measures

- Employee recruitment will be conducted with the objective of recruiting, testing, and selecting the most qualified candidates for departmental hiring. As a benchmark, the Personnel/Risk Management Division will complete 95% of all recruitments within 90 days.

90-Day Recruitment:

FY 2014-2015	FY 2015-2016	FY 2016-2017 (current)
95%	95%	95%

- Employee Benefit programs will be administered in a manner that will ensure quality services and cost containment. The benchmarks will measure cost savings whenever possible, to continue to contain costs in the Employee Health Plan at or below the annual medical inflation rates, and maintain quality health services without reducing benefit levels.

Savings Achieved:

FY 14-15	FY 2015-2016	FY 2016-2017 (current)
Contained to 4.0% Increase	Contained to 1.1% Increase	Contained to 10.99% Increase

- The Risk Management Section will continue to emphasize the protection of the public, City employees, and City assets through training, risk identification, risk transfer, and insurance coverage procurement. As a benchmark, the number of annual work-related employee accidents resulting in lost workdays will be 15 or less, and safety/risk management training programs will be offered to all employees.

Injuries Involving Lost Work Days:

FY 2014-2015 Total	FY 2015-2016 Total	FY 2016-2017 To Date
22	9	10

Safety/Risk Management Training Programs:

FY 2014-2015 Total	FY 2015-2016 Total	FY 2016- 2017 To Date
201	211	70

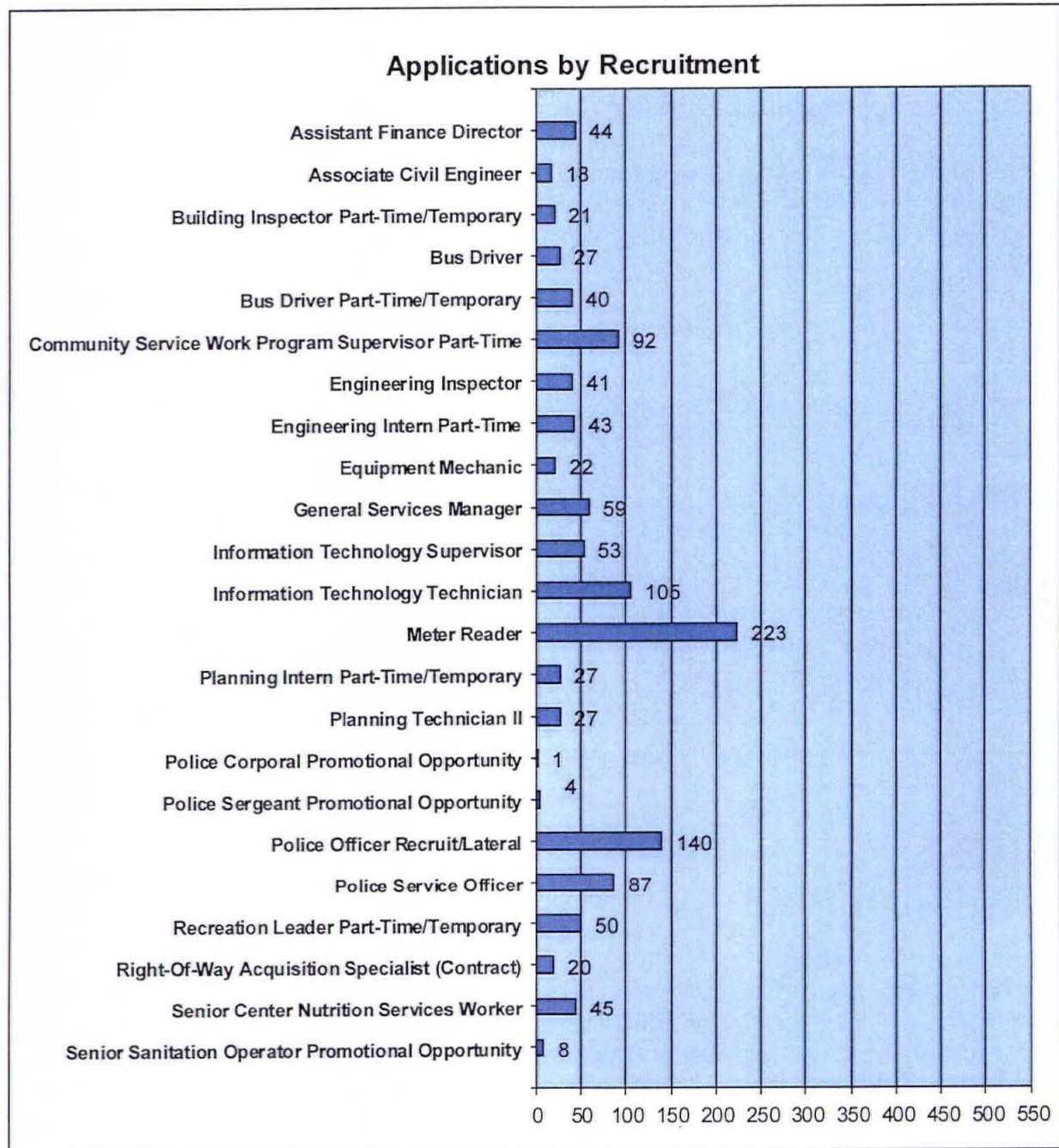
Personnel Section

Personnel received and processed **1,197** employment applications for the months of January, February, and March.

The chart below reflects the number of applications processed by month during the last five years.

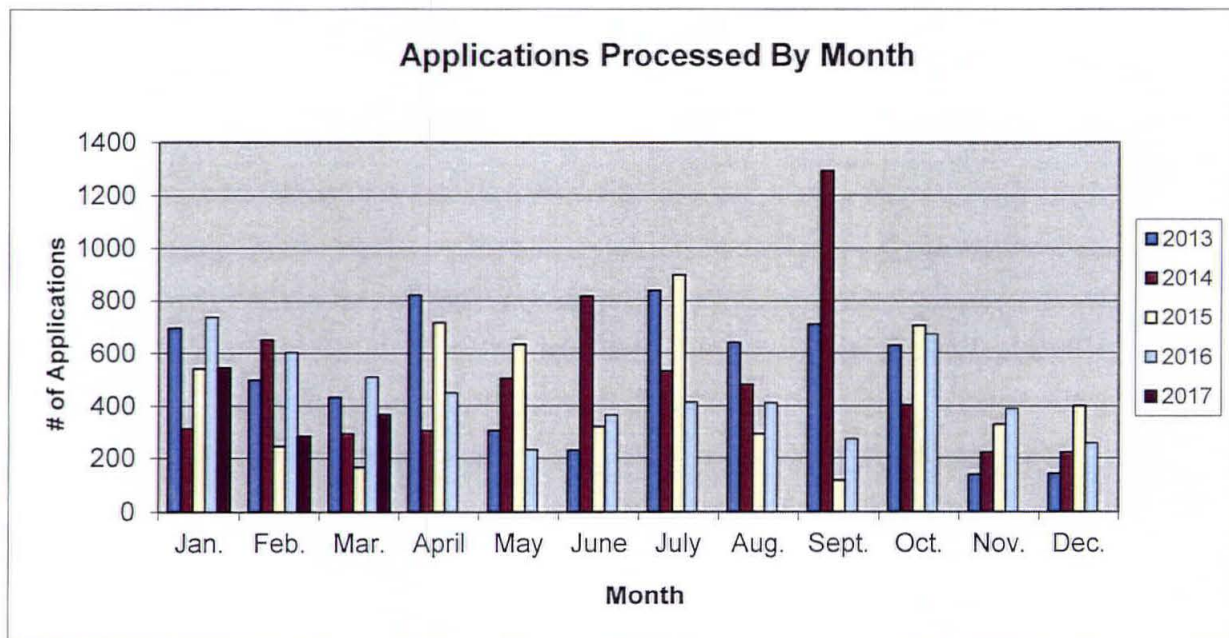
Yr.	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Yearly % Increase
2013	696	498	434	822	307	231	839	640	710	629	140	144	6090	5.17%
2014	313	651	293	306	505	818	532	480	1293	404	223	223	6041	-0.80%
2015	542	246	166	716	633	321	897	294	120	705	330	401	5371	-11.7%
2016	737	604	510	450	234	365	415	412	274	673	390	258	5322	-0.9%
2017	545	285	367											

This chart shows the number of applications received for each of the recruitments during the months of January, February, and March.



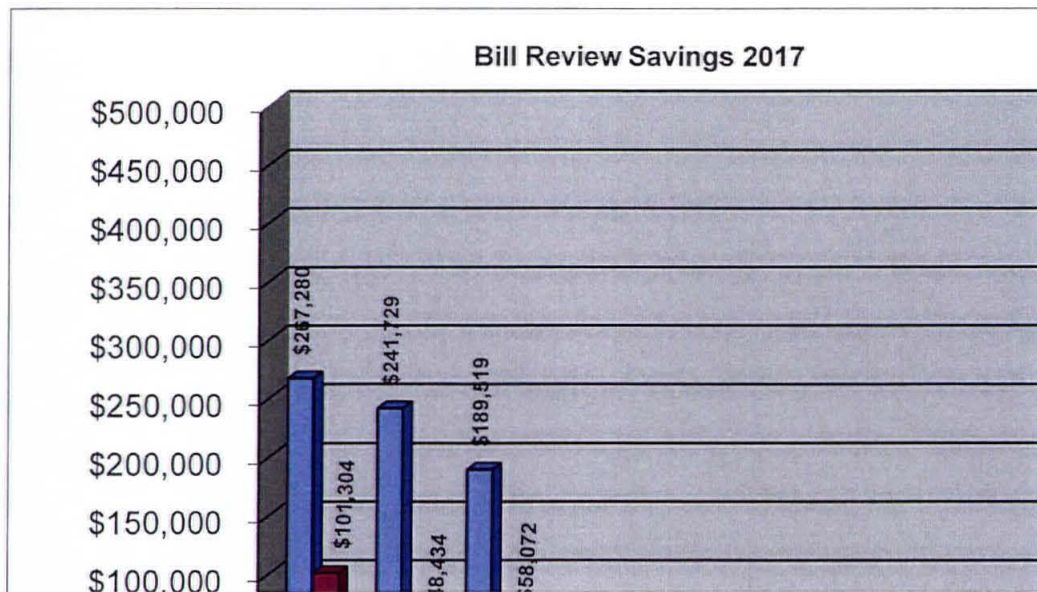
Exams were administered and eligibility lists were established for the Bus Driver, City Engineer, Community Service Officer, Equipment Mechanic, General Services Manager, Meter Reader, Permit Technician, Police Service Officer, Senior Center Nutrition Services Worker, Senior Sanitation Operator Promotional Opportunity, and Systems Video Technician classifications.

There were three (3) Personnel Commission interview panels conducted from January to March for the Animal Control Officer, Bus Driver, Fire Fighter, Office Assistant, Police Officer Recruit/Lateral, and Utility Worker classifications.



Workers' Compensation

In an effort to ensure a cost effective Workers' Compensation program, the Personnel/Risk Management Division utilizes a bill review process through the City's Third Party Administrator. While the California Labor Code caps a majority of the costs associated with Workers' Compensation treatment, the City has been able to realize additional savings through the use of contract physicians. The chart below describes the savings obtained by using a bill review service.

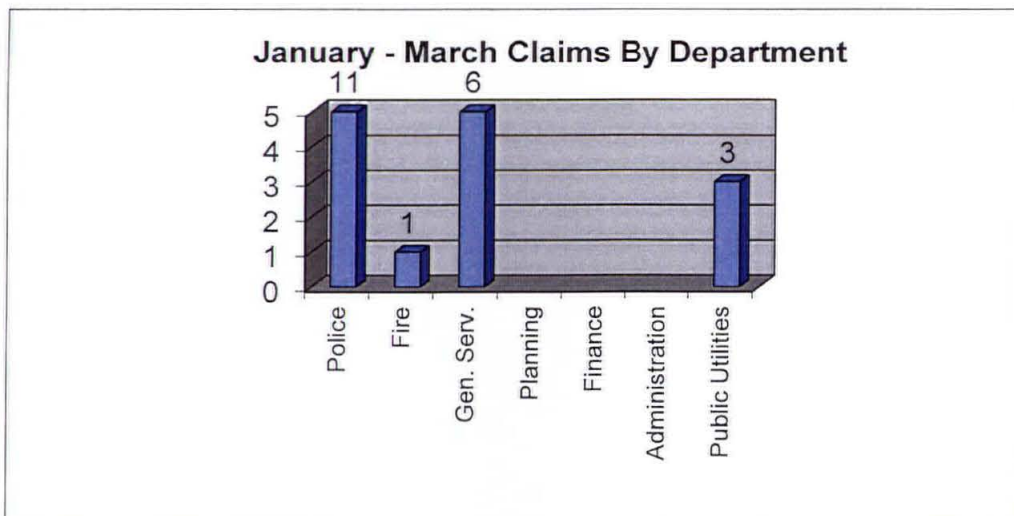


Series one represents the total medical expenses that were charged and series two represents the total amount paid for the medical charges after the bill review.

In addition to bill review savings, the Personnel/Risk Management Division utilizes nurse case managers to attend appointments with employees. Nurse case managers achieve additional savings by working with physicians to return employees back to work sooner and reduce the frequency and costs of various treatments that may not be necessary.

Workers' Compensation Claims

There were 21 work related injuries reported in the period of January through March 2017. The chart below shows the number of claims by department during this quarter:



These injuries have gone through a job analysis/assessment to determine what causes contributed to the incident and any future preventative measures that can be taken to avoid future incidents. None of the injuries suffered were serious.

Liability Claims

The City received 14 liability claims during January through March 2017.

Safety Training:

Aerial Bucket Truck Operator Training	Drivers Safety	Ladder Safety
Bloodborne Pathogen Safety	Emergency Evacuation	Pneumatic Safety
Code of Practice Training	Eye Protection	PPE Care and Cleaning
Confined Space	Fire Extinguisher Training	Propone Operator Dispenser Safety
CPR and AED Training	Global Harmonization Safety Data Sheets	Proposition 65 Chemicals
Distracted Driving	Harassment Prevention Training	Winter Driving Tips
DOT Training	Heat Protection	



Computer Loans

During the months of January, February and March, 10 computer loans were issued by Personnel/Risk Management staff.

GENERAL SERVICES DEPARTMENT
Department Support Division
Quarterly Report
January- March 2017

Facilities Maintenance Section

Scope of Duties

- This Section performs routine monthly maintenance as required. Routine monthly maintenance is defined as those tasks performed on a schedule once a month or more frequently. These tasks include interior lighting replacement, light fixture repairs, emergency stand-by generator monitoring (required by the San Joaquin Valley Air Pollution Control District), and HVAC filters in the areas not covered by a contract.
- This Section maintains all facility systems, including HVAC, lighting, security, solar systems, electrical, and plumbing. The section also performs new construction projects involving office remodels and complex HVAC upgrades.
- Facilities Maintenance staff also responds to daily service requests not classified as routine in nature.

Departmental Performance Goal

- The goal of the Section is to respond to each service request within 24-hours of notification. This Section is meeting that goal.

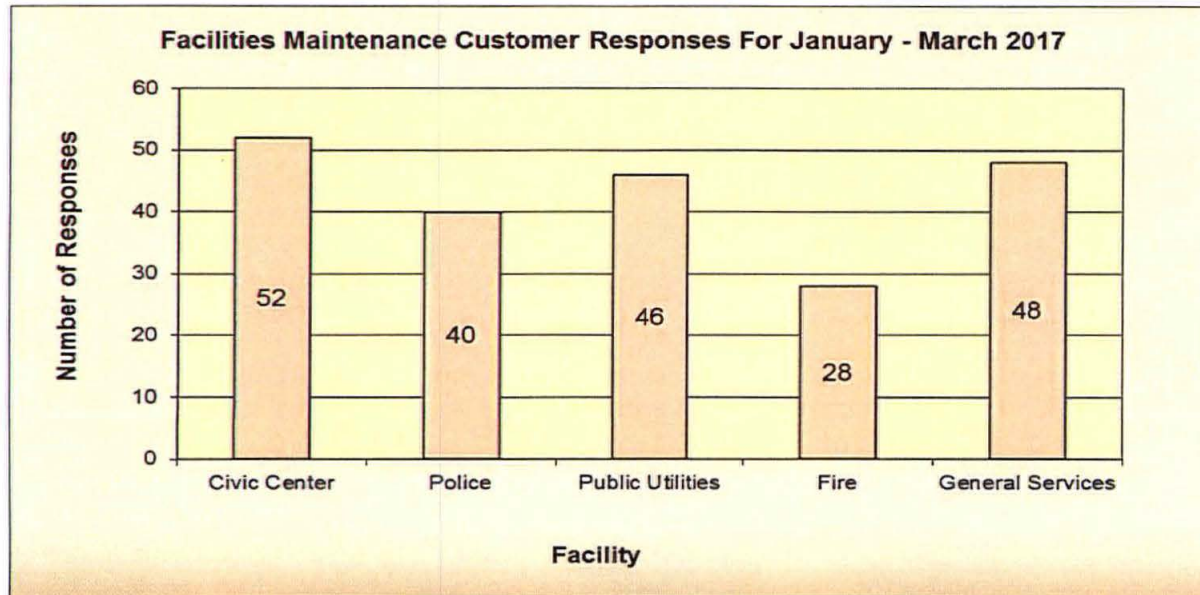
Quarterly Service Request Activity

The Facilities Maintenance staff responded to 236 service requests this quarter. Following is a historical chart showing typical service requests for the last three (3) years during the 3rd Quarter and totals for the respective fiscal years.

<i>Service Requests:</i>	<u>3rd Qtr. FY14-15</u>	<u>3rd Qtr. FY15-16</u>	<u>3rd Qtr. FY16-17</u>
	112	116	236
Totals: Year to Date	<u>FY14-15</u>	<u>FY15-16</u>	<u>FY16-17</u>
	386	567	524

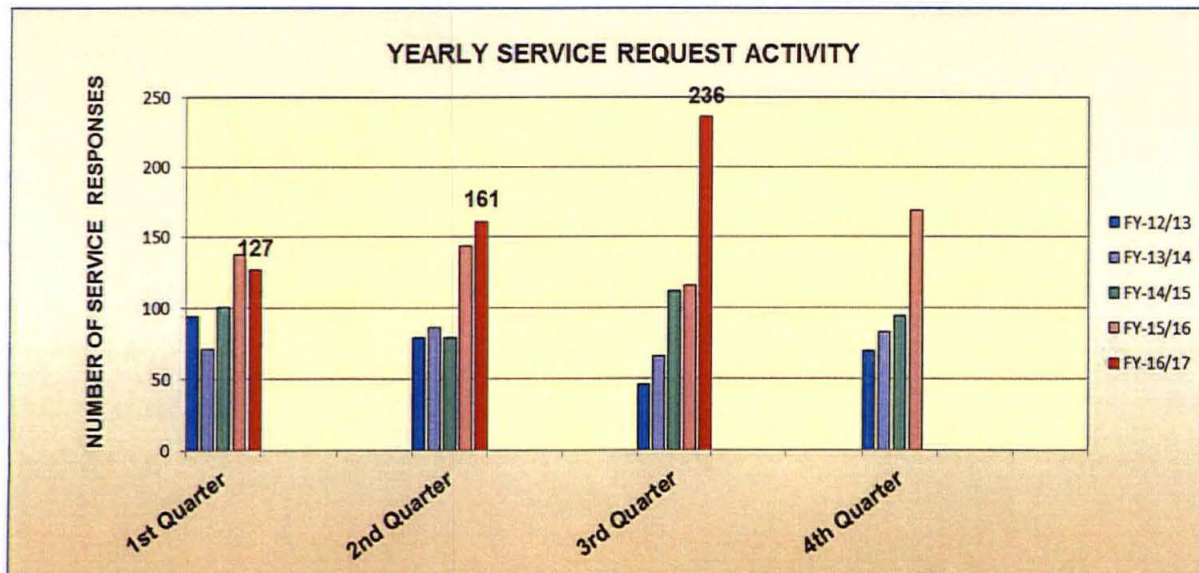
Quarterly Service Responses

The quarterly service responses are the total number of on-site responses that occurred during the course of the 3rd Fiscal Quarter. These responses include non-routine service requests and new construction projects. This chart reflects the number of service responses by city department / facility during January - March 2017.



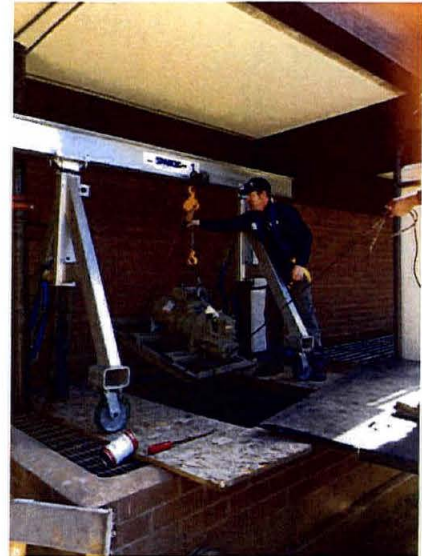
Yearly Service Request Activity

The charts below reflect the number of non-routine service requests processed by quarter for the last five (5) fiscal years.



Facility Maintenance Project Highlights for January - March 2017:

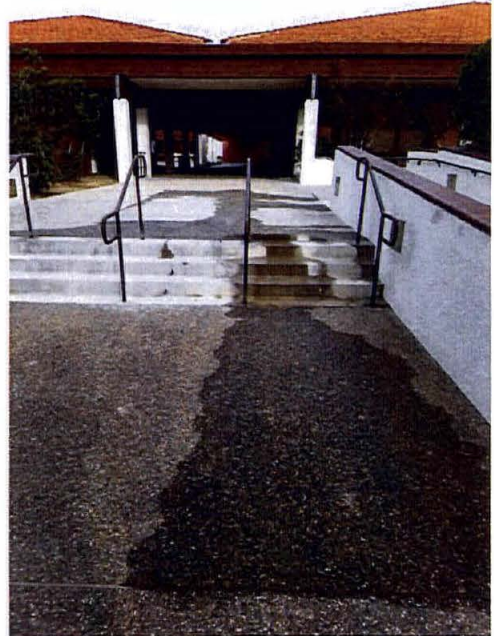
- Facilities Maintenance staff assisted and provided project oversight for the rebuilding of the Civic Center Chiller, the equipment that provides and delivers chilled water for cooling to City Hall, Planning and Development Services, Council Chambers and the Library,



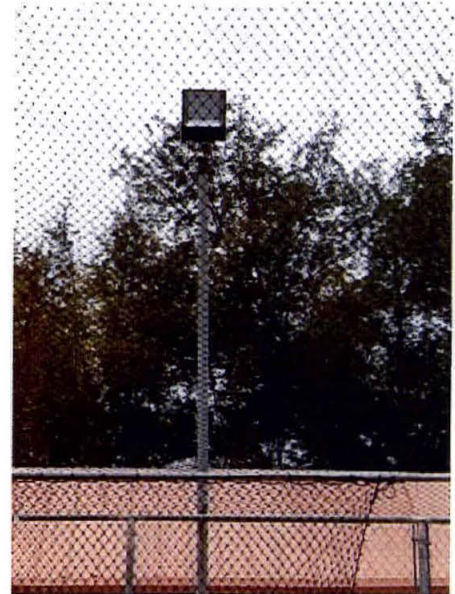
- Facilities Maintenance staff assisted and provided project oversight for the installation of an automated and efficient water treatment center that distributes various corrosion inhibitors into the Civic Center's cooling tower.



- Civic Center's aging underground hydronic lines suffered another catastrophic rupture that at its peak was losing in excess of 1000 gallons a day; this resulted in a system shutdown. Facilities Maintenance staff, with a big assist from Public Utilities, was able to locate, excavate, repair and backfill the affected area within two days.



- Facilities Maintenance Staff installed a single test LED light at the Clovis Batting Range to determine its effectiveness in terms of lumens output as well as any negative impact to the surrounding occupancies.



Other Activities:

- Staff continues to complete facility improvements throughout the City, pursuant to the American with Disabilities Act requirements.

Purchasing Section

The Purchasing Section is responsible for the purchasing and acquisition of goods and services utilized for department support functions.

Purchasing Section's Monthly Highlights for 3rd Quarter FY16/17:

- Staff met with a mechanical vendor to obtain pricing for the replacement of underground hydronic lines at Civic Center.
- Staff met with a furniture vendor to assess the needs and renovation of an existing work station in PDS.
- Staff assisted the Fleet Division in updating Request for Quote documents for uniform service and posted to the City's e-procurement website.
- Staff met with a carpet vendor to obtain pricing to install new floor covering in both the Dispatch lounge and the Community Room within the Public Safety Facility.
- Staff attended a local trade show to obtain knowledge of new technologies for copier/printers.

- Staff prepared a staff report for council approval related to a citywide study to retrofit city facilities with LED lighting.
- Staff acquired pricing and drafted a contract for plumbing services to install two hot water recirculation pumps on the Public Safety Facility's hot water system.
- Staff acquired current pricing for the maintenance of the Public Safety Facility's Uninterruptible Power Supply (UPS).
- Staff acquired pricing for the emergency replacement of Police's sally port overhead curtain door and Fire Headquarters' Battalion Chief's garage door at the Public Safety Facility and drafted staff reports and contracts respectively.

Staff obtained pricing for nine (9) 18,300 lumen 150 watt LED flood lights for the Clovis Batting Range to replace all existing pole lighting currently equipped with 400 watt metal halides within the range.

GENERAL SERVICES DEPARTMENT
Community Services Division
Quarterly Report
January-March 2017

The following programs, services and activities are highlights of the activities occurring within the Community Services Division during the third quarter of FY 16-17.

Senior Services Section

Tracking of senior program participants occurs as seniors sign-in for services and activities. New senior participants are tracked when they complete a confidential form. During this quarter, 143 new seniors participated in services and activities offered through the Clovis Senior Activity Center.


<u>Program Participants</u>	<u>FY16</u>	<u>FY17</u>	<u>YTD FY16</u>	<u>YTD FY17</u>
Information and Assistance	21,578	38,978	59,350	102,999
Outreach	261	298	931	928
Newsletters	11,387	12,308	33,602	36,309
Community Services	18,960	19,829	52,491	57,451
Health Services	1,697	1,957	4,694	5,550
Senior Nutrition				
<i>In Center (includes special meals)</i>	2,553	2,702	7,969	8,397
<i>Frozen Meals for Homebound</i>	5,964	6,286	20,888	19,376
Consumer Services	2,106	986	6,295	3,761
Volunteers	173	183	495	515
Volunteer Hours	2,804	2,674	9,701	8,168


<u>Revenue Generated</u>	<u>FY16</u>	<u>FY17</u>	<u>YTD FY16</u>	<u>YTD FY17</u>
Rental	\$15,828	\$10,345	\$32,838	\$32,777
Older American Act Funding	\$2,667	\$6,026	\$9,333	\$12,034
Memorial District	\$0	\$20,000	\$20,000	\$20,000
Sales: Taxable & Non-Taxable	\$0	\$0	\$268	\$0
Special Events	\$2,915	\$1,515	\$7,183	\$5,867
Class User Fees	\$24,725	\$23,196	\$61,068	\$61,505
Project Income/Misc. Receipts	\$5,743	\$5,267	\$15,923	\$15,179
In House Nutrition Program	\$2,996	\$3,348	\$10,316	\$10,544
Homebound Nutrition Program	\$508	\$425	\$1,938	\$625
Donations	\$537	\$2,160	\$3,070	\$3,888
Total	\$55,919	\$72,282	\$161,937	\$162,419


- The Clovis Senior Activity Center hosted a Candidates Forum for the Clovis City Council candidates on February 6, 2017. Five candidates were invited with four attending. One candidate is up for re-election with two other open seats available for the three remaining candidates. The event had over 100 people in the audience and was live on Facebook with an outstanding number of views both live and afterward.
- Staff is moving forward with coordination and architect selection for the new senior center project. Selection should be complete in April. Land swap agreements and a contract with St. Agnes has been completed.


2017 CITY OF CLOVIS COUNCIL ELECTION

CANDIDATE FORUM


VONG
MOUNOUTOUA


LYNNE
ASHBECK


DREW
BESSINGER


PAUL
SOARES

DON'T MISS A CHANCE TO MEET THE CANDIDATES.
HEAR THEM SPEAK AND HAVE YOUR VOICES HEARD!

MONDAY, FEBRUARY 6, 2017
9:00AM - 10:00AM

CLOVIS SENIOR ACTIVITY CENTER
 850 FOURTH STREET
 CLOVIS, CA 93612
 (559) 324-2750

Clovis Transit Quarterly Report FY16/17 3rd Quarter

Revenue generated FY16/17 3rd Quarter

Stageline:

Funding Source	FY16	FY17	YTD FY16	YTD FY17
Fares	\$14,911	\$11,772	\$58,937	\$49,319
Bus Passes/Metro Pass	\$16,265	\$12,704	\$28,291	\$33,010
Sub Total	\$31,176	\$24,476	\$87,228	\$82,329
Trolley Rentals/Advertising	\$10,208	\$5,757	\$18,534	\$23,051
Measure C	\$0	\$0	\$0	\$0
LTF-Article 4	\$0	\$0	\$0	\$0
STA	\$104,020	\$0	\$104,020	\$0
Proposition 1B Grant	\$0	\$0	\$0	\$0
TOTAL	\$145,404	\$30,233	\$209,782	\$105,380

Roundup:

Funding Source	FY16	FY17	YTD FY16	YTD FY17
Fares	\$9,029	\$11,285	\$27,307	\$33,175
Bus Passes	\$13,179	\$12,662	\$38,737	\$37,701
Sub Total	\$22,208	\$23,947	\$66,044	\$70,876
Trolley Rentals/Advertising	\$0	\$0	\$0	\$0
Measure C	\$0	\$0	\$0	\$0
LTF-Article 4/4.5	\$829,177	\$428,015	\$1,925,744	\$0
STA	\$0	\$0	\$0	\$0
Proposition 1B Grant	\$0	\$0	\$0	\$0
TOTAL	\$851,385	\$451,962	\$1,991,788	\$70,876

RIDERSHIP

Stageline

FY 15/16							FY 16/17					
Month	10	50	70	80	W-Mart Shuttle	Total	10	50	70	80	W-Mart Shuttle	Total
July	6,816	3,348	0	0	52	10,216	5,338	2,679	0	0	44	8,061
Aug	7,251	3,947	150	106	60	11,514	6,764	3,749	155	89	54	10,811
Sept	9,634	5,189	538	375	94	15,830	7,810	4,690	519	240	48	13,307
Oct	9,331	5,670	543	373	54	15,971	7,628	4,532	606	241	48	13,055
Nov	7,263	4,429	402	207	60	12,361	6,979	4,082	505	212	18	11,796
Dec	7,254	4,264	438	219	82	12,257	6,250	3,646	411	176	24	10,507
Jan	6,929	4,025	550	284	57	11,845	5,473	3,445	385	174	71	9,548
Feb	8,099	4,527	643	314	59	13,642	5,898	3,594	479	200	53	10,224
Mar	8,217	4,654	492	319	67	13,749	7,845	4,686	628	295	52	13,506
TOTAL	70,794	40,053	3,756	2,197	585	117,385	59,985	35,103	3,688	1,627	412	100,815

Roundup

FY 15/16				FY 16/17		
Month	Fresno	Clovis	Total	Fresno	Clovis	Total
July	2,133	3,091	5,224	1,754	2,900	4,654
August	2,055	3,067	5,122	2,219	3,101	5,320
Sept	2,272	3,228	5,500	1,954	3,041	4,995
Oct	2,335	3,339	5,674	1,876	2,665	4,541
Nov	1,854	2,806	4,660	1,833	2,671	4,504
Dec	1,926	2,939	4,865	1,784	2,662	4,446
Jan	1,739	2,956	4,695	1,735	2,546	4,281
Feb	1,962	2,860	4,822	1,810	2,510	4,320
March	2,141	3,355	5,496	2,040	2,938	4,978
TOTAL	18,417	27,641	46,058	17,005	25,034	42,039

Round Up Passenger No-Shows

FY 16/17				
Month	No-Shows	% of Total Trips	Warnings	Suspensions
July	88	1.89%	0	0
August	78	1.46%	0	0
Sept	72	1.44%	0	0
Oct	83	1.82%	1	1
Nov	73	1.62%	2	0
Dec	56	1.25%	2	0
Jan	67	1.56%	1	0
Feb	80	1.85%	0	0
March	88	1.76%	2	1
TOTAL	685	1.63%	8	2

Fleet Information

FY 16/17		
Month	Collisions	Road Calls
July	2	0
August	0	2
Sept	3	1
Oct	0	0
Nov	0	0
Dec	1	1
Jan	0	1
Feb	2	0
March	1	1
TOTAL	9	6

Complaint Calls/Tracking

FY 16/17								
Month	Rude Driver	Missed Passenger	Unsafe Driving	Late Bus	Device Use	Full Bus	Other	Total
July	0	2	0	0	0	0	0	2
August	0	0	0	0	0	1	0	1
Sept	0	0	0	0	0	0	0	0
Oct	0	0	0	0	0	0	0	0
Nov	1	0	0	0	0	0	0	1
Dec	0	1	1	0	0	0	0	2
Jan	0	0	0	0	0	0	1	1
Feb	1	0	0	1	0	0	2	4
March	1	0	0	0	0	0	1	2
TOTAL	3	3	1	1	0	1	4	13

Stageline On-Time Performance

FY 16/17	
Month	% On Time
July	95.0%
August	95.4%
September	94.7%
October	95.2%
November	95.9%
December	95.7%
January	94.5%
February	96.0%
March	95.5%

Recreation Section

Quarter 3

Revenue Generated This

Month:	FY 16	FY 17	YTD 16	YTD 17
User Fees	\$47,668	\$56,708	\$111,400	\$112,304
Project Income	\$244	\$166	\$497	\$506
Batting Cage	\$15,476	\$14,052	\$25,151	\$24,055
Donations	\$0	\$0	\$0	\$0
Totals	\$63,388	\$70,926	\$137,048	\$136,865

Food Services

Candy Machines	\$0	\$10	\$52	\$87
Batting Cage Snack Bar	\$283	\$214	\$571	\$536
Totals	\$283	\$224	\$623	\$623

Adult programs

- The City Of Clovis Recreation indoor coed soccer, basketball, hockey and floorball leagues finished up the winter league on March 10, 2017 and then started the spring league the week of March 20, 2017. There were 36 teams that participated in the winter leagues and the spring leagues have 35 teams registered. These adult sports generated \$14,431 in revenue during the third quarter.
- The adult Men's and Coed softball leagues were scheduled to begin on March 26, 2017. With the wet winter we experienced we were forced to postpone the league till April 23, 2017. The Men's and coed leagues generated \$10,131.

Youth Programs

- StartSmart Basketball is a youth parent/child instructional program for boys and girls ages 3-5. The program is designed to help parents teach their children the proper fundamental skills needed to play basketball. The program had 15 participants and brought in \$ 661.
- The Youth Basketball League is for youth 1st through 6th grade. Each team got two practices a week and the games were played on Saturdays. The basketball league had 24 total teams with a total of 220 players and brought in \$18,851 in the third quarter.
- This quarter the recreation section ran two new programs, Tiny Dribbler and a Jr. High basketball league. The Tiny Dribblers is a developmental league for 5 year olds and the Jr. High league is for 7th and 8th graders. We had 32



participants in the Tiny Dribblers and the Jr. High league had 39 participants. With the success of both of those leagues we are expecting even bigger number in the next league.



Clovis Batting Range

- The Clovis Batting Range reopened to the public on January 23, 2017. The batting range is currently open to the public Monday - Friday 4:00 PM – 8:00 PM, Saturday Noon - 8:00 PM and Sunday Noon - 7:00 PM.
- The batting range had 6,919 participants and brought in \$13,838 in the 49 days that it was open to the public during the third quarter.

Skatepark

- The Clovis Rotary Skatepark hours are Monday – Sunday 10:00 AM – 9:00 PM. This skatepark had 29,105 participants for this quarter.

Program Participation Qtr 3/16 Qtr 3/17 YTD FY16 YTD FY17

Program Participation 46,481 45,958 101,651 124,028

These numbers are not taking into consideration participants that use the Recreation Center on a walk in basis or spectators. Some duplication may be included.

Class User Fee Quarter 3 Participation and Revenue Numbers							
Program	Sessions	Participants for Quarter	Daily Average	Spectators	Volunteers	Total	Revenue
Arts and Crafts	0	0	0	0	0	0	\$30
Basketball Adult Men's Comp	8	760	95	245	0	1005	\$6,786
Basketball Adult Men's Rec	8	760	95	380	0	1140	\$2,041
Basketball Little Dribblers	14	490	35	980	56	1526	\$1,468
Basketball Youth League	67	5230	78	10460	510	16200	\$18,851
Basketball Youth Skills and Drills	0	0	0	0	0	0	\$2,169
Batting Cages	49	6919	141	2331	0	9250	\$13,838
Drop-In	40	1171	29	0	0	1171	\$2,437
Floorball	11	660	60	110	0	770	\$2,597
Skate Park	90	28406	316	0	0	28406	\$0
Slow Pitch Softball Coed	0	0	0	0	0	0	\$3,523
Slow Pitch Softball Men's	0	0	0	0	0	0	\$6,608
Soccer Adult Coed	8	760	95	300	0	1060	\$3,007
Start Smart Baseball	0	0	0	0	0	0	\$542
Start Smart Basketball	12	180	15	140	0	320	\$661
Tiny Tumblers	12	112	9	87	0	199	\$685
Tot Science	0	0	0	0	0	0	\$227
Middle School Basketball	17	510	30	182	260	952	\$2,638
Tiny Slugger	0	0	0	0	0	0	\$1,652
Girls Softball Camp	0	0	0	0	0	0	\$350
Youth Flag Rugby League	0	0	0	0	0	0	\$437
Total	336	45958		15215	826	61999	\$70,547

*Not included in year to date user fee total at top of page.



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

City Manager: *LS*

CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: July 10, 2017

SUBJECT: Approval - Final Acceptance for CIP 15-08 Winery Demolition

ATTACHMENT: (A) Vicinity Map

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to accept the work performed as complete and authorize recording of the notice of completion.

EXECUTIVE SUMMARY

The project involved the removal and disposal of all asbestos containing material; the complete demolition and disposal of all structures noted in the plans, including foundations, underground utilities/pipes, vegetation, fences, and miscellaneous improvements; fill of subsurface areas, including compaction; traffic control, and development and implementation of a storm water pollution prevention plan (SWPPP); and Add Alt. 1 work (tower demolition) for the La Paloma Winery property at 3494 Clovis Avenue.

BACKGROUND

Bids were received on October 18, 2016, and the project was awarded to the lowest responsive bidder on November 14, 2016, Unlimited Environmental, Inc. The demolition was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

FISCAL IMPACT

1.	Award	\$ 1,099,000.00
2.	Contract Change Orders (CO-1)	+\$ 31,493.45
3.	Liquidated Damages Assessed	\$ 0.00

Final Contract Cost **\$ 1,130,493.45**

REASON FOR RECOMMENDATION


The Public Utilities Department, the City Engineer, the engineering inspector, and the project engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, Unlimited Environmental, Inc., has requested final acceptance.

ACTIONS FOLLOWING APPROVAL

1. The notice of completion will be recorded; and
2. All remaining retention funds will be released no later than 35 calendar days following recordation of the notice of completion, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

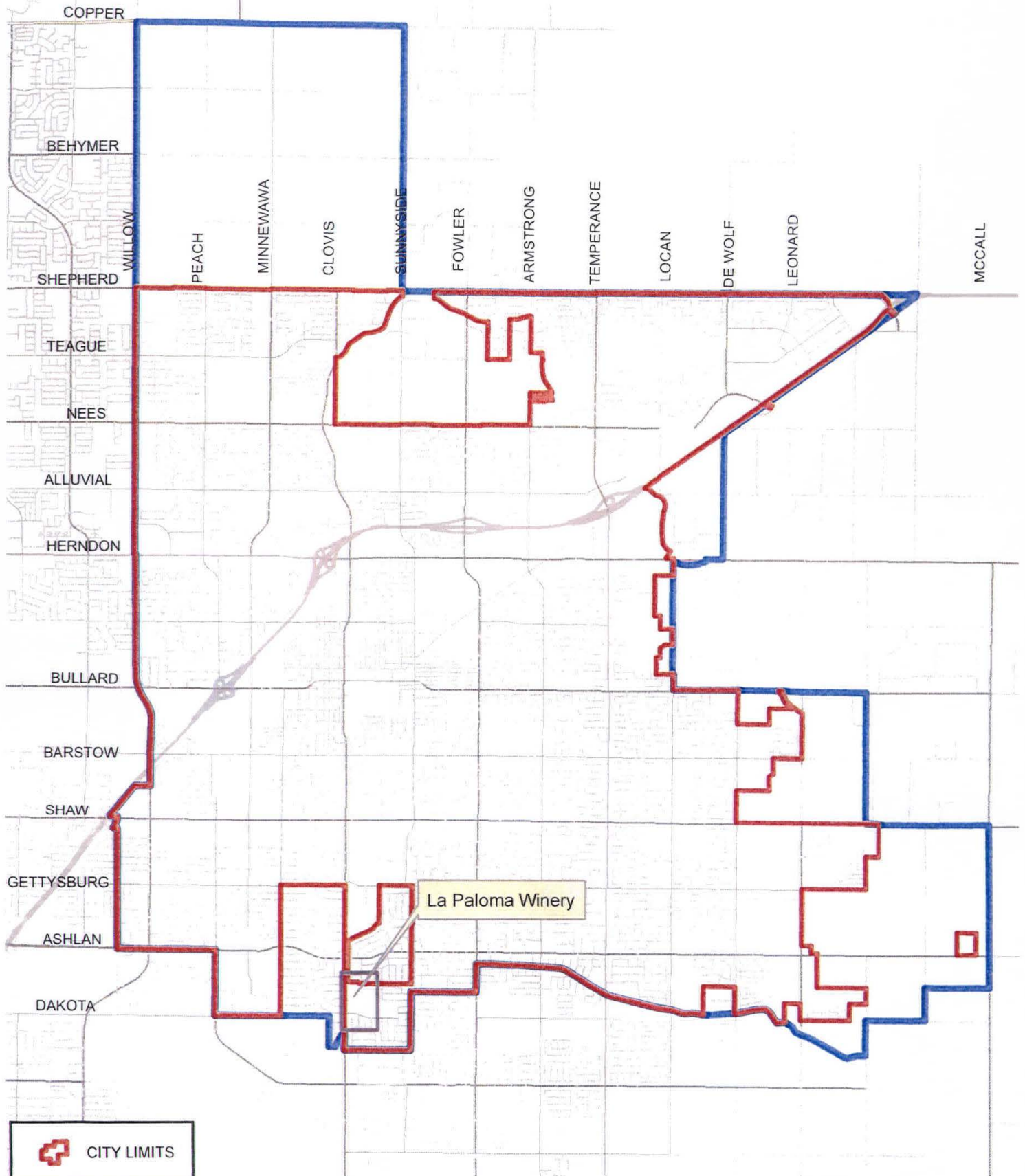
Prepared by: Marianne Mollring, Project Engineer

Submitted by:


Michael J. Harrison
City Engineer

Recommended by:


Dwight Kroll
Director of Planning and
Development Services





AGENDA ITEM NO: CC-F-2

City Manager: BS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: July 10, 2017

SUBJECT: Approval - Final Acceptance for CIP 15-22 Fire Station 3 Security Fence

ATTACHMENT: (A) Vicinity Map

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to accept the work performed as complete and authorize recording of the notice of completion.

EXECUTIVE SUMMARY

This project installed a metal security fence, with pedestrian gate, and vehicle gate around the parking lot of Fire Station 3 located at 555 North Villa Avenue. Construction also involved clearing, grubbing, trenching, concrete sidewalk, reinforced concrete drive approach, installation of conduit, conductors, irrigation, and landscaping.

BACKGROUND

Bids were received on March 7, 2017, and the project was awarded to the Contractor, A J Excavation, Inc., on March 20, 2017. The construction was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

FISCAL IMPACT

1.	Award	\$ 86,756.00
2.	Cost increase/decrease resulting from differences between estimated quantities used for award and actual quantities installed.	\$ 0.00
3.	Contract Change Orders	+\$ 5,563.00
4.	Liquidated Damages Assessed	\$ 0.00
5.	Penalties	\$ 0.00

Final Contract Cost **\$ 92,319.00**

REASON FOR RECOMMENDATION

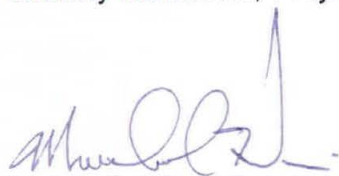
The Public Utilities Department, the City Engineer, the engineering inspector, and the project engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, A J Excavation, Inc., has requested final acceptance.

ACTIONS FOLLOWING APPROVAL

1. The notice of completion will be recorded; and
2. All remaining retention funds will be released no later than 35 calendar days following recordation of the notice of completion, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

Prepared by: Johnny LeMaster, Project Engineer

Submitted by:


Michael J. Harrison
City Engineer

Recommended by:


Dwight Kroll
Director of Planning and
Development Services

VICINITY MAP

CIP 15-22
Fire Station 3 Security Fence
555 N. Villa Avenue

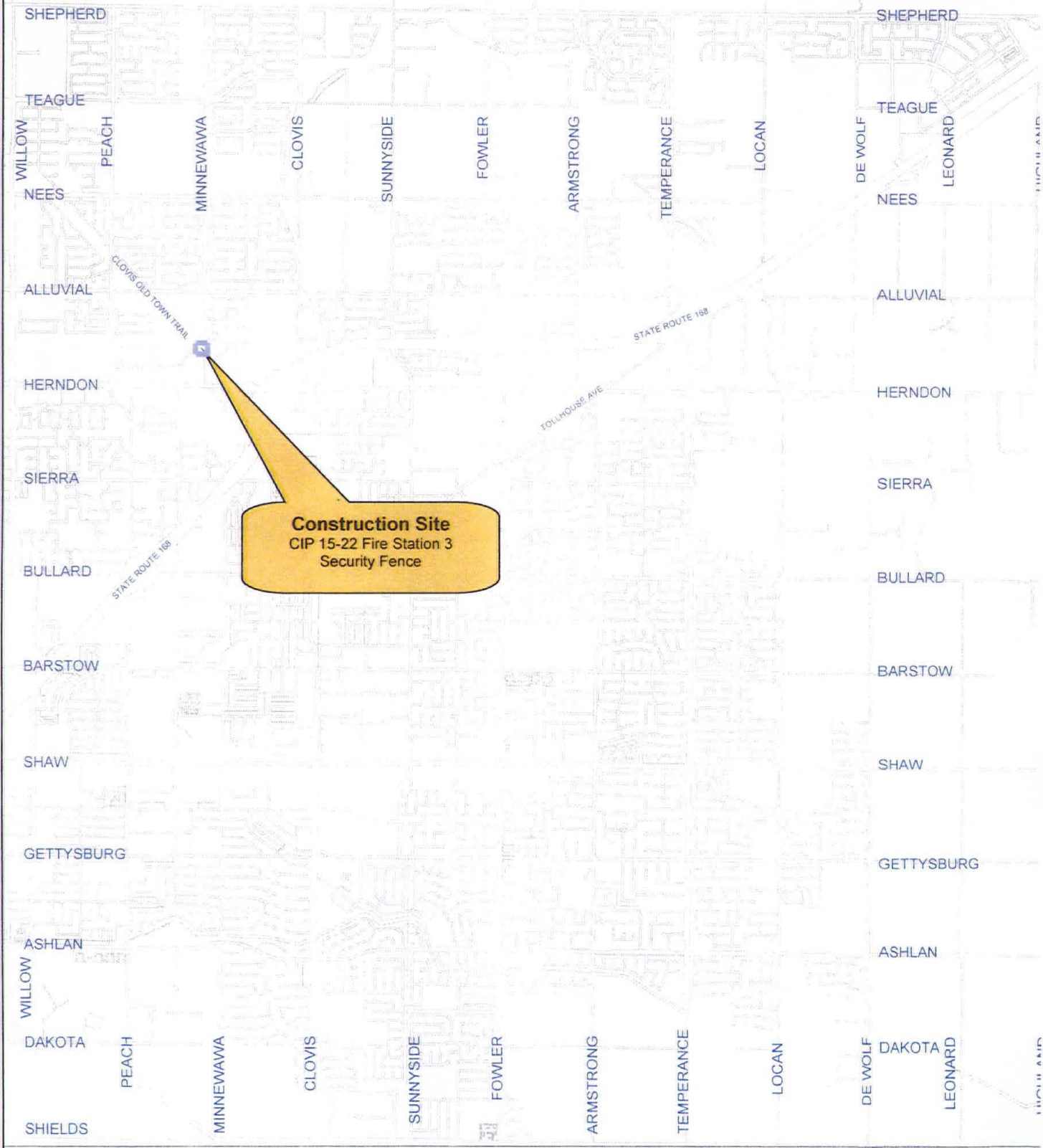


EXHIBIT A



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Police Department

DATE: July 10, 2017

SUBJECT: Approval- Waive the City's Usual Purchasing Requirements and Authorize the Purchase of a New Bomb Squad Robot from ICOR Technologies.

ATTACHMENTS: (A) A Quote from ICOR Technologies.
(B) Photographs of ICOR Caliber T5 Robot

CONFLICT OF INTEREST

None

RECOMMENDATION

Authorize the Police Department to purchase an ICOR Technologies robot from ICOR Technologies waiving the usual City purchasing requirements. The total cost for the robot and accessories is \$121,800.

EXECUTIVE SUMMARY

The Police Department's adopted 2017-2018 budget contains sufficient funds to make this purchase utilizing a lease agreement.

Staff recommends this purchase be made from ICOR Technologies as our Bomb Squad members have tested and evaluated several robots over the last two years. ICOR Technologies' robot and support team meet our needs better than other manufacturers.

BACKGROUND

Our Bomb Squad currently has one Talon brand robot that was purchased in 2008. Over the last 3 years it has become completely unreliable. Several repairs have been made, but the robot continues to be non-functional most of the time. The robot sometimes takes more than an hour to properly turn on and become functional. The technology of our current robot is antiquated. In the event the current robot has to be shipped off for repairs the turn-around time is six to eight weeks. The ICOR robot is completely digital and much more reliable.

FISCAL IMPACT

The cost of the Robot and accessories has been included in the Police Department's 2017-2018 approved budget.

REASON FOR RECOMMENDATION

The current Bomb Squad robot is extremely unreliable and almost never works properly. The robot is used for Bomb Squad and SWAT callouts and is an integral piece of safety equipment for Bomb Squad and SWAT Officers. In instances where the robot is needed, but does not function properly, officers are forced to either wait for an allied agency to bring a robot to us, or put themselves in harm's way in lieu of using the robot.

The purchase of the new ICOR Technologies robot will give the Bomb Squad and SWAT Team a reliable tool to protect the officers and the public when responding to bomb calls and searching for suspects.

The use of explosive devices has increased in our country and having a reliable robot will ensure that our Bomb Technicians can carry out their duties in the safest manner available to them.

ACTIONS FOLLOWING APPROVAL

The Clovis Police Department will enter into a purchase agreement with ICOR Technologies to purchase a new ICOR Caliber T5 robot and accessories.

Prepared by: Brett Hershberger, Police Lieutenant

Submitted by: Brett Hershberger, Police Lieutenant

Recommended by: 
Matthew Basgall, Chief of Police



935 Ages Drive
Ottawa, ON K1G 6L3
CANADA

P: 613.745.3600
F: 613.745.3590
TF: 877.483.7978

www.icortechology.com
sales@icortechology.com

QUOTE

Jordan Hunter
Clovis Police Department (CA)
To 1233 Fifth St.
Clovis, CA 93612

QUOTE NO.: QUO-03377-X5H6-3
DATE: 4/27/2017
EXPIRATION DATE: 8/18/2017

Tel:
Fax:
Mobile:
Email: jordanh@cityofclovis.com

CURRENCY: USD
SHIPPING METHOD: Ground
SHIPPING TERMS: FOB-DESTINATION
DELIVERY DATE: 14 - 16 weeks APO
PAYMENT TERMS: Net 30

QTY	P/N	DESCRIPTION	\$/UNIT	LINE TOTAL
1	CAL-T5	CALIBER® T5 System Includes: • Robotic Claw mounted to a Robotic Arm with 5 axes of movement including: turret, shoulder, elbow and wrist • 1x Claw colour camera with LED light • 1x Claw-Mounted 24V DC Firing Circuit • Mounting bracket for 1 recoilless disrupter • 1x Disrupter/Weapon cameras with LED light and 2 green lasers • 1 x Turret Mounted 24V DC Firing Circuits • Multi-Function Command & Control Unit (CCU) with 15" LCD Screen • Data/Video RF Wireless Radios • 2x 24V DC Battery Packs (1x onboard; 1x spare) & 1x 24V DC Battery Charger • Rubber tracks and Anti-Flip Bar • Pan-Tilt-Zoom (PTZ) Camera with 26x Optical Zoom and 360° Continuous Rotation • 1x Front-Drive Color/IR camera • 1x Rear-Drive Color/IR camera • 2-way audio • 2x Deck-mounted 24V DC Firing Circuit • 500' Hard-Wire Tether • 2 year warranty	\$84,520.00	\$84,520.00
1	CAL-EXA	T5 - Arm Extension Kit Increases vertical reach up to 105" (267cm) for inspection of overhead compartments on buses, trains, and planes; or for undervehicle retrieval.	\$4,970.00	\$4,970.00
1	CAL-HCU-T5	T5 Hand Held Control Unit Controls the weapon/claw arms, Drive control, and lights • Inputs into the Tether Connection • 9' cord • Powered by standard 9V Battery • Uses standard Variable control joystick	\$1,650.00	\$1,650.00
1	MAFB-T5	T5 Motorized Anti-Flip Bar Remotely lift anti-flip bar up when not in use to reduce the overall length of the robot and fit into tighter spaces	\$4,675.00	\$4,675.00
1	CAL-MPTZ-T5	T5 Motorized, Telescoping PTZ Mast Max height of 60" (152 cm) (note: telescoping mast only; uses PTZ camera from standard robot package.)	\$4,675.00	\$4,675.00
1	CAL-SL1	T5 LOCK Power Switch Lock for the CALIBER® T5 Robot	\$185.00	\$185.00
1	CAL-BC0	24V DC Battery Charger Extra 24V DC Battery Charger for CALIBER® T5 or MK3	\$365.00	\$365.00
1	CAL-CA0	Claw Attachment Kit Set of 10 tools for the CALIBER® claw includes: window breaker, tire deflator, finger extension, cutting hook, utility knife, multiple effectors and hook & line accessories. Available for T5 or MK3 only.	\$3,125.00	\$3,125.00
1	CAL-PIP	Quad-Screen PIP Quad-Screen Picture-in-Picture Functionality. Provides images from 4 cameras simultaneously.	\$3,675.00	\$3,675.00
1	CAL-TK0	Truck Brackets kit External truck brackets and cabling for mounting RF system outside command truck. For T5 or MK3 (Client installs)	\$895.00	\$895.00
1	CAL-VEX-D	RF Extender(Digital) Video RF Range Extender for CALIBER® Robot (MK3 & T5) (for Digital COFDM Video System)	\$2,160.00	\$2,160.00
1	CAL-XR1	X-Ray Bracket X-ray mounting bracket for use with 14" x 17" PSP Imaging Plate and Golden Engineering XR-200 or XR-300 Sources. (Please call for other systems)	\$1,185.00	\$1,185.00

ATTACHMENT A

1	ESI-RM2-T5	DUKE PRO - FOR T5 Duke Pro, 2-Channel Shock Tube Initiator with Mount for CALIBER® T5 PAN Disrupter	\$1,550.00	\$1,550.00
1	CAL-K100	20mm (12ga) PAN Disrupter Unit manufactured by IDEAL Products, Inc. (K100)	\$2,915.00	\$2,915.00
1	CAL-K1000	PAN Recoil Reduction Kit 20mm (12ga) PAN Recoil Reduction Kit manufactured by IDEAL Products, Inc. (K1000)	\$2,505.00	\$2,505.00
1	TRAINING	CALIBER ROBOT ONSITE TRAINING at Customer Location 8 hour Operation, Maintenance and Troubleshooting course , includes travel and accomodations for ICOR Technician	\$1,950.00	\$1,950.00
1	S&H	SHIPPING AND HANDLING	\$800.00	\$800.00
SUBTOTAL				\$121,800.00
APPLICABLE LOCAL TAXES				
TOTAL				\$121,800.00

This is a quotation on the goods named, subject to the conditions noted below:

Unless otherwise provided: This quote is in US Dollars; shipping terms are EX WORKS for domestic and international shipments; all prices are exclusive of shipping costs, insurance, custom clearance and any applicable Taxes of any kind; all price quotations are valid for 90 days. Published list prices are subject to change without notice. Due to a policy of continuous product improvement, ICOR reserves the right to change specifications and appearance without notice. Please reference the invoice number on your cheque and remit to ICOR Technology Inc. 935 Ages Drive, Ottawa, Ontario K1G 6L3 Canada. The CALIBER® Robot (including the MK3, T5, Mini, and MK4) contains up to 35% US-source materials and are ITAR export license free and not subject to AECA or EAR regulations.

Some or all of the quoted items are eligible for purchase through GSA's Cooperative Purchasing Program and 1122 Program for State and Local Law Enforcement. Please consult with your purchasing department to determine the optimal purchasing vehicle and notify your ICOR Sales Representative to make any changes necessary. ICOR's GSA Contract Number is: GS-07F-0430V

DISCLAIMER REGARDING DISRUPTER MOUNT CONFIGURATIONS: ICOR Technology is a robot manufacturer and do not make disrupters. The end-user must consult with the disrupter manufacturer for complete instructions on loading, operation, maintenance and firing procedures. ICOR recommends that the end-user takes disrupter training from the manufacture before firing the weapon off of the robot. USE AT OWN RISK. ANY POTENTIAL DAMAGES TO THE ROBOT AS A RESULT OF USING A DISRUPTER ARE NOT COVERED UNDER WARRANTY. AS PER ICOR 'S LIMITED WARRANTY, WARNING AND LIMITATION OF LIABILITY DOCUMENT, ICOR SHALL BE HELD HARMLESS TO ANY LOSS OR INJURY AS RESULT OF USING DISRUPTERS ON THE ROBOT.

To accept this quotation, sign here and return:

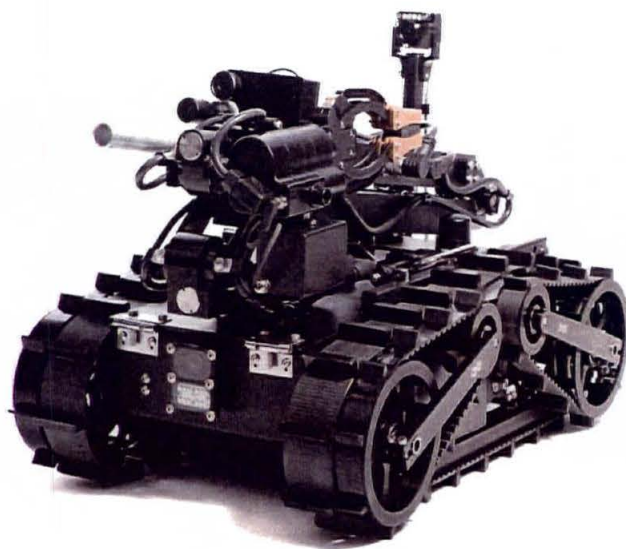
Signature

Date

ATTACHMENT A



Attachment B



Attachment B



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

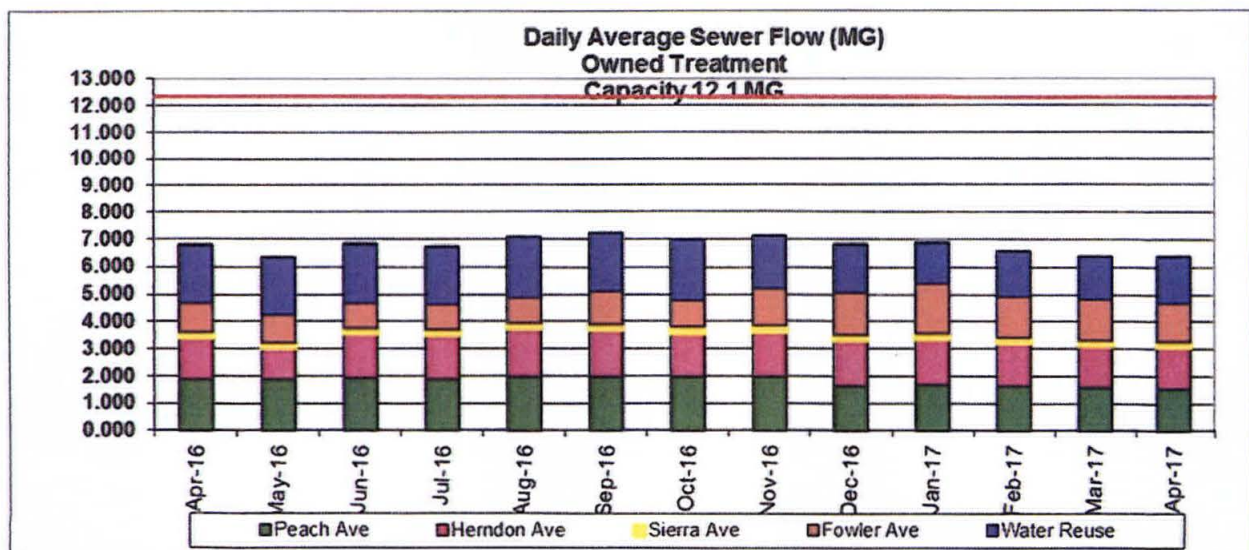
DATE: July 10, 2017

SUBJECT: Receive and File - Public Utilities Monthly Report April 2017

WASTEWATER DISPOSAL SECTION

Sewer Flow

	Total Flow MG In April		Average Daily Flow MG/d		Owned Treatment Capacity MGD
	2017	2016	2017	2016	
Peach Avenue	46.310	56.310	1.544	1.877	3.0
Herndon Avenue	45.570	46.469	1.519	1.549	2.8
Sierra Avenue	5.706	5.845	0.190	0.195	0.5
Fowler Avenue	42.340	30.860	1.411	1.029	3.0
Water Reuse	52.324	63.872	<u>1.744</u>	<u>2.129</u>	<u>2.8</u>
TOTAL			6.408	6.779	12.1



Storm Drain Maintenance

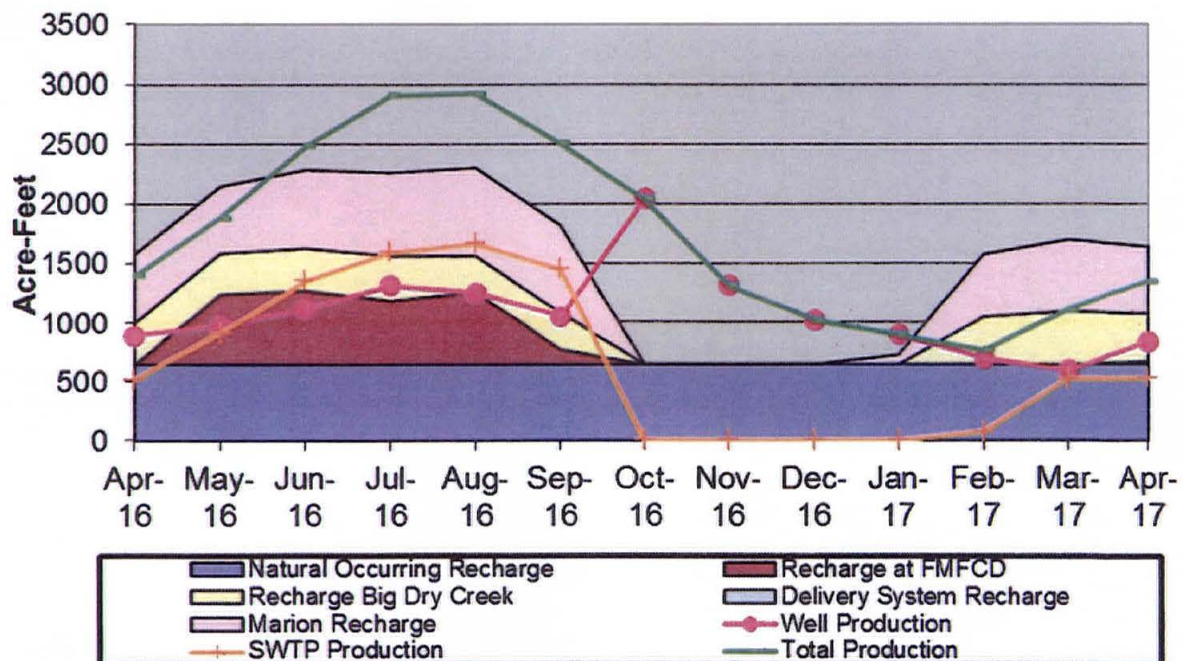
Summary of Activities	April 2017	April 2016	April 2015
Number of storms this month	4	4	2
Total rainfall this month (inches)	3.42	1.06	1.25
Rainfall to date (inches)	17.08	14.49	6.03

WATER PRODUCTION

Summary of Activities	2017	Year to Date	2016	Year to Date	2015	Year to Date
SWTP production (mg)	169.726	361.796	168.779	274.249	143.659	527.882
Well production (mg)	270.917	964.894	288.016	1043.235	444.135	1218.356
Total water production (mg)	440.643	1326.690	456.795	1317.484	587.794	1746.238
Daily average	14.688	11.056	15.226	10.888	19.593	14.432
Days between readings	30	120	30	121	30	121

	This Month	Calendar Year to date
Recharge at FMFCD Basins (AF)	26	26
Recharge Upstream in Big Dry Creek (AF)	407	1,264
Marion Recharge per FID (AF)	569	1,784
Delivery System Recharge	0	0
Total Artificial Recharge (AF)	1,002	3,074
Natural Recharge	642	2,567
Total Well Production (AF)	831	2,961
Treatment Plant Production (AF)	521	1,110

Water Production vs. Recharge Activities





AGENDA ITEM NO: 1-A
City Manager: *[Signature]*

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: July 10, 2017

SUBJECT: Consider Approval, Res. 17-____, A request to appeal the Planning Commission's approval of a conditional use permit for an 80-unit multi-family development on approximately 5.58 acres of land located at the northeast corner of Bullard and Temperance Avenues. Vandenberghe Properties, Inc, property owner; Motschieder Consulting, Inc., project applicant; Centerline Design, LLC., project representative. Appeal filed by Tom Abshire. The Planning Commission Recommends approval of CUP2017-02.

ATTACHMENTS:

Figure 1:	Location Map
Exhibit "A:"	Conditions of Approval
Attachment 1:	Draft Resolution
Attachment 2:	Correspondence from Agencies
Attachment 3:	Planning Commission Minutes
Attachment 4:	Letter of Appeal
Attachment 5:	Clovis Fire Memo
Attachment 6:	Letter of Opposition
Exhibit "B:"	Site Plan
Exhibit "C:"	Wall-Fence Diagram
Exhibit "D:"	Conceptual Landscape and Wall Plan
Exhibit "E:"	Elevations and Floor Plans
Exhibit "F:"	Park & Mesa Avenues Wall Plans

CONFLICT OF INTEREST

None

RECOMMENDATION

Staff recommends that the City Council deny the appeal and uphold the Planning Commission's approval of Conditional Use Permit CUP2017-02, subject to the conditions of approval listed in Exhibit "A."

EXECUTIVE SUMMARY

The applicant requested approval of a conditional use permit to allow an 80-unit multiple-family development at the Project site. Typically, multiple family projects consistent with the General Plan do not require a public hearing. However, when the property was rezoned in 2002 (R2002-15), the Commission and Council included a condition requiring a public hearing for any multiple family proposals on the Project site. Conditions of approval associated with R2002-15 also included the requirement for the applicant to conduct two neighborhood meetings.

This Project was approved by the Planning Commission on May 25, 2017, with modifications to the conditions of approval. The public discussion was focused on fencing type and placement proposed along Park Avenue. The Project was approved with modifications to the conditions of approval, addressing the neighborhood concerns.

On June 12, 2017, area property owners formally submitted an appeal requesting that the Council overturn the Planning Commission approval, or make modifications to the site design to address their concerns. Property owners revised the appeal to include the elimination of Park Avenue access, seeking an appeal to reconfigure the site to allow for Bullard Avenue Access only.

Some issues of discussion included in this report address the neighborhood's desires regarding perimeter walls and vehicle and pedestrian access to and from the project.

BACKGROUND

- General Plan Designation: Medium High Density (7.1 to 15.0 du/ac)
- Specific Plan Designation: Multiple Family Residential
- Existing Zoning: R-2
- Lot Size: 5.58 Acres
- Current Land Use: Rural Residential
- Adjacent Land Uses: North: Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential
- Previous Entitlements: R2002-15

PROPOSAL AND ANALYSIS

History of the Site

The Project is located at the northeast corner of Bullard and Temperance Avenues. In 2002, the City Council approved conditional zoning on the 5.58 acres site for future development of a multiple family project. The rezone was conditioned to require Planning Commission approval for any specific project proposal. Furthermore the conditions required two neighborhood meetings prior to public hearing. The requirement for a conditional use permit is not typical of multiple family developments consistent with the General Plan. If a similar site plan review application were submitted currently elsewhere in the City, a use permit would not be required. The use is permitted by right in the R-2 Zone District and the requirement for a conditional use permit would be a violation of State law and the Clovis Housing Element.

On May 25, 2017, the applicant's proposal was presented to the Planning Commission for consideration. The Commission accepted testimony from the public both in support and opposition of the Project. The Commission approved the project 4-0 (Antuna, recusing due to ownership proximity) with modified conditions of approval.

Subsequent to the May 25, 2017, Planning Commission meeting, planning staff received a formal request from area property owners appealing the Commission's approval of the Project.

The Project applicant believes they have addressed all neighborhood concerns expressed in neighborhood meetings as well as issues covered at the Planning Commission's public hearing. The applicant has made modifications to the original plan in hope that the changes provide the neighborhood with a sense that the applicant has heard their concerns and has worked diligently to address those key issues.

Project Request

The applicant is requesting a conditional use permit to allow for the development of an 80-unit multi-family development on approximately 5.58 acres located at the northeast corner of Bullard and Temperance Avenues. The Project consists of five single/two-story buildings and five 2-story buildings with common landscaping, parking, sidewalks and onsite amenities such as a clubhouse and pool. In addition to open parking stalls, the Project will include several enclosed parking garages and the first floor units will be fully ADA accessible.

Access via Neighborhood streets

The Project will utilize access from Park Avenue along the east boundary of the site. An Emergency Vehicle Access (EVA) point is proposed on the north side of the Project along

Mesa Avenue but will be strictly utilized for emergency and service vehicles. Area property owners were initially concerned that the Project would take public access from the north. The applicant's proposal and exhibit reflect entry solely off of Park Avenue, addressing neighborhood concern. However, homeowners are seeking an appeal of the proposed access from Park Avenue, requesting that the Council require the applicant to relocate access to Bullard Avenue. It should be noted that the City does have similar multiple-family developments that utilize local streets for primary access into their developments. Two similar development are Coventry Cove to the north of the Project and Marbella at the southwest corner of Herndon and Temperance Avenues.

The applicant initially considered an access from Bullard Avenue but met some challenges with finding a location that would not create additional traffic problems due to a limited frontage between Temperance and Park Avenues. Additionally, a Bullard Avenue access created access issues with both Fire and Solid Waste Departments.

The Clovis Fire Department has expressed that they are opposed to moving the entrance to Bullard for several reasons (Attachment 5); primarily, the Project will be serviced by Fire Station #5, and the probable response route will be south on Temperance and then a left onto Bullard Avenue. Fire staff considers it very difficult and unsafe for fire emergency vehicles to make a U-turn at Bullard and Park Avenues to enter the complex. Fire staff's inability to secure the intersection to make a U-turn onto westbound Bullard Avenue and the difficulty for oncoming vehicles to hear safety sirens or see lights when fire vehicles are conducting a U-turn creates a concern to Fire staff. Additionally, not having an access (Park Avenue), where fire trucks can directly turn into the site will also delay other incoming units when needed for an emergency call.

Homeowners had previously indicated that the similar complex at Ashlan and Temperance was allowed to exit onto Ashlan Avenue without a direct turn in. Fire staff expressed concerns with this configuration but realized that in that specific development, the property size did not allow for any other configuration. The Ashlan & Temperance project was approved as constructed due to the close location to the corner and the smaller lot size which presented access constraints.

Fire staff has stated that if Bullard Avenue access was the only choice for the Project without alternative access, it could support the relocation of the access point; however, Fire staff finds that Park Avenue access provides an optimal entry point for safe, unobstructed access to the development. Additionally, Fire staff has indicated that the Park Avenue entry point provides a straight corridor which services the entire complex on either side. Fire engine trucks have difficulty going down small garage driveways with dead-ends that require extensive backing which potentially causes more accidents involving fire service vehicles. The Project, as approved by the Commission, provides the preferred long interior entrance drive and serves the entire complex with the ability to egress out the exit gate at the north end of the Project. Relocating the access to Bullard Avenue would remove the much needed main corridor making it difficult to serve the entire development.

The Clovis Engineering Division has also expressed concern with the request to relocate access onto Bullard Avenue. Engineering staff has indicated that the use of Park Avenue for entry to this development is preferred over introducing another access point onto Bullard Avenue. Engineering staff has also indicated that it is not unusual to have access points within local residential streets. Access from Bullard Avenue would introduce additional traffic conflicts and potential traffic safety concerns.

Traffic

Traffic impacts from the Project along Bullard and Temperance Avenues were considered and analyzed with the General Plan and Development Code Updates. When completed, the Project's impacts on traffic will not create additional impacts on the City's current circulation system.

Parking

The Project is required to meet the parking standards of the R-2 Zone District and Multiple-Family Design Guidelines. The 80-unit development requires two stalls per every one to two-bedroom unit, and three-stalls for each three-bedroom unit, with at least one stall being covered.

The Project includes the following unit and parking count:

60- two-bedroom units	Requires two stalls (one-covered, one-open)
10- three-bedroom townhouse units	Requires three stalls (one-covered, two-open)
10- one-bedroom townhouse units	Requires two stalls (one-covered, one-open)

Based on the proposed number of units, the Project is required to include a total of 170 parking stalls, 80 of which are covered and 90 uncovered stalls. The Project includes 173 stalls (80 covered) total.

Residential Building Heights

The Development Code limits the maximum building height in the R-2 Zone District to 35 feet. The project includes several two-story buildings on the site. Buildings proposed have a maximum roof height of approximately 30'-0", therefore not exceeding the 35-foot maximum height.

Compatibility with Adjacent Uses

When evaluating the location for a project that requires a conditional use permit, it's important to analyze its compatibility with adjacent uses. The proposed site is zoned for medium-density multiple-family residential and surrounded by single-family residential properties on all four sides. The property was designated with the Temperance-Locan

Specific Plan (retired), and the General Plan in 1988. The Temperance-Locan Specific Plan provided for a diversity of housing within a neighborhood without isolating one type of product from another.

The proposed Project would not introduce significant new traffic through single-family residential areas nor add significant noise, light, or odor to the area that was not already identified in the Clovis General Plan environmental impact report.

Neighborhood Meetings

Per Commission and Council direction in 2002, the applicant and their representative conducted the first required neighborhood meeting in January 2017, which was attended by staff. Area residents in attendance expressed concern regarding access via the neighborhood internal streets, traffic, property values, parking, and placement of a tubular steel fence adjacent to the north and east boundary of the project which would separate the project from the existing residences. After considerable discussion, the applicant and neighborhood residents could not come to consensus on the project.

A second neighborhood meeting was conducted on April 6, 2017 at Cedarwood Elementary which was attended by approximately 28 residents, the applicant's representatives, and planning staff. The primary concerns were specific to the applicant's intent to place tubular steel fencing and enhanced landscaping along the perimeter of the project in lieu of the neighborhood's desire to see a block wall on the north and east side of the project. Additionally, neighbors expressed concern with the architectural style of the project, traffic, and location of the entry point to the project.

Walls and Fencing

At the January and April neighborhood meetings, it was apparent that area property owners' primary contentions were the applicant's proposal to construct tubular steel fencing along the north and east boundaries of the project. Several property owners indicated that if the applicant would modify the project to include CMU masonry walls along the north and potentially the east project boundary, it would satisfy the key area of concern for the neighborhood.

Prior to the Planning Commission meeting, the applicant modified their fencing proposal to include a six-foot high masonry wall along the Mesa Avenue frontage, and a combination of masonry and tubular steel fencing along Park Avenue in order to enhance the primary entry to the development (Exhibits "C" and "D").

There are three residences located on the east side of Park Avenue directly to the north of Bullard Avenue that requested a six-foot high masonry wall along the Park Avenue frontage. The applicant states that the two most southerly homes on Park Avenue face north and south and have existing fencing and walls along the street sides of their properties adjacent to Park Avenue. A solid masonry wall along Park Avenue would

isolate the project from the neighborhood which is contrary to the vision of the General Plan. Furthermore, a wall at this location would not mitigate headlights since most of the frontage has buildings facing onto the street.

The applicant and Planning Commission believe most of the neighborhood concerns have been addressed. The applicant feels that the key fencing modifications made to the original plan would provide the Council and the neighborhood with a sense that the applicant has heard the concerns and has worked diligently to address the key issue.

Planning Commission Comments and Appeal

The Planning Commission considered this Project on Thursday, May 25, 2017. The Commission approved the items with a vote of 4-0-1.

During the public hearing, area homeowners expressed that they were not satisfied with the Project's wall consideration as revised by the applicant. The applicant has responded to the concerns of the neighborhood by proposing a combination masonry wall/tubular steel fence design it hoped satisfied neighborhood concerns. The proposed redesign would permit a line of sight for tenants egressing from the project site onto Park Avenue. As part of the homeowner appeal, area residents have expressed their desire to have the applicant provide a full height masonry wall along the Park Avenue street frontage.

The approval included modifications to the conditions of approval with the addition of conditions that included additional opaque screening material on the emergency access gate along Mesa Avenue to mitigate vehicle light impacts to the adjacent neighborhood, assure pedestrian access from the complex to the Bullard and Temperance Avenue sidewalks, and the consideration of a masonry/tubular steel fence design along the full length of Park Avenue.

Public Comments/Appeal

A public notice was sent to area residents within 300 feet of the property boundaries as well as all residential property owners northeast of the Project site. In addition to formal appeal, staff has received one letter of opposition prior to finalization of the staff report (Attachment 6).

Review and Comments from Agencies

The Project was distributed to all City Divisions as well as outside agencies, including Caltrans, Clovis Unified School District, Fresno Irrigation District, Fresno Metropolitan Flood Control District, AT&T, PG&E, San Joaquin Valley Air Pollution Control District, and the State Department of Fish and Wildlife.

Comments received are attached only if the agency has provided concerns, conditions, or mitigation measures. Routine responses and comment letters are placed in the administrative record and provided to the applicant for their records.

California Environmental Quality Act (CEQA)

This project is in substantial conformance with the environmental analysis performed for the 2014 General Plan. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed project, therefore, subject to CEQA Sections 15162 and 15182 no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, June 23, 2017.

FISCAL IMPACT

None

REASON FOR RECOMMENDATION

The proposal to develop an 80-unit multiple-family project with adequate landscaping, parking, and screening, provides comprehensive development of a multiple-family designated property. The proposal is consistent with the General Plan and the Development Code. Therefore, staff recommends denial of the appeal. Additionally, staff and the Planning Commission recommend approval of CUP2017-02, subject to the conditions of approval attached as Exhibit "A."

Any substantial changes to the Project including the drive entrance location should be tied to the conditional use permit findings and should be reevaluated by staff, and then sent back to the Commission for consideration.

Any consideration of denial by the City Council shall clearly demonstrate why the findings cannot be made and the public hearing shall be continued to address the resolutions.

Findings for Approval of Project

The following are the findings the Council must make to approve the CUP, along with an analysis of those findings based upon the record.

1. The Project is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of the Development Code.

The proposed use is located within the Medium-High Density land use designation of the General Plan. The Property is zoned R-2 (Low Density Multiple Family Residential). The applicant is proposing a Project that introduces an 80-unit development that falls within the density requirements of the District. Multiple-Family

developments consistent with zoning are typically allowed in the R-2 Zone District with an approved site plan review. The proposal is consistent with the required conditional use permit and site plan review requirements for parking, setbacks, building layout and development. Potential impacts from the use are addressed within this staff report.

2. The Project is consistent with the General Plan and any applicable specific plan.

The applicant is proposing to develop an 80-unit multiple-family complex utilizing the development standards of the General Plan and the City's Development Code/Zoning. The proposed use is consistent with the General Plan residential land use diagrams and land use goals and policies which, together with the Development Code/Zoning, provide for Medium-High Residential developments on the subject property by right.

3. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.

The Project, when completed, would provide a comprehensive multiple-family development which would be a part of the community. The proposed use has been analyzed specific to noise, traffic, pedestrian safety, light, aesthetics, parking, neighborhood character, and other issues as reflected and addressed under the various sections of this staff report. The multiple-family designation was identified in the Temperance-Locan Specific Plan as well as subsequent General Plans as a compatible use with surrounding zone districts.

The General Plan Update of 2014 included the proposed multi-family designation with a neighborhood traffic circulation element concept as the desired configuration. Because the proposed project is consistent with the General Plan, requiring no amendment, and the traffic that would use Park Avenue (with the proposed project included), is not inconsistent with other similar nearby neighborhoods that serve only single-family units, it was determined that no further traffic study was necessary for the project. The use of Park Avenue as the entry to this neighborhood is preferred over introducing another access point on Bullard Avenue. The Project does not substantially affect an intersection or roadway segment already identified as operating at an unacceptable level of service and the Project will not substantially change the offsite transportation system or connection to it:

Additionally, the Project will be served via Park Avenue to avoid any potential impacts to Bullard Avenue. Pedestrian access is proposed at Bullard, Temperance, and Park Avenues. Secondly, an emergency/service access point will be available at Mesa Avenue for the sole purpose of providing an access point for such service vehicles.

4. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.

The Project is proposed on a vacant 5.58 acre site designated for multiple-family development located at the northeast corner of Bullard and Temperance Avenues. The vacant site was not developed at the time the adjacent single-family homes were

constructed in early 2000. The proposed 80-unit multiple-family proposal fits on this parcel with adequate setbacks, parking, landscaping, on-site circulation, and ingress and egress, as shown on the Site Plan (Exhibit "B").

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The site has existing services that can accommodate the use. Low Density Multiple-Family developments are allowed in the R-2 Zone District with a site plan review and services were analyzed accordingly.

6. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA.

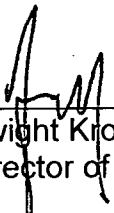
This project is in substantial conformance with the environmental analysis performed for the 2014 General Plan. There were no revisions to the General plan required with the adopted Environmental Impact Report to accommodate the proposed project, therefore, subject to CEQA Sections 15162 and 15182, no further environmental review was required for this project.

ACTIONS FOLLOWING APPROVAL

None

Prepared by: Orlando Ramirez, Senior Planner

Submitted by:



Dwight Kroll, AICP
Director of Planning and Development Services

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EXHIBIT "A"
Conditions of Approval – CUP2017-02
(As modified and approved by the Planning Commission - May 25, 2017)

PLANNING DIVISION CONDITIONS
(Orlando Ramirez, Division Representative – (559) 324-2345)

1. All conditions of R2002-15 and any other applicable conditions are hereby referred to and made part of this Conditional Use Permit by reference.
2. Development of this parcel shall be consistent with the R-2 Zone District.
3. The applicant shall obtain site plan review approval prior to development of this site.
4. The conditional use permit is granted to permit an 80-unit multiple-family project and does not include a density increase above 15.0 dwelling units per acre.
5. Cessation or abandonment of this use for a period exceeding 60 days shall result in the scheduling of a revocation hearing for this site.
6. All signage for this use shall conform to the City of Clovis Sign Ordinance.
7. CUP2017-02 is approved per the site plan marked Exhibit B with modifications to reflect current Codes and Standards pertaining to parking, drive widths, and solid waste service.
8. Any modification to the site plan including access points, reduction of parking, and/or additional square footage will require an amendment to this conditional use permit.
9. Future carports and/or solar panel structures located within the parking areas shall be architecturally compatible with the main building.
10. The operator is responsible to maintain the premises free of trash and debris.
11. All four sides of the building shall be architecturally treated. Details will be evaluated during site plan review and building plan check.
12. Fencing along Mesa Avenue shall be a minimum of six (6') feet in height at the highest grade and be constructed of CMU masonry and shall include landscaping.
13. Fencing along Park Avenue shall be a combination of CMU masonry and tubular steel fencing and shall include landscaping.
14. Landscaping shall comply with CMC section 6.5.501 et seq., Water Efficient Landscape Requirements, as amended in March 2010.
15. The project shall comply with the nature and scope of the operations as described in the operational statement approved by the City of Clovis for CUP2017-02.

16. Applicant shall install screening material on the emergency access gate along Mesa Avenue to mitigate vehicle light impacts to the adjacent neighborhood.
17. Applicant shall provide pedestrian access from the complex to the Bullard and Temperance Avenues' sidewalks.
18. Applicant shall consider a masonry/tubular steel fence design along the full length of Park Avenue.
19. The project shall comply with applicable local, state, or federal laws and/or regulations, as may be amended.
20. Once mature, landscaping shall not be removed. Trees shall be pruned and maintained in good health. Removal of mature trees will require permitting per the Tree Protection Ordinance.

FRESNO COUNTY HEALTH
(Kevin Tsuda, CUSD Representative – 559-600-3271)

21. The Applicant shall refer to the attached Health Department requirements. If the list is not attached, please contact the District for the list of requirements.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT CONDITIONS
(Robert Villalobos, FMFCD Representative - 456-3292)

22. The Applicant shall refer to the attached FMFCD requirements. If the list is not attached, please contact the District for the list of requirements.

FRESNO IRRIGATION DISTRICT CONDITIONS
(Laurence Kimura, FID Representative - 233-7161)

23. The Applicant shall refer to the attached FID requirements. If the list is not attached, please contact the District for the list of requirements.

**DRAFT
RESOLUTION 17-__**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING CUP2017-02, A CONDITIONAL USE PERMIT TO ALLOW AN 80-UNIT MULTI-FAMILY DEVELOPMENT TO BE LOCATED AT THE NORTHEAST CORNER OF BULLARD AND TEMPERANCE AVENUES

WHEREAS, CUP2017-02, is a conditional use permit to allow an 80-unit multi-family development within the property located at the northeast corner of Bullard and Temperance Avenues, in the City of Clovis; County of Fresno, California. A full legal description is on file with the City Clerk and Department of Planning and Development Services;

WHEREAS, Schussing Company/Motschieder Consulting, 2021 S. Minnewawa Avenue, Fresno, CA 93727, is the applicant for CUP2017-02, Vandenberghe Properties, Inc., the property owner;

WHEREAS, the Planning Commission held a noticed Public Hearing on May 25, 2017, to consider the Project Approval, at which time interested persons were given an opportunity to comment on the Project:

WHEREAS, after reviewing the administrative record and considering all reports, comments and evidence submitted at the Planning Commission hearing, the Planning Commission approved Conditional Use Permit CUP2017-02;

WHEREAS, Mr. Tom Abshire, 2661 Stuart Avenue, Clovis, CA 93611, along with several property owners, filed an appeal of the Planning Commission's approval of CUP2017-02;

WHEREAS, the appeal hearing was set before the City Council for July 10, 2017;

WHEREAS, public notice of the appeal hearing was sent out to area residents within 300 feet of the property boundaries plus all residential properties northeast of the Project site, at least ten (10) days prior to scheduled hearing;

WHEREAS, in preparation for the public hearing, the Council had an opportunity to review the entire administrative record for the Project;

WHEREAS, at the public hearing on July 10, 2017, the Council received and considered the reports from staff, heard and considered all comments made for and against the Project, and reviewed and considered all evidence submitted at the public hearing.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL RESOLVES AS FOLLOWS:

1. CUP2017-02 is hereby approved based upon the following findings, and with incorporation of the conditions of approval (Exhibit A to the staff report):

- (1) The Project is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of the Development Code.
- (2) The Project is consistent with the General Plan and any applicable specific plan.
- (3) The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.

- (4) The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.
- (5) There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
- (6) The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA.

2. Without the conditions of approval (Exhibit A to the staff report), the Council could not make the findings necessary for approval of CUP2017-02.

3. The basis for the findings is detailed in the July 10, 2017 staff report, which is incorporated herein by reference, as well as the evidence and comments presented during the public hearing.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: July 10, 2017

Mayor

City Clerk

CORRESPONDENCE



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

DAVID POMAVILLE, DIRECTOR

DR. KEN BIRD, HEALTH OFFICER

July 14, 2016

Lily Cha, Planning Assistant
City of Clovis
Planning and Development Services Dept.
1033 Fifth St., Clovis, CA 93612

LU0018571
2604

Dear Ms. Cha:

PROJECT NUMBER: **DRC2016-23**

Applicant requesting 80-units of multi-family housing (combination of apartments and townhouses) plus a club house and swimming pool.

APN: 553-150-28

ADDRESS: NE corner of Bullard & Temperance Avenues

Recommended Conditions of Approval:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Clovis community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- Due to the proximity of the proposed residential uses to an existing thoroughfare, consideration should be given to conformance with the Noise Element of the City of Clovis General Plan. A noise study should be conducted in order to identify the potential noise impacts and offer mitigation alternatives.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- Prior to the issuance of building permits, the applicant shall submit complete pool facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Recreational Health Program at (559) 600-3357 for more information.
- Prior to operation, the applicant shall apply for and obtain a permit to operate a public swimming pool from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P.O. Box 11867 / Fresno, California 93775 / Phone (559) 600-3271 / FAX (559) 455-4646

Email: EnvironmentalHealth@co.fresno.ca.us ♦ www.co.fresno.ca.us ♦ www.fcdph.org

Equal Employment Opportunity ♦ Affirmative Action ♦ Disabled Employer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.433

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PUBLIC AGENCY

ORLANDO RAMIREZ
DEPARTMENT OF PLANNING AND
DEVELOPMENT SERVICES
CITY OF CLOVIS
1033 FIFTH STREET
CLOVIS, CA 93612

DEVELOPER

THE SCHUSSING COMPANY, LLC
2021 S. MINNEWAWA AVE.
FRESNO, CA 93727

PROJECT NO: 2017-002

ADDRESS: NEC BULLARD AND TEMPERANCE

APN: 553-150-28

SENT: 3/28/17

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
3G	\$56,514.00	NOR Review *	\$220.00	To be paid prior to release of District comments to Public Agency and Developer.
4E	\$1,671.00	Grading Plan Review *	\$1,118.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$58,185.00		Total Service Charge: \$1,338.00		

* The Development Review Service Charge shown above is associated with CL SPR 2017-001 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/17 based on the site plan submitted to the District on 2/23/17 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- Fees related to undeveloped or phased portions of the project may be deferrable.
- Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

CL
CUP No. 2017-002

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

Page 2 of 4

Approval of this development shall be conditioned upon compliance with these District Requirements.

1. ☐ a. Drainage from the site shall
☒ b. Grading and drainage patterns shall be as identified on Exhibit No. 1
☐ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
☒ Developer shall construct facilities as shown on Exhibit No. 1 as **MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER.**
☐ None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
☒ Grading Plan
☐ Street Plan
☐ Storm Drain Plan
☐ Water & Sewer Plan
☐ Final Map
☒ Drainage Report (to be submitted with tentative map)
☐ Other
☐ None Required

4. Availability of drainage facilities:
☐ a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
☒ b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
☐ c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
☐ d. See Exhibit No. 2.

5. The proposed development:
☐ Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
☒ Does not appear to be located within a flood prone area.

6. ☐ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

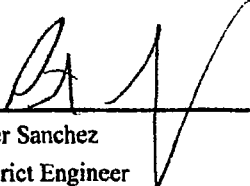
CL CUP No. 2017-002

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

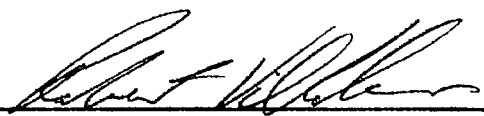
Page 3 of 4

**CL
CUP No. 2017-002**

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.



Peter Sanchez
District Engineer



Robert Villalobos
Project Engineer

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

Page 4 of 4

CC:

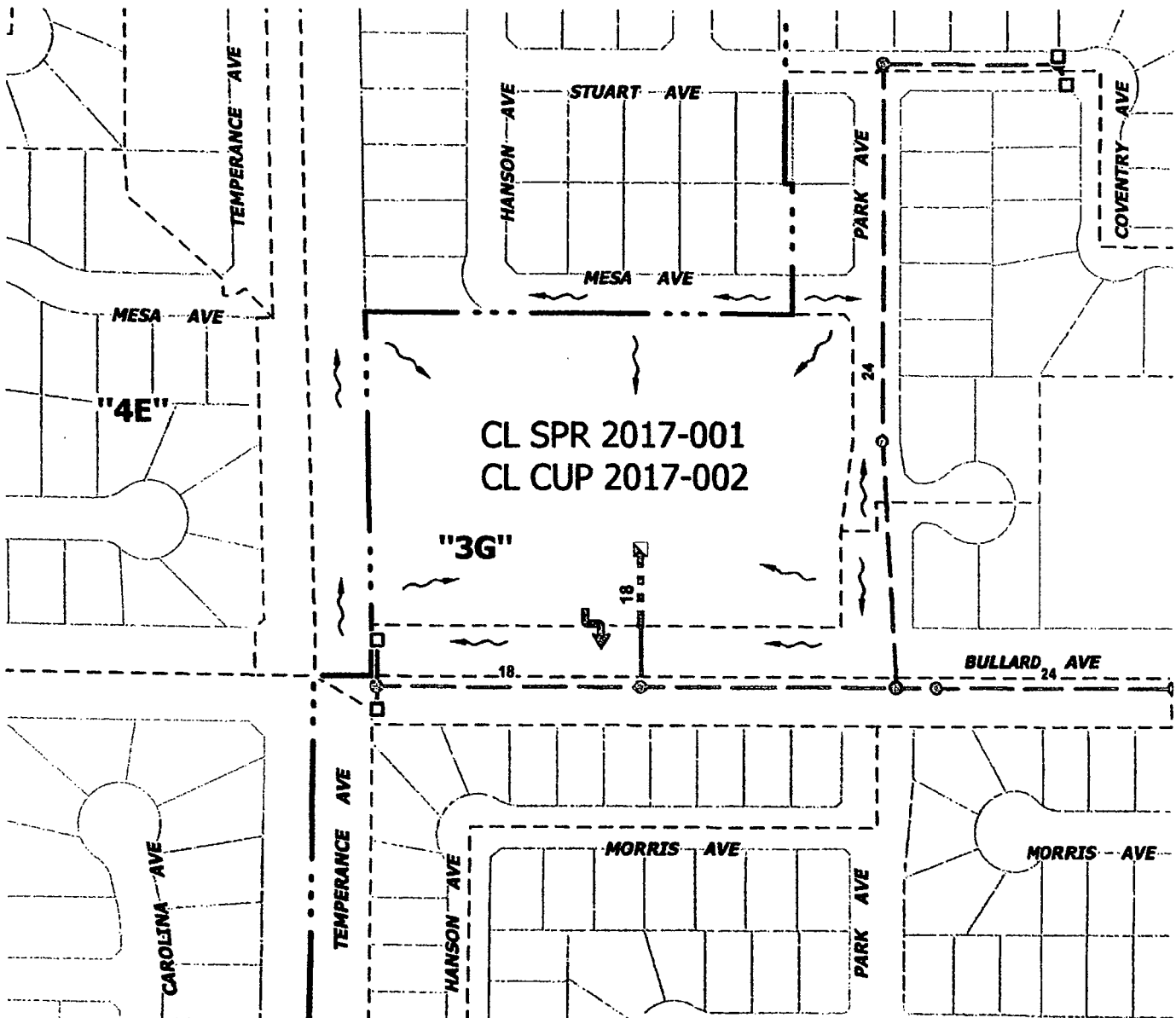
CENTERLINE DESIGN, LLC

1508 TOLLHOUSE RD., SUITE C

CLOVIS, CA 93611

CL CUP No. 2017-002

NOTE: THIS MAP IS SCHEMATIC.
DISTANCES, AMOUNT OF CREDITABLE
FACILITIES, AND LOCATION OF INLET
BOUNDARIES ARE APPROXIMATE.



LEGEND

- Private On-Site Facilities To Be Constructed By Developer
(Not Eligible For Fee Credit)
- Existing Master Plan Facilities
- Inlet Boundary
- Drainage Area Boundary
- Direction of Drainage
- Major Storm Breakover



1" = 200'

CL SPR 2017-001
CL CUP 2017-002
DRAINAGE AREA "3G"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



Prepared by: keithr

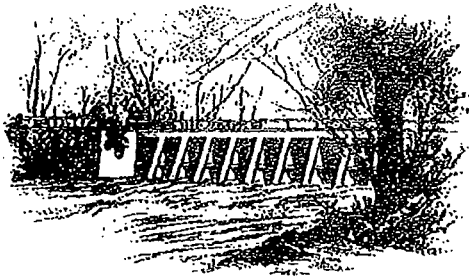
Date: 3/9/2017

Path: K:\Autocad\DWGS\EXHIBIT\CLCUP\2017-002.mxd

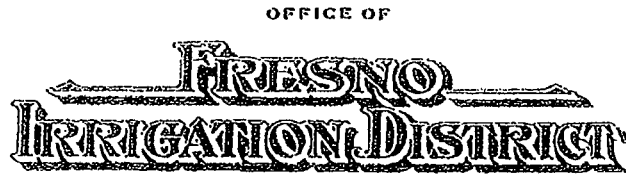
OTHER REQUIREMENTS
EXHIBIT NO. 2

Major storm flows from Clovis CUP 2017-002 shall be directed to Bullard Avenue as shown on attached Exhibit No. 1.

Development No. Clovis CUP 2017-002



YOUR MOST VALUABLE RESOURCE - WATER



OFFICE OF
TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93726-2208

February 28, 2016

Mr. Orlando Ramirez
Planning and Development Services Department
City of Clovis
1033 Fifth St.
Clovis, CA 93612

RE: Conditional Use Permit No. 2017-02
N/E Bullard and Temperance avenues

Dear Mr. Ramirez:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. 2017-02 request approval for an 80-unit multi-family development, APN: 553-150-28. FID has the following comment:

1. FID does not operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes, a privately owned pipeline known as the Reyburn No. 380 runs southerly and crosses Bullard Avenue approximately 1,900 feet east of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private pipeline. FID's records indicate that the pipeline is active and will need to be treated as such. FID can supply the City with a list of known users for this private line upon request.
3. For informational purposes, FID's active Reyburn Pipeline No. 380 runs westerly along the south side of Bullard Avenue, ending at Locan Avenue approximately 1,900 feet east of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Bullard Avenue, Locan Avenue, or in the vicinity of this pipeline, FID will require it review and approve all plans.
4. For informational purposes, Fresno Metropolitan Flood Control District's Pup Creek No. 919 runs southwesterly and crosses Temperance Avenue approximately 1,500 feet north and crosses Bullard Avenue approximately 1,400 feet west of the subject property, as shown on the attached FID exhibit map. Should any improvements be necessary in the vicinity of this pipeline, the applicant will be required to contact FMFCD to discuss any necessary improvements to their facility.

5. The proposed land use (or change in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. FID is concerned that the proposed development may negatively impact local groundwater supplies including those areas adjacent to or neighboring the proposed development area. The area was historically native or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Clovis require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.
6. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Clovis are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Clovis should consider the impacts of the development on the City's ability to comply with requirements of SGMA.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment

CLOVIS PLANNING COMMISSION MINUTES
May 25, 2017

- A. Consider Approval, Res. 17-36, **CUP2017-02**, A request to approve a conditional use permit for an 80-unit multi-family development on approximately 5.58 acres of land located at the northeast corner of Bullard and Temperance Avenues. Vandenberghe Properties, Inc, owner; Motschieder Consulting, Inc., applicant; Centerline Design, LLC., representative. (Staff: Orlando Ramirez)

At this time Commissioner Antuna stated that she had a conflict of interest due to proximity of her home and excused herself from the Chamber.

Senior Planner Orlando Ramirez presented the staff report.

At this point the Chair opened the floor to the applicant.

Chris Kliewer, Yamabe and Horn, provided additional information.

Chair Hinkle asked for clarification on the location of two-story units. Bryan Pok, Centerline design clarified the location of each type of units.

At this point the Chair opened the floor to anyone wishing to speak in support of the Project.

Ken Mostschiedler, developer, provided additional information regarding public outreach and changes that have been made or not made in response to comments.

Commissioner Cunningham asked for clarification on the tubular steel fence design and how this would mitigate sound. Motschieder clarified that the tubular steel would be used along Park Avenue where with exception to two homes, the others side-onto Park Avenue.

At this point the Chair opened the floor to anyone wishing to speak in opposition to the Project.

Jerry Smith, home is just north, thanked applicant for listening to concerns about the wall. Expressed larger concern about entrance on Park Avenue which will introduce additional traffic through their neighborhood. Also requested that pedestrian access is provided to Temperance Avenue. Expressed concerns that the property has not been maintained (weeds and blocked sidewalks). Also added that the similar development at Ashlan and Temperance was constructed with an exit onto Ashlan Avenue.

Thomas Abshire, Stated that if the block wall was added and entrance onto Bullard Avenue, he could live with the project. Stated he is very concerned about the noise, traffic and kids safety, and aesthetics.

Jeff Zarifis, Stated concerns with the noticing procedures. Also expressed concerns about the fence along Park Avenue which creates sound and light impacts to the neighborhood. Stated that the neighbors prefer the project enter and exit from Bullard Avenue as other similar projects in the City. Finally encouraged the Commission to require pedestrian access to Temperance Avenue to mitigate pedestrian walking through the neighborhood to get to the park.

Lance Pitt, Expressed concerns with the entrance location on Park Avenue. Requests an entrance from Bullard Avenue. Also requests a masonry wall along Park Avenue. Finally stated that if the entrance must be on Park Avenue, it should have a solid gate.

Michelle Angres, Requests a Masonry wall along Park Avenue across from her home. Has requested speed bumps in the past to mitigate traffic speeds.

Ken Van Fossen, Requested the entrance and exit to be placed on Bullard Avenue.

Derrell Smith, Requests a masonry wall along Park Avenue, as well as pedestrian gates to Temperance and Bullard Avenues.

There being no further comments, the applicant was provided an opportunity to rebut.

Bryan Pok clarified the reasoning behind the fence design on Park Avenue. Also stated that there are pedestrian paths connecting the development with the Temperance and Bullard Avenue sidewalks. Also clarified the location of single and two-story structures.

Ken Motschieder, clarified that the project design to require a u-turn was recommended against in the Ashlan/Temperance design. Stated that he would favor an entrance on Bullard Avenue, however, there are geometry issues with location as well as on-site constraints that would make the project infeasible for his company.

Commissioner Cunningham asked for the reason the developer is against the masonry wall. Motschieder stated that he is not against the wall, but rather trying to build an attractive development. Commissioner Cunningham asked about pedestrian gates onto Temperance Avenue. Motschieder clarified that there are paths and openings but no gates.

Commissioner Terrence asked if access to Temperance was analyzed. Pok clarified that Temperance Avenue is a Non-Access Expressway that does not allow access. Also demonstrated geometry issue with a Bullard Avenue entrance.

Chair Hinkle asked if the developer would agree to additional screening on the Mesa Avenue gate. Motschieder stated that they would agree.

Commissioner Hatcher asked if the developer would agree to a solid wall along Park Avenue. Motschieder stated he prefer not to have a solid wall but it would be up to Commission to condition it.

There being none the Chair closed the public portion.

Commissioner Hatcher asked for clarification regarding the neighborhood meeting noticing. Ramirez clarified that the City does not provide neighborhood meeting notices. Araki recommended that the neighbors request Council to look into an Ordinance change.

Commissioner Hatcher asked about the challenge of a Bullard Avenue access. Araki stated that there were concerns with the early version of the site plan with Bullard Avenue access which created traffic concerns. Also the only way to achieve the density was that the entire site be two-story.

Commissioner Hatcher asked about any other projects which access onto a local street. Araki stated that staff had not researched to determine but was not aware of others.

Commissioner Hatcher asked about the distance from entrance to the cul-de-sac across the street. Araki stated approximately 80 feet from centerline.

Chair Hinkle stated that he would be concerned with a masonry wall around the complex as it creates a hidden project. The developer addressed light issues.

Commissioner Cunningham clarified that this project would not be considered by the Commission if not for a condition of approval attached to the rezone from 2002.

At this point a motion was made by Commissioner Cunningham and seconded by Commissioner Hatcher to approve CUP2017-02, subject to the conditions of approval with the following modifications:

1. Pedestrian walkways required on Temperance and Bullard Avenues.
2. Add an opaque screen on the Mesa Avenue gate.
3. Fencing along Park Avenue shall include a combination Masonry/Tubular steel design.

Commissioner Terrence asked for clarification on the motion.

The motion was approved by a vote of 4-0-1.

We file this appeal on behalf of our neighbors in opposition to the proposed apartment complex at Bullard and Temperance. Our main opposition is the approval to allow the vehicles entering and exiting on our residential streets, we want the apartments entrances and exits to be on Bullard Avenue. Having over 170 vehicles entering and exiting on a residential street is unacceptable and dangerous for our kids and residents.

The increased traffic is not only a nuisance but a hazard for our residents and we do not understand why there was not a traffic study done before this was approved, especially since this is the first known apartment complex in Clovis allowed to enter and exit on a residential street. We already have traffic issues at Park and Bullard avenues during high traffic times, adding another 170 vehicles to this intersection will make it worse and this intersection was not built for this amount of vehicles.

Some of the residents are not happy that the wall along Park avenue is not a fully block lite wall like on Mesa Avenue.



CITY OF CLOVIS

Fire Administration

MEMORANDUM



TO: Bryan Araki, Planning and Development Services

FROM: Gary Sawhill, Deputy Fire Marshal, Fire Department *US.*

DATE: June 27, 2017

SUBJECT: Concerns Regarding the Entrance to the Proposed Apartment Complex Project at Bullard and Temperance

The proposed entrance for the apartment complex located at Bullard and Temperance is raising major concerns for the Fire Department. Upon close examination of this proposal, the fire station that will service this complex will be Station #5 located on Temperance. The probable response route will be south on Temperance and then a left onto Bullard. This very route results in an extremely unsafe and difficult route for our fire engine to maneuver in and thus requiring the engine to be forced to make a U-turn just to enter the complex. In the best of times, it is very difficult to make a U-turn in an engine let alone during an emergency with the lights and sirens going and the hope that the public will be aware of the vehicle traveling to an emergency.

I know that a precedent was set when the apartment complex located at Ashlan and Temperance allowed an exit onto Ashlan without a direct turn in; however, if you will remember, we did express major concerns regarding our response times to this particular complex. The only reason that this was even allowed was due to the fact that Temperance is an Expressway and entrances/exits are not allowed, it is close to the corner and not a large lot. But these two locations are completely different. At the Ashlan and Temperance location, this was the only solution for the entrance; however, there is a safer solution for the Bullard and Temperance apartment complex entrance and I recommend this solution be the one for this complex.

The designed entrance for the Bullard and Temperance location is north of Bullard on Park. This entrance allows for a straight corridor to service the entire complex. Our fire engines are unable to go down each of the small garage driveways because they are all dead ends, requiring extensive backing up, creating hazards and possible accidents. Most of all, this will be a delaying tactic in responding to our emergency in a timely fashion, the ability to keep all of our Clovis citizens safe from fire and accidents and preventing harm in any way shape or form. This is exactly the reason that the long interior entrance drive was approved in the first place – it serves the entire complex and provides us the ability to exit out the gate. If the entrance is relocated to Bullard, we will no longer have the long corridor drive to service the entire complex.

Orlando Ramirez

Subject: FW: cup2017-02

From: Steve Bettencourt [<mailto:cliff5736@mail.com>]

Sent: Sunday, June 25, 2017 2:35 PM

To: Bryan Araki <BryanA@ci.clovis.ca.us>

Subject: cup2017-02

I know I am waisting my time but I am another close neighbor to this large apartment complex which the offsites were being worked on recently. This neighborhood continues to decline as a place to live. If access to the the apparts. is thru this development I guess I will have bars put on the windows and doors as a neighbor has recently done for security. Too bad, Clovis used to be a decent place to live in the valley- it is now east Fresno. I guess that is what you call planning? Steve Bettenourt

ATTACHMENT 6

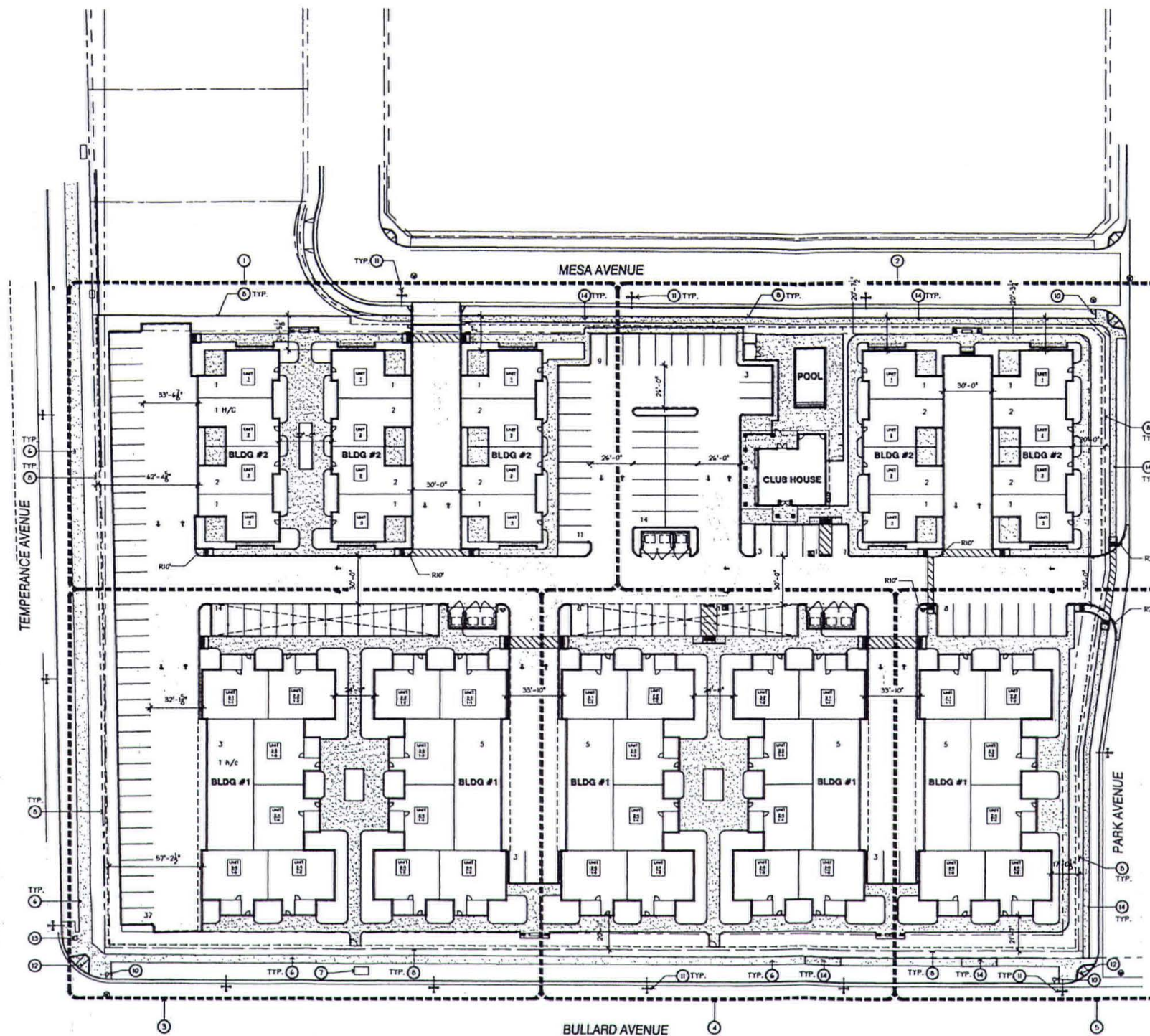


EXHIBIT "B"

- ① DASHED LINES INDICATE PORTION OF SITE PLAN SCOPE OF WORK - REFER TO A-0.2 FOR ADDITIONAL INFORMATION.
- ② DASHED LINES INDICATE PORTION OF SITE PLAN SCOPE OF WORK - REFER TO A-0.3 FOR ADDITIONAL INFORMATION.
- ③ DASHED LINES INDICATE PORTION OF SITE PLAN SCOPE OF WORK - REFER TO A-0.4 FOR ADDITIONAL INFORMATION.
- ④ DASHED LINES INDICATE PORTION OF SITE PLAN SCOPE OF WORK - REFER TO A-0.5 FOR ADDITIONAL INFORMATION.
- ⑤ DASHED LINES INDICATE PORTION OF SITE PLAN SCOPE OF WORK - REFER TO A-0.6 FOR ADDITIONAL INFORMATION.
- ⑥ LOCATION OF EXISTING CONCRETE PUBLIC SIDE WALK TO REMAIN.
- ⑦ LOCATION OF EXISTING PUBLIC UTILITY VAULT TO REMAIN.
- ⑧ LOCATION OF EXISTING PROPERTY LINE.
- ⑨ LOCATION OF EXISTING FIRE HYDRANT TO REMAIN.
- ⑩ LOCATION OF EXISTING STREET LIGHTS TO REMAIN.
- ⑪ LOCATION OF EXISTING CURB RAMP TO REMAIN.
- ⑫ LOCATION OF EXISTING SIGNAL BOX TO REMAIN.
- ⑬ LOCATION OF NEW CONCRETE FLATWORK (5% MAXIMUM SLOPE WITH 2% MINIMUM CROSS SLOPE) - NEW CONCRETE FLATWORK SHALL MATCH ADJACENT EXISTING CONCRETE FLATWORK COLOR, TEXTURE, AND TOOLING PATTERN - REFER TO DETAILS FOR ADDITIONAL INFORMATION AND REQUIREMENTS.

MULTI-FAMILY SITE DATA

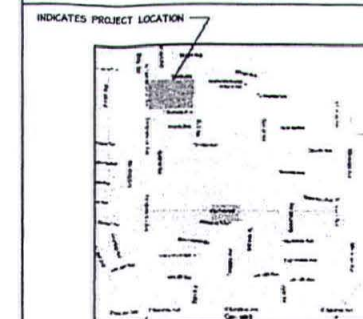
APN:	553-150-26
SITE AREA:	5.50 ACRES
HOUSING PROPOSED DENSITY:	80 UNITS / 5.57 ACRES = 14.3 DU/AC
ZONING:	R-2
BUILDING TYPE 1 (12 UNITS PER BLDG.):	
(2) 2 BEDROOM / 2 BATH UNITS	
(5) TYPE 1 BUILDINGS	
TOTAL UNITS FOR BUILDING TYPE 1	60 UNITS
BUILDING TYPE 2 (4 UNITS PER BLDG.):	
(2) 3 BEDROOM / 2 BATH TOWNHOUSE (10 TOTAL)	
(2) 1 BEDROOM / 1 BATH TOWNHOUSE (10 TOTAL)	
(5) TYPE 2 BUILDINGS	
TOTAL UNITS FOR BUILDING TYPE 2	20 UNITS

TOTAL NUMBER OF DWELLING UNITS (DU): 80 UNITS

MULTI-FAMILY PARKING DATA

REQUIRED COVERED PARKING:	
80 TOTAL UNITS (1 PER D.U.)	80 SPACES
REQUIRED UNCOVERED PARKING:	
1 & 2 BDRM UNCOVERED PARKING (1 PER D.U.):	70 SPACES
3 BDRM UNCOVERED PARKING (2 PER D.U.):	20 SPACES
SUB-TOTAL:	90 SPACES
ACCESSIBILITY PARKING REQUIREMENTS:	
1 CAR GARAGE (33 SPACES X .02):	1 VAN SPACES
2 CAR GARAGE (18 SPACES X .02):	1 VAN SPACES
CARPETS (26 SPACES X .02):	1 VAN SPACES
SUB-TOTAL:	3 VAN SPACES
TOTAL REQUIRED:	173 SPACES
COVERED PARKING PROVIDED:	
STANDARD 1 CAR GARAGE PARKING:	33 SPACES
ACCESSIBLE 1 CAR GARAGE PARKING:	1 VAN SPACES
STANDARD 2 CAR GARAGE PARKING:	18 SPACES
ACCESSIBLE 2 CAR GARAGE PARKING:	1 VAN SPACES
STANDARD CARPORT PARKING:	26 SPACES
ACCESSIBLE CARPORT PARKING:	1 VAN SPACES
SUB-TOTAL:	80 SPACES
UNCOVERED PARKING PROVIDED:	
STANDARD UNCOVERED PARKING:	92 SPACES
ACCESSIBLE PARKING:	1 VAN SPACES
SUB-TOTAL:	93 SPACES
TOTAL PROVIDED:	173 SPACES

VICINITY MAP



PLANNING - DESIGN - CONSULTING
1506 TOLLHOUSE ROAD, SUITE 101
CLOVIS, CALIFORNIA 93611
559-289-3040 (OFFICE)
559-289-3287 (FAX)

PROJECT
PROPOSED DEVELOPMENT FOR:
CLOVIS MULTI-FAMILY HOUSING COMPLEX II
BULLARD AVE & TEMPERANCE AVE
CLOVIS, CA 93611

STATUS
Current Release Date
07-03-17
Planning Submittal
07-03-17
Plan Check Submittal

REVISIONS
1
2
3
4
5

IDENTIFICATION
Scale
1" = 30'-0"
Project Coordinator
BRYAN FOR
Project No.
15-16
Sheet

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PROPOSED SITE PLAN

A-0.2

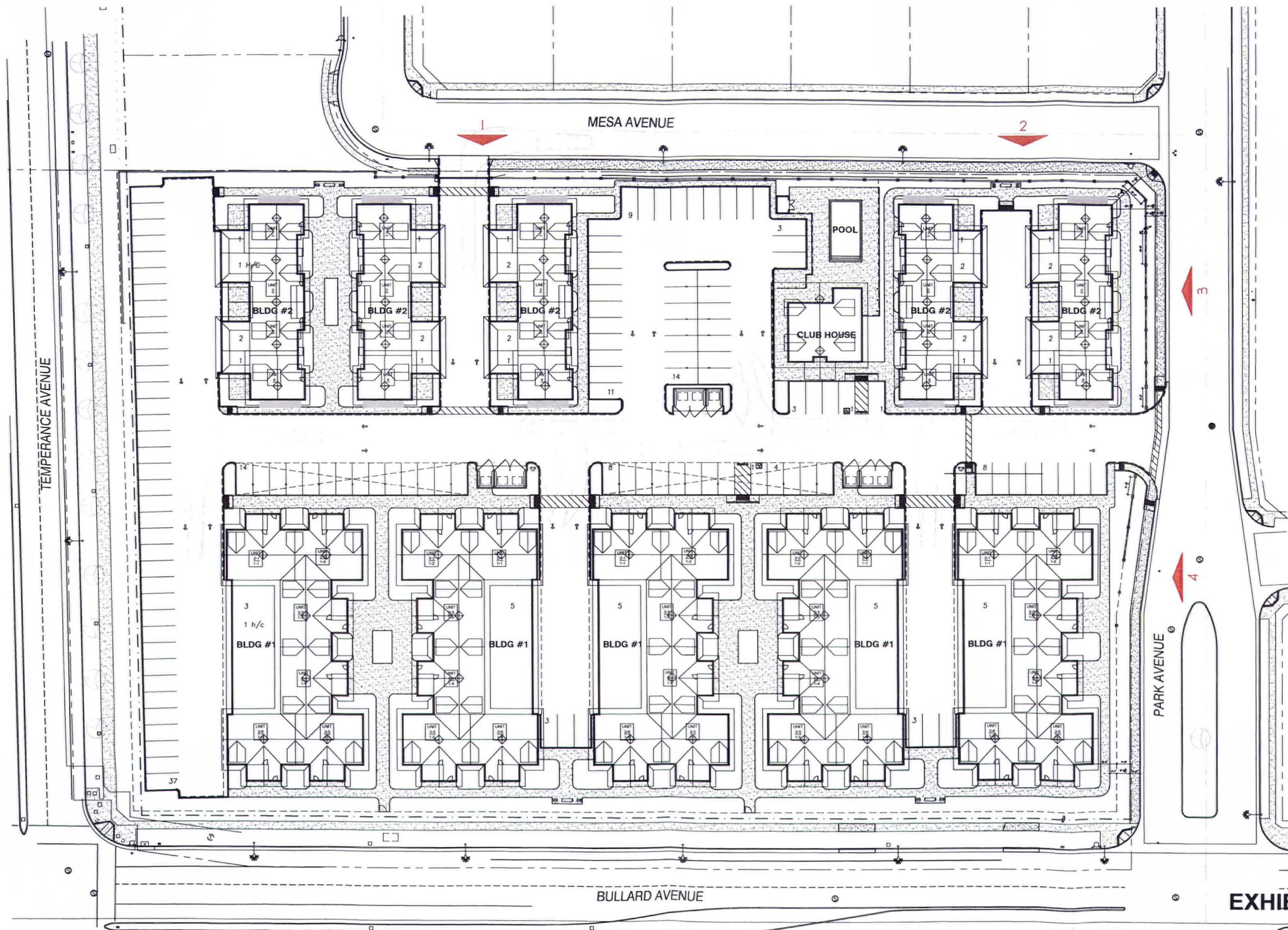
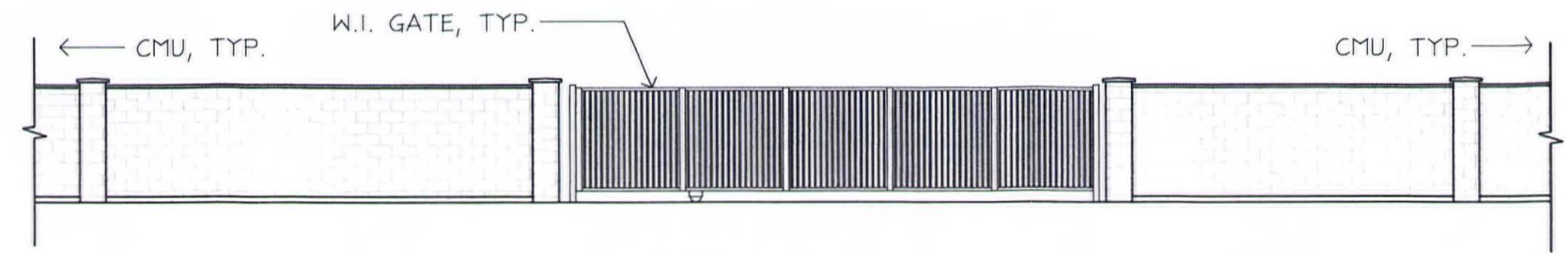
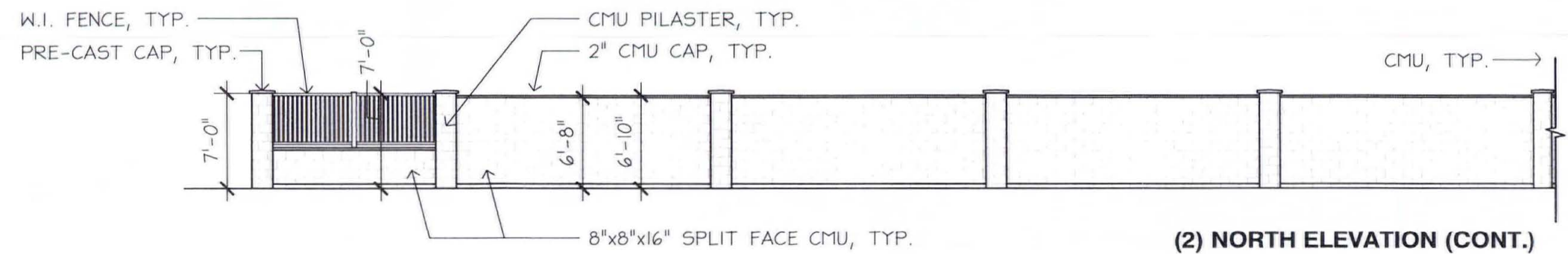


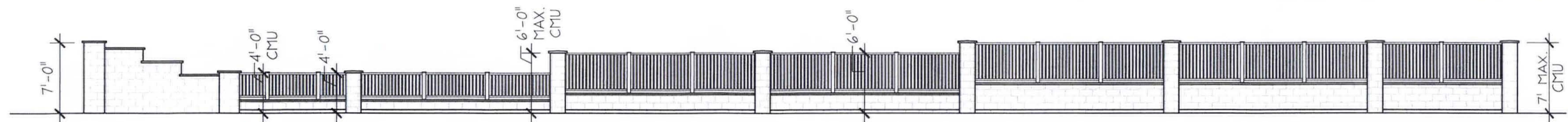
EXHIBIT "C"



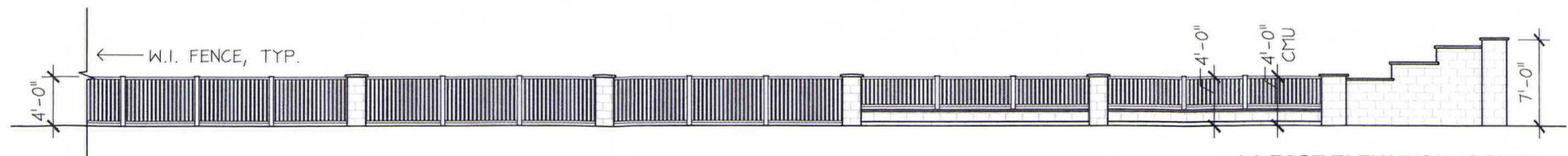
(1) NORTH ELEVATION



(2) NORTH ELEVATION (CONT.)



(3) EAST ELEVATION



(4) EAST ELEVATION (CONT.)

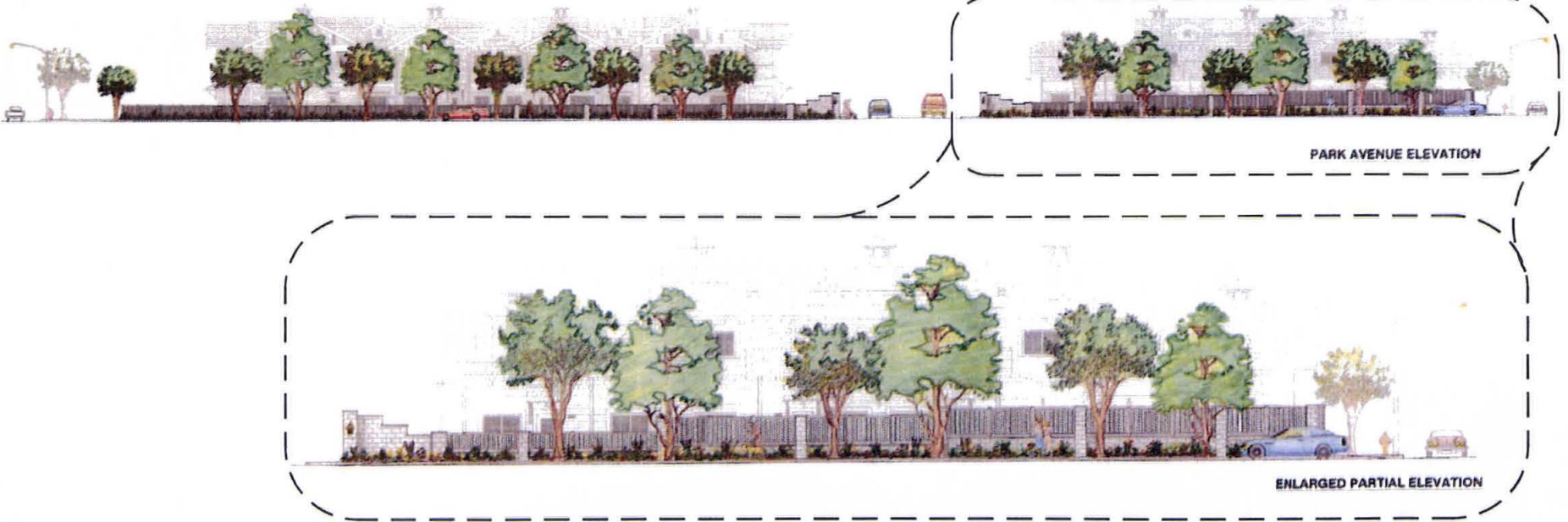
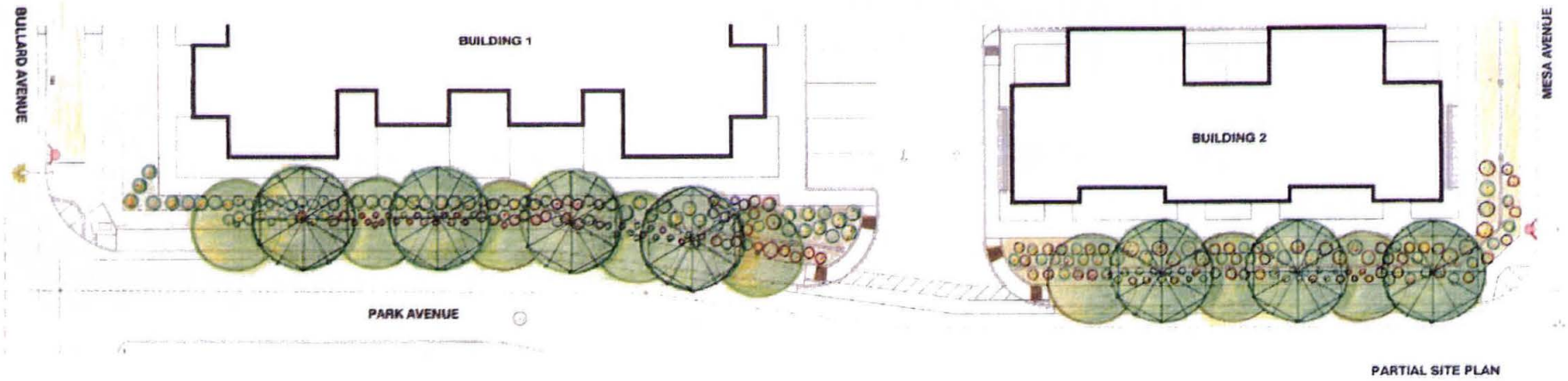


EXHIBIT "D"

PARK AVENUE

BUILDING
No. 2

GARAGE

GARAGE

BUILDING
No. 2

CLUB HOUSE

POOL

BUILDING
No. 2

GARAGE

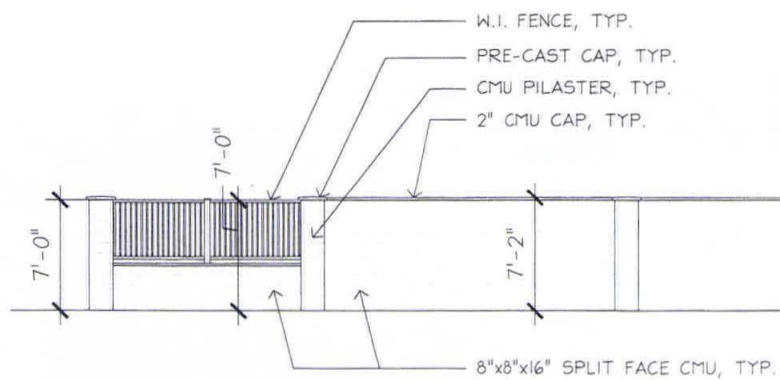
GARAGE

BUILDING
No. 2

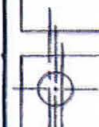
BUILDING
No. 2

GARAGE

MESA AVENUE







PROJECT
PROPOSED DEVELOPMENT FOR:
CLOVIS MULTI-FAMILY HOUSING COMPLEX II
BULLARD AVE & TEMPERANCE AVE
CLOVIS, CA 93611

STATUS

Current Release Date	02-03-17
Planning Submittal	02-03-17
Plan Check Submittal	--

REVISIONS

1	
2	
3	
4	
5	

IDENTIFICATION

Scale	1/4" = 1'-0"
Project Coordinator	BRYAN FOK
Project No.	15-05
Sheet	A1-3.0



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EXTERIOR ELEVATION (BUILDING #1)

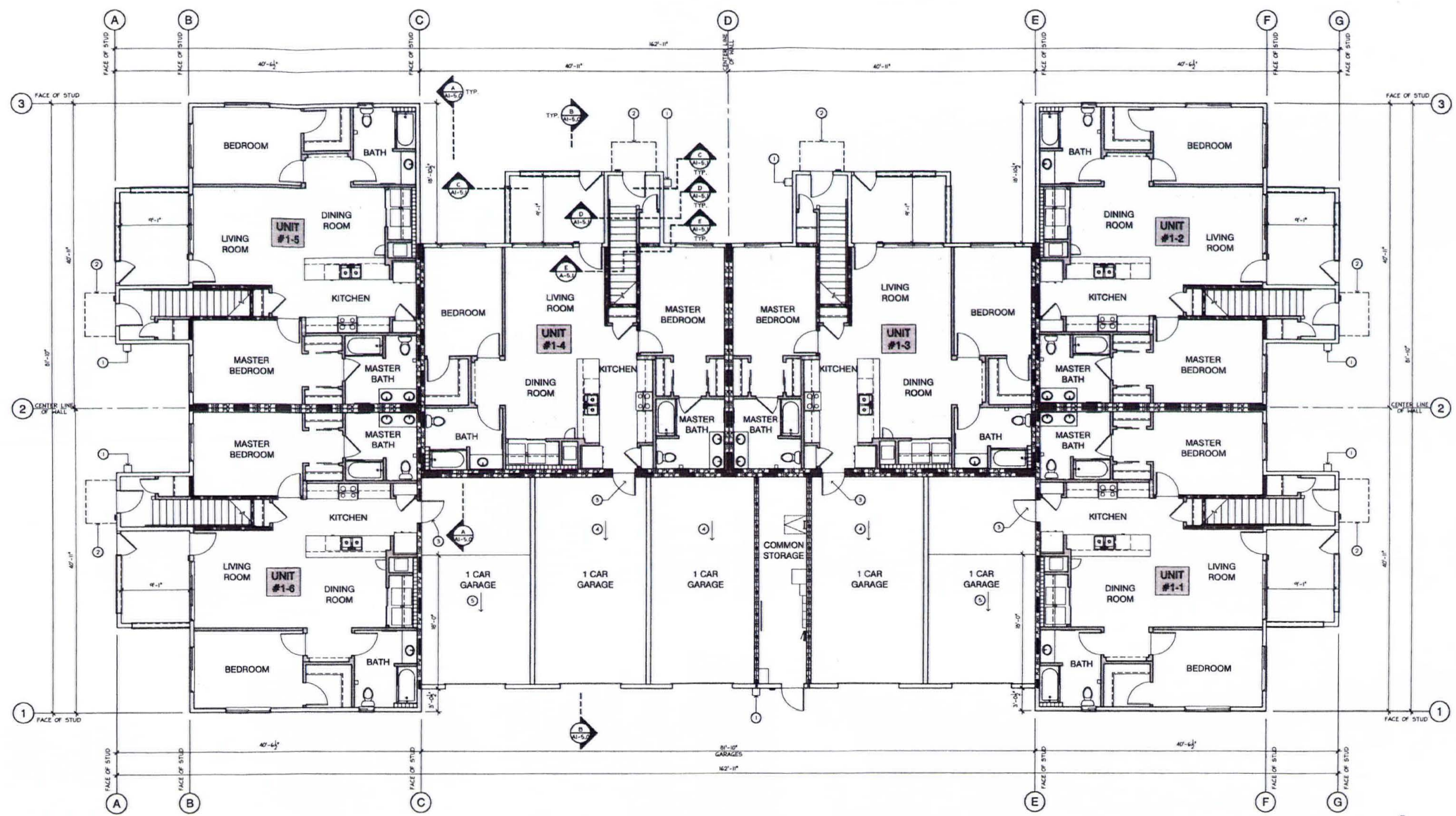
A1-3.0

PROJECT
 PROPOSED DEVELOPMENT FOR:
 CLOVIS MULTI-FAMILY HOUSING COMPLEX II
 BULLARD AVE & TEMPERANCE AVE
 CLOVIS, CA 93611

STATUS	
Current Release Date	02-05-17
Planning Submittal	02-05-17
Plan Check Submittal	02-05-17

REVISIONS	
1	LOCATION OF MIN 2A-10BC FIRE EXTINGUISHER (J.L. COSMIC 5 OR EQUAL) INSIDE J.L. INDUSTRIES DECORLINE SURFACE MOUNTED SONGDO - WHITE TO EXTERIOR HALL AS SHOWN ON PLAN AND AT 75'-0" MAXIMUM TRAVEL DISTANCE TO FIRE EXTINGUISHER.
2	ROOF ELEMENT ABOVE - REFER ROOF PLAN FOR FURTHER INFORMATION.
3	GARAGE FLOOR IS TO ALIGN WITH DWELLING CONC. FLOOR.
4	2% MAX. FLOOR SLOPE.
5	3/28 MAX. FLOOR SLOPE (TOP OF SLAB TO ALIGN WITH FINISH FLOOR AND BOTTOM OF SLOPE TO ALIGN WITH PAVING).

IDENTIFICATION	
Scale	3/16" = 1'-0"
Project Coordinator	BRYAN FOX
Project No.	15-166
Sheet	A1-1.0



GENERAL FIRE NOTES	GENERAL ACCESSIBILITY NOTES	GENERAL NOTES	KEYED NOTES
<p>A. ALL CONCEALED COMBUSTIBLE AREAS OF THIS BUILDING SHALL BE FIRE BLOCKED AND/OR DRAFTSTOPPED AS PER CBC SECTION 718.</p> <p>B. ALL PENETRATIONS IN OR THROUGH FIRE ASSEMBLIES SHALL COMPLY WITH CBC SECTION 714 - PENETRATIONS AND DETAILS ON SHEET A-5.7 AND A-5.8. FIRE-RESISTANT JOINT SYSTEMS SHALL COMPLY WITH CBC SECTION 715 - ALL DUCT AND AIR TRANSFER OPENINGS SHALL COMPLY WITH CBC SECTION 717.</p>	<p>A. THESE DWELLING APARTMENT UNITS ARE PRIVATELY FUNDED.</p> <p>B. CONTRACTOR/OWNER SHALL COMPLY WITH CHAPTER 11A OF THE CALIFORNIA BUILDING CODE FOR ACCESSIBILITY OF THE DWELLING UNITS OF THE BUILDING. ALL GROUND UNITS HAVE ACCESSIBLE ROUTES TO EACH GROUND FLOOR UNIT. ALL GROUND FLOOR RESIDENTIAL UNITS ARE ADAPTABLE.</p>	<p>A. PLANS ARE NOT TO BE SCALED - INDICATED DIMENSIONS SHALL GOVERN.</p> <p>B. GENERAL CONTRACTOR SHALL INTERFACE WITH PLUMBING, MECHANICAL, AND ELECTRICAL PLANS TO CONFIRM ANY SPECIFIC REQUIREMENTS OF ALL FUTURES/FURNISHINGS SHOWN ON PLAN(S).</p> <p>C. GENERAL CONTRACTOR SHALL NOTIFY THE DESIGNER IMMEDIATELY IF ANY AMBIGUOUS OR UNCLEAR CONDITIONS ARE ENCOUNTERED.</p> <p>D. GENERAL CONTRACTOR IS RESPONSIBLE TO COORDINATE ALL BLOCKING AND BACKING LOCATIONS AS REQUIRED BY EQUIPMENT, FURNISHINGS, AND FUTURE SUPPLIES.</p> <p>E. ALL DIMENSIONS SHOWN ON THIS PLAN ONLY ARE FROM FACE OF STUD TO FACE OF STUD - GENERAL CONTRACTOR SHALL HAVE FRAMING SUB-CONTRACTOR SHAP ALL LINES PRIOR TO FRAMING AND NOTIFY DESIGN FIRM OF ANY/ALL DIMENSIONAL DISCREPANCIES BETWEEN FIELD CONDITIONS AND DIMENSIONS SHOWN WITHIN PLANS.</p> <p>F. REFER TO THE FOLLOWING DETAILS FOR TYPICAL WEATHER PROOFING PENETRATIONS AND SEALING AT EXTERIOR HALL ASSEMBLIES:</p> <p>G. REFER TO THE FOLLOWING DETAILS FOR TYPICAL EXTERIOR SIDING, TRIM, AND WATER RESISTIVE BARRIERS FOR EXTERIOR HALL ASSEMBLIES:</p> <p>H. REFER TO THE FOLLOWING FOR TYPICAL FIRE BLOCKING DETAILS:</p> <p>I. REFER TO THE FOLLOWING FOR TYPICAL SOUND DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:</p> <p>J. REFER TO THE FOLLOWING FOR TYPICAL FIRE DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:</p>	<p>1. LOCATION OF MIN 2A-10BC FIRE EXTINGUISHER (J.L. COSMIC 5 OR EQUAL) INSIDE J.L. INDUSTRIES DECORLINE SURFACE MOUNTED SONGDO - WHITE TO EXTERIOR HALL AS SHOWN ON PLAN AND AT 75'-0" MAXIMUM TRAVEL DISTANCE TO FIRE EXTINGUISHER.</p> <p>2. ROOF ELEMENT ABOVE - REFER ROOF PLAN FOR FURTHER INFORMATION.</p> <p>3. GARAGE FLOOR IS TO ALIGN WITH DWELLING CONC. FLOOR.</p> <p>4. 2% MAX. FLOOR SLOPE.</p> <p>5. 3/28 MAX. FLOOR SLOPE (TOP OF SLAB TO ALIGN WITH FINISH FLOOR AND BOTTOM OF SLOPE TO ALIGN WITH PAVING).</p>

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GROUND FLOOR COMPOSITE PLAN (BUILDING #1)

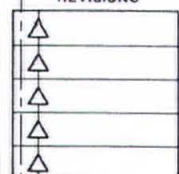


PROJECT _____
 PROPOSED DEVELOPMENT FOR:
 CLOVIS MULTI-FAMILY HOUSING COMPLEX II
 BULLARD AVE & TEMPERANCE AVE
 CLOVIS, CA 93611

STATUS

Current Release Date	02-03-17
Planning Submittal	02-03-17
Plan Check Submittal	

REVISION:




IDENTIFICATION

Scale	$3/16" = 1'-0"$
Project Coordinator	BRYAN POK
Project No.	15-166
Sheet	


A1-1.1

KEYED NOTES


H. REFER TO THE FOLLOWING FOR TYPICAL FIRE BLOCKING DETAILS:



J. REFER TO THE FOLLOWING FOR TYPICAL SOUND DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:



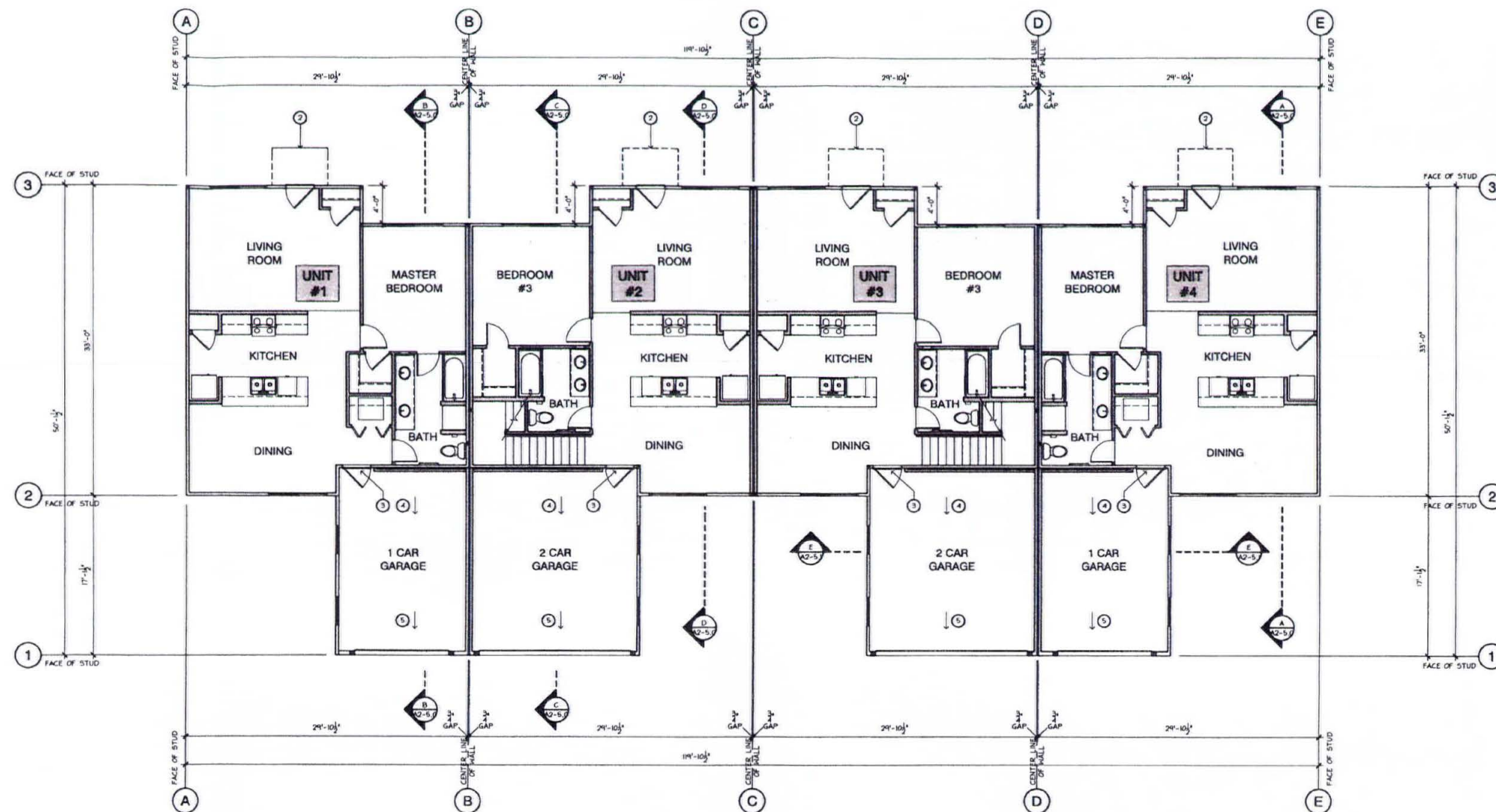
K. REFER TO THE FOLLOWING FOR TYPICAL FIRE DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:



① ROOF - REFER TO ROOF PLAN FOR FURTHER INFORMATION

ALL IDEAS, DESIGNS, AND PLANS ARE OWNED BY AND ARE PROPERTY OF CENTERLINE DESIGN, LLC AND/OR CONSULTANTS. THESE IDEAS, DESIGNS, AND PLANS ARE INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS INCLUDING COPYRIGHT. THESE IDEAS, DESIGNS, AND PLANS MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF CENTERLINE DESIGN, LLC AND/OR CONSULTANTS.

SECOND FLOOR COMPOSITE PLAN (BUILDING #1)



PROJECT

PROPOSED DEVELOPMENT FOR:
CLOVIS MULTI-FAMILY HOUSING COMPLEX II
BULLARD AVE & TEMPERANCE AVE
CLOVIS, CA 93611

STATUS	
Current Release Date	02-03-17
Planning Submittal	02-03-17
Plan Check Submittal	02-03-17

REVISIONS	
1	LOCATION OF FIN 2A-100C FIRE EXTINGUISHER (J.L. CODE 5 OR EQUAL) INSIDE J.L. INDUSTRIES DECORLINE SURFACE MOUNTED 104620 - WHITE TO EXTERIOR WALL AS SHOWN ON PLAN AND AT 75'-0" MAXIMUM TRAVEL DISTANCE TO FIRE EXTINGUISHER.
2	ROOF ELEMENT ABOVE - REFER ROOF PLAN FOR FURTHER INFORMATION.
3	GARAGE FLOOR IS TO ALIGN WITH DWELLING CONC FLOOR.
4	2% MAX. FLOOR SLOPE.
5	3.2% MAX. FLOOR SLOPE (TOP OF SLAB TO ALIGN WITH FINISH FLOOR AND BOTTOM OF SLOPE TO ALIGN WITH PAVING).

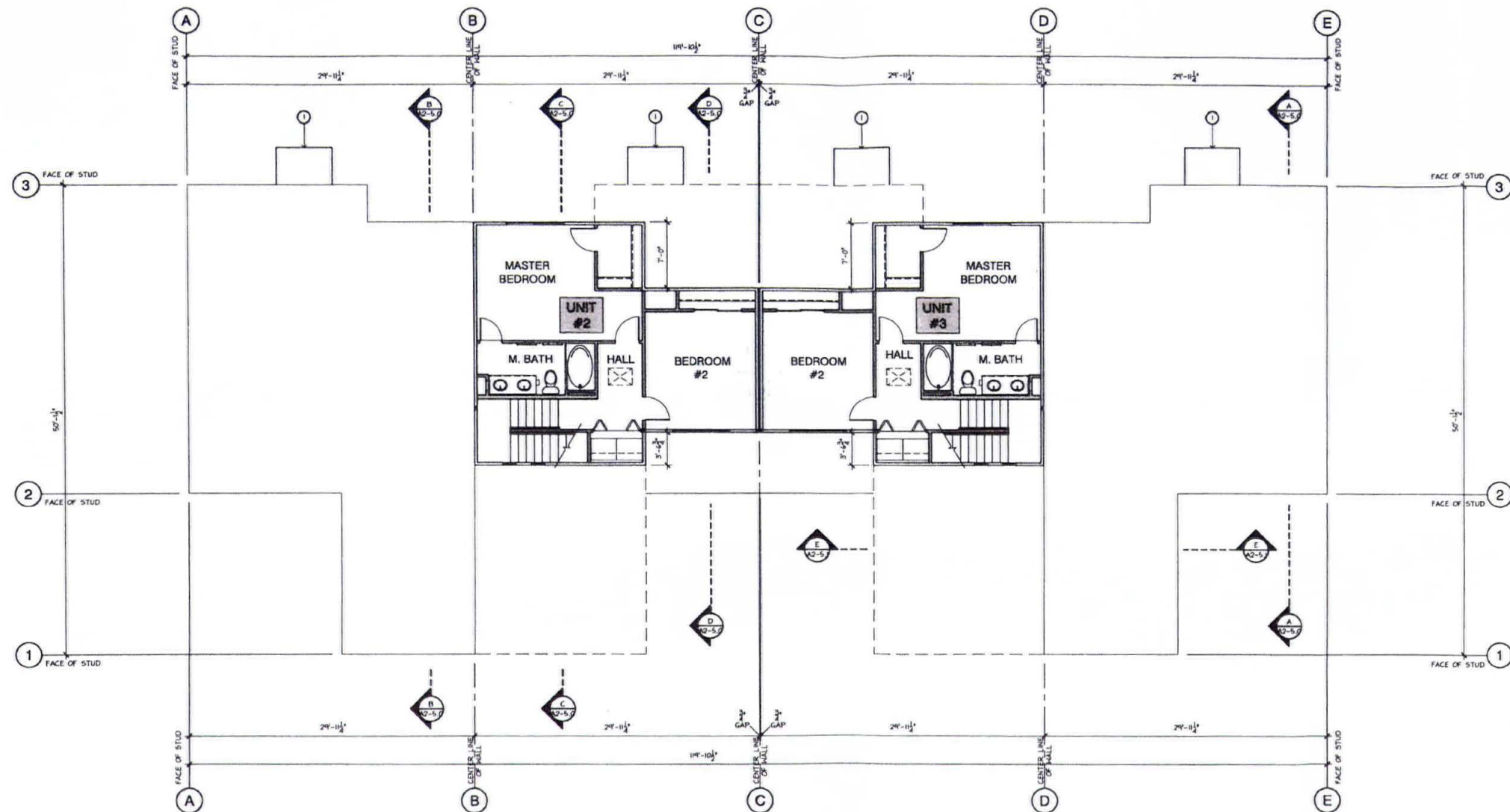
IDENTIFICATION	
Scale	3/16" = 1'-0"
Project Coordinator	BRYAN FOR
Project No.	15-44
Sheet	

GENERAL FIRE NOTES	GENERAL ACCESSIBILITY NOTES	GENERAL NOTES	KEYED NOTES
<p>A. ALL CONCEALED COMBUSTIBLE AREAS OF THIS BUILDING SHALL BE FIRE BLOCKED AND/OR DRAFTSTOPPED AS PER CBC SECTION 716.</p> <p>B. ALL PENETRATIONS IN OR THROUGH FIRE ASSEMBLIES SHALL COMPLY WITH CBC SECTION 714 - PENETRATIONS AND DETAILS ON SHEET A-5.7 AND A-5.8. FIRE-RESISTANT JOINT SYSTEMS SHALL COMPLY WITH CBC SECTION 716 - ALL DUCT AND AIR TRANSFER OPENINGS SHALL COMPLY WITH CBC SECTION 717.</p>	<p>A. THESE DWELLING APARTMENT UNITS ARE PRIVATELY FUNDED.</p> <p>B. CONTRACTOR/OWNER SHALL COMPLY WITH CHAPTER 11A OF THE CALIFORNIA BUILDING CODE FOR ACCESSIBILITY OF THE DWELLING UNITS OF THE BUILDING. ALL GROUND UNITS HAVE ACCESSIBLE ROUTES TO EACH GROUND FLOOR UNIT. ALL GROUND FLOOR RESIDENTIAL UNITS ARE ADAPTABLE.</p>	<p>A. PLANS ARE NOT TO BE SCALED - INDICATED DIMENSIONS SHALL GOVERN.</p> <p>B. GENERAL CONTRACTOR SHALL INTERFACE WITH PLUMBING, MECHANICAL, AND ELECTRICAL PLANS TO CONFIRM ANY SPECIFIC REQUIREMENTS OF ALL FUTURES/FURNISHINGS SHOWN ON PLANS.</p> <p>C. GENERAL CONTRACTOR SHALL NOTIFY THE DESIGNER IMMEDIATELY IF ANY AMBIGUOUS OR UNCLEAR CONDITIONS ARE ENCOUNTERED.</p> <p>D. GENERAL CONTRACTOR IS RESPONSIBLE TO COORDINATE ALL BLOCKING AND BACKING LOCATIONS AS REQUIRED BY EQUIPMENT, FURNISHINGS, AND FUTURE SUPPLIES.</p> <p>E. ALL DIMENSIONS SHOWN ON THIS PLAN ONLY ARE FROM FACE OF STUD TO FACE OF STUD - GENERAL CONTRACTOR SHALL HAVE FRAMING SUB-CONTRACTOR SNAP ALL LINES PRIOR TO FRAMING AND NOTIFY DESIGNER OF ANY/ALL DIMENSIONAL DISCREPANCIES BETWEEN FIELD CONDITIONS AND DIMENSIONS SHOWN WITHIN PLANS.</p> <p>F. REFER TO THE FOLLOWING DETAILS FOR TYPICAL WEATHER PROOFING PENETRATIONS AND SEALING AT EXTERIOR WALL ASSEMBLIES:</p> <p>G. REFER TO THE FOLLOWING DETAILS FOR TYPICAL EXTERIOR SIDING, TRIP, AND WATER RESISTIVE BARRIERS FOR EXTERIOR WALL ASSEMBLIES:</p> <p>H. REFER TO THE FOLLOWING FOR TYPICAL FIRE BLOCKING DETAILS:</p> <p>J. REFER TO THE FOLLOWING FOR TYPICAL SOUND DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:</p> <p>K. REFER TO THE FOLLOWING FOR TYPICAL FIRE DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:</p>	<p>1. LOCATION OF FIN 2A-100C FIRE EXTINGUISHER (J.L. CODE 5 OR EQUAL) INSIDE J.L. INDUSTRIES DECORLINE SURFACE MOUNTED 104620 - WHITE TO EXTERIOR WALL AS SHOWN ON PLAN AND AT 75'-0" MAXIMUM TRAVEL DISTANCE TO FIRE EXTINGUISHER.</p> <p>2. ROOF ELEMENT ABOVE - REFER ROOF PLAN FOR FURTHER INFORMATION.</p> <p>3. GARAGE FLOOR IS TO ALIGN WITH DWELLING CONC FLOOR.</p> <p>4. 2% MAX. FLOOR SLOPE.</p> <p>5. 3.2% MAX. FLOOR SLOPE (TOP OF SLAB TO ALIGN WITH FINISH FLOOR AND BOTTOM OF SLOPE TO ALIGN WITH PAVING).</p>

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GROUND FLOOR COMPOSITE PLAN (BUILDING #2)

A2-1.0



PROJECT
PROPOSED DEVELOPMENT FOR:
CLOVIS MULTI-FAMILY HOUSING COMPLEX II
BULLARD AVE & TEMPERANCE AVE
CLOVIS, CA 93611

STATUS	
Current Release Date	02-05-17
Planning Submittal	02-05-17
Plan Check Submittal	02-05-17

REVISIONS	
1	
2	
3	
4	
5	

IDENTIFICATION	
Scale	3/16" = 1'-0"
Project Coordinator	BRYAN POK
Project No.	15-166
Sheet	A2-1.1

GENERAL FIRE NOTES

A. ALL CONCEALED COMBUSTIBLE AREAS OF THIS BUILDING SHALL BE FIRE BLOCKED AND/OR DRAFTSTOPPED AS PER CBC SECTION 718.

B. ALL PENETRATIONS IN OR THROUGH FIRE ASSEMBLIES SHALL COMPLY WITH CBC SECTION 714 - PENETRATIONS AND DETAILS ON SHEET A-5.7 AND A-5.8. FIRE-RESISTANT JOINT SYSTEMS SHALL COMPLY WITH CBC SECTION 715 - ALL DUCT AND AIR TRANSFER OPENINGS SHALL COMPLY WITH CBC SECTION 717.

GENERAL ACCESSIBILITY NOTES

A. THESE DWELLING APARTMENT UNITS ARE PRIVATELY FUNDED.

B. CONTRACTOR/OWNER SHALL COMPLY WITH CHAPTER 11A OF THE CALIFORNIA BUILDING CODE FOR ACCESSIBILITY OF THE DWELLING UNITS OF THE BUILDING. ALL GROUND UNITS HAVE ACCESSIBLE ROUTES TO EACH GROUND FLOOR UNIT. ALL GROUND FLOOR RESIDENTIAL UNITS ARE ADAPTABLE.

GENERAL NOTES

A. PLANS ARE NOT TO BE SCALED - INDICATED DIMENSIONS SHALL GOVERN.

B. GENERAL CONTRACTOR SHALL INTERFACE WITH PLUMBING, MECHANICAL, AND ELECTRICAL PLANS TO CONFIRM ANY SPECIFIC REQUIREMENTS OF ALL FIXTURES/FURNISHINGS SHOWN ON PLANS.

C. GENERAL CONTRACTOR SHALL NOTIFY THE DESIGNER IMMEDIATELY IF ANY AMBIGUOUS OR UNCLEAR CONDITIONS ARE ENCOUNTERED.

D. GENERAL CONTRACTOR IS RESPONSIBLE TO COORDINATE ALL BLOCKING AND BACKING LOCATIONS AS REQUIRED BY EQUIPMENT, FURNISHINGS, AND FUTURE SUPPLIES.

E. ALL DIMENSIONS SHOWN ON THIS PLAN ONLY ARE FROM FACE OF STUD TO FACE OF STUD - GENERAL CONTRACTOR SHALL HAVE FRAMING SUB-CONTRACTOR SNAP ALL LINES PRIOR TO FRAMING AND NOTIFY DESIGN FIRM OF ANY/ALL DIMENSIONAL DISCREPANCIES BETWEEN FIELD CONDITIONS AND DIMENSIONS SHOWN WITHIN PLANS.

F. REFER TO THE FOLLOWING DETAILS FOR TYPICAL WEATHER PROOFING PENETRATIONS AND SEALING AT EXTERIOR WALL ASSEMBLIES:

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

G. REFER TO THE FOLLOWING DETAILS FOR TYPICAL EXTERIOR SIDING, TRIM, AND WATER RESISTIVE BARRIERS FOR EXTERIOR WALL ASSEMBLIES:

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

H. REFER TO THE FOLLOWING FOR TYPICAL FIRE BLOCKING DETAILS:

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

J. REFER TO THE FOLLOWING FOR TYPICAL SOUND DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:

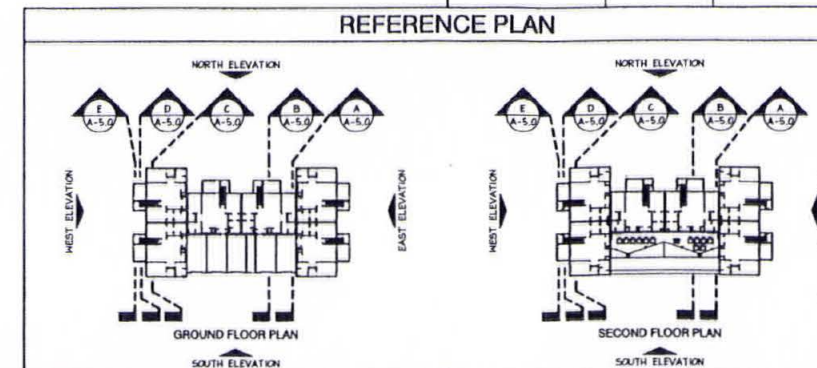
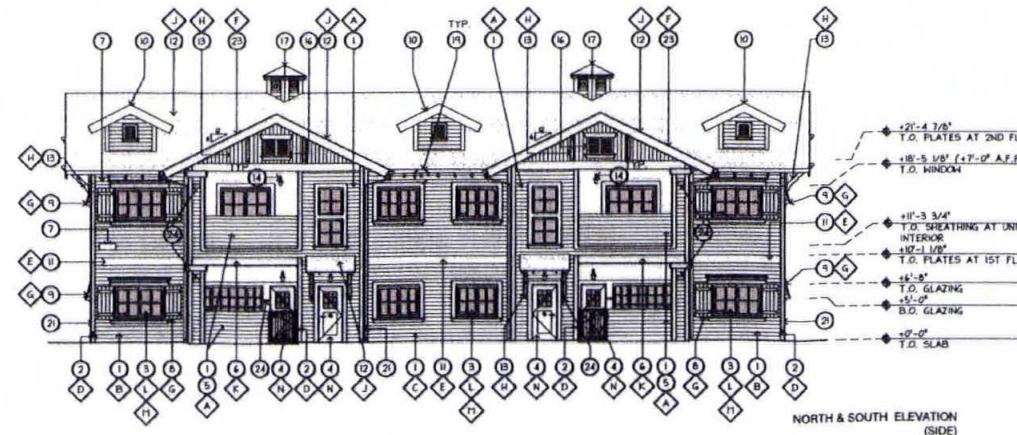
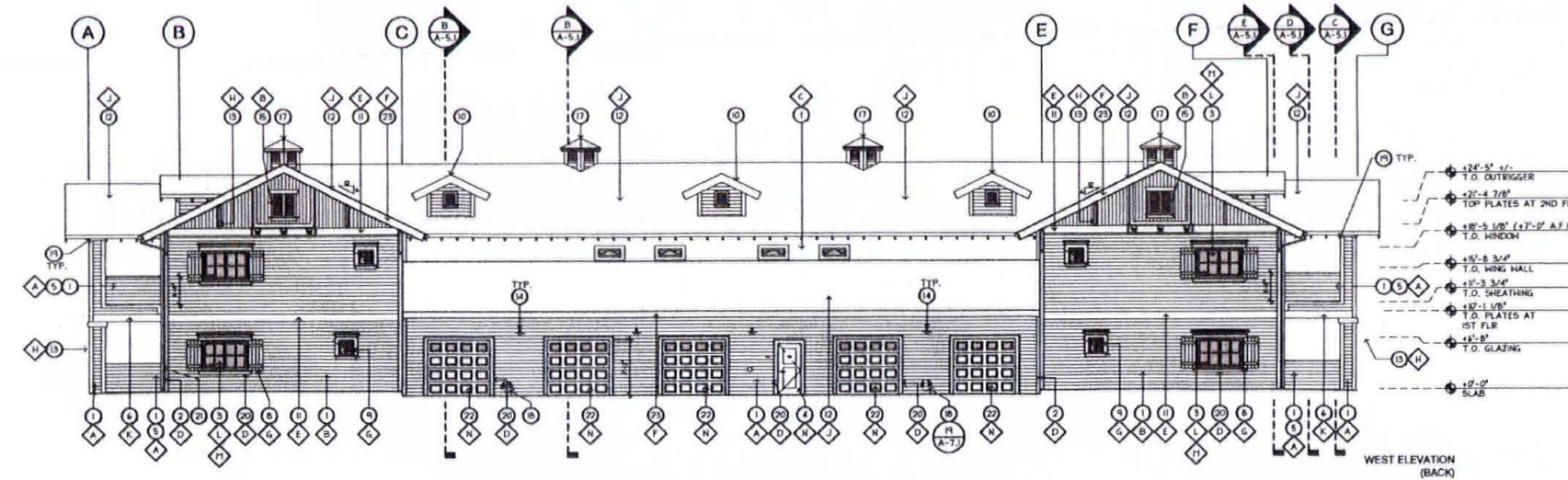
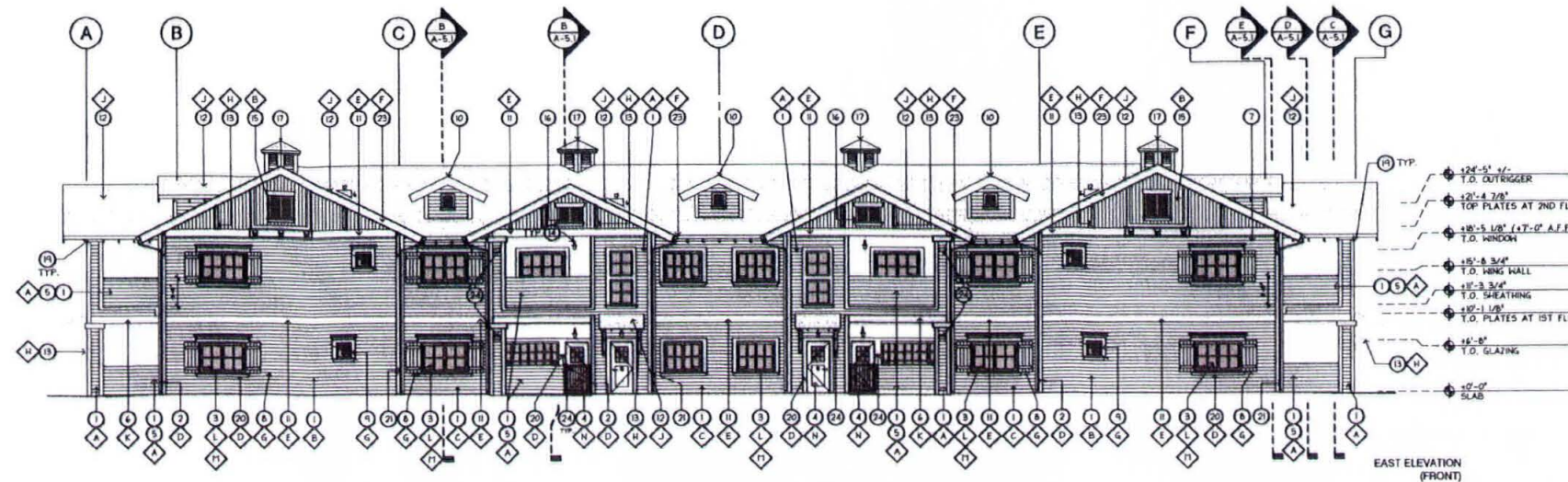
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

K. REFER TO THE FOLLOWING FOR TYPICAL FIRE DETAILS FOR PARTY WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN RESIDENTIAL UNITS:

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

KEYED NOTES

1. ROOF - REFER TO ROOF PLAN FOR FURTHER INFORMATION.



EXTERIOR ELEVATIONS (BUILDING #1)

CENTERLINE
DESIGN, LLC
PLANNING-DESIGN-CONSULTING
1308 TOLLHOUSE ROAD, SUITE C
CLOVIS, CALIFORNIA 95311
559-256-3260 (OFFICE)
559-256-3267 (FAX)

1. LOCATION OF HARDEPLANK SIDING OVER WATER RESISTIVE BARRIER OVER EXTERIOR GRADE SHEATHING - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
2. LOCATION OF HARDIETRIUM OVER WATER RESISTIVE BARRIER OVER EXTERIOR GRADE SHEATHING - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
3. LOCATION OF EXTERIOR WINDOW AND WINDOW TRIM - REFER TO WINDOW SCHEDULE FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
4. LOCATION OF EXTERIOR DOOR(S) - REFER TO DOOR SCHEDULE FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
5. LOCATION OF PRIVACY LIN WALL - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
6. LOCATION OF HOOD TRELLIS - STAINED - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
7. LOCATION OF BUILDING ADDRESS NUMERALS LOCATED 50 AS TO BE PLAINLY VISIBLE FROM THE STREET OR ROAD - LETTERS, NUMBERS, AND SYMBOLS SHALL BE A MINIMUM OF 5" HIGH WITH A PRINCIPLE STROKE OF NOT LESS THAN 1/2" STROKE IN WIDTH AND SHALL BE ON A CONTRASTING BACKGROUND WHEN PLACED ON THE STRUCTURE - THE NUMBERS SHALL BE ILLUMINATED BY DEPENDENT LUMINAIRES AND ARE INTENDED TO BE ILLUMINATED DURING ALL TYPES OF DARKNESS.
8. LOCATION OF BOARD AND BATTEN GLAZING SHUTTERS - PAINT 2-COATS ENAMEL AND SEAL - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
9. LOCATION OF LOUVER GLAZING SHUTTERS - PAINT 2-COATS ENAMEL AND SEAL - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
10. LOCATION OF DORMER VENT - REFER TO ATTIC VENTILATION CALCULATIONS FOR ADDITIONAL INFORMATION.
11. LOCATION OF 1" WIDE CEMENT BOARD BELLY BAND OVER WATER RESISTIVE BARRIER OVER EXTERIOR GRADE SHEATHING - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
12. LOCATION OF ASPHALT COMPOSITE SHINGLES OR UNDERLAYMENT OF ROOF SHITG. - REFER TO ROOF PLANS AND TO STRUCT. PLANS FOR ADD. INFO.
13. LOCATION OF PRE-MANUFACTURED HOOD BRACKET - COLOR/MATERIAL LEGEND AND DETAILS FOR ADDITIONAL INFORMATION AND REQUIREMENTS.
14. LOCATION OF EXTERIOR SURFACE WALL MOUNTED LIGHT FIXTURE - REFER TO ELECTRICAL PLANS FOR ADDITIONAL INFORMATION AND REQUIREMENTS.
15. LOCATION OF DECORATIVE FURRING WITH GABLE VENTS - REFER TO ATTIC VENTILATION CALCULATIONS FOR ADDITIONAL INFORMATION.
16. LOCATION OF GABLE VENTS - REFER TO ATTIC VENTILATION CALCULATIONS FOR ADDITIONAL INFORMATION.
17. LOCATION OF COPULA WITH SIDING AND ROOFING TO MATCH ADJACENT SIDING AND ROOFING WITH CUSTOM VENTS ON EACH SIDE OF THE TOWER - REFER DETAILS AND ATTIC VENTILATION CALCULATIONS FOR ADDITIONAL INFORMATION AND REQUIREMENTS.
18. LOCATION OF ROOF DRAIN AND OVERFLOW DRAIN.
19. 2x TRUSS OVERHANG - PAINT ALL EXPOSED SIDES.
20. LOCATION OF CEMENT BOARD WINDOW/DOOR TRIM - REFER TO DETAILS AND COLOR/MATERIAL LEGEND FOR ADDITIONAL INFORMATION.
21. LOCATION OF PRE-FINISH METAL DOWNSPOUT - CENTER ON CORNER WALL TRIM FINISHED GRADE.
22. LOCATION OF GARAGE DOOR - REFER TO DOOR TYPES AND DETAILS FOR ADDITIONAL INFORMATION.
23. LOCATION OF 2 x 12 BARGE RAFTER - REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
24. LOCATION OF UNIT ADDRESS NUMERALS - LETTERS, NUMBERS, AND SYMBOLS SHALL BE A MINIMUM OF 4" HIGH WITH A PRINCIPLE STROKE OF NOT LESS THAN 1/2" STROKE IN WIDTH AND SHALL BE ON A CONTRASTING BACKGROUND WHEN PLACED ON THE STRUCTURE - THE NUMBERS SHALL BE ILLUMINATED BY A OVER CURRENT PROTECTION DEVICE AND HAVE A PHOTOELECTRIC CONTROL ONLY - NO OTHER DISCONNECTS OR CONTROLS ARE ALLOWED - UNIT NUMBERS ARE INTENDED TO BE ILLUMINATED DURING ALL TYPES OF DARKNESS WITH TOP TO BE SAME HEIGHT AS TOP OF ADJACENT WINDOW TRIM.

COLOR / MATERIAL LEGEND

| MATERIAL | FINISH | COLOR |
|------------------------------------|--------------------|---------------|
| HARDEPLANK SIDING | 6" WIDE PAINTED | DRIFTWOOD |
| HARDEPLANK SIDING | 6" WIDE PAINTED | SEAFOAM |
| HARDEPLANK SIDING | 6" WIDE PAINTED | SEAWEED |
| HARDIE TRIM | 6" WIDE PAINTED | BARNACLE |
| BELLY BAND | 12" WIDE PAINTED | BARNACLE |
| FASCIA BOARD | 12" WIDE PAINTED | BARNACLE |
| TIMBER | PAINTED AND SEALED | WHALE GRAY |
| CORBEL/OUTRIGGER | PAINTED | WHALE GRAY |
| ASPHALT COMPOSITE ROOFING SHINGLES | FACTORY FINISH | WHALE GRAY |
| ARBOR/TRELLIS | 12" WIDE STAINED | BARNACLE |
| GLAZING SYSTEM | FACTORY FINISH | BARNACLE |
| GLAZING | FACTORY FINISH | 1" DUAL CLEAR |
| DOOR | PAINTED | WHALE GRAY |
| IRON GUARDRAIL | PAINTED | WHALE GRAY |

PROJECT

PROPOSED DEVELOPMENT FOR:
CLOVIS MULTI-FAMILY HOUSING COMPLEX II
BULLARD AVE & TEMPERANCE AVE
CLOVIS, CA 93611

STATUS

| | |
|----------------------|----------|
| Current Release Date | 02-25-17 |
| Planning Submittal | 02-25-17 |
| Plan Check Submittal | 02-25-17 |

REVISIONS

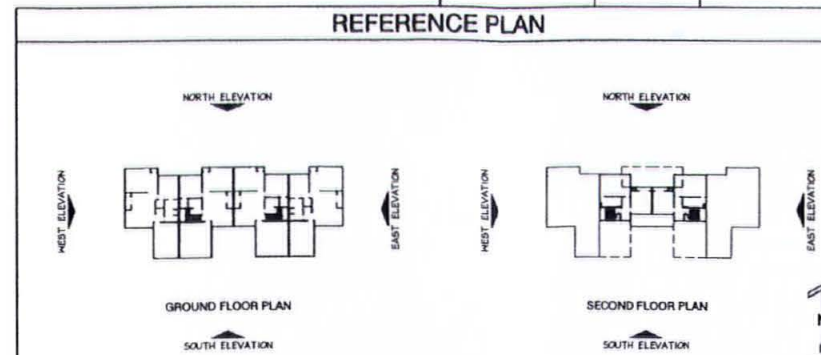
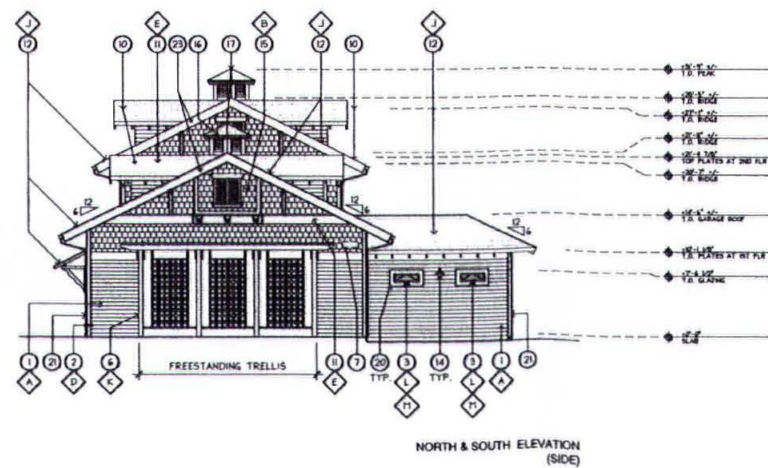
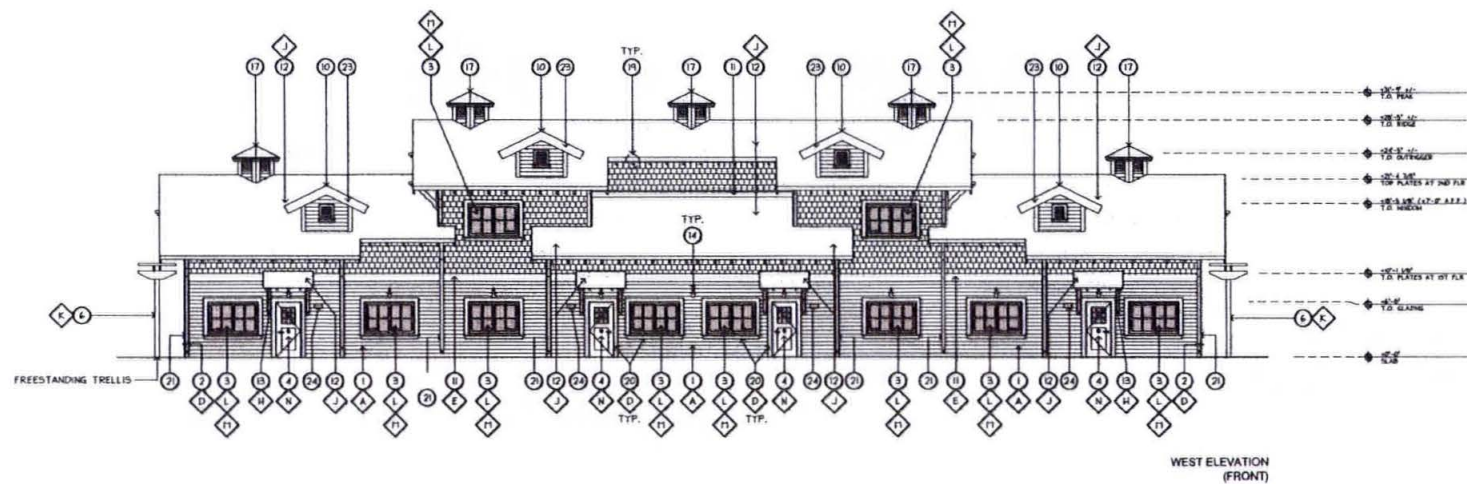
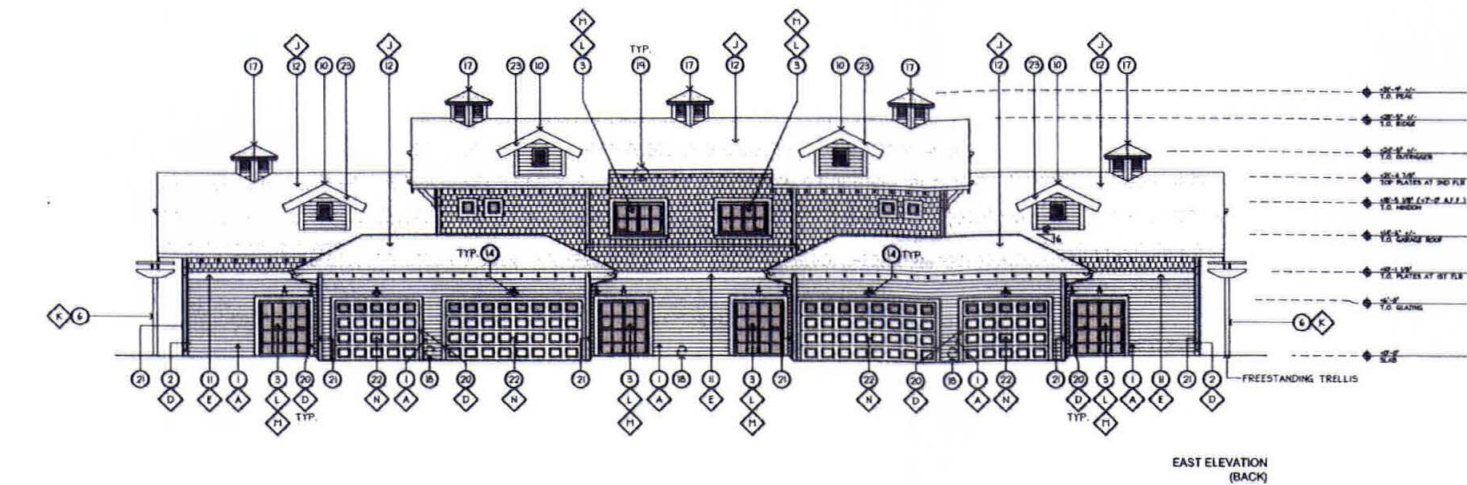
| | |
|---|--|
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |

IDENTIFICATION

| | |
|---------------------|--------------|
| Scale | 1/4" = 1'-0" |
| Project Coordinator | BRYAN FOX |
| Project No. | 15-04 |
| Sheet | A1-3.0 |

A1-3.0

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COLOR / MATERIAL LEGEND

| MATERIAL | FINISH | COLOR |
|--------------------------------------|--------------------|---------------|
| 1 HARDPLANK SIDING | 6" WIDE PAINTED | DRIFTWOOD |
| 2 HARDPLANK SIDING | 6" WIDE PAINTED | SEAFOAM |
| 3 HARDPLANK SIDING | 6" WIDE PAINTED | SEAHEED |
| 4 HARDIE TRIM | 6" WIDE PAINTED | BARNACLE |
| 5 BELLY BAND | 12" WIDE PAINTED | BARNACLE |
| 6 FASCIA BOARD | 12" WIDE PAINTED | BARNACLE |
| 7 TRIMMER | PAINTED AND SEALED | WHALE GRAY |
| 8 CORBEL/OUTRIGGER | PAINTED | WHALE GRAY |
| 9 ASPHALT COMPOSITE ROOFING SHINGLES | FACTORY FINISH | WHALE GRAY |
| 10 ARBOR/TRELLIS | 12" WIDE STAINED | BARNACLE |
| 11 GLAZING SYSTEM | FACTORY FINISH | BARNACLE |
| 12 GLAZING | FACTORY FINISH | 1" DUAL CLEAR |
| 13 DOOR | PAINTED | WHALE GRAY |
| 14 IRON GUARDRAIL | PAINTED | WHALE GRAY |

PROJECT
PROPOSED DEVELOPMENT FOR:
CLOVIS MULTI-FAMILY HOUSING COMPLEX II
BULLARD AVE & TEMPERANCE AVE
CLOVIS, CA 93611

STATUS

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|----------------------|----------|
| Current Release Date | 02-03-17 |
| Planning Submittal | 02-03-17 |
| Plan Check Submittal | 02-03-17 |

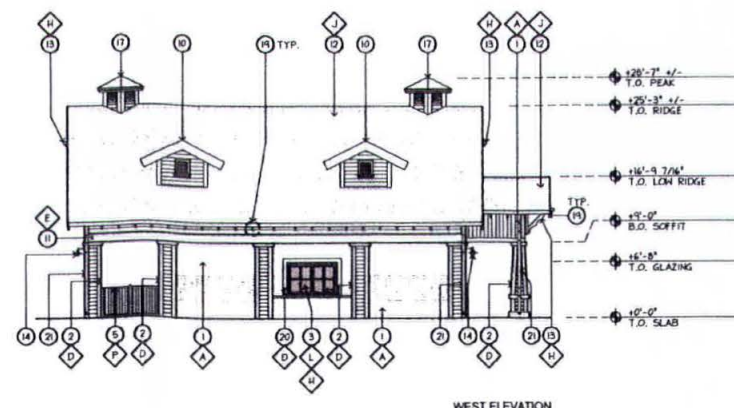
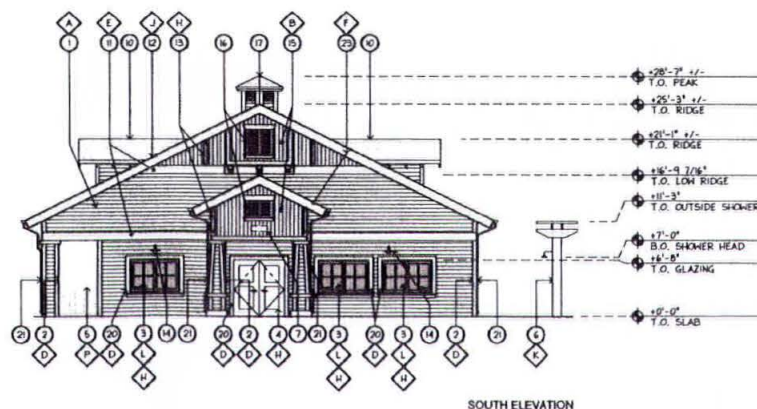
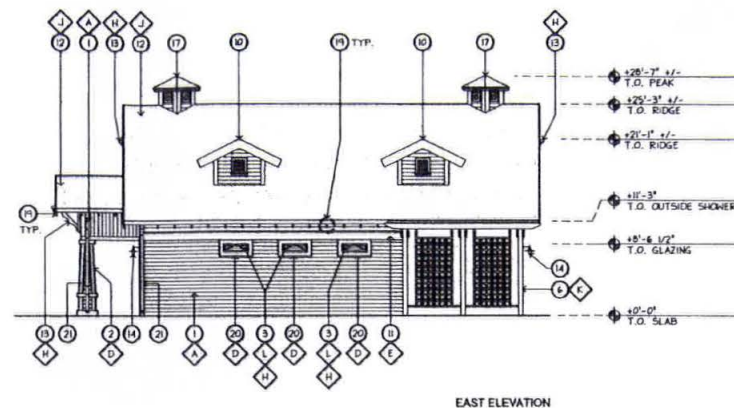
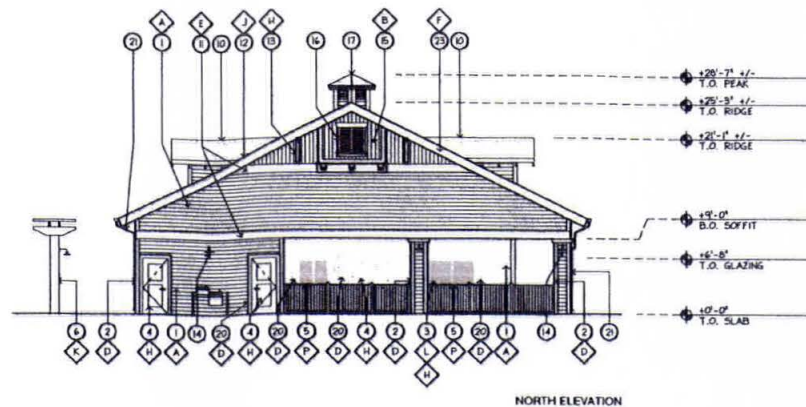
REVISIONS

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IDENTIFICATION

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| Scale | 1/8" = 1'-0" |
| Project Coordinator | BRYAN POK |
| Project No. | 15-166 |
| Sheet | A2-3.0 |

A2-3.0

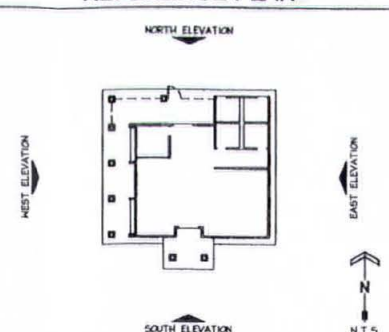


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REFERENCE PLAN



CENTERLINE DESIGN, LLC
PLANNING DESIGN CONSULTING
1608 TOLLHOUSE ROAD, SUITE C
CLOVIS, CALIFORNIA 93611
558-288-2888 (OFFICE)
558-288-2887 (FAX)

PROJECT
PROPOSED DEVELOPMENT FOR:
CLOVIS MULTI-FAMILY HOUSING COMPLEX II
BULLARD AVE & TEMPERANCE AVE
CLOVIS, CA 93611

STATUS

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| Current Release Date |
| 02-05-17 |
| Planning Submittal |
| 02-09-17 |
| Plan Check Submittal |

REVISIONS

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| BRYAN FOX |
| Project No. |
| 15-166 |
| Sheet |

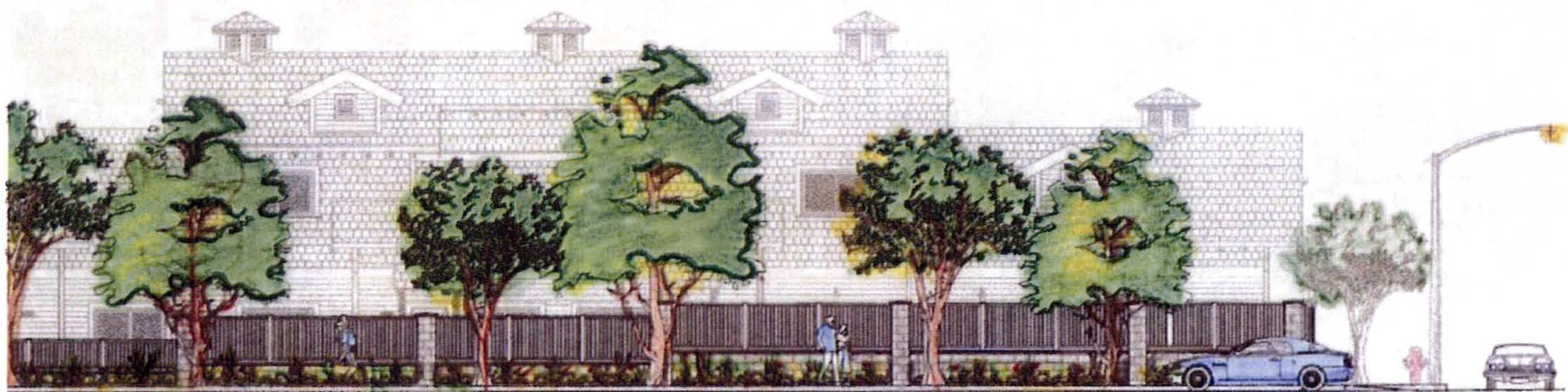
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EXTERIOR ELEVATIONS (BUILDING #3)

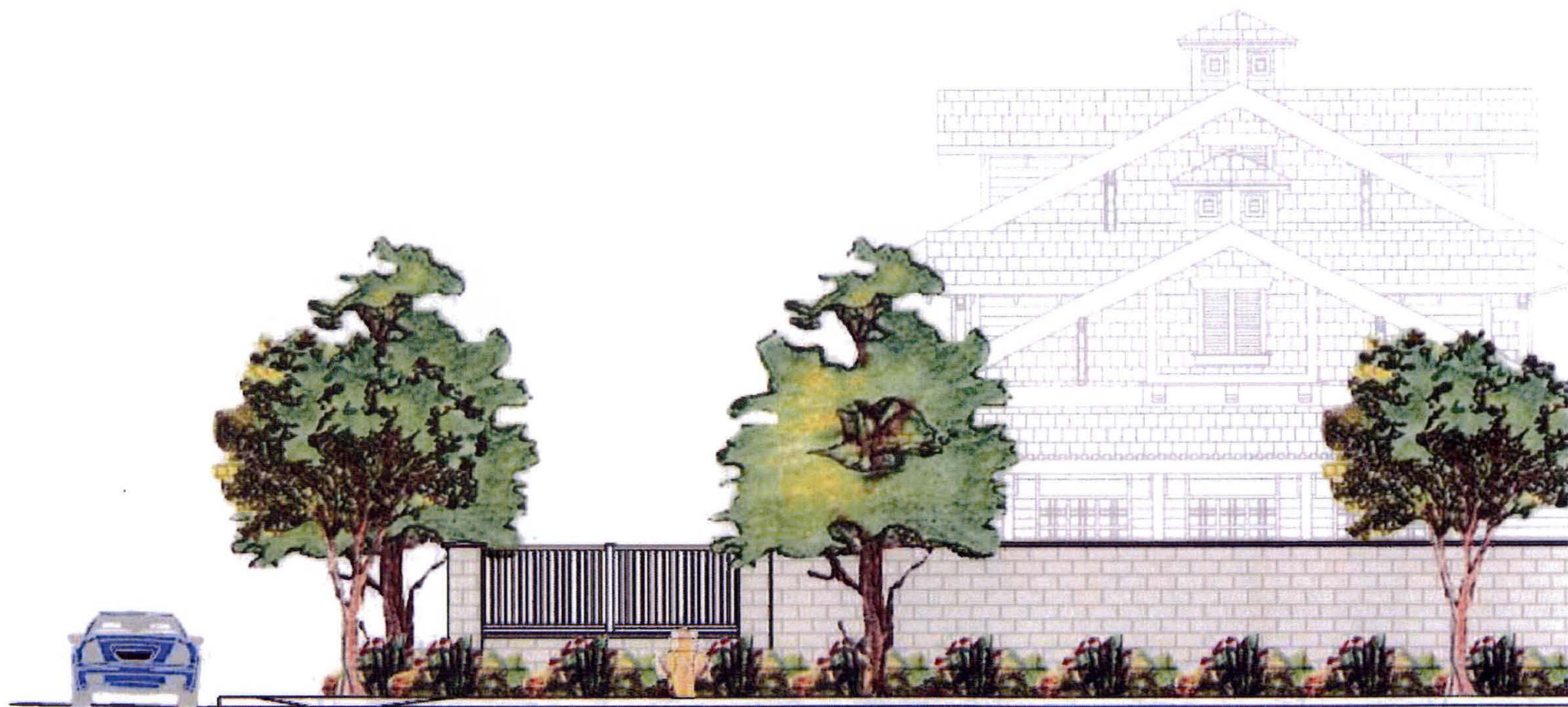
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PARK AVENUE ENTRANCE
EXHIBIT F



CORNER OF PARK AVENUE
AND MESA AVENUE



CORNER OF MESA AVENUE
AND PARK AVENUE



AGENDA ITEM NO: 1-B

City Manager: *[Signature]*

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: July 10, 2017

SUBJECT: Consider Approval - Res. 17-____, A request to initiate prezoning to the R-3 (Medium Density Multiple Family Residential) Zone District for four properties located on the east side of De Wolf Avenue, between Shaw and San Jose Avenues. Virginia R. & David Simpson, Marcella A. Deanda Trs., Liru Huang & Michael Blackston, Herbert Paul Bethel, owners; Westgate Construction and Development, applicant; Burrell Consulting Group, representative. (Continued from the June 19, 2017 Council Meeting.)

ATTACHMENTS:

| | |
|---------------|---|
| Figure 1: | Location Map |
| Attachment 1: | Draft Resolution |
| Attachment 2: | Applicant's Request to Initiate Prezoning |
| Exhibit "B.": | Prezone R2017-07 Boundary Area |
| Exhibit "C.": | Prezone R2008-07 Boundary Area |
| Exhibit "D.": | Shaw-Leonard Northwest Reorganization Boundary Area |
| Exhibit "E.": | Active Reorganization Projects |
| Exhibit "F.": | July 5 th Neighborhood Meeting |

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the City Council initiate a prezone for four properties located on the east side of De Wolf Avenue, between Shaw and San Jose Avenues to the R-3 (Medium Density Multiple Family Residential) Zone District.

EXECUTIVE SUMMARY

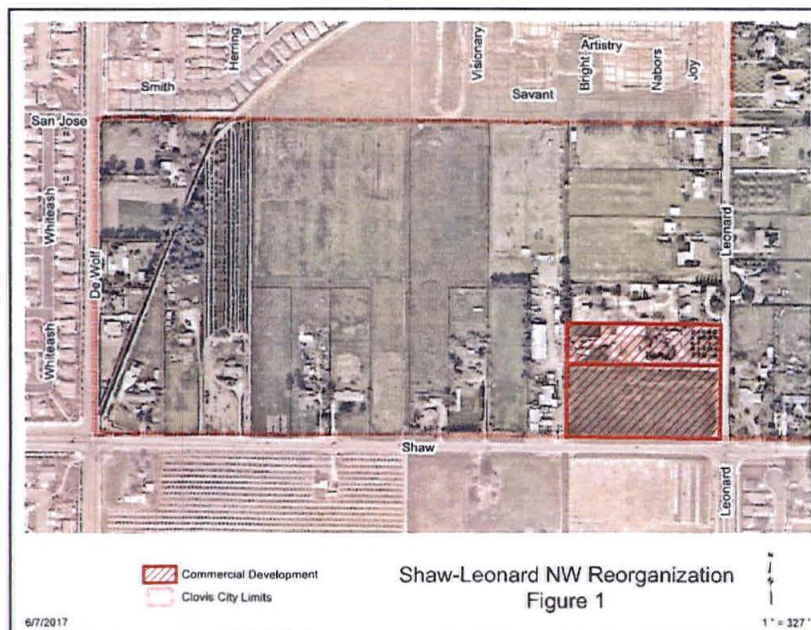
The City recently received a request to initiate a prezone to accommodate a commercial project within the Loma Vista Community Center North and annexation of approximately 77 acres. The annexation boundary (Exhibit "D"), has been established in cooperation with the Fresno Local Agency Formation Commission (LAFCo) and County of Fresno. All properties within an annexation are required to be prezoned consistent with the General Plan Land Use Diagram and for this specific project, the Loma Vista Specific Plan. The boundary consists of twenty one properties, two of which are related to the proposed commercial development and nineteen others which are required to create a logical boundary.

The applicant has requested authorization from the four property owners to prezone and annex their properties; however, the applicant was not successful in the attempt. Therefore, the applicant is requesting the Council to initiate the prezone request in accordance with Section 9.86.020 of the Clovis Development Code. Approval of this request will allow the applicant to move forward with their development proposal.

The City Council continued the subject item to the July 10th City Council hearing to provide the applicant with additional time to discuss the prezoning and annexation process with affected property owners. The applicant, Planning staff, Mr. Darrell Fenn, and Mr. Dirk Poeschel had the opportunity to meet with Mrs. Huang and Mr. Blackston outside the Council Chamber to discuss the prezone initiation and annexation of their property. Planning staff has not received a call from Mrs. Huang or Mr. Blackston upon finalization of this Staff Report.

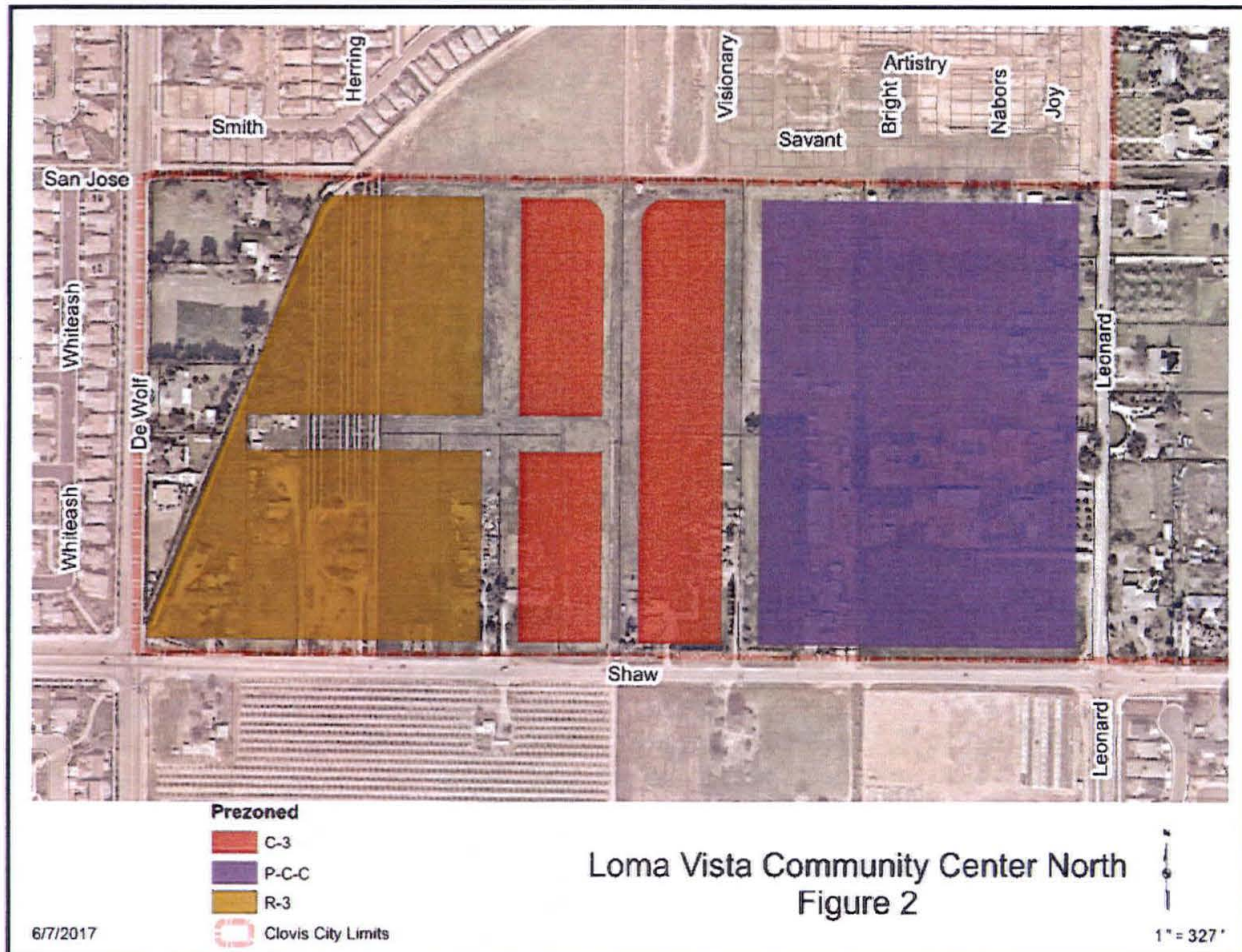
BACKGROUND

The applicant's commercial development proposal is located within the Loma Vista Community Center North at the northwest corner of Shaw and Leonard Avenues (see Figure 1 below).



LAFCo and City of Clovis policy requires creation of logical annexation boundaries leaving no parcel behind as a County island. There are four properties along the east side of De Wolf Avenue that if left out, would create an island (see attached “Exhibit B”).

The nineteen properties located within the Loma Vista Community Center North boundary area below have been previously prezoned in 2009 consistent with the Loma Vista Community Center North and South Master Plan (see Figure 2 below).



PROPOSAL AND ANALYSIS

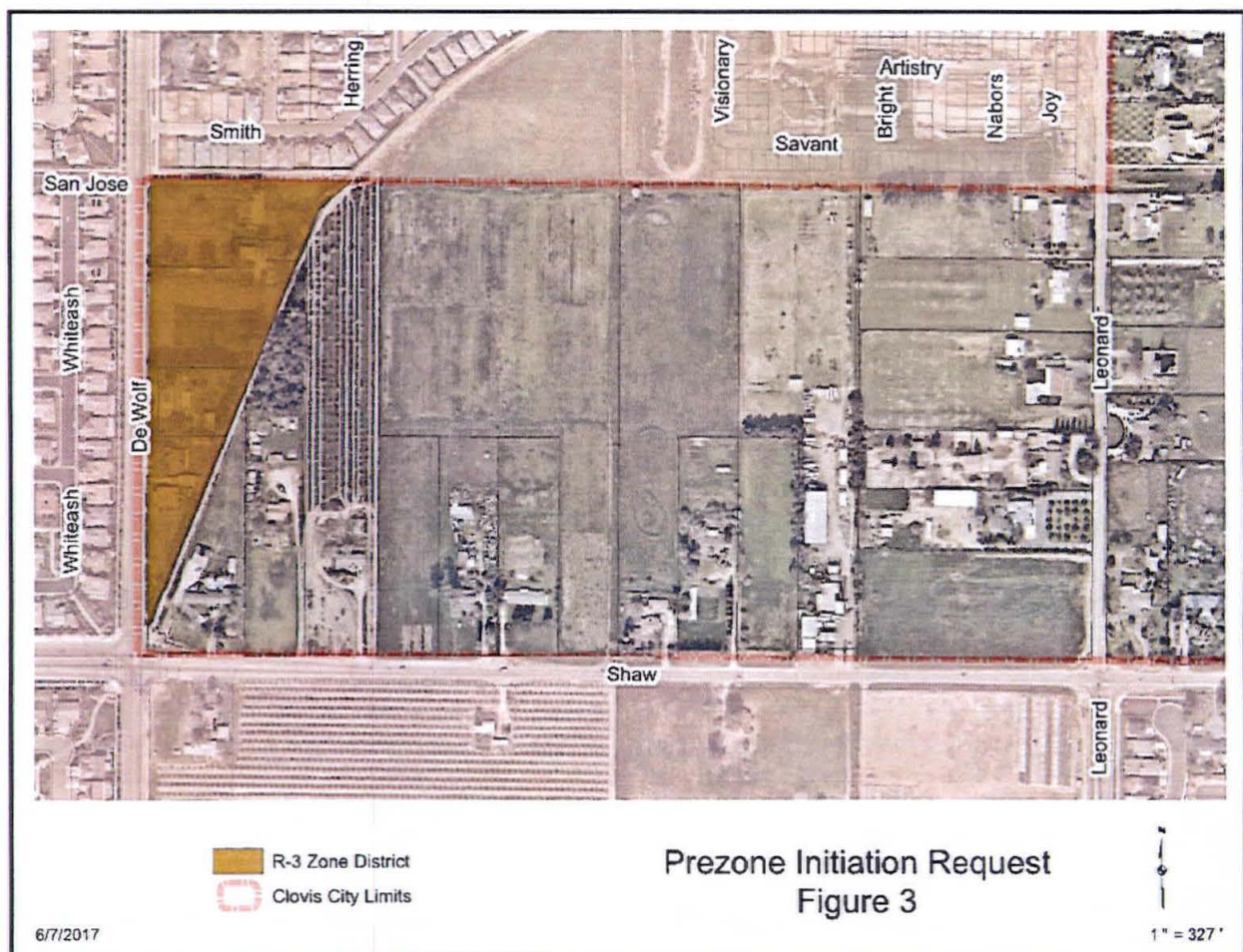
The four subject sites are part of a larger reorganization request seeking annexation (Exhibit “D”) into the City of Clovis (Shaw-Leonard Northwest Reorganization). This annexation also includes the proposed commercial development by Westgate Construction and Development, which is located at the northwest corner of Shaw and Leonard Avenues.

Annexation will be initiated by the City through submittal of an application for annexation which will be considered by LAFCo. All properties within the annexation boundaries will be required to be prezoned, consistent with the Loma Vista Specific Plan.

In the event authorization cannot be obtained, staff is requesting that the City Council initiate prezonning of these specific properties consistent with the Loma Vista Specific Plan land use designation. The applicant will continue to work with the four property owners to receive authorization.

The prezonning of these properties would provide for future development at the same time, allowing these homeowners to maintain their properties as they have prior to annexation. Annexation of these properties could also provide an opportunity for residents to connect to City water and sewer services.

The prezone request would be to the R-3 (Medium Density Multiple-Family Residential) Zone District, consistent with the Loma Vista Specific Plan (see Figure 3 below).



There are property owners within the proposed annexation boundary that have expressed a desire to annex their properties to allow for future development. Brokers for these property owners have explained that County properties are difficult to market because the annexation process can be long and tedious. Buyers have not been willing to commit to land options until the properties are annexed.

Council Continuance

The City Council continued the subject item to the July 10, 2017, City Council hearing to provide the applicant with additional time to meet and discuss the pre zoning and annexation process with Liru Huang & Michael Blackston. Mrs. Huang and Mr. Blackston spoke at the June 19th City Council hearing to express concerns with the Prezone Initiation and the outreach methods conducted by the applicant.

After the Council's continuance of the subject item on June 19th, the applicant, Planning staff, Mr. Darrell Fenn, and Mr. Dirk Poeschel had the opportunity to meet with Mrs. Huang and Mr. Blackston outside the Council Chamber to discuss the prezone initiation and annexation of their property. Planning staff offered to meet with Mrs. Huang and Mr. Blackston at City Hall at their convenience to discuss annexation and answer any questions they may have.

Staff did not hear back from Mrs. Huang or Mr. Blackston after the June 19th Council hearing. Therefore, planning staff called Mrs. Huang on Friday, June 23rd to offer an opportunity to meet with staff to answer their questions and discuss their concerns. Mrs. Huang declined the offer to meet with staff and was forwarded to our Engineering Division to discuss sewer connection fees and requirements. Engineering staff spoke with Mrs. Huang on Friday, June 23rd and answered her questions regarding sewer connection for her property.

On Tuesday, June 27th, Mr. Dirk Poeschel called Mrs. Huang to ask if they can meet at her convenience and at a location she prefers, but didn't heard back from Mrs. Huang. Planning staff has not received a call from Mrs. Huang or Mr. Blackston upon finalization of this Staff Report.

On Wednesday, July 5th, Mr. Dirk Poeschel will be holding an informational meeting in the Council Chamber to discuss annexation with affected property owners (please see Exhibit "F"). Mrs. Huang and Mr. Blackston were included in the mailing distribution for the July 5th meeting. Clovis Planning and LAFCo staff will attend the meeting.

FISCAL IMPACT

The pre zoning application fee has been paid by Westgate Construction and Development, the applicant for the commercial project.


REASON FOR RECOMMENDATION

It is the policy of the City of Clovis to prezone all properties within an annexation area to provide consistency with the specific plan and comply with LAFCo regulations. Initiation of a prezone for the four properties will facilitate the applicant's proposal and provide for future development of all parcels as envisioned in the Loma Vista Specific Plan. Staff therefore recommends that the City Council initiate the prezone for the four properties.

ACTIONS FOLLOWING APPROVAL

1. The applicant will continue to work with the four property owners to receive authorization to prezone and annex their property.
2. Staff will schedule the subject properties for rezoning consistent with the Loma Vista Specific Plan land use designation, which will include public hearings before the Planning Commission and City Council.

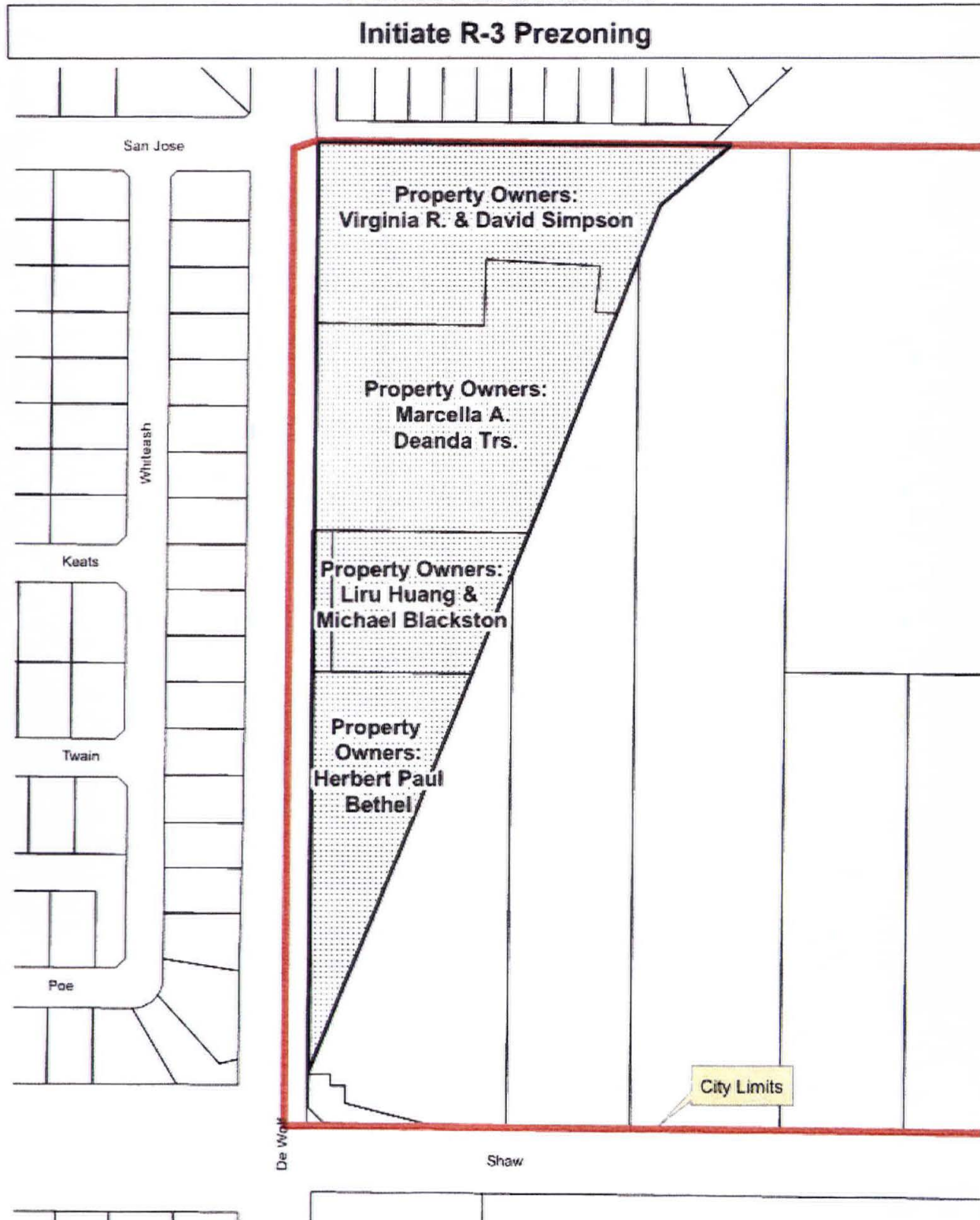
Prepared by: George González, MPA, Associate Planner

Submitted by: 
Bryan Araki
City Planner

Recommended by: 
Dwight Kroll, AICP
Director of Planning
And Development
Services

O:\Planning Projects\Rezone\Rezone Initiations\Samer Shaw & De Wolf Avenues (R2017-07)\CC June 19, 2017\PDs Staff Report
Initiation of Rezoning.doc

**FIGURE 1
PROJECT LOCATION MAP**



DRAFT RESOLUTION

ATTACHMENT 1

**DRAFT
RESOLUTION 17-__**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS INITIATING THE
PREZONE OF FOUR PROPERTIES LOCATED ON THE EAST SIDE OF DE WOLF
AVENUE, BETWEEN SHAW AND SAN JOSE AVENUES**

WHEREAS, Westgate Construction and Development, 5101 Merlot Court, Visalia, CA 93291, has applied for a Prezone R2017-07; and

WHEREAS, this is a request to initiate the rezoning of four properties located on the east side of De Wolf Avenue, between Shaw and San Jose Avenues in the County of Fresno, California; and

WHEREAS, the four properties are described as current Assessor Parcel Numbers, 554-053-38, 554-053-40, 554-053-41, and 554-053-42 as shown on the County Assessor's record dated November 29, 2016; and

WHEREAS, the four subject property owners were individually sent notices and invited to attend the council hearing; and

WHEREAS, the City Council held a noticed public hearing on June 19, 2017; and

WHEREAS, after hearing evidence gathered by itself and on its behalf and after making the following findings, namely;

1. That the initiation of rezoning is consistent with the Clovis Development Code.
2. That the initiation of rezoning is necessary for the development of the Loma Vista Community Center North.

WHEREAS, if Council approves the initiation of the rezoning, the prezone request will be forwarded to both the Planning Commission and City Council through the public hearing process.

NOW, THEREFORE, BE IT RESOLVED that the Clovis City Council does initiate the rezoning of four parcels described above, as part of Prezone R2017-07.

* * * * *

The foregoing Resolution was introduced at a regular meeting of the City Council held on June 19, 2017, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

DATED: June 19, 2017

Mayor

City Clerk

PREZONE INITIATION REQUEST

ATTACHMENT 2



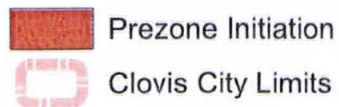
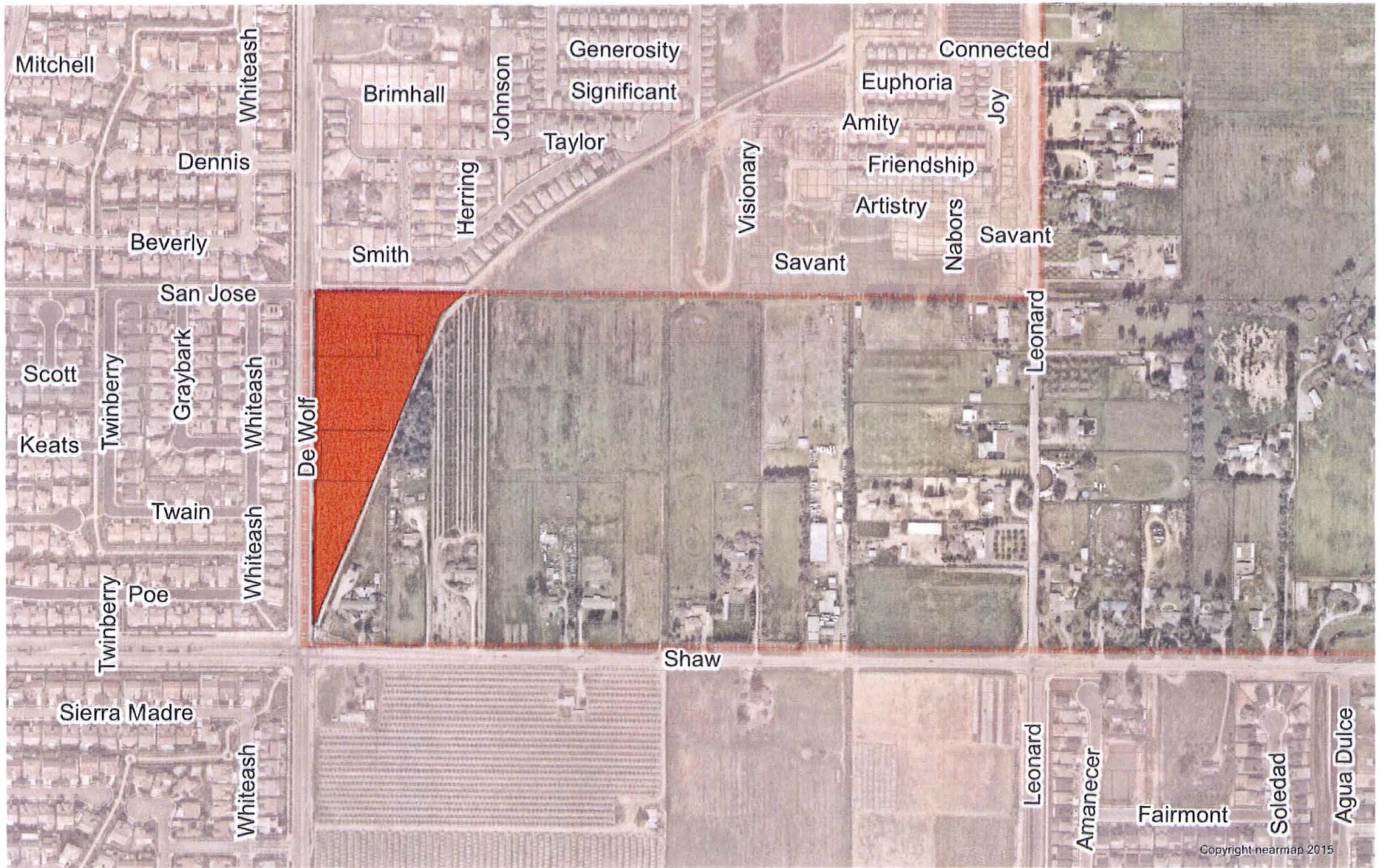
OMNI DEVELOPMENT GROUP

Prezone R-17-07

Please initiate the zoning on the property. The prezoning and related annexation is critical for the orderly development along shaw avenue for the subject and other properties.

Samer Sabbah

Omi Development Group

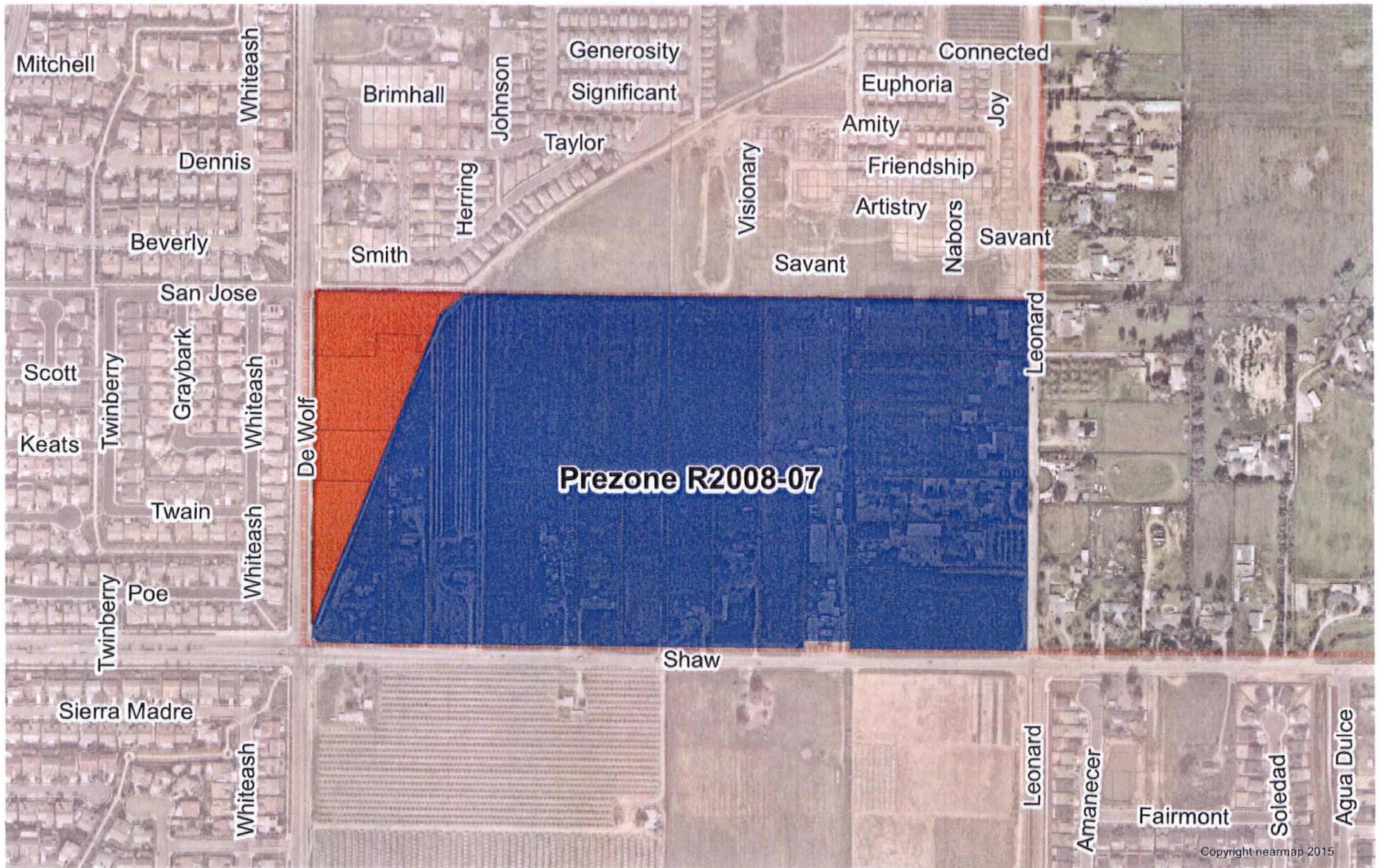


Prezone R2017-07 Vicinity Map Exhibit B

6/7/2017



1" = 493'





- Prezone Initiation Request
- Previously Prezoned
- Clovis City Limits

Prezone R2008-07 Vicinity Map Exhibit C

6/6/2017


 1" = 493'

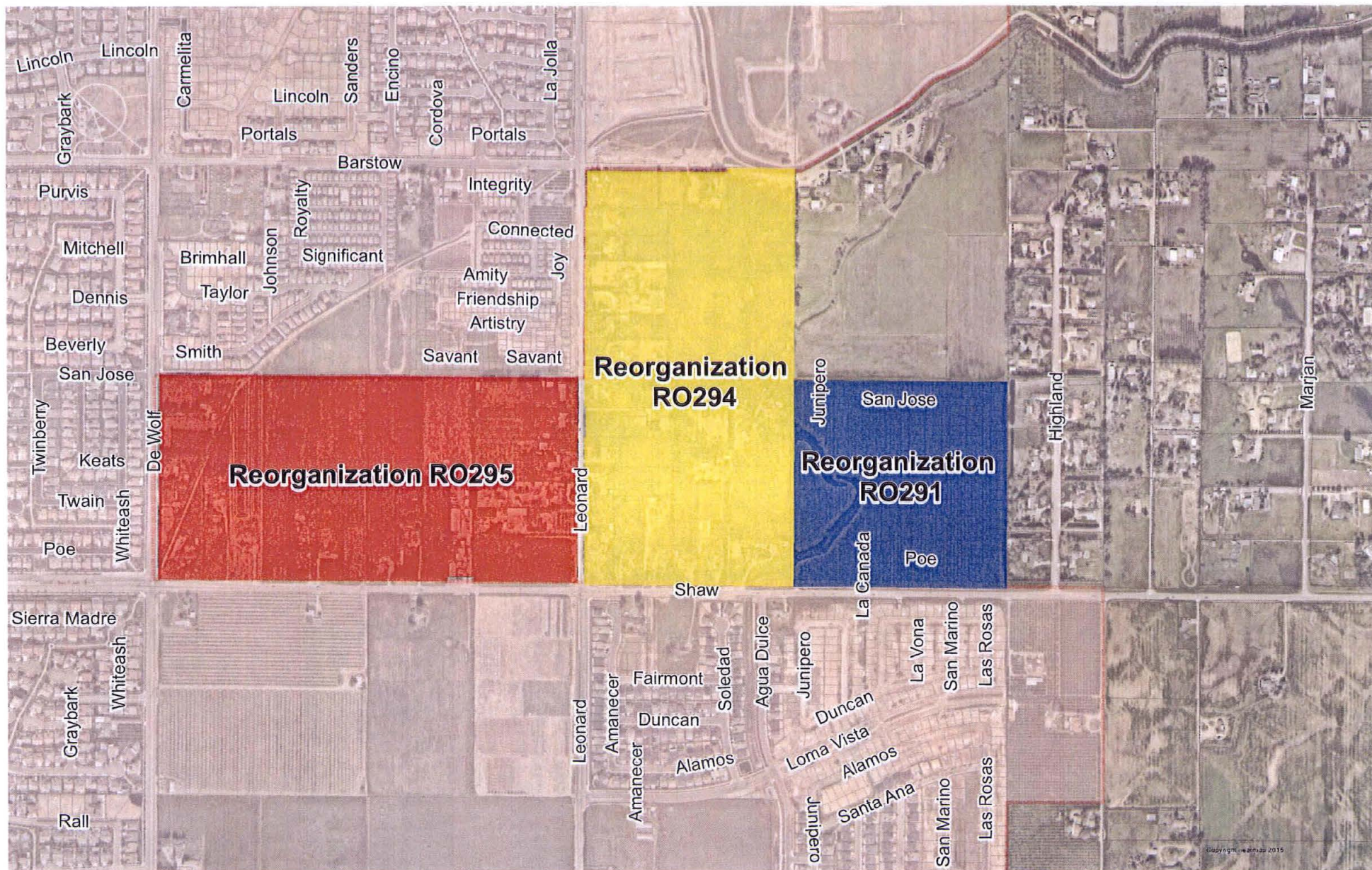


-  Shaw-Leonard NW Reorganization
-  Clovis City Limits

Shaw-Leonard NW Reorganization Vicinity Map Exhibit D

6/6/2017


1" = 493'



- Shaw-Leonard NW Reorganization
- Shaw-Leonard NE Reorganization
- Shaw-Highland NW Reorganization
- Clovis City Limits

Active Reorganizations Vicinity Map Exhibit E

6/6/2017



1" = 848'

DIRK POESCHEL

Land Development Services, Inc.

923 Van Ness Avenue, Suite 200 • Fresno, California 93721

559/445-0374 • Fax: 559/445-0551 • e-mail: dpoeschel@dplds.com

June 23, 2017

SUBJECT: Annexation Into the City of Clovis

Dear Neighbor,

Benchmark Communities is a builder of high-quality homes, and intends to develop the three parcels identified on the attached aerial as a subdivision of detached single-family homes consistent with the City of Clovis General Plan. City of Clovis, Fresno County, and Fresno County Local Agency Formation Commission (LAFCo) standards require that the aforementioned parcels and certain surrounding properties that also seek to develop be annexed into the City of Clovis. Among other things, State law requires that the annexation boundary be logical, which generally necessitates the annexation of your property into the City of Clovis.

Annexation of your property into the City of Clovis has several significant benefits including improved fire and police protection and likely lower insurance rates because the City provides a higher level of fire protection service than is available from Fresno County. Also, the opportunity to connect to community water and sewer facilities has obvious long-term benefits, especially considering recent changes in State law governing access to and use of water.

Working together, the City and Benchmark Communities will improve nearby roads and other public infrastructure, which will likely enhance property values of the area. Perhaps the most important annexation benefit is City of Clovis policies that would allow you to continue to enjoy your rural life style as long as you desire.

Benchmark Communities and the City of Clovis have a positive history of working cooperatively with property owners on annexation and other matters. Benchmark Communities intends to continue that positive tradition. To that end, attached are answers to frequently asked annexation questions. We invite you to attend a presentation on the annexation at the Clovis City Hall on July 5, 2017 at 6:00 p.m. In the meantime, please feel free to contact me if you have questions or desire additional information.

Sincerely,



Dirk Poeschel, AICP

**FREQUENTLY ASKED QUESTIONS
CITY OF CLOVIS ANNEXATION
June 2017**

Why is my property being considered for annexation?

Currently, there are several projects near your property that are proposing to develop in the City of Clovis. The City of Clovis and Fresno County have agreed that development on and near your property should take place in the city where there are urban services (sewer, water, police, fire, etc.). To have logical city boundaries the City of Clovis and Fresno County will encourage properties to annex at the same time the proposed development annexes.

Do I have to annex?

In some situations, properties may be annexed without the consent of the property owner. These annexations require approval of the annexation request by property owners owning property with more than 50% of the value of the properties to be annexed and having fewer than 12 registered voters. In any other cases an election is required and the majority of the voters in the annexed area must agree to the annexation. However, your property is within the "Sphere of Influence" of the City of Clovis it is highly likely it will be annexed in the future.

If I choose to annex what will it cost me?

If you choose to annex now the annexation fee, approximately \$25,000, will be paid by the developers of the proposed projects.

Will my taxes change if I annex into the City of Clovis?

Your property is not reassessed upon annexation. Single family homes will pay a \$235.76 Community Facilities District assessment for police and fire protection. The annexation/reorganization will delete your property from the Fresno County Fire Protection District so that tax will be eliminated with annexation. For a more precise determination, city staff recommends contacting the Auditor's Office at 559-600-3491 or Tax Collector Office at 559-600-3482.

If sewer and water are extended in front of my home and I do not annex to the City of Clovis am I required to connect to them?

In order to provide improved water quality, the City of Clovis and Fresno County have an agreement that requires properties on septic systems (tanks and leach fields) to abandon those facilities within 3 years of sewer being available. On a case-by-case basis, the city will allow you to utilize your existing water well.

Can I keep my Clovis way of life?

Yes, the City of Clovis has a positive history of working with land owners including those who annex into the city. That relationship includes working on a case-by-case basis to maintain your well, animals, etc.

Is there a fee for connection to the sewer and water?

This fee is determined on a parcel by parcel basis.

What about garbage pickup?

You will have 5 years before you must start using City of Clovis solid waste services.

What are the advantages of annexing to the City?

Annexation of your property into the City of Clovis has several significant benefits including improved fire and police protection and likely lower insurance rates because the City provides a higher level of fire protection service than is available from Fresno County. Also, the opportunity to connect to community water and sewer facilities has obvious long-term benefits, especially considering recent changes in State law governing access to and use of water.

Working together, the City and the project developers will improve nearby roads and other public infrastructure such as storm drainage which will likely enhance property values of the area. Perhaps the most important annexation benefit is City of Clovis policies that could allow you to continue to enjoy your rural life style.

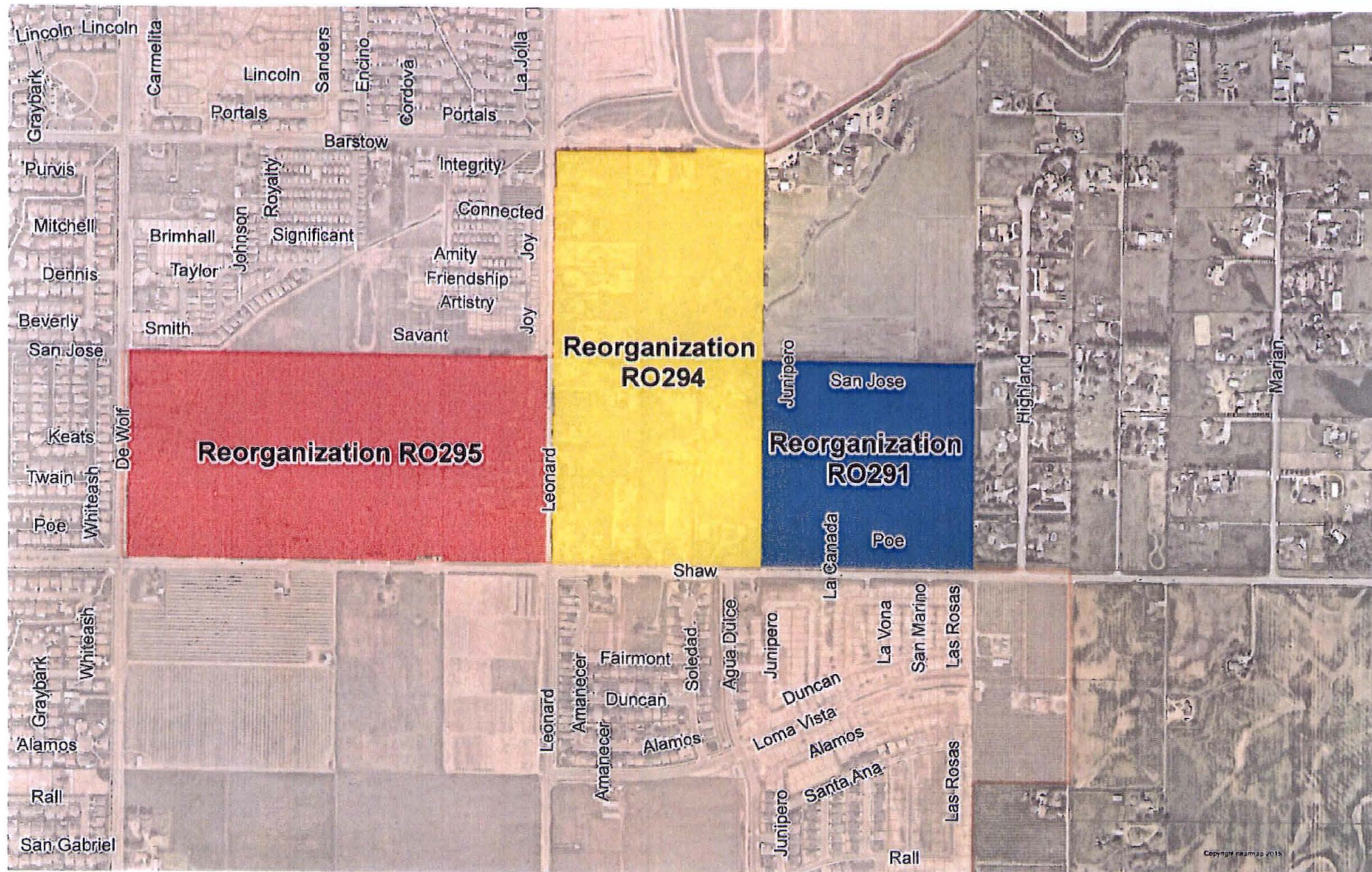
What is the annexation process?

An application is filed with the Fresno County Local Agency Formation Commission (LAFCo). The staff of LAFCo analyzes the request and prepares a report to the LAFCo commission. The commission holds a public hearing to discuss the annexation and then decides on approving the annexation or not. It is anticipated that the annexation hearing will take place 60-90 days after the application is filed.

Who may I speak to for more information?

You may contact the following individuals for more information:

| | |
|--|--|
| George González, MPA, Associate Planner
City of Clovis Planning Division
Department of Planning and Development
Services georgeg@cityofclovis.com
559-324-2383 | Mr. Dirk Poeschel, AICP
Land Development Services, Inc.
923 Van Ness, Suite 200
Fresno, CA. 93721
559-445-0374 |
|--|--|



- Shaw-Leonard NW Reorganization
- Shaw-Leonard NE Reorganization
- Shaw-Highland NW Reorganization
- Clovis City Limits

Shaw-Leonard NW Reorganization Vicinity Map Exhibit 1

4/20/2017

N
↑
1" = 848'



AGENDA ITEM NO: **2-A-1**
City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department and City Manager's Office

DATE: July 10, 2017

SUBJECT: Consider Approval – Res 17-___, A Resolution of the City Council of the City of Clovis authorizing the issuance and sale of Wastewater Revenue Refunding Bonds to refinance outstanding 2007 Wastewater Revenue Bonds of the Clovis Public Financing Authority and approving related documents and actions.

ATTACHMENTS: Resolution
Preliminary Official Statement

CONFLICT OF INTEREST

None

RECOMMENDATION

Consider Approval – Res 17-___, A Resolution of the City Council of the City of Clovis authorizing the issuance and sale of Wastewater Revenue Refunding Bonds to refinance outstanding 2007 Wastewater Revenue Bonds of the Clovis Public Financing Authority and approving related documents and actions.

EXECUTIVE SUMMARY

In 2007 the Clovis Public Financing Authority issued Wastewater Revenue Bonds in the aggregate principal amount of \$68,540,000 for the purpose of constructing the Clovis Sewer Treatment Water Reuse Facility (ST-WRF). Based on a current financial analysis, there is an opportunity to refund the 2007 Bonds for savings.

BACKGROUND

The City is proposing to sell revenue refunding bonds for the purpose of refunding the 2007 Bonds. The Bonds are payable only from net revenues of the wastewater system. With the current interest rate environment, an analysis determined that it is

feasible to refund the 2007 Bonds and reduce the annual payments, lower the interest rate, and yield cash savings beginning in 2017/18. Based on current market conditions, the preliminary refunding analysis indicates average annual cash flow savings of approximately \$400,000 with savings in the first year of approximately \$200,000. The fully discounted net present value cash flow savings are currently expected to be \$6.0 - \$6.5 million. The new revenue bonds will maintain the existing bond amortization period to maximize the interest rate savings.

To facilitate the sale of the bonds, the City will submit the proposed issue to Moody's and Standard & Poor's bond-rating agencies for a rating after this report is presented to Council, and as such, ratings on this issue are not available for inclusion in this report. The ratings for the City's outstanding 2007 bonds are rated "A1/A+". We also are receiving bids from insurance companies. The purchase of bond insurance will result in better rates on the refunding bonds.

Included for the Council's information is the Preliminary Official Statement (POS). The POS contains substantial information about the bond issue and it is recommended that Council review the POS and forward any comments or corrections to staff. The Preliminary Official Statement must include all facts that would be material to an investor in the bonds. Material information is provided to the reasonable investor when deciding whether to buy or sell the bonds. Members of the City Council may review the Preliminary Official Statement and/or question staff and consultants to make sure they feel comfortable that it includes all material facts. The approval by the Council of the resolution authorizes the issuance and sale of the refunding bonds pursuant to an Indenture of Trust, approves the bond purchase agreement with the underwriter, and authorizes the City Manager and Finance Director to execute all documents relating to the refunding on behalf of the City. The sale of the bonds is being handled through the underwriting firm Stifel. The law firm of Jones Hall is the City's Bond Counsel and Disclosure Counsel.

FISCAL IMPACT

The wastewater revenue refunding bonds will continue to be secured by a pledge of revenue generated by the Sewer Enterprise Fund. The expected average cash flow savings based on current market conditions are approximately \$400,000 annually in debt service and total cash savings are estimated at approximately \$8,700,000.

REASON FOR RECOMMENDATION

The 2007 Bonds are eligible for current refunding at this time. The current interest rate environment is very favorable and it is not expected to improve. The City desires to reduce the annual payments for the debt for the sewer system while maintaining the existing bond amortization period. By reducing payments, debt service coverage will improve.

ACTIONS FOLLOWING APPROVAL

After Council approval, the bonds will be sold to the underwriter and appropriate financing documents will be executed on behalf of City.

Submitted by: Jay Schengel, Finance Director JS

Luke Serpa, City Manager LS

RESOLUTION 17-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
AUTHORIZING THE ISSUANCE AND SALE OF WASTEWATER REVENUE
REFUNDING BONDS TO REFINANCE OUTSTANDING 2007 WASTEWATER
REVENUE BONDS OF THE CLOVIS PUBLIC FINANCING AUTHORITY, AND
APPROVING RELATED DOCUMENTS AND ACTIONS**

The City Council of the City of Clovis resolves as follows:

WHEREAS, the City of Clovis (the "City") owns and operates a public enterprise for the collection, treatment and disposal of wastewater within the service area of the City (the "Wastewater System"), and in order to finance improvements to the Wastewater System the City has previously entered into an Installment Sale Agreement dated as of March 1, 2007 (the "2007 Installment Sale Agreement"), between the City and the Clovis Public Financing Authority (the "Authority"), under which the City is obligated to pay semiannual installment payments (the "2007 Installment Payments") which are secured by a pledge of and lien on the net revenues of the Wastewater System; and

WHEREAS, the 2007 Installment Payments have been pledged by the Authority to secure its outstanding Clovis Public Financing Authority Wastewater Revenue Bonds, Series 2007, which have been issued by the Authority in the aggregate principal amount of \$68,540,000 (the "2007 Authority Bonds"); and

WHEREAS, the 2007 Installment Payments and the 2007 Authority Bonds are subject to prepayment and redemption on any date on or after August 1, 2017, at a prepayment and redemption price equal to 100% of the principal amount thereof, without premium; and

WHEREAS, in order to provide funds to refinance the 2007 Installment Payments and the 2007 Authority Bonds, and thereby realize debt service savings to the City, the City wishes to authorize the issuance of its City of Clovis 2017 Wastewater Revenue Refunding Bonds (the "Refunding Bonds") under the provisions of Articles 10 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, commencing with Section 53570 of said Code (the "Refunding Bond Law"); and

WHEREAS, the City Council of the City has duly considered such transactions and wishes at this time to approve said transactions in the public interests of the City;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clovis as follows:

Section 1. Authorization of Refunding Bonds. The City Council hereby authorizes the issuance of the Refunding Bonds for the purpose of providing funds to prepay the 2007 Installment Payments and thereby redeem the outstanding 2007 Authority Bonds. The Refunding Bonds shall be revenue bonds which are payable from and secured by a pledge of and lien on the net revenues of the Wastewater System. The Refunding Bonds shall be issued under and in accordance with the provisions of the Refunding Bond Law, and shall be issued in a principal amount which is sufficient to provide the funds required to prepay the 2007 Installment Payments and thereby redeem the outstanding 2007 Authority Bonds.

Section 2. Approval of Indenture of Trust. The Refunding Bonds shall be issued upon the terms and conditions set forth in the Indenture of Trust between the City and MUFG Union Bank, N.A., as trustee, which is hereby approved in substantially the form on file with the City Clerk together with any changes therein or additions thereto deemed advisable by the Finance Director or the City Manager (each, an "Authorized Officer"), provided that the execution thereof by an Authorized Officer shall be conclusive evidence of the approval of any such changes or additions. An Authorized Officer is hereby authorized and directed to execute, and the City Clerk is hereby authorized and directed to attest to, the final form of the Indenture of Trust on behalf of the City.

Section 3. Approval of Escrow Agreement. The 2007 Installment Payments and the 2007 Authority Bonds shall be refunded under and in accordance with the provisions of the Escrow Agreement between the City and MUFG Union Bank, N.A., as escrow bank, which is hereby approved in substantially the form on file with the City Clerk together with any changes therein or additions thereto deemed advisable by an Authorized Officer, whose execution thereof shall be conclusive evidence of the approval of any such changes or additions. An Authorized Officer is hereby authorized and directed to execute the final form of the Escrow Agreement on behalf of the City.

Section 4. Sale of the Refunding Bonds. In accordance with Section 53583 of the Bond Law, the City Council hereby authorizes and directs that the Refunding Bonds shall be sold on a negotiated basis to Stifel, Nicolaus & Company, Incorporated, as underwriter (the "Underwriter"). The Refunding Bonds shall be sold pursuant to the terms and provisions of the Bond Purchase Agreement between the City and the Underwriter, in substantially the form on file with the City Clerk together with any changes therein or additions thereto deemed advisable by an Authorized Officer, whose execution thereof shall be conclusive evidence of the approval of any such changes or additions. An Authorized Officer is hereby authorized and directed to execute the final form of the Bond Purchase Agreement on behalf of the City. The Underwriter's discount on the Refunding Bonds shall not exceed 0.40% of the par amount thereof, and the true interest rate on the Refunding Bonds shall not exceed 4.00%.

Section 5. Official Statement. The City Council hereby approves and deems final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, the Preliminary Official Statement describing the Refunding Bonds in the form on file with the City Clerk. An Authorized Officer is individually authorized, at the request of the Underwriter, to execute an appropriate certificate affirming the City Council's determination that the Preliminary Official Statement has been deemed final within the meaning of such Rule. Distribution of the Preliminary Official Statement by the Underwriter is hereby approved. An Authorized Officer is hereby authorized and directed to approve any changes in or additions to a final form of said Official Statement, and the execution thereof by an Authorized Officer shall be conclusive evidence of approval of any such changes and additions. The City Council hereby authorizes the distribution of the Final Official Statement by the Underwriter. The Final Official Statement shall be executed in the name and on behalf of the City by an Authorized Officer.

Section 6. Continuing Disclosure Certificate. The City Council hereby approves the Continuing Disclosure Certificate in substantially the form attached as an exhibit to the Preliminary Official Statement, together with any changes therein or additions thereto deemed advisable by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. An Authorized Officer is hereby authorized and directed to execute, and the City Clerk is hereby authorized and directed to execute the final form of the Continuing Disclosure Certificate, for and in the name and on behalf of the City. The City Council hereby authorizes the delivery and performance of the Continuing Disclosure Certificate.

Section 7. Engagement of Professional Services. In connection with the issuance and sale of the Refunding Bonds, the City Council hereby authorizes the engagement of the services of Jones Hall, A Professional Law Corporation, to act as bond counsel and disclosure counsel to the City. The Finance Director is hereby authorized and directed to execute an agreement with such firm, in the form on file with the City Clerk.

Section 8. Official Actions. The Mayor, the City Manager, the Finance Director, the City Clerk and any and all other officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to do any and all things and take any and all actions, including execution and delivery of any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the transactions described herein. Any such actions previously taken by such officers are hereby ratified and confirmed. Whenever in this Resolution any officer of the City is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf if such officer is absent or unavailable.

Section 9. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on July 10, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: July 10, 2017:

Mayor

City Clerk

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

PRELIMINARY OFFICIAL STATEMENT DATED AUGUST __, 2017

NEW ISSUE – BOOK ENTRY ONLY

RATINGS:

Moody's: "___"

Standard & Poor's: "___"

(See "RATINGS.")

In the opinion of Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel, subject, however to certain qualifications described in this Official Statement, under existing law, interest on the 2017 Bonds is excluded from gross income for federal income tax purposes, and such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, although for the purpose of computing the alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, such interest is exempt from California personal income taxes See "TAX MATTERS."

\$ _____ *

CITY OF CLOVIS

2017 WASTEWATER REVENUE REFUNDING BONDS

Dated: Date of Delivery

Due: August 1, as shown below

Bonds; Purpose. The City of Clovis (the "City") is issuing the captioned bonds (the "2017 Bonds") to prepay an outstanding installment payment obligation of the City and refinance the outstanding Clovis Public Financing Authority Wastewater Revenue Bonds, Series 2007, to provide for a debt service reserve fund and to pay costs of issuing the 2017 Bonds.

Authority for the 2017 Bonds. The City is issuing the 2017 Bonds pursuant to (i) an Indenture of Trust dated as of August 1, 2017 (the "Indenture"), between the City and MUFG Union Bank, N.A., as trustee (the "Trustee") and (ii) Articles 10 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, commencing with Section 53570.

Payment Terms. The City will issue the 2017 Bonds in book-entry only form, initially registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). Purchasers of the 2017 Bonds will not receive certificates representing their interests in the 2017 Bonds. Payments of the principal of and interest on the 2017 Bonds will be made to DTC, which is obligated in turn to remit such principal and interest to its DTC Participants for subsequent disbursement to the beneficial owners of the 2017 Bonds. See "THE 2017 BONDS – General Provisions."

Interest on the 2017 Bonds is payable on February 1 and August 1, commencing February 1, 2018 (each, an "Interest Payment Date"). The "Record Date" for the 2017 Bonds is the fifteenth calendar day of the month preceding each Interest Payment Date.

Bond Insurance and Reserve Fund Insurance Policy. The City will solicit bids for a bond insurance policy and a debt service reserve fund insurance policy, and will decide whether to purchase one or both policies on the date of pricing of the 2017 Bonds.

Redemption Prior to Maturity. The 2017 Bonds are subject to optional redemption and mandatory sinking fund redemption as more fully described in this Official Statement. See "THE 2017 BONDS – Redemption."

Security for the 2017 Bonds. The 2017 Bonds are payable from "Net Revenues" derived from the City's ownership and operation of a wastewater collection, treatment and disposal system (as defined more completely in this Official Statement, the "Wastewater System"), and amounts on deposit in certain funds and accounts established by the Indenture. The obligation of the City to pay debt service on the 2017 Bonds is a special obligation of the City payable solely from Net Revenues of the Wastewater System. See "SECURITY FOR THE 2017 BONDS."

Existing Parity Debt; Future Parity Debt. The City previously incurred obligations that remain outstanding and that are payable from Net Revenues on a parity basis with the 2017 Bonds, and the Indenture permits the City to incur additional obligations payable from Net Revenues on a parity basis with the 2017 Bonds. See "SECURITY FOR THE 2017 BONDS."

THIS COVER PAGE CONTAINS CERTAIN INFORMATION FOR REFERENCE ONLY. IT IS NOT A SUMMARY OF THIS ISSUE. INVESTORS MUST READ THE ENTIRE OFFICIAL STATEMENT TO OBTAIN INFORMATION ESSENTIAL TO THE MAKING OF AN INFORMED INVESTMENT DECISION.

MATURITY SCHEDULE

(See inside cover page)

The 2017 Bonds will be offered when, as and if issued and accepted by the Underwriter, subject to approval as to legality by Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel, and subject to certain other conditions. Jones Hall is also acting as Disclosure Counsel. Quint & Thimmig LLP is acting as Underwriter's Counsel. The City Attorney will render an opinion on behalf of the City. It is anticipated that the 2017 Bonds, in book entry form, will be available for delivery through the facilities of DTC, on or about August __, 2017.

STIFEL

Dated: _____, 2017

*Preliminary; subject to change.

MATURITY SCHEDULE*

| Maturity Date
(August 1) | Principal
Amount | Interest Rate | Yield | CUSIP† |
|-----------------------------|---------------------|---------------|-------|--------|
|-----------------------------|---------------------|---------------|-------|--------|

*Preliminary; subject to change.

† CUSIP® is a registered trademark of the American Bankers Association. CUSIP data herein are provided by CUSIP Global Services, managed by S&P Global Market Intelligence on behalf of The American Bankers Association. CUSIP data are provided for convenience of reference only. Neither the City nor the Underwriter assumes any responsibility for the accuracy of these CUSIP data.

CITY OF CLOVIS

CITY COUNCIL

Bob Whalen, *Mayor*
Drew Bessinger, *Mayor Pro Tem*
Lynne Ashbeck, *Council Member*
Jose Flores, *Council Member*
Vong Mouanoutoua, *Council Member*

CITY STAFF

Luke Serpa, *City Manager*
Jay Schengel, *City Finance Director*
Lisa Koehn, *Assistant Public Utilities Director*

BOND COUNSEL AND DISCLOSURE COUNSEL

Jones Hall,
A Professional Law Corporation
San Francisco, California

CITY ATTORNEY

David Wolfe, Esq.
Lozano Smith, Attorneys at Law
Fresno, California

TRUSTEE

MUFG Union Bank, N.A.
San Francisco, California

GENERAL INFORMATION ABOUT THIS OFFICIAL STATEMENT

No Offering May Be Made Except by this Official Statement. No dealer, broker, salesperson or other person has been authorized to give any information or to make any representations with respect to the 2017 Bonds other than as contained in this Official Statement, and if given or made, such other information or representation must not be relied upon as having been authorized.

No Unlawful Offers or Solicitations. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

Effective Date. This Official Statement speaks only as of its date, and the information and expressions of opinion contained in this Official Statement are subject to change without notice. Neither the delivery of this Official Statement nor any sale of the 2017 Bonds will, under any circumstances, create any implication that there has been no change in the affairs of the City, any other parties described in this Official Statement.

Use of this Official Statement. This Official Statement is submitted in connection with the sale of the 2017 Bonds referred to in this Official Statement and may not be reproduced or used, in whole or in part, for any other purpose. This Official Statement is not a contract with the purchasers of the 2017 Bonds.

Preparation of this Official Statement. The information contained in this Official Statement has been obtained from sources that are believed to be reliable, but this information is not guaranteed as to accuracy or completeness.

The Underwriter has provided the following sentence for inclusion in this Official Statement: The Underwriter has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or completeness of such information.

Document References and Summaries. All references to and summaries of the Indenture or other documents contained in this Official Statement are subject to the provisions of those documents and do not purport to be complete statements of those documents.

Bonds are Exempt from Securities Laws Registration. The issuance and sale of the 2017 Bonds have not been registered under the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934, as amended, in reliance upon exemptions for the issuance and sale of municipal securities provided under Section 3(a)(2) of the Securities Act of 1933 and Section 3(a)(12) of the Securities Exchange Act of 1934.

Estimates and Projections. Certain statements included or incorporated by reference in this Official Statement constitute "forward-looking statements" within the meaning of the United States Private Securities Litigation Reform Act of 1995, Section 21E of the United States Securities Exchange Act of 1934, as amended, and Section 27A of the United States Securities Act of 1933, as amended. Such statements are generally identifiable by the terminology used such as "plan," "expect," "estimate," "budget" or other similar words.

Stabilization of Prices. In connection with this offering, the Underwriter may over-allot or effect transactions which stabilize or maintain the market price of the 2017 Bonds at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time. The Underwriter may offer and sell the 2017 Bonds to certain dealers and others at prices lower than the public offering prices set forth on the inside cover page of this Official Statement and said public offering prices may be changed from time to time by the Underwriter.

THE ACHIEVEMENT OF CERTAIN RESULTS OR OTHER EXPECTATIONS CONTAINED IN SUCH FORWARD-LOOKING STATEMENTS INVOLVE KNOWN AND UNKNOWN RISKS, UNCERTAINTIES AND OTHER FACTORS WHICH MAY CAUSE ACTUAL RESULTS, PERFORMANCE OR ACHIEVEMENTS DESCRIBED TO BE MATERIALLY DIFFERENT FROM ANY FUTURE RESULTS, PERFORMANCE OR ACHIEVEMENTS EXPRESSED OR IMPLIED BY SUCH FORWARD-LOOKING STATEMENTS. THE CITY DOES NOT PLAN TO ISSUE ANY UPDATES OR REVISIONS TO THOSE FORWARD-LOOKING STATEMENTS IF OR WHEN ITS EXPECTATIONS, OR EVENTS, CONDITIONS OR CIRCUMSTANCES ON WHICH SUCH STATEMENTS ARE BASED OCCUR

Internet Website. The City maintains an Internet website, but the information on the website is not incorporated in this Official Statement.

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\$ _____
CITY OF CLOVIS
2017 WASTEWATER REVENUE REFUNDING BONDS

INTRODUCTION

This Introduction is not a summary of this Official Statement. It is only a brief description of and guide to, and is qualified by, more complete and detailed information contained in the entire Official Statement and the documents summarized or described in this Official Statement. A full review should be made of the entire Official Statement. The offering of the captioned bonds (the "2017 Bonds") to potential investors is made only by means of the entire Official Statement.

General. This Official Statement, including the cover page and all appendices, provides certain information concerning the sale and delivery of the 2017 Bonds. All descriptions and summaries of various documents set forth in this Official Statement do not purport to be comprehensive or definitive, and reference is made to each document for complete details of all terms and conditions. All statements in this Official Statement are qualified in their entirety by reference to each document. Certain capitalized terms used in this Official Statement and not defined in this Official Statement shall have the meaning given such terms in Appendix C – "SUMMARY OF CERTAIN PROVISIONS OF THE INDENTURE."

Purpose of the 2017 Bonds. The City of Clovis (the "City") is issuing the 2017 Bonds to (i) prepay installment payments (the "2007 Installment Payments") payable by the City pursuant to an Installment Sale Agreement, dated March 1, 2007, between the Clovis Public Financing Authority (the "Authority") and the City (the "2007 Installment Sale Agreement"), (ii) refinance the Authority's outstanding Wastewater Revenue Bonds, Series 2007 (the "2007 Bonds"), (iii) pay the premium for a debt service reserve fund insurance policy and (iv) pay costs of issuing the 2017 Bonds.

Authority for the 2017 Bonds. The City is issuing the 2017 Bonds pursuant to (i) an Indenture of Trust dated as of August 1, 2017 (the "Indenture"), between the City and MUFG Union Bank, N.A., as trustee (the "Trustee"), and (ii) Articles 10 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, commencing with Section 53570 (the "Bond Law").

Security for the 2017 Bonds. The 2017 Bonds are payable from "Net Revenues" related to the City's "Wastewater System" (as those terms are described in this Official Statement), which are defined in the Indenture as, for any period, an amount equal to all "Gross Revenues" received during such period minus (i) the amount required to pay all "Operation and Maintenance Costs" becoming payable during such period and (ii) amounts payable by the City to the City of Fresno ("Fresno") in respect of the City's share of debt service on bonds issued by the City of Fresno to finance improvements to the Wastewater System ("Fresno Debt Service Payments"), which payments are secured by a pledge of and lien on the Gross Revenues. The Fresno Debt Service Payments currently consist of a portion of the debt service on the City of Fresno Sewer System Revenue Bonds, 1993 Series A; the amount of the Fresno

* Preliminary; subject to change.

Debt Service Payments for fiscal year 2016-17 was approximately \$1,220,506. The Fresno Debt Service Payments could increase if the City agrees to participate in the expansion of the Fresno-Clovis Regional Wastewater Treatment Facility (the "**Regional Facility**"; see "THE WASTEWATER SYSTEM – Regional Facility"); however, the City does not currently expect to participate in an expansion of the Regional Facility, preferring instead to pay for expansion of its own wastewater treatment facility (the "**Reuse Facility**"; see "THE WASTEWATER SYSTEM – Reuse Facility") if additional capacity is needed, because the Reuse Facility generates recycled water that can be used or sold by the City. See "THE WASTEWATER SYSTEM – Projected Revenues, Operation and Maintenance Costs and Debt Service Coverage."

See "SECURITY FOR THE 2017 BONDS" for the definitions of Net Revenues, Gross Revenues, Operation and Maintenance Costs and Wastewater System.

The City will establish a debt service reserve fund for the 2017 Bonds. See "SECURITY FOR THE 2017 BONDS – Reserve Fund." On the pricing date of the 2017 Bonds, the City will decide whether to fund the Reserve Fund from a portion of the proceeds of the 2017 Bonds or to pay the premium for a debt service reserve fund insurance policy (the "**Reserve Fund Insurance Policy**"). The City paid the premium for similar insurance policies for the 2013 Bonds described below (provided by Build America Mutual Assurance Company) and for the 2015 Bonds described below (provided by Assured Guaranty Municipal Corp.). Each of these insurance policies is available to pay debt service only on the related obligations. See "SECURITY FOR THE 2017 BONDS – Limitations on Superior and Parity Debt."

Existing Parity Debt. The 2017 Bonds are payable from Net Revenues on a parity with certain outstanding obligations of the City (the "**Existing Parity Debt**") as follows:

2013 Wastewater Revenue Refunding Bonds. City of Clovis 2013 Wastewater Revenue Refunding Bonds (the "**2013 Bonds**"), which were issued in the aggregate principal amount of \$12,500,000 under an Indenture of Trust dated as of July 1, 2013, between the City and Union Bank, N.A., as trustee, and are outstanding in the principal amount of \$11,100,000.

2015 Wastewater Revenue Refunding Bonds. City of Clovis 2015 Wastewater Revenue Refunding Bonds (the "**2015 Bonds**"), which were issued in the aggregate principal amount of \$21,600,000 under an Indenture of Trust dated as of November 1, 2015, between the City and MUFG Union Bank, N.A., as trustee, and are outstanding in the principal amount of \$21,455,000.

Future Parity Debt. The Indenture authorizes additional bonds, notes, loan agreements, installment sale agreements, leases or other obligations of the City payable from and secured by a pledge of and lien upon any of the Net Revenues on a parity basis with the 2017 Bonds and the Existing Parity Debt (collectively, with the Existing Parity Debt, "**Parity Debt**"). See "SECURITY FOR THE 2017 BONDS – Limitations on Superior and Parity Debt."

Bond Insurance and Reserve Fund Insurance Policy. The City will solicit bids for a bond insurance policy and a debt service reserve fund insurance policy, and will decide whether to purchase one or both policies on the date of pricing of the 2017 Bonds.

Limited Obligation. The City is not required to advance any moneys derived from any source of income other than the Net Revenues for the payment of the principal of or interest on the 2017 Bonds. See "SECURITY FOR THE 2017 BONDS – Limited Liability."

THE REFUNDING PLAN

Refunding of the 2007 Bonds

Pursuant to an Escrow Agreement (the "**Escrow Agreement**"), between the City and MUFG Union Bank, N.A., as escrow agent (the "**Escrow Agent**"), the City will deliver a portion of the proceeds of the 2017 Bonds to the Escrow Agent for deposit in the escrow fund established under the Escrow Agreement (the "**Escrow Fund**").

The Escrow Agent will hold amounts deposited in the Escrow Fund in cash uninvested. Amounts on deposit in the Escrow Fund will be applied to prepay the unpaid 2007 Installment Payments in full and to redeem, on a date within 20 days following the issuance of the 2017 Bonds, all of the outstanding 2007 Bonds at a redemption price equal to 100% of the outstanding principal amount together with accrued interest thereon to the redemption date, without premium.

The amounts held by the Escrow Agent in the Escrow Fund are available solely to prepay the 2007 Installment Payments and redeem the 2007 Bonds. The funds deposited in the Escrow Fund will not be available for the payment of debt service with respect to the 2017 Bonds.

Estimated Sources and Uses of the 2017 Bonds

The following table sets forth the estimated sources and uses of funds with respect to the Project.

Sources:

2017 Bond Proceeds
Plus Net Original Issue Premium/Less Original Issue Discount
~~Plus Funds Relating to the 2007 Bonds~~
Total Sources

Uses:

Deposit to Escrow Fund
Underwriter's Discount
Costs of Issuance⁽¹⁾
Total Uses

⁽¹⁾ Estimate includes legal and financing costs, printing costs, initial fees of the Trustee, municipal bond insurance premium (if any), the premium for the Reserve Fund Insurance Policy, Bond Counsel and Disclosure Counsel fees, and certain other costs.

Debt Service Schedules

2017 Bonds. The following table shows the annual debt service schedule with respect to the 2017 Bonds (assuming no optional redemptions).

CITY OF CLOVIS 2017 Wastewater Revenue Refunding Bonds Annual Debt Service Schedule

| Fiscal Year
Ending June 30 | 2017 Bonds
Principal | 2017 Bonds
Interest | 2017 Bonds
Total Debt Service |
|-------------------------------|-------------------------|------------------------|----------------------------------|
| 2018 | | | |
| 2019 | | | |
| 2020 | | | |
| 2021 | | | |
| 2022 | | | |
| 2023 | | | |
| 2024 | | | |
| 2025 | | | |
| 2026 | | | |
| 2027 | | | |
| 2028 | | | |
| 2029 | | | |
| 2030 | | | |
| 2031 | | | |
| 2032 | | | |
| 2033 | | | |
| 2034 | | | |
| 2035 | | | |
| 2036 | | | |
| 2037 | | | |
| 2038 | | | |
| 2039 | | | |
| Totals: | | | |

Combined Debt Service. The following table presents the scheduled debt service on the 2017 Bonds, the 2015 Bonds, and the 2013 Bonds, assuming no optional redemption. This table does not include Fresno Debt Service Payments, which are payable from Gross Revenues prior to the debt service on the 2013 Bonds, 2015 Bonds, and 2017 Bonds. The amount of the Fresno Debt Service Payments for fiscal year 2016-17 was approximately \$1,220,506. See "SECURITY FOR THE 2017 BONDS - Applicable Definitions," "THE WASTEWATER SYSTEM - Regional Facility" and "- Historical Revenues, Operation and Maintenance Costs and Debt Service Coverage."

CITY OF CLOVIS
2017 Wastewater Revenue Refunding Bonds
Combined Annual Debt Service Schedule⁽¹⁾

| Fiscal Year
Ending
June 30 | 2013 Bonds
Total Debt Service | 2015 Bonds
Total Debt Service | 2017 Bonds
Total Debt Service | Total Existing Parity Debt
and 2017 Bonds
Debt Service ⁽¹⁾ |
|----------------------------------|----------------------------------|----------------------------------|----------------------------------|---|
| 2018 | \$1,017,150.00 | \$1,048,831.26 | | |
| 2019 | 1,016,150.00 | 1,049,506.26 | | |
| 2020 | 1,014,350.00 | 1,050,443.76 | | |
| 2021 | 1,018,625.00 | 1,049,981.26 | | |
| 2022 | 1,018,625.00 | 1,048,081.26 | | |
| 2023 | 1,017,125.00 | 1,045,081.26 | | |
| 2024 | 1,015,000.00 | 1,045,831.26 | | |
| 2025 | 1,786,500.00 | 1,884,581.26 | | |
| 2026 | 1,784,625.00 | 1,283,181.26 | | |
| 2027 | 1,788,750.00 | 1,287,881.26 | | |
| 2028 | 1,788,625.00 | 1,278,437.51 | | |
| 2029 | -- | 1,279,562.51 | | |
| 2030 | -- | 2,768,950.01 | | |
| 2031 | -- | 2,769,368.76 | | |
| 2032 | -- | 2,773,487.51 | | |
| 2033 | -- | 2,766,431.26 | | |
| 2034 | -- | 2,768,509.38 | | |
| 2035 | -- | 2,771,096.88 | | |
| 2036 | -- | 2,760,815.63 | | |
| 2037 | -- | -- | | |
| 2038 | -- | -- | | |
| 2039 | -- | -- | | |
| Totals: | \$14,265,525.00 | \$33,730,059.55 | | |

(1) Does not include the 2007 Installment Payments, which will be prepaid with the proceeds of the 2017 Bonds.

THE 2017 BONDS

General Provisions

The 2017 Bonds will be dated their initial date of delivery, and interest thereon will be payable from such date at the rates set forth on the inside cover page of this Official Statement, on February 1 and August 1 of each year (the "**Interest Payment Dates**"), commencing February 1, 2018. Interest on the 2017 Bonds will be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The 2017 Bonds will mature in the amounts and on the dates set forth on the inside cover page of this Official Statement.

The 2017 Bonds will be issued in fully registered form, individual purchases being made in book-entry form only, in denominations of \$5,000 or any integral multiple thereof.

Principal of and interest on the 2017 Bonds are payable by the Trustee to The Depository Trust Company, New York, New York ("**DTC**"), as the registered Owner of the 2017 Bonds, which will in turn remit such principal and interest to the DTC Participants for subsequent disbursement to the Beneficial Owners of the 2017 Bonds. See Appendix F — "INFORMATION CONCERNING DTC."

Redemption

Optional Redemption. The 2017 Bonds maturing on or before August 1, 20__, are not subject to redemption prior to their respective stated maturities. The 2017 Bonds maturing on or after August 1, 20__, are subject to redemption in whole, or in part among maturities on such basis and in such respective principal amounts as set forth in a Certificate of the City filed with the Trustee, and in any event by lot within a maturity, at the option of the City, from any available source of funds, on any Business Day on or after August 1, 20__, at a redemption price equal to 100% of the principal amount to be redeemed together with accrued interest to the redemption date, without premium.

Mandatory Sinking Fund Redemption. The 2017 Bonds maturing on August 1, 20__, and August 1, 20__ ("**Term Bonds**") are subject to mandatory redemption in part by lot, at a redemption price equal to 100% of the principal amount thereof to be redeemed, without premium, in the aggregate respective principal amounts and on August 1 in the respective years as set forth in the following tables; *provided, however*, that if some but not all of the Term Bonds have been redeemed under the provisions of the Indenture allowing optional redemption, the total amount of all future sinking fund payments will be reduced by the aggregate principal amount of the Term Bonds so redeemed, to be allocated among such sinking fund payments on such basis as will be designated in a Certificate of the City filed with the Trustee.

Term Bonds Maturing August 1, 20__

Sinking Fund
Redemption Date
(August 1)

Principal Amount
To Be Redeemed

Term Bonds Maturing August 1, 20__

Sinking Fund
Redemption Date
(August 1)

Principal Amount
To Be Redeemed

Notice of Redemption. The Trustee on behalf and at the expense of the City will mail (by first class mail) notice of any redemption to the respective Owners of any 2017 Bonds designated for redemption at their respective addresses appearing on the Registration Books, to the Municipal Securities Rulemaking Board and to the Securities Depositories, at least 30 but not more than 60 days prior to the date fixed for redemption; provided, however, that neither failure to receive any such notice so mailed nor any defect in the notice will affect the validity of the proceedings for the redemption of such 2017 Bonds or the cessation of the accrual of interest on the redeemed 2017 Bonds. The redemption notice will state the date of the notice, the redemption date, the redemption place and the redemption price and shall designate the CUSIP numbers, the bond numbers and the maturity or maturities (in the event of redemption of all of the 2017 Bonds of such maturity or maturities in whole) of the 2017 Bonds to be redeemed, and will require that the 2017 Bonds be then surrendered at the Office of the Trustee identified in such notice for redemption at the redemption price, giving notice also that further interest on such 2017 Bonds will not accrue from and after the redemption date.

Selection of 2017 Bonds of the Same Maturity for Redemption. Whenever less than all of the 2017 Bonds of a single maturity will be redeemed, the Trustee will select the 2017 Bonds of such maturity to be redeemed by lot in any manner which the Trustee in its sole discretion deems appropriate. For purposes of such selection, all 2017 Bonds will be deemed to be comprised of separate \$5,000 denominations and such separate denominations will be treated as separate 2017 Bonds which may be separately redeemed.

Effect of Redemption. From and after the date fixed for redemption, if notice of redemption has been duly mailed and funds available for the payment of the principal of and interest (and premium, if any) on the 2017 Bonds so called for redemption have been duly provided, the called 2017 Bonds will cease to be entitled to any benefit under the Indenture other than the right to receive payment of the redemption price, and no interest will accrue thereon from and after the redemption date specified in the redemption notice.

Right to Rescind Notice of Optional Redemption. The City has the right to rescind any notice of the optional redemption of 2017 Bonds by written notice to the Trustee on or prior to the dated fixed for redemption. Any notice of optional redemption will be cancelled and

annulled if for any reason funds will not be or are not available on the date fixed for redemption for the payment in full of the 2017 Bonds then called for redemption, and such cancellation will not constitute an Event of Default under the Indenture. The City and the Trustee have no liability to the Owners or any other party related to or arising from such rescission of redemption. The Trustee shall cause notice of such rescission to be mailed, first class mail, postage prepaid, to the respective Owners of any 2017 Bonds designated for redemption, at their addresses appearing on the Registration Books, and to the Municipal Securities Rulemaking Board and the Securities Depositories.

SECURITY FOR THE 2017 BONDS

General

The 2017 Bonds are secured by a first pledge of all of the Net Revenues, on a parity with the pledge that secures the 2013 Bonds, the 2015 Bonds and future Parity Debt.

In addition, the 2017 Bonds are secured by a pledge of all of the moneys in the Bond Service Fund, the Reserve Fund Insurance Policy in the Reserve Fund and all amounts derived from the investment of moneys in the Bond Service Fund. The 2017 Bonds and all Parity Debt are equally secured by a pledge, charge and lien upon the Net Revenues without priority for series, issue, number or date. So long as any of the 2017 Bonds are Outstanding, the Net Revenues and such moneys may not be used for any other purpose; except that out of the Net Revenues there may be apportioned such sums, for such purposes, as are expressly permitted by the Indenture (see "- Flow of Funds" below).

Applicable Definitions

"**Net Revenues**" is defined in the Indenture as, for any period, an amount equal to all of the Gross Revenues received during such period minus the amount required to pay all Fresno Debt Service Payments coming due and payable during such period and minus all Operation and Maintenance Costs coming due and payable during such period.

"**Gross Revenues**" is defined in the Indenture as all gross charges received for, and all other gross income and receipts derived by the City from, the ownership and operation of the Wastewater System or otherwise arising from the Wastewater System, including but not limited to investment earnings thereon and including Major Facilities Fees; but excluding:

- (a) the proceeds of any *ad valorem* property taxes levied for the purpose of paying general obligation bonds of the City relating to the Wastewater System,
- (b) the proceeds of any special assessments or special taxes levied upon real property within any improvement district for the purpose of paying special assessment bonds or special tax obligations of the City relating to the Wastewater System; and
- (c) customers' deposits or any other deposits subject to refund until such deposits have become the property of the City, or contributions in aid of construction.

"Fresno Debt Service Payments" is defined in the Indenture to mean amounts which are payable by the City to Fresno in respect of the City's share of debt service on bonds issued by Fresno to finance improvements to the Wastewater System, which payments are secured by a pledge of and lien on the Gross Revenues. The amount of the Fresno Debt Service Payments for fiscal year 2016-17 was approximately \$1,220,506, and could increase if the City agrees to participate in the expansion of the Regional Facility. See "THE WASTEWATER SYSTEM – Regional Facility" below.

"Operation and Maintenance Costs" is defined in the Indenture as the reasonable and necessary costs paid or incurred by the City for maintaining and operating the Wastewater System, determined in accordance with generally accepted accounting principles, including but not limited to:

- (a) All reasonable expenses of management and repair and other expenses necessary to maintain and preserve the Wastewater System in good repair and working order.
- (b) All administrative costs of the City that are charged directly or apportioned to the operation of the Wastewater System, such as salaries and wages of employees, overhead, taxes (if any) and insurance premiums.
- (c) Amounts paid by the City to Fresno under the Clovis-Fresno JPA Agreement (see "THE WASTEWATER SYSTEM – Regional Facility" below), but only to the extent such amounts constitute costs for maintaining and operating the portion of the Wastewater System that is governed by the Clovis-Fresno JPA Agreement; these costs do not include Fresno Debt Service Payments or the amounts payable by the City to Fresno under the Clovis-JPA Agreement for capital-related costs. See "THE WASTEWATER SYSTEM – Projected Revenues, Operation and Maintenance Costs and Debt Service Coverage."

| "Operation and Maintenance Costs" does not include:

- (i) administrative costs of the 2017 Bonds,
- (ii) payments of debt service on bonds, notes or other obligations issued by the City with respect to the Wastewater System.
- (iii) depreciation, replacement and obsolescence charges or reserves therefor, and
- (iv) amortization of intangibles or other bookkeeping entries of a similar nature.

"Wastewater System" is defined in the Indenture as the entire system of the City for the collection, treatment and disposal of wastewater, including but not limited to all facilities, properties and improvements at any time owned, controlled or operated by the City for the collection, treatment and disposal of wastewater within the service area of the City, and any necessary lands, rights, entitlements and other property useful in connection therewith, together with all extensions thereof and improvements thereto at any time acquired, constructed or installed by the City.

"Major Facilities Fees" means all amounts levied by the City as a fee for connecting to the Wastewater System, as such fee is established from time to time under Section 66013 of the Government Code of the State of California.

Flow of Funds

Deposits into the Wastewater Fund. The City previously established a Wastewater Fund, which it will continue to hold and maintain for the purposes and uses described below. The City will deposit all Gross Revenues in the Wastewater Fund promptly upon receipt, and will apply amounts in the Wastewater Fund solely for the uses and purposes set forth in the Indenture and purposes set forth in the legal documents related to Parity Debt ("**Parity Debt Documents**").

Application of Moneys in the Wastewater Fund. The City will withdraw amounts on deposit in the Wastewater Fund and apply such amounts at the times and for the purposes, and in the priority, as follows:

Fresno Debt Service Payments. Amounts on deposit in the Wastewater Fund will be applied by the City to pay Fresno Debt Service Payments when and as the same become due and payable.

Operation and Maintenance Costs. Amounts on deposit in the Wastewater Fund will be applied by the City to pay Operation and Maintenance Costs when and as the same become due and payable.

Bond Service Fund. Not later than the 3rd Business Day preceding each Interest Payment Date, so long as any 2017 Bonds remain Outstanding under the Indenture, the City will withdraw from the Wastewater Fund and pay to the Trustee for deposit into the Bond Service Fund held by the Trustee under the Indenture an amount which, together with other available amounts then on deposit in the Bond Service Fund, is at least equal to the aggregate amount of principal of and interest coming due and payable on the 2017 Bonds on such Interest Payment Date, including the principal of the Term Bonds upon the mandatory sinking fund redemption thereof. In addition, the City will withdraw from the Wastewater Fund and transfer to the respective trustees for outstanding Parity Debt, the amount required to pay principal of and interest on such Parity Debt when and as required under the respective Parity Debt Documents. These transfers will be made by the City from the Wastewater Fund in respect of debt service on the Outstanding 2017 Bonds and Parity Debt without preference or priority between the 2017 Bonds and any issue of Parity Debt.

The Trustee will apply amounts in the Bond Service Fund solely for the purpose of (i) paying the interest on the Outstanding 2017 Bonds when due and payable (including accrued interest on any 2017 Bonds purchased or redeemed), (ii) paying the principal of the Term Bonds upon the mandatory sinking fund redemption thereof, and (iii) paying the principal of the 2017 Bonds at their maturity. Upon the payment of all Outstanding 2017 Bonds and Parity Debt, the Trustee will transfer any moneys remaining in the Bond Service Fund to the City for deposit into the Wastewater Fund.

Reserve Fund. [The City has satisfied the Reserve Requirement for the 2017 Bonds with payment of the premium for the Reserve Fund Insurance Policy provided by the Insurer. The City has no obligation to fund the Reserve Fund if, for any reason, the Reserve Fund Insurance Policy is not available or the Insurer fails to meet its obligations under the Reserve Fund Insurance Policy.]

If the amount on deposit in the reserve fund established for any issue of outstanding Parity Debt at any time falls below its required level, the City will withdraw the amount of such insufficiency from available Net Revenues on deposit in the Wastewater Fund, and transfer such amount to the trustee for such Parity Debt for deposit in the related reserve fund.

Redemption Fund. If the City elects to redeem Outstanding 2017 Bonds under the optional redemption provisions, the City will transfer to the Trustee for deposit into the Redemption Fund held by the Trustee under the Indenture an amount at least equal to the redemption price of the 2017 Bonds, excluding accrued interest, which is payable from the Bond Service Fund. Amounts in the Redemption Fund will be applied by the Trustee solely for the purpose of paying the redemption price of 2017 Bonds to be redeemed in the event of an optional redemption. Following any such redemption of the 2017 Bonds, any moneys remaining in the Redemption Fund will be transferred by the Trustee to the City for deposit into the Wastewater Fund.

Covenant to Manage Wastewater Funds. The City covenants in the Indenture to manage, conserve and apply moneys in the Wastewater Fund in such a manner that all deposits required to be made under the Indenture and under the documents authorizing the issuance of Parity ~~Obligation Documents Debt~~ will be made at the times and in the amounts so required. Subject to the foregoing sentence, so long as no Event of Default has occurred and is continuing, the City may at any time use and apply moneys in the Wastewater Fund for any one or more of the following purposes:

- (i) the acquisition and construction of extensions and betterments to the Wastewater System;
- (ii) the redemption of any of the 2017 Bonds, Parity Debt or other obligations of the Wastewater System, as the City in its discretion may determine; or
- (iii) any other lawful purpose of the City relating to the Wastewater System.

Reserve Fund

On the pricing date of the 2017 Bonds, the City will decide whether to purchase a Reserve Fund Insurance Policy or fund the Reserve Fund with proceeds of the 2017 Bonds. If the City satisfies the Reserve Requirement for the 2017 Bonds with a Reserve Fund Insurance Policy, the City will have no obligation to fund the Reserve Fund if, for any reason, the Reserve Fund Insurance Policy is not available or the Insurer fails to meet its obligations under the Reserve Fund Insurance Policy.

As defined in the Indenture, the term "Reserve Requirement" means an amount equal to 50% of maximum annual debt service on the outstanding 2017 Bonds. As of the Closing Date,

the Reserve Requirement for the Bonds is equal to \$_____, which amount will remain the Reserve Requirement so long as the Reserve Fund Insurance Policy is outstanding.

The City paid the premium for debt service reserve fund insurance policies for the 2015 Bonds (provided by Assured Guaranty Municipal Corp.) and the 2013 Bonds (provided by Build America Mutual Assurance Company). Each of these insurance policies is available to pay debt service only on the related obligation and not the 2017 Bonds. The 2017 Bonds are not secured by, and have no interest whatsoever in, the reserve funds which have been established for the 2013 Bonds or the 2015 Bonds, nor are amounts held in the reserve funds for the 2013 Bonds or the 2015 Bonds available for payment of debt service on the 2017 Bonds.

The composition of the debt service reserve funds for the 2017 Bonds and the Existing Parity Debt is summarized in the following table:

| <u>Obligation</u> | <u>Nature of Funding</u> | <u>Reserve Fund Requirement</u> |
|-------------------|---|---------------------------------|
| 2013 Bonds | Build America Mutual Assurance Company <u>reserve fund insurance policy</u> | \$1,250,000.00 |
| 2015 Bonds | Assured Guaranty Municipal Corp. | \$2,217,642.54 |
| 2017 Bonds | | |

Rate Stabilization Fund

The City has not established a rate stabilization fund under the Indenture. However, the Net Revenue rate covenant (see "SECURITY FOR THE 2017 BONDS - Rate Covenants") permits the City to take into account unreserved, unrestricted amounts in the Wastewater Fund as of the commencement of a Fiscal Year. See "THE WASTEWATER SYSTEM - Historical Revenues, Operation and Maintenance Costs and Debt Service Coverage" for information about the City's use of unreserved, unrestricted amounts in the Wastewater Fund to meet its Net Revenue rate covenant.

Limited Liability

The City is not required to advance any moneys derived from any source of income other than the Net Revenues for the payment of the principal of or interest on the 2017 Bonds, or any premiums upon the redemption thereof, or for the performance of any covenants contained in the Indenture (except to the extent any such covenants are expressly payable from the Gross Revenues). The City may, however, advance funds for any such purpose, provided that such funds are derived from a source legally available for such purpose and may be used by the City for such purpose without incurring indebtedness.

The 2017 Bonds are revenue bonds, payable exclusively from the Net Revenues and other funds as provided in the Indenture. The general fund of the City is not liable, and the credit of the City is not pledged, for the payment of the interest on or principal of the 2017 Bonds. The owners of the 2017 Bonds have no right to compel the forfeiture of any property of the City. The principal of and interest on the 2017 Bonds, and any premiums upon the redemption of any of the 2017 Bonds, are not a debt of the City, or a legal or equitable pledge, charge, lien or encumbrance upon any property of the City or upon any of its income, receipts or revenues.

except the Net Revenues and other funds pledged to the payment thereof as provided in the Indenture.

Rate Covenants

In the Indenture, the City adopts two rate covenants:

Covenant Regarding Gross Revenues. The City will fix, prescribe, revise and collect rates, fees and charges for the services and facilities furnished by the Wastewater System during each Fiscal Year which are at least sufficient, after making allowances for contingencies and error in the estimates, to pay the following amounts in the following order:

- (i) all Fresno Debt Service Payments that become due and payable in the Fiscal Year;
- (ii) all Operation and Maintenance Costs estimated by the City to become due and payable in the Fiscal Year;
- (iii) the principal of and interest on all outstanding Bonds and Parity Debt as they become due and payable during the Fiscal Year, without preference or priority;
- (iv) all amounts, if any, required to restore the balances in any reserve fund established for outstanding Parity Debt to their respective required levels;
- (v) all payments coming due and payable during the Fiscal Year and required for compliance with the Parity Debt Documents; and
- (vi) all payments required to meet any other obligations of the City which are charges, liens, encumbrances upon or payable from the Gross Revenues during the Fiscal Year.

Covenant Regarding Net Revenues. The City shall fix, prescribe, revise and collect rates, fees and charges for the services and facilities furnished by the Wastewater System during each Fiscal Year which are sufficient, together with unreserved, unrestricted amounts in the Wastewater Fund as of the commencement of such Fiscal Year, to yield Net Revenues which are at least equal to 120% of the amount of principal of and interest on all outstanding Bonds and Parity Debt as they become due and payable during such Fiscal Year.

In the event that the actual collection of Net Revenues based on such rates, fees and charges is insufficient to yield Net Revenues which (together with unreserved, unrestricted amounts in the Wastewater Fund as of the commencement of such Fiscal Year) meet the requirements of this covenant, such event shall not constitute an Event of Default unless it has continued uncured for a period of at least 12 months.

Limitations on Superior and Parity Debt

Set forth below is a summary of the provisions of the Indenture with respect to incurrence of superior obligations and issuance of any obligations payable from and secured by a pledge of Net Revenues on a parity basis with the 2017 Bonds.

Obligations Superior to the 2017 Bonds. Currently, there are no existing bonds or other obligations that are secured by a senior lien on the Gross Revenues or the Net Revenues. The City has covenanted in the Indenture that it will not incur obligations payable from Net Revenues on a superior basis to the 2017 Bonds.

Issuance of Parity Debt. The City covenants in the Indenture that it will not incur any obligations on a parity basis with the 2017 Bonds (which, along with the 2015 Bonds and the 2013 Bonds, are defined as "**Parity Debt**"), except in compliance with the following conditions:

- (a) No Event of Default under the Indenture has occurred and is continuing.
- (b) The Net Revenues, calculated in accordance with sound accounting principles, as shown by the books of the City for the most recent completed Fiscal Year for which audited financial statements of the City are available, or for any more recent consecutive 12-month period selected by the City, in either case verified by an Independent Accountant or a Fiscal Consultant or shown in the audited financial statements of the City, plus (at the option of the City) any Additional Revenues, at least equal 120% of Maximum Annual Debt Service (taking into account the Parity Debt then proposed to be issued).
- ~~(c) There must be deposited into a reserve account from the proceeds of such Parity Debt in an amount sufficient to cause the balance in the Reserve Account to be equal to the Reserve Requirement. However, the Indenture provides that, following the discharge and defeasance of the 2007 Installment Sale Agreement, the City may in its sole discretion determine that a reserve fund shall not be established for a particular issue of Parity Debt which is issued thereafter, in which event such Parity Debt shall not be secured by, and shall have no interest whatsoever in, the Reserve Fund and in the reserve funds established for other Parity Debt.~~
- ~~(d) The trustee or fiscal agent for such Parity Debt is the same entity performing the functions of Trustee under the Indenture.~~
- ~~(d) The issuance of such Parity Debt shall comply with all conditions to the issuance thereof as set forth in the applicable provisions of the documents authorizing the issuance of other Parity Debt.~~

The Indenture defines the term "**Additional Revenues**" to mean, with respect to any Parity Debt:

- (i) An allowance for Net Revenues from any additions or improvements to or extensions of the Wastewater System to be financed from the proceeds of such Parity Debt or from any other source but in any case which, during all or any part of the most recent completed Fiscal Year for which audited financial statements are available or for any other 12-month period selected by the City, were not in service, all in an amount equal to 80% of the estimated additional average annual Net Revenues to be derived from such additions, improvements and extensions for the first 36-month period in which each addition, improvement or extension is to be in operation, all as

shown by the certificate or opinion of a qualified independent engineer employed by the City.

- (ii) An allowance for Net Revenues arising from any increase in the charges made for service from the Wastewater System which has become effective prior to the incurring of such Parity Debt but which, during all or any part of such Fiscal Year or such 12-month period, was not in effect, in an amount equal to the total amount by which the Net Revenues would have been increased if such increase in charges had been in effect during the whole of such Fiscal Year or such 12-month period, all as shown by the certificate or opinion of an Independent Accountant.

Outstanding Obligations

After refinancing the 2007 Bonds and prepaying the 2007 Installment Payments, the only obligations of the City that are payable from Net Revenues of the Wastewater System other than the 2017 Bonds is the debt service on the 2015 Bonds and 2013 Bonds.

THE CITY

General

The City is located in northeastern Fresno County, adjacent to the City of Fresno, approximately 180 miles southeast of the City of San Francisco and 210 miles northeast of the City of Los Angeles. The City was first settled in the 1800's and was incorporated in 1912. The City contains approximately 23.8 square miles in total area. The City population was estimated to be 110,762 as of January 1, 2017.

As of June 30, 2017, the City provided wastewater collection for 31,315 accounts with 41,921 units. Within the City's boundaries, the City's Wastewater System is the sole enterprise that provides wastewater services.

Governance and Management

The City is a general law city. The City is governed by 5 members of the City Council elected at large to serve 4-year overlapping terms at elections held every two years. The mayor and the mayor pro tem are selected by the City Council from its members to serve 2-year terms.

Land and Land Use

The sphere of influence of the City (the "**Sphere of Influence**") is a projection determined in accordance with state law, of the probable physical boundaries and service area of the City. The current Sphere of Influence includes approximately 33 square miles. Based upon current Fresno County and City land use policies, the City's projected population at buildout is about 132,000.

Set forth below is a summary of assessed valuation of property in the City. The increases reflect both development of land within the City as well as annexations of additional property into the City. **Property tax revenues allocated to the City are not pledged as security for the 2017 Bonds.**

Table 1
City of Clovis
Assessed Valuation
(Dollars in millions)

| Fiscal Year | Total Assessed Valuation | Increase |
|--------------------|---------------------------------|-----------------|
| 1998-99 | \$ 2,724 | |
| 1999-00 | 2,816 | 3.4% |
| 2000-01 | 2,879 | 2.2 |
| 2001-02 | 3,160 | 9.8 |
| 2002-03 | 3,532 | 11.8 |
| 2003-04 | 3,958 | 12.1 |
| 2004-05 | 4,116 | 4.0 |
| 2005-06 | 5,553 | 34.9 |
| 2006-07 | 6,627 | 19.3 |
| 2007-08 | 7,685 | 16.0 |
| 2008-09 | 7,750 | 0.8 |
| 2009-10 | 7,459 | -3.8 |
| 2010-11 | 7,417 | -0.6 |
| 2011-12 | 7,338 | -1.1 |
| 2012-13 | 7,226 | -1.5 |
| 2013-14 | 7,707 | 6.7 |
| 2014-15 | 8,363 | 8.5 |
| 2015-16 | 8,608 | 2.9 |
| 2016-17 | 8,909 | 3.5 |
| 2017-18 | 9,394 | 5.4 |

Source: City of Clovis

Employees

The City currently employs approximately 515 full-time and 107 part-time and seasonal persons, of whom 12 full-time persons work in the wastewater department. Certain employees of the City belong to several different labor unions. The City currently is subject to multi-year contracts with its labor unions. The City has not experienced any strike or other work stoppage actions since 1979. The City adopted its current memoranda of understanding with its bargaining groups in 2016, and they are effective through June 30, 2019.

Budget Process

Prior to June 1 of each year, the City Manager submits to the City Council a proposed budget for the City for the fiscal year commencing the following July 1. The City Council then generally conducts public hearings to obtain comments from residents and ratepayers. Following the public hearings, the City Council approves the budget prior to July 1.

The City's budget is prepared on a modified accrual basis and includes the City's Wastewater Fund. The City Council approved the operating budget for fiscal year 2017-18 on June 12, 2017.

Pension Obligations

General. The City contributes to two pension plans for its employees, a Safety Plan and a Miscellaneous Plan. The City allocates a portion of the costs of the Miscellaneous Plan to the Wastewater System, and does not allocate any of the costs of the Safety Plan to the Wastewater System. Information about the Miscellaneous Plan is included below.

In fiscal year 2016-17, the City allocated an estimated \$86,500 of pension costs to the Wastewater System. The estimated pension cost of \$86,500 represents 0.6% of estimated operating expenses of the Wastewater System fiscal year 2016-17.

Plan Description. The City contributes to the California Public Employees' Retirement System ("PERS"), an agent multiple-employer public employee defined benefit pension plan. PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. PERS acts as a common investment and administrative agent for participating public entities within the State of California.

Funding Policy. Plan participants are required to contribute 8% of their annual covered salary for miscellaneous members and 9% for public safety members. In addition, the City has implemented a cost sharing agreement under which employees contribute an additional 8.0% towards the employer contribution for safety members and 8.4% for miscellaneous members. The City is required to contribute the actuarially determined remaining amounts necessary to fund the benefits for its members. The actuarial methods and assumptions used are those adopted by PERS' Board of Administration. The required employer contribution rates for fiscal years 2014-15 through 2017-18 are as follows:

City's Required Contribution Rates*

| Fiscal Year | Required Contribution-Miscellaneous Plan |
|---------------------|--|
| 2014-15 | 19.547% |
| 2015-16 | 20.230 |
| 2016-17 | 21.043 |
| 2017-18 (estimated) | 22.4 |

* Required contribution rates do not reflect employee cost sharing requirements described above.
Source: PERS Public Agency Required Contributions.

The contribution requirements of the plan members are established by State statute, and the contribution rate of the employer is established and may be amended by PERS.

The City has established two tiers of employees in the Miscellaneous Plan:

- (i) Employees hired before January 1, 2013 and employees hired on or after January 1, 2013 if they were members of a qualifying plan in the previous six months;

- (ii) Employees hired on or after January 1, 2013 (except those who were members of qualifying plans in the previous six months).

Annual Pension Cost. For fiscal year 2016-17, the City's estimated annual pension cost of \$8,148,500 was equal to the City's required actual contributions. The required contribution was determined as part of the June 30, 2015 actuarial valuation using the entry age normal actuarial cost method. The actuarial assumptions included: (a) 7.50% investment rate of return (net of pension plan investment and administrative expenses), compounded annually, and; (b) projected salary increases that vary by duration of service ranging from 3.30% to 14.20% for Miscellaneous Plan members. Both (a) and (b) include an overall payroll growth component of 3.00% and an inflation component of 2.75%. The actuarial value of PERS assets is determined using techniques that smooth the effects of short-term volatility in the market value of investments over a fifteen-year period. The Miscellaneous Plan of the City has an unfunded actuarial liability that is being amortized as a level percentage of projected payroll on a closed basis. The remaining amortization period at June 30, 2016 was 15 years for Miscellaneous Plan members.

Three-Year Trend Information for PERS (Dollar Amounts in Thousands)

| Fiscal Year Ending | Annual Pension Cost (APC) | Percentage of (APC) Contributed | Net Pension Obligation |
|---------------------|---------------------------|---------------------------------|------------------------|
| Miscellaneous Plan: | | | |
| 6/30/2016 | \$2,938 | 100% | \$0 |
| 6/30/2015 | 3,302 | 100 | 0 |
| 6/30/2014 | 3,119 | 100 | 0 |

Source: City of Clovis Comprehensive Annual Financial Report, Fiscal Year June 30, 2016.

**Public Employees Retirement System
Schedule of Funding Progress
(Dollar Amounts in Thousands)**

| Valuation Date | Actuarial Value Assets | Actuarial Accrued Liability (AAL) Entry Age Normal | Unfunded AAL (UAAL)/ (Excess Assets) | Funded Ratio | Annual Covered Payroll | UAAL as a Percentage of Covered Payroll |
|---------------------|------------------------|--|--------------------------------------|--------------|------------------------|---|
| Miscellaneous Plan: | | | | | | |
| 6/30/15 | \$119,517 | \$162,596 | (\$43,078) | 73.5% | \$23,695 | (181.8%) |

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Source: City of Clovis Comprehensive Annual Financial Report, Fiscal Year June 30, 2016.

As of June 30, 2015, the market value of the PERS assets for the Miscellaneous Plan was \$119,517,171 (a 73.5% funded ratio).

On July 18, 2016, PERS announced preliminary investment returns for the 12-month period ended June 30, 2016, of 0.61%. Such returns are significantly lower than PERS' current assumed rate of investment return (7.50%) and, along with other factors (including future investment returns and contributions rates), may result in increased required contributions in the future.

Recent Actions Taken by CalPERS. At its April 17, 2013, meeting, PERS' Board of Administration (the "**Board of Administration**") approved a recommendation to change the PERS amortization and smoothing policies. Prior to this change, PERS employed an amortization and smoothing policy that spread investment returns over a 15-year period with experience gains and losses paid for over a rolling 30-year period. After this change, PERS will employ an amortization and smoothing policy that will pay for all gains and losses over a 20-year period with a five-year ramp-up, and five-year ramp-down, period. The new amortization and smoothing policy was used for the first time in the June 30, 2013, actuarial valuations in setting employer contribution rates for fiscal year 2015-16.

On February 18, 2014, the Board of Administration approved new demographic actuarial assumptions based on a 2013 study of recent experience. The largest impact, applying to all benefit groups, is a new 20-year mortality projection reflecting longer life expectancies and that longevity will continue to increase. Because retirement benefits will be paid out for more years, the cost of those benefits will increase as a result. The Board of Administration also assumed earlier retirements for Police 3%@50, Fire 3%@55, and Miscellaneous 2.7%@55 and 3%@60, which will increase costs for those groups. As a result of these changes, rates will increase beginning in fiscal year 2016-17 (based on the June 30, 2014 valuation) with full impact in fiscal year 2020-21.

On November 18, 2015, the Board of Administration adopted a funding risk mitigation policy intended to incrementally lower its discount rate – its assumed rate of investment return – in years of good investment returns, help pay down the pension fund's unfunded liability, and provide greater predictability and less volatility in contribution rates for employers. The policy establishes a mechanism to reduce the discount rate by a minimum of 0.05 percentage points to a maximum of 0.25 percentage points in years when investment returns outperform the existing discount rate, currently 7.5%, by at least four percentage points. PERS staff modeling anticipates the policy will result in a lowering of the discount rate to 6.5% in about 21 years, improve funding levels gradually over time and cut risk in the pension system by lowering the volatility of investment returns. More information about the funding risk mitigation policy can be accessed through CalPERS' web site at the following website address: <https://www.calpers.ca.gov/page/newsroom/calpers-news/2015/adopts-funding-risk-mitigation-policy>. *The reference to this Internet website is provided for reference and convenience only. The information contained within the website may not be current, has not been reviewed by the City and is not incorporated in this Official Statement by reference.*

On December 21, 2016, the PERS Board voted to lower its discount rate from the current 7.5% to 7.0% over the next three years according to the following schedule.

| <u>Fiscal Year</u> | <u>Discount Rate</u> |
|--------------------|----------------------|
| 2017-18 | 7.375% |
| 2018-19 | 7.250 |
| 2019-20 | 7.000 |

For public agencies like the City, the new discount rate for would take effect July 1, 2018. Lowering the discount rate means employers that contract with PERS to administer their pension plans will see increases in their normal costs and unfunded actuarial liabilities. Active members hired after January 1, 2013, under the Public Employees' Pension Reform Act will also see their contribution rates rise. The three-year reduction of the discount rate will result in average employer rate increases of about 1 percent to 3 percent of normal cost as a percent of

payroll for most miscellaneous retirement plans, and a 2 percent to 5 percent increase for most safety plans. Additionally, many PERS employers will see a 30 to 40 percent increase in their current unfunded accrued liability payments. These payments are made to amortize unfunded liabilities over 20 years to bring the pension fund to a fully funded status over the long-term.

Other Post-Employment Benefits

The City allows its retirees who retire under provisions of a regular service retirement and who have five years of service the opportunity to continue enrollment in the City's health insurance program until age 65. The retirees have the same choice of insurance plans as those of current employees. The retirees are pooled together separately from the active employee pool and pay the full cost of the insurance premiums without cost to the City.

Insurance Coverage

The City is a member of the Central San Joaquin Valley Risk Management Authority which provides \$1,000,000 liability coverage over a \$100,000 self-insured retention. Excess coverage of \$10,000,000 is provided by the California Joint Powers Risk Management Authority. The Central San Joaquin Valley Risk Management Authority provides property damage coverage for "all risks" (excluding earthquake and floods) for first dollar coverage based on annually updated estimated replacement values. Indicated in the following table are the City's various insurance policies as of June 1, 2017.

City of Clovis Insurance Coverage as of July 1, 2017

| Coverage | Effective Dates | Amount of Coverage |
|--|-----------------|--|
| General Municipal Liability | | \$29 Million
\$100,000 Self-Insured Retention |
| Automobile Liability | | \$1 Billion
\$2,000 Self-Insured Retention |
| Mobile Equipment | | Replacement Value
\$2,000 Deductible Per Loss |
| Workers' Compensation and
Employers Liability | | \$5 Million Combined
\$250,000 Self-Insured Retention |
| Fire and Property | | \$1 Billion
\$5,000 Deductible |
| Surety Bond Public Employee
Blanket Bond | | \$1,000,000
\$2,500 Deductible |

Source: City of Clovis.

City Investments

The investment of the City's funds is performed in accordance with the City's adopted Investment Policy. Funds are invested with the following objectives in mind:

1. Safety of principal is the primary objective of the investment policy. Investments will be made in a manner that ensures the preservation of principal in the portfolio. To help obtain this objective the City will diversify its investments by investing funds among independent financial institutions offering various securities with independent returns.

2. The City will maintain sufficient cash and short-term investments which, when combined with anticipated revenues, will provide sufficient liquidity to be able to meet all anticipated payment outflows including reasonably estimated contingencies.
3. The City's investment portfolio will be designed with the objective to attain a benchmark rate of return throughout various market cycles corresponding to the City's investment risk and cash flow requirements. The portfolio shall be invested in a manner consistent with primary emphasis on preservation of the principal, while attaining a rate of return consistent with this process. This policy specifically prohibits trading of securities for the sole purpose of realizing trading profits and trading of "when, as, and if issued."

The Finance Department invests the City's assets with an expectation of achieving a total rate of return at a level that exceeds the annualized rate of return on short-term government guaranteed or insured obligations (91-day Treasury bills) and to assure that the principal is preserved with minimal risk of depreciation or loss. The goal for the City of Clovis investment return is 120% of the 90-day Treasury bill rate.

According to the most recent report for the month ended June 30, 2017, the City had invested funds as set forth in the table below. As of June 30, 2017, approximately ____% of the invested funds were assets of the Wastewater System. The City's practice is to hold securities to maturity.

**Table 2
City of Clovis
Investment Portfolio
(as of June 30, 2017)**

| <u>Type of
Investment</u> | <u>Book Value</u> | <u>Market Value</u> | <u>Percent
of Total</u> ⁽¹⁾ |
|-------------------------------|-------------------|---------------------|--|
|-------------------------------|-------------------|---------------------|--|

Total: _____

⁽¹⁾ Based on market value.
Source: City of Clovis.

THE WASTEWATER SYSTEM

General

The City provides sewer collection services for the entire City. Historically, all of the City's wastewater was treated at the Fresno-Clovis Regional Wastewater Treatment Facility in southwest Fresno (which is defined above as the "**Regional Facility**"); see "- Regional Facility" below.

However, in order to help meet future wastewater treatment demand and reduce the City's dependency on groundwater, the City constructed the Clovis Water Reuse Facility (which is defined above as the "**Reuse Facility**"); see "- Reuse Facility" below.

As a result, treatment and disposal services for a portion of the City (152.52 MGD in May 2017) is provided by the Regional Facility and treatment and disposal services for another portion of the City (47.22 MGD in May 2017) is provided by the Reuse Facility.

The City strives to maximize the volume of wastewater treated at the Reuse Facility because (i) it reduces expenses at the Regional Facility and (ii) the City receives the benefit of recycled water produced at the Reuse Facility. Flows to the Reuse Facility were constrained in fiscal year 2016-17 due to technical reasons, which have been resolved.

Table 3
City of Clovis
Wastewater System
Wastewater Flow to Regional Facility and Reuse Facility

| <u>Fiscal Year</u> | <u>Regional Facility Flow (MG)</u> | <u>% of Flow</u> | <u>Reuse Facility Flow (MG)</u> | <u>% of Flow</u> |
|------------------------|------------------------------------|------------------|---------------------------------|------------------|
| 2012-13 | 1,834 | 72.3 | 701 | 27.7 |
| 2013-14 | 1,679 | 66.2 | 858 | 33.8 |
| 2014-15 | 1,721 | 68.7 | 783 | 31.3 |
| 2015-16 | 1,707 | 71.4 | 684 | 28.6 |
| 2016-17 ⁽¹⁾ | 1,657 | 76.2 | 517 | 23.8 |

(1) Through May 2017.

Regional Facility

The City and the City of Fresno ("**Fresno**") are parties to a Fresno-Clovis Regional Sewerage System Joint Powers Agreement, dated March 3, 1977, as amended (the "**Clovis-Fresno JPA Agreement**").

Under the Clovis-Fresno JPA Agreement:

- (i) Fresno is responsible for day-to-day management, operation and maintenance of the regional sewerage system, including the Regional Facility. The Regional Facility has a 80 MGD capacity following a 1995 expansion.

- (ii) Fresno establishes capital and operating costs of the regional sewerage system and regulates the discharge of sewage into and from the regional sewerage system.
- (iii) The City has a total useable capacity in the Regional Facility of 9.30 MGD. This capacity could be increased to a maximum of 15.87 MGD by purchasing additional treatment capacity from the City of Fresno and participating in completion of a regional trunk system to be built by the City of Fresno that would serve the City.
- (iv) Fresno is designated as the lead agency to monitor pre-treatment wastewater operations including the dischargers of fats, oils, and grease.
- (v) The City pays Fresno for treatment of effluent in an amount equal to its pro rata share of annual system flow times the actual annual operation and maintenance costs.
- (vi) The City pays its pro rata share of major repair and capital improvement expenses. These amounts are not secured by a pledge of Gross Revenues or Net Revenues, and are payable after Operation and Maintenance Costs, and debt service on the 2013 Bonds, 2015 Bonds and 2017 Bonds. If Fresno issues bonds to pay for capital expenses for which the City is obligated to pay, the City's share of debt service on those bonds would constitute "Fresno Debt Service Payments" and would be secured by and payable from Gross Revenues.
- (vii) The City is obligated to comply with the regulatory requirements applicable to Fresno as owner/operator of the regional system.

Set forth in the following table is an eight-year history of the amounts paid by the City to Fresno under the Clovis-Fresno JPA Agreement. The costs are accounted for by the City and prioritized in the Indenture as follows:

- (i) The costs that constitute costs for maintaining and operating the portion of the Wastewater System which is governed by the Clovis-JPA Agreement are included in "Operation and Maintenance Costs" as defined in the Indenture. The operation and maintenance costs vary based on the volume of City wastewater treated at the Regional Facility.
- (ii) Capital costs may be paid on a pay-go basis, in which case they are not secured by a pledge of Gross Revenues or Net Revenues and are payable after debt service on the 2017 Bonds, or they may be financed with bonds issued by Fresno, in which case they are secured by a pledge of and payable from Gross Revenues on a senior basis to the 2017 Bonds. Although changes in regulations could result in Fresno incurring additional capital costs at the Regional Facility and, as a result, Fresno imposing additional capital costs on the City, the City does not expect any such capital costs in the foreseeable future. The City does not currently expect to participate in an expansion of the Regional Facility, preferring instead to pay for expansion of the Reuse Facility if additional capacity is needed, because the Reuse Facility generates recycled water that can be used or

sold by the City. However, in the long term, the City may purchase a small amount of additional capacity after the Water Reuse Facility is expanded to its maximum capacity.

Table 4
City of Clovis
Wastewater System
Regional Facility Costs

| Fiscal Year | Operation and Maintenance Costs⁽¹⁾ | Ongoing Capital Costs⁽²⁾ | 1993 Plant Improvement Debt Service Costs (Prin. + Int.)⁽³⁾ | 1995 Plant Improvement Debt Service Costs (Prin. + Int.) | Totals |
|------------------------|--|--|---|---|---------------------|
| 2009-10 | \$2,523,908 | \$1,055,061 | \$1,240,830 | \$1,023,100 | \$5,842,899 |
| 2010-11 | 1,630,552 | 1,315,629 | 1,239,531 | 1,018,200 | 5,203,912 |
| 2011-12 | 2,455,825 | 1,216,038 | 1,237,752 | 1,020,000 | 5,929,615 |
| 2012-13 | 1,509,588 | 380,743 | 1,236,563 | -- | 3,126,894 |
| 2013-14 | 2,585,153 | 447,968 | 1,235,609 | -- | 4,268,730 |
| 2014-15 | 1,454,327 | 935,346 | 1,233,805 | -- | 3,623,478 |
| 2015-16 | 2,271,708 | 348,409 | 1,236,460 | -- | 3,856,577 |
| 2016-17 ⁽⁴⁾ | 2,355,000 | 780,000 | 1,235,396 | -- | 4,370,396 |
| Totals | \$16,786,061 | \$6,479,194 | \$9,895,946 | \$3,061,300 | \$36,222,501 |

(1) The City's share of the operation and maintenance costs for the Regional Facility vary during the period covered by this table for two reasons: (i) the costs vary based on the volume of the City's wastewater treated at the Regional Facility and (ii) the costs are estimated at the beginning of the fiscal year based on the flow from the previous year, and adjustments are made in the following year if the estimate was not correct. The City believes that the City's share of Regional Facility operation and maintenance costs average approximately \$2,500,000 per year. These amounts are payable as Operation and Maintenance Costs under the Indenture.

(2) These amounts are payable after debt service on the 2017 Bonds.

(3) The City of Fresno Sewer System Revenue Bonds, 1993 Series A mature in fiscal year 2023-24. The City's share of debt service is approximately \$1.2 million per year through the final maturity date. These amounts constitute "Fresno Debt Service Payments" under the Indenture and are secured by a pledge of Gross Revenues.

(4) ~~Estimates to close.~~

Source: City of Clovis

Reuse Facility

In early 2009, the City completed Phase I of construction of the Reuse Facility, and it began producing up to 2.8 million gallons per day ("MGD") of tertiary-treated recycled water. The Reuse Facility is designed to allow multiple phases of future expansion. At its maximum capacity, the recycled water system will be able to produce up to 8.4 MGD of recycled water.

The recycled water produced by the Reuse Facility is used to irrigate green belts, median islands, parks, trails and paseos, State Route 168 and Clovis Medical Center landscaping and for agricultural operations around the City.

At its maximum capacity, the Reuse Facility will be able to produce up to 8.4 MGD (3 billion gallons per year) of disinfected tertiary-treated recycled water. The Reuse Facility employs a membrane bioreactor, which combines activated sludge treatment with membrane filtration.

The City paid to construct the Reuse Facility with revenues of the Wastewater System, because the Reuse Facility was primarily intended to treat the City's wastewater. The costs of operating the portion of the Reuse Facility that delivers recycled water to customers and the related revenues are accounted for as part of the City's water enterprise.

Billing Practices

General. Users are billed bimonthly under a system which generates invoices each month for approximately half of the system accounts. Utility bills include charges for all City utility services, including water, wastewater and refuse.

Residential charges are based on a flat monthly rate per dwelling unit equivalent, with multifamily housing projects and mobile home parks consisting of multiple billing units. Commercial and industrial users are billed on a formula which reflects the type and quantity (based on metered use of potable water) of discharge and, as to the single largest user, the metered quantity discharged. Bills are due within 30 days, and commencing 10 days after a reminder notice is sent, delinquent accounts are subject to shut-off of water service. The City's write-offs for bad debts have historically amounted to less than 0.5% of system revenues.

History of Billings and Collections. A five-year history of billings and collections by the City for sewer service is set forth in the following table. Bills are due within 30 days, and delinquent accounts are subject to shut-off of water service commencing 10 days after a reminder notice is sent. The City's write-offs for bad debts have historically amounted to less than 0.5% of system revenues.

**Table 5
City of Clovis
Wastewater System
History of Billings and Collections
Fiscal Years 2012-13 through 2016-17**

| June 30 | Amount
Billed | Amount
Collected | Amount
Delinquent | % Delinquent |
|----------------|--------------------------|-----------------------------|------------------------------|---------------------|
| 2013 | \$14,131,978 | \$14,059,801 | \$72,177 | <1% |
| 2014 | 14,295,799 | 14,259,740 | 36,059 | <1 |
| 2015 | 15,104,277 | 15,070,502 | 33,775 | <1 |
| 2016 | 16,242,174 | 16,217,018 | 25,156 | <1 |
| 2017 | 12,000,000 | 11,974,730 | 25,270 | <1 |

Source: City of Clovis.

Wastewater System Users

The Wastewater System served 31,315 accounts with 41,921 units as of June 15, 2017. The City's customers are primarily residential, with single-family homes representing the largest customer group. The single-family homes customer category is also the category where the City has experienced growth in the past, and projected growth indicates that new development will also bring single-family homes with some additional commercial and mixed-use development projected. The City also has commercial users of low-, medium- and high-strength discharge characteristics and one large industrial user. The City's customers are classified as follows:

Table 6
City of Clovis
Wastewater System
Categories of Wastewater System Accounts
Fiscal Year 2016-17

| Customer Type | No. of Units |
|---|--------------|
| Residential: | 39,021 |
| Single family dwelling units | 29,200 |
| Mobile Home Park | 864 |
| Multifamily | 8,957 |
| Commercial/Industrial ⁽¹⁾ | 2,900 |
| Commercial-Multi Units- 1 service | 661 |
| Banks/S&L/Insurance Co. | 19 |
| Car Wash | 14 |
| Gas/Mini-mart | 8 |
| Laundromat, Dry Cleaner | 6 |
| Industrial Contractors | 27 |
| Manufacturing, cabinet Shops | 14 |
| Misc. Comm- Home Occupation | 3 |
| General Commercial | 568 |
| General- Individually Billed N/O | 390 |
| Hospital/Nursing Home/Med Bldg | 222 |
| Service Station, Garage, Car Dealers | 80 |
| Barber Shop, Beauty Shop | 27 |
| Church | 54 |
| Lodges, Chamber, Rodeo Assoc. | 6 |
| Hotels | 594 |
| Schools | 56 |
| Government | 6 |
| Bakeries (wholesale)/Ice Cream/ Confectionary | 7 |
| Markets (w/Grinders), Convenience Store | 22 |
| Funeral Home (Mortuaries w/Embalming) | 2 |
| Restaurants/Bars | 90 |
| Vet Hospital/Taxidermist | 7 |
| Food Process, Fruit, Meat Packing | 3 |
| Metal Finish, Plating, Mill | 13 |
| Non-Profit Organization | 1 |
| Total | 41,921 |

(1) Charged based on volume of water usage. Charges levied on schools are based on average daily attendance.

Source: City of Clovis

A five-year history of residential accounts and commercial accounts is shown in the following table. The number of residential accounts has been increasing by an annual compounded rate of approximately 1.9% during the past five years.

Table 7
City of Clovis
Wastewater System
Residential and Commercial Sewer Accounts

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 |
|----------------------|---------|---------|---------|---------|---------|
| Residential Accounts | 27,433 | 28,125 | 28,740 | 29,384 | 30,113 |
| Commercial Accounts | 1,108 | 1,135 | 1,154 | 1,202 | 1,221 |
| Total | 28,541 | 29,260 | 29,894 | 30,586 | 31,334 |

Source: City of Clovis

The 10 principal users of the Wastewater System, based on water consumption or sewer usage and strength and the associated revenue received, for the 12 months ending May 31, 2017 are shown in the following table. Revenue received from these principal users accounts for approximately 12% of the total revenues (unaudited) received for the fiscal year 2016-17 from service charges.

Table 8
City of Clovis
Wastewater System
Principal Wastewater System Users
Fiscal Year 2016-17⁽¹⁾

| Customer | Bi-Monthly Billing | Annual Revenue |
|--------------------------------|--------------------|----------------|
| Wawona Frozen Foods | Varies | \$756,410.97 |
| Clovis Unified School District | Varies | 284,486.76 |
| Clovis Community Hospital | Varies | 121,390.61 |
| The Woods/Woods Mobile Country | \$7,768.25 | 46,609.53 |
| Food Maxx #459/Save Mart | Varies | 38,619.22 |
| Costco Wholesale Corp. | Varies | 35,308.27 |
| Clovis Park Holdings LLC | Varies | 31,517.19 |
| Save Mart | Varies | 31,129.30 |
| Arabian Villa LP | \$4,421.04 | 30,227.34 |
| Save Mart Grocery #52 | Varies | 25,368.11 |
| Total | Varies | \$1,401,067.30 |

(1) Data shown is for June 2016 through May 2017.
Source: City of Clovis

Service Charges

Historical Rates. The following table shows the historical residential rates charged by the City over the past 10 years.

Table 9
City of Clovis
Wastewater System
Historical Residential Service Charges

| Residential Rates | 7/1/2011 | 7/1/2012 | 7/1/2013 | 7/1/2014 | 7/1/2015 | 7/1/2016 | 7/1/2017 |
|--|----------|----------|----------|----------|----------|-------------|------------|
| SFR per unit | \$18.00 | \$19.08 | \$20.03 | \$20.84 | \$21.47 | \$21.47 | \$21.47 |
| MFR & Mobile Home per unit | 13.98 | 14.82 | 15.56 | 16.18 | 16.67 | 16.67 | 16.67 |
| Pretreatment per residential unit | 0.06 | 0.06 | 0.06 | 0.06 | 0.06 | 0.06 | 0.06 |
| Sewer Bond Charge per residential unit | 7.30 | 7.30 | 7.30 | 7.30 | 7.30 | 7.30-10.95* | 7.30-7.30* |
| Total SFR Monthly Service Charge | 25.36 | 26.44 | 27.39 | 28.20 | 28.83 | 17.88 | 21.53 |
| Total MFR & MH Monthly Charge | 21.34 | 22.18 | 22.92 | 23.54 | 24.03 | 13.08 | 16.73 |

* The Bond Charge was levied in the amount indicated, but was offset by a rebate of amounts collected in prior fiscal years.
Source: City of Clovis

Current Rates. The City's current rate ordinance, which was adopted by the City Council on July 6, 2010 (Ordinance No. 10-07), established a schedule of rates that incorporated annual rate increases through July 1, 2014. In addition, the rate ordinance provides that the monthly user rates and minimum charges (excluding the pretreatment charges and bond charges described below) will be adjusted beginning July 1, 2016, and annually each July 1 thereafter, by 3%. Prior to June 30 of each year beginning June 30, 2016, the Public Utilities Director will-is required to evaluate the wastewater fund balance and, if the balance is adequate without the annual adjustment or with a lesser adjustment, the Public Utilities Director will-recommends to the City Council a suspension or reduction of the rate adjustment for the next fiscal year. The rate was not adjusted on July 1, 2016 or July 1, 2017.

Service Charges. The City's current rate ordinance sets the sewer service charge for single family residences at \$21.53 per month effective July 1, 2017; this rate includes a \$0.06 pretreatment charge. Multi-family residences and mobile homes pay \$16.73 per month effective July 1, 2017, which also includes the \$0.06 pretreatment charge. Commercial and other non-residential customers are also assessed a service charge of \$16.73 per month effective July 1, 2017.

Commercial customers are divided into low, medium and high strength users and industrial customers are also divided by discharge characteristics into low and high users. Commercial and industrial users also pay a pretreatment charge ranging from \$1.29 to \$27.54 per month. Public, private and parochial schools pay based on the student population.

Bond Charge; Rebate of Prior Years' Collections. Each user connected to the Wastewater System pays in addition to other monthly charges a "bond charge" of \$7.30 per residential unit or per connection for schools, commercial or industrial customers per month. The "bond charge" was added to the Wastewater System's rate structure when development slowed and connection fee revenue declined beginning in late-2008 in an effort by the City to comply with its rate covenants. The City reviews the Bond Charge early in each calendar year to determine whether the City should use Bond Charge revenues to pay debt service or rebate the Bond Charge revenues to Wastewater System customers because other available revenues are sufficient to meet the City's financial obligations with respect to the Wastewater System

(including the City's rate covenants); the City has no current plans to eliminate the Bond Charge.

Any rebate of the bond charge, in whole or in part, is made by the City from surplus revenues of the Wastewater System resulting from collections in prior years. Such rebates do not constitute an Operation and Maintenance Cost of the Wastewater System, and are not funded from revenues received during the fiscal year in which the rebate is made. As such, any rebates are not treated as deductions from current and projected Gross Revenues or Net Revenues for purposes of Tables 13 and 14 below.

Connection Fees. The City requires every building or structure in which plumbing fixtures are installed and all premises having drainage piping that conveys sewage or other liquid waters to a legal point of disposal to be connected to the Wastewater System, including buildings or structures connected to septic tanks or cesspools at the time a public sewer becomes available. No person may connect any lot to the Wastewater System without a permit, which requires the payment of a variety of charges, including an oversize sewer charge (\$748 per gross acre) and a major facilities sewer charge (\$9,227 per unit for most of the City), among others. The major facilities sewer charge is collected to pay for the cost of treatment and trunk line capacity or construction for new connections and any associated debt service. The definition of Gross Revenues established by the Indenture includes connection fees, which the Indenture calls "Major Facilities Fees." See "SECURITY FOR THE 2017 BONDS - Applicable Definitions." The oversize sewer charge is not included in the "Major Facilities Fees" because it is a developer reimbursement fund that is used to pay back developers that install oversize sewer lines.

The table below shows a history of new connection equivalent development units and connection fee revenue generated by these connections.

Table 10
City of Clovis
Wastewater System
New Connections (EDUs)

| Fiscal Year | Number of
Units Connected | Total
Connection Fees
(\$ millions) |
|------------------------|--------------------------------------|--|
| 2004-05 | 1,876 | 7.9 |
| 2005-06 | 1,562 | 7.3 |
| 2006-07 | 1,286 | 6.5 |
| 2007-08 | 680 | 3.9 |
| 2008-09 | 234 | 1.6 |
| 2009-10 | 214 | 1.7 |
| 2010-11 | 278 | 2.2 |
| 2011-12 | 423 | 3.5 |
| 2012-13 | 497 | 4.1 |
| 2013-14 | 461 | 3.8 |
| 2014-15 | 742 | 6.3 |
| 2015-16 | 509 | 4.7 |
| 2016-17 ⁽¹⁾ | 660 | 6.1 |

(1) Data shown is through June 15, 2017.
Source: City of Clovis

Comparative Rates

The table below compares the City's current sewer service charge to the typical monthly cost for a single-family home in fourteen communities in the Clovis area.

Table 11
City of Clovis
Wastewater System
Comparative Rates- Monthly Sewer Charges
(As of July 1, 2017)

| Agency | Monthly Residential Sewer Charge |
|-------------|----------------------------------|
| Clovis | \$28.83 ⁽¹⁾ |
| Coalinga | 15.68 |
| Firebaugh | 49.95 |
| Fowler | 28.28 |
| Fresno | 25.81 |
| Huron | 26.00 |
| Kerman | 31.61 |
| Kingsburg | 28.28 |
| Mendota | 37.00 |
| Orange Cove | 24.20 |
| Parlier | 27.50 |
| Reedley | 49.35 |
| San Joaquin | 37.68 |
| Sanger | 35.88 to 39.86 ⁽²⁾ |
| Selma | 28.28 |

(1) Includes bond charge without deduction for rebate from prior years' collections .

(2) Varies depending on water usage.

Source: City of Clovis

Regulatory Requirements

General. In order to operate the Reuse Facility, the City must comply with applicable regulatory requirements. Regulatory requirements applicable to the collection and treatment of wastewater are contained in or imposed by regulation pursuant to the Federal Water Pollution Control Act, as amended, and the State of California Porter Cologne Water Quality Control Act of 1969, as amended. Both federal and State regulations are administered through the California Regional Water Quality Control Board, Central Valley Region (the "**Regional Board**").

The City's recycled water operations are subject to regulation under Section 402 of the federal Clean Water Act, implementing regulations adopted by the United States Environmental Protection Act, the California Water Code and regulations promulgated by the State Water Resources Control Board Division of Drinking Water. The operation of recycled water operations also must comply with the Water Quality Control Plan for the Tulare Lake Basin and the San Joaquin River Basin.

Regional Facility. Pursuant to the Clovis-Fresno JPA Agreement, the City is obligated to comply with the regulatory requirements applicable to Fresno as owner/operator of the regional system.

Reuse Facility Waste Discharge Requirements. The waste discharge requirements applicable to the Reuse Facility are a product of Order No. R5-2014-0005, as adopted by the Regional Board on February 6, 2014. The current order expires on March 1, 2019. Orders from the Regional Board are granted for a five-year period pursuant to an application submitted by the City, and the City anticipates applying for a new order during 2018 which is expected to result in a new order which will become effective upon the expiration of the current order.

The permit authorizes discharge up to 5.6 MGD of treated wastewater from the Reuse Facility: 2.8 MGD for Phase 1, 2.8 MGD for Phase 2 and 2.8 MGD for phase 3. The City is permitted to discharge to Fancher Creek, the Diversion Channel from Big Dry Creek Reservoir to Little Dry Creek and groundwater underlying recycled water use sites.

History of Compliance. The City has not experienced any material violations of its waste discharge requirement in the past five fiscal years. The City does not expect regulations to materially increase the costs of operating the Wastewater System in the near future.

Capital Improvement Program

City Facilities. The City's adopted capital improvement budget for the Wastewater System calls for only minor capital improvements through fiscal year 2020-21, which the City expects to pay with available funds.

The City will construct Phase 2 and Phase 3 of the Reuse Facility and other growth-related capital projects (e.g., pump and sewer main expansions) when growth requires the additional treatment capacity, and would expect to pay for the costs with a combination of connection fees paid by developers and proceeds of Parity Debt. The City does not expect growth to require expansion of the Reuse Facility within the next five years.

Regional Facility. The City expects that any significant capital improvements at the Regional Facility in the foreseeable future for which the Wastewater System would be responsible will be the result of new development, and the City expects to pay for those costs with connection fee revenue.

Historical Revenues, Operation and Maintenances Costs and Debt Service Coverage

The following table is a summary of operating results of the Wastewater System Enterprise Fund for the last five fiscal years. This information for fiscal years 2012-13 through 2015-16 is derived from the audited financial statements of the City, and the information for fiscal year 2016-17 was provided by the City.

Table 12
City of Clovis
Wastewater System
Historical Wastewater System Revenues, Operation and Maintenances Costs
Fiscal Years 2013 through 2016 (Audited); Unaudited 2017

| | Audited
2012-13 | Audited
2013-14 | Audited
2014-15 | Audited
2015-16 | Unaudited
2016-17 |
|--|--------------------|--------------------|--------------------|--------------------|----------------------|
| Operating Revenues: | | | | | |
| Charges for Services | \$18,185,704 | \$18,129,220 | \$21,828,261 | \$20,941,069 | \$18,907,700 |
| Other Revenue ⁽¹⁾ | 154,035 | 1,157 | 146,122 | 226,386 | 286,300 |
| Total Operating Revenue | 18,339,739 | 18,130,377 | 21,974,383 | 21,167,455 | 19,194,000 |
| Operating Expenses: | | | | | |
| Salaries and Benefits | 977,666 | 972,812 | 1,021,094 | 1,027,922 | 1,006,100 |
| Services, Materials, Supplies ⁽²⁾ | 4,550,169 | 5,420,889 | 5,233,548 | 5,716,642 | 5,978,500 |
| Administration | 1,801,800 | 1,966,800 | 1,993,500 | 2,069,000 | 2,123,700 |
| Depreciation/Amortization | 4,529,693 | 4,567,195 | 4,638,128 | 4,677,334 | 4,700,000 |
| Total Operating Expenses | 11,859,328 | 12,927,696 | 12,886,270 | 13,490,898 | 13,808,300 |
| Operating Income (Loss) | 6,480,411 | 5,202,681 | 9,088,113 | 7,676,557 | 5,385,700 |
| Non-Operating Revenue (Expense): | | | | | |
| Interest Income | 81,045 | 89,204 | 98,413 | 199,306 | 241,000 |
| Interest Expense ⁽³⁾ | (5,619,788) | (6,960,840) | (5,144,642) | (5,174,391) | (4,965,900) |
| Loss on Disposal of Capital Assets | (2,000) | -- | -- | -- | -- |
| Total Non-Operating Revenue (Expense) | (5,540,743) | (6,871,636) | (5,046,229) | (4,975,085) | (4,724,900) |
| Income Before Contributions and Transfers | 939,668 | (1,668,955) | 4,041,884 | 2,701,472 | 660,800 |
| Capital Contributions-Development Fees | 820,547 | 720,055 | 1,370,421 | 938,623 | 700,000 |
| Transfers out | (5,000) | -- | -- | -- | -- |
| Changes in Net Position | 1,755,215 | (948,900) | 5,412,305 | 3,640,095 | 1,360,800 |
| Total Net Assets – Beginning | 60,132,547 | 61,887,762 | 60,938,862 | 66,351,167 | 69,991,262 |
| Total Net Assets –Ending | \$61,887,762 | \$60,938,862 | \$66,351,167 | \$69,991,262 | \$71,352,062 |

(1) Other Revenue includes items such as miscellaneous refunds, sale of assets, grants and reimbursements.

(2) Operating Expenses include amounts payable by the City to Fresno for maintaining and operating the portion of the Wastewater System that is governed by the Clovis-Fresno JPA Agreement. Expenditures vary annually based on the amount of effluent sent to Fresno and consulting services relating to the operation of the Reuse Facility.

(3) Interest expense includes interest paid on the 2007 Bonds, 2013 Bonds and the 2015 Bonds.

Source: City of Clovis Comprehensive Annual Financial Reports and City of Clovis.

The historical debt service coverage for the Wastewater System is set forth below. The table shows debt service coverage provided by Net Revenues. Consistent with the debt service coverage requirement under the 2007 Installment Sale Agreement and the 2007 Installment Sale Agreement, which allows the City to make transfers from a rate stabilization fund, the City in fiscal year 2011-12 satisfied the 120% Net Revenue coverage requirement by making a transfer from moneys on deposit in the Wastewater Fund.

Table 13
City of Clovis
Wastewater System
Historical Debt Service Coverage
(Valuations Figures in Thousands of Dollars)

| | 2011-12 | 2012-13 | 2013-14 | 2014-15 | 2015-16 |
|---|-----------------|-------------------|-----------------|-------------------|-------------------|
| Revenues: | | | | | |
| Charges for Services | \$9,590 | \$10,982 | \$11,010 | \$12,175 | \$12,918 |
| Bond Charge | 3,250 | 3,150 | 3,285 | 3,362 | 3,324 |
| Other Revenue ⁽¹⁾ | -- | 154 | 1 | 155 | 226 |
| Interest Income | 85 | 81 | 89 | 98 | 199 |
| Connection Fees ⁽²⁾ | 3,454 | 4,054 | 3,833 | 6,283 | 4,699 |
| Total Revenue | 16,379 | 18,421 | 18,220 | 22,073 | 21,367 |
| Operating & Maintenance Expenses⁽³⁾ | 7,807 | 7,330 | 8,361 | 8,248 | 8,814 |
| Fresno Debt Service Payments ⁽⁴⁾ | 2,194 | 1,228 | 1,226 | 2,259 | 1,229 |
| Net Operating Revenue | 6,379 | 9,863 | 8,633 | 11,566 | 11,324 |
| Application of Rate Stabilization ⁽⁵⁾ | 1,500 | -- | -- | -- | -- |
| Net Revenue | 7,879 | 9,863 | 8,633 | 11,566 | 11,324 |
| 1998 Bonds Debt Service ⁽⁶⁾ | 882 | 876 | -- | -- | -- |
| Remaining Net Revenue | 6,997 | 8,987 | 8,633 | 11,566 | 11,324 |
| 2005 Installment Payments | 1,595 | 1,587 | 1,330 | 1,341 | 621 |
| 2007 Installment Payments | 4,102 | 4,085 | 4,352 | 4,331 | 4,323 |
| 2013 Bonds | -- | -- | 294 | 1,028 | 1,026 |
| 2015 Bonds | -- | -- | -- | -- | 560 |
| Total 2005/2007/2013/2015 Payments | \$5,697 | \$5,672 | \$5,976 | \$6,699 | \$6,530 |
| Coverage⁽⁷⁾ | 1.23x | 1.58x | 1.44x | 1.73x | 1.73x |
| Cash & Investments⁽⁸⁾ | | | | | |
| Days Cash on Hand | \$17,975
840 | \$20,189
1,005 | \$22,601
987 | \$27,430
1,214 | \$30,975
1,283 |

(1) Other Revenue includes items such as miscellaneous refunds, sale of assets, grants and reimbursements.

(2) Connection fee revenue is included in "Charges for Services" in the City's audited financial statements and in the previous table.

(3) Includes the City's share of Regional Facility operation and maintenance costs.

(4) Represents the Fresno Debt Service Payments only. See "SECURITY FOR THE 2017 BONDS - Applicable Definitions" and "THE WASTEWATER SYSTEM - Regional Facility" for a description of the payments made by the City to the City of Fresno under the Clovis-Fresno JPA Agreement.

(5) Represents the use by the City of unreserved, unrestricted amounts in the Wastewater Fund as of the commencement of the Fiscal Year. Debt service coverage provided by Net Revenues without the use of unreserved, unrestricted amounts in the Wastewater Fund was ~~50% in fiscal year 2009-10 and 96% in fiscal years 2010-11 and 2011-12.~~

(6) The 1998 Bonds were refinanced with the proceeds of the 2013 Bonds. Final payments made in fiscal year 2012-13.

Source: City of Clovis.

Projected Revenues, Operation and Maintenances Costs and Debt Service Coverage

The City's unaudited actual operating results for the Wastewater System for fiscal year 2016-17 and the estimated projected operating results for the Wastewater System for the fiscal years ending June 30, ~~2017-2018~~ through June 30, 2022 are set forth below, reflecting certain significant assumptions concerning future events and circumstances. The financial forecast represents the City's estimate of projected financial results based upon its judgment of the most probable occurrence of certain important future events. The assumptions set forth below are material in the development of the City's financial projections, and variations in the assumptions may produce substantially different financial results. Actual operating results achieved during the projection period may vary from those presented in the forecast and such variations may be material. The obligation of the City to pay debt service on the 2017 Bonds and to pay the Existing Parity Debt is limited to Net Revenues of the Wastewater System and the City is not obligated to apply any other revenues to make such payments.

The assumptions reflected in the following table include the following:

- Growth: The projections include connection fee revenues based on projected growth from 750 new residential connections annually over the projected period and 187.5 non-residential equivalent dwelling units annually over the projected period.
- Interest earnings: The projections assume 1% interest earnings on available fund balances.
- Rate adjustments: The projections assume no rate increases, except for an annual 1.18% increase in connection fees.
- Expenses: It is assumed that annual operation and maintenance expenses of the Wastewater System -- including personnel expenses non-personnel expenditures -- will increase 2.36% per year.
- Regional System Costs: The City is responsible for paying a proportionate share of the Regional Facilities operations and capital expenses. The operational share is based on the percentage of the City's effluent flow to the total flow processed by the Regional Facility. The capital costs are not shown in the following table.

Table 14
City of Clovis
Wastewater System
Projected Wastewater System Revenues, Operation and Maintenance Costs
and Debt Service Coverage
(Valuations Figures in Thousands of Dollars)

| | 2016-17
(Unaudited Actual) | 2017-18
(Projected) | 2018-19
(Projected) | 2019-20
(Projected) | 2020-21
(Projected) | 2021-22
(Projected) |
|---|-------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| Revenues: | | | | | | |
| Charges for Services | \$12,000 | \$12,250 | \$12,500 | \$12,750 | \$13,000 | \$13,250 |
| Bond Coverage Charge | - | - | - | - | - | - |
| Other Revenue ⁽¹⁾ | 286 | 170 | 170 | 170 | 170 | 170 |
| Interest Income | 241 | 270 | 270 | 270 | 280 | 280 |
| Connection Fees ⁽²⁾ | 7,128 | 8,752 | 8,856 | 8,960 | 9,066 | 9,170 |
| Total Revenue | \$19,655 | \$21,442 | \$21,796 | \$22,150 | \$22,516 | \$22,870 |
| Operating & Maintenance Expenses ⁽³⁾ | 9,370 | 9,630 | 9,820 | 10,230 | 10,400 | 10,570 |
| Fresno Debt Service Payments ⁽⁴⁾ | 1,235 | 1,234 | 1,233 | 1,232 | 1,233 | 1,233 |
| Net Revenue | \$9,050 | \$10,578 | \$10,743 | \$10,688 | \$10,883 | \$11,067 |
| 2007 Installment Payments | 4,355 | 2,954 | - | - | - | - |
| 2013 Bonds | 1,022 | 1,017 | 1,017 | 1,016 | 1,014 | 1,014 |
| 2015 Bonds | 1,043 | 1,049 | 1,050 | 1,050 | 1,050 | 1,044 |
| 2017 Bonds* | - | 1,183 | 3,949 | 3,949 | 3,951 | 3,951 |
| Total City Debt Service Payments* | \$6,420 | \$6,203 | \$6,015 | \$6,015 | \$6,016 | \$6,020 |
| Coverage* | 1.41x | 1.71x | 1.79x | 1.78x | 1.81x | 1.84x |
| Remaining After Debt Service⁽⁵⁾ | \$2,630 | \$4,375 | \$4,728 | \$4,673 | \$4,867 | \$5,047 |

* Preliminary; subject to change.

(1) Other Revenue includes items such as miscellaneous refunds, sale of assets, grants and reimbursements.

(2) Connection fee revenue is included in "Charges for Services" in the City's audited financial statements and in the previous table.

(3) Includes the City's share of Regional Facility operation and maintenance costs.

(4) Represents the Fresno Debt Service Payments only. See "SECURITY FOR THE 2017 BONDS - Applicable Definitions" and "WASTEWATER SYSTEM - Regional Facility" for a description of the payments made by the City to the City of Fresno under the Clovis-Fresno JPA Agreement.

(5) The City may consider use of surplus for rebate purposes. See "Service Charges - Bond Charge: Rebate of Prior Years' Collections."

Source: City of Clovis

BOND OWNERS' RISKS

The purchase of the 2017 Bonds involves investment risk. If a risk factor materializes to a sufficient degree, it could delay or prevent payment of principal of and interest on the 2017 Bonds. Such risk factors include, but are not limited to, the following matters and should be considered, along with other information in this Official Statement, by potential investors.

Revenues; Rate Covenants

Revenues are dependent upon the demand for wastewater services, which can be affected by population factors, more stringent wastewater standards, wastewater regulations, or problems with the City's or Fresno's wastewater collection and treatment facilities. There can be no assurance that wastewater service demand will be consistent with the levels contemplated in this Official Statement. A decrease in the demand for wastewater services could require an increase in rates or charges on Wastewater System customers in order to comply with the rate covenants. The City's ability to meet its rate covenants is dependent upon its capacity to increase rates to a level sufficient to meet debt service on the 2017 Bonds.

Wastewater System Expenses

There can be no assurance that expenses of the City will be consistent with the levels contemplated in this Official Statement. Changes in technology, changes in quality standards, increases in the cost of operation or other expenses and changes in regulations could require substantial increases in rates or charges in order to comply with the rate covenants in the Indenture. Such rate increases could increase delinquencies by Wastewater System customers and increase the possibility of nonpayment of the 2017 Bonds.

The City is obligated under the Clovis-Fresno JPA Agreement (see "THE WASTEWATER SYSTEM – Regional Facility") to pay Fresno its share of the costs of operating and maintaining the Regional Facility (which are included in Operation and Maintenance Costs under the Indenture) and its share of major repair and capital improvement expenses. To the extent any capital expenses are financed with the proceeds of bonds, the City's share of the debt service on those bonds (which are referred to in this Official Statement as Fresno Debt Service Payments) are secured by a pledge of and lien on the Gross Revenues. Fresno Debt Service Payments currently consist of a portion of the debt service on the City of Fresno Sewer System Revenue Bonds, 1993 Series A. The Fresno Debt Service Payments could increase if the City agrees to participate in the expansion of the Regional Facility; however, the City does not currently expect to participate in an expansion of the Regional Facility.

The City has limited ability to control increases in operating and maintenance costs and capital-related expenses at the Regional Facility.

Environmental Regulation

The kind and degree of wastewater service which is effected through the Wastewater System is regulated, to a large extent, by the federal government and the State of California. If the federal government, acting through the Environmental Protection Agency or additional legislation, or the State should impose stricter wastewater quality standards upon the Wastewater System, the City's expenses could increase accordingly and rates and charges would have to be increased to offset those expenses. In general, federal and State regulation of wastewater treatment standards has increased in recent history.

Insurance

The Indenture obligates the City to obtain and keep in force various forms of insurance or self-insurance for repair or replacement of a portion of the Wastewater System in the event of damage or destruction to such portion of the Wastewater System. No assurance can be given as to the adequacy of any such self-insurance or any additional insurance to fund necessary repair or replacement of any portion of the Wastewater System. Significant damage to the Wastewater System could cause the City to be unable to generate sufficient Net Revenues to pay debt service on the 2017 Bonds.

Articles XIII C and XIII D of the California Constitution

General. On November 5, 1996, California voters approved Proposition 218, the so-called "Right to Vote on Taxes Act." Proposition 218 added Articles XIII C and XIII D to the State Constitution, which affect the ability of local governments to levy and collect both existing and future taxes, assessments, and property-related fees and charges. Proposition 218, which generally became effective on November 6, 1996, changed, among other things, the procedure for the imposition of any new or increased property-related "fee" or "charge," which is defined as "any levy other than an ad valorem tax, a special tax or an assessment, imposed by a [local government] upon a parcel or upon a person as an incident of property ownership, including user fees or charges for a property related service" (and referred to in this section as a "property-related fee or charge").

On November 2, 2010, California voters approved Proposition 26, the so-called "Supermajority Vote to Pass New Taxes and Fees Act". Section 1 of Proposition 26 declares that Proposition 26 is intended to limit the ability of the State Legislature and local government to circumvent existing restrictions on increasing taxes by defining the new or expanded taxes as "fees." Proposition 26 amended Articles XIII A and XIII C of the State Constitution. The amendments to Article XIII A limit the ability of the State Legislature to impose higher taxes (as defined in Proposition 26) without a two-thirds vote of the Legislature. Proposition 26's amendments to Article XIII C broadly define "tax," but specifically exclude, among other things:

- "(1) A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.
- (2) A charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.
- ...
- (6) A charge imposed as a condition of property development.
- (7) Assessments and property-related fees imposed in accordance with the provisions of Article XIII D."

Property-Related Fees and Charges. Under Article XIII D, before a municipality may impose or increase any property-related fee or charge, the entity must give written notice to the record owner of each parcel of land affected by that fee or charge. The municipality must then

hold a hearing upon the proposed imposition or increase at least 45 days after the written notice is mailed, and, if a majority of the property owners of the identified parcels present written protests against the proposal, the municipality may not impose or increase the property-related fee or charge.

Further, under Article XIID, revenues derived from a property-related fee or charge may not exceed the funds required to provide the "property-related service" and the entity may not use such fee or charge for any purpose other than that for which it imposed the fee or charge. The amount of a property-related fee or charge may not exceed the proportional cost of the service attributable to the parcel, and no property-related fee or charge may be imposed for a service unless that service is actually used by, or is immediately available to, the owner of the property in question.

Initiative Power. In addition, Article XIIC states that "the initiative power shall not be prohibited or otherwise limited in matters of reducing or repealing any local tax, assessment, fee or charge. The power of initiative to affect local taxes, assessments, fees and charges shall be applicable to all local governments and neither the Legislature nor any local government charter shall impose a signature requirement higher than that applicable to statewide statutory initiatives."

Judicial Interpretation of Articles XIIC and XIID. After Proposition 218 was enacted in 1996, appellate court cases and an Attorney General's opinion initially indicated that fees and charges levied for water and wastewater services would not be considered property-related fees and charges, and thus not subject to the requirements of Article XIID regarding notice, hearing and protests in connection with any increase in the fees and charges being imposed. However, three recent cases have held that certain types of water and wastewater charges could be subject to the requirements of Article XIID under certain circumstances.

In *Richmond v. Shasta Community Services District* (2004) 32 Cal.4th 409, the California Supreme Court addressed the applicability of the notice, hearing and protest provisions of Article XIID to certain charges related to water service. In *Richmond*, the Court held that capacity charges are not subject to Proposition 218. The Court also indicated in dictum that a fee for ongoing water service through an existing connection could, under certain circumstances, constitute a property-related fee and charge, with the result that a local government imposing such a fee and charge must comply with the notice, hearing and protest requirements of Article XIID.

In *Howard Jarvis Taxpayers Association v. City of Fresno* (2005) 127 Cal.App.4th 914, the California Court of Appeal, Fifth District, concluded that water, sewer and trash fees are property-related fees subject to Proposition 218 and a municipality must comply with Article XIID before imposing or increasing such fees. The California Supreme Court denied the City of Fresno's petition for review of the Court of Appeal's decision on June 15, 2005.

In July 2006 the California Supreme Court, in *Bighorn-Desert View Water Agency v. Verjil* (2006) 39 Cal.4th 205, addressed the validity of a local voter initiative measure that would have (a) reduced a water agency's rates for water consumption (and other water charges), and (b) required the water agency to obtain voter approval before increasing any existing water rate, fee, or charge, or imposing any new water rate, fee, or charge. The court adopted the position indicated by its statement in *Richmond* that a public water agency's charges for ongoing water delivery are "fees and charges" within the meaning of Article XIID, and went on to hold that charges for ongoing water delivery are also "fees" within the meaning of Article XIIC's mandate

that the initiative power of the electorate cannot be prohibited or limited in matters of reducing or repealing any local tax, assessment, fee or charge. Therefore, the court held, Article XIII C authorizes local voters to adopt an initiative measure that would reduce or repeal a public agency's water rates and other water delivery charges. (However, the court ultimately ruled in favor of the water agency and held that the entire initiative measure was invalid on the grounds that the second part of the initiative measure, which would have subjected future water rate increases to prior voter approval, was not supported by Article XIII C and was therefore invalid.)

The court in *Bighorn* specifically noted that it was not holding that the initiative power is free of all limitations; the court stated that it was *not* determining whether the electorate's initiative power is subject to the statutory provision requiring that water service charges be set at a level that will pay for operating expenses, provide for repairs and depreciation of works, provide a reasonable surplus for improvements, extensions, and enlargements, pay the interest on any bonded debt, and provide a sinking or other fund for the payment of the principal of such debt as it may become due.

Articles XIII C and XIII D and the City's Sewer Rates and Charges. The City's current wastewater rates (see "THE WASTEWATER SYSTEM") were adopted by ordinance of the City Council following notice to property owners and a public hearing held at least 45 days after the notice had been mailed, in compliance with the *Bighorn* decision.

The City believes its wastewater rates and charges do not constitute "taxes" under Article XIII C as revised by Proposition 26 because, as described in subsection 1(e)(7) of Article XIII C, they are "property-related fees imposed in accordance with the provisions of Article XIII D" (and are also charges for a "property-related service" as defined in subsection 2(g) of Article XIII D) and because, as described in subsection 1(e)(2) of Article XIII C, they are charged for wastewater service, "a specific government service or product provided directly to the payor that is not provided to those not charged."

Conclusion. It is not possible to predict how courts will further interpret Article XIII C and Article XIII D in future judicial decisions, and what, if any, further implementing legislation will be enacted.

Under the *Bighorn* case, local voters could adopt an initiative measure that reduces or repeals the City's rates and charges, though it is not clear whether (and California courts have not decided whether) any such reduction or repeal by initiative would be enforceable in a situation in which such rates and charges are pledged to the repayment of bonds or other indebtedness, as is the case with respect to the 2017 Bonds.

There can be no assurance that the courts will not further interpret, or the voters will not amend, Article XIII C and Article XIII D to limit the ability of local agencies to impose, levy, charge and collect increased fees and charges for sewer, or to call into question previously adopted sewer rate increases.

Future Parity Debt

As described in "SECURITY FOR THE 2017 BONDS" above, the Indenture permits the City to incur additional Parity Debt, which would be payable on a parity with the payment of debt service of the 2017 Bonds and Existing Parity Debt. In the event of a decline in Net Revenues available to pay debt service on the 2017 Bonds, the existence of Parity Debt could adversely

affect the City's ability to pay debt service on the 2017 Bonds. See "THE WASTEWATER SYSTEM - Capital Improvement Program."

Limitations on Remedies Available to Owners of the 2017 Bonds

The ability of the City to comply with its covenants under the Indenture and to generate Net Revenues sufficient to pay debt service on the 2017 Bonds may be adversely affected by actions and events outside of the control of the City, and may be adversely affected by actions taken (or not taken) by voters, property owners, taxpayers or payers of assessments, fees and charges. See "- Articles XIIC and XIID of the California Constitution" above. Furthermore, any remedies available to the Owners of the 2017 Bonds upon the occurrence of an event of default under the Indenture are in many respects dependent upon judicial actions, which are often subject to discretion and delay and could prove both expensive and time consuming to obtain.

In addition to the limitations on remedies contained in the Indenture, the rights and obligations under the 2017 Bonds and the Indenture may be subject to the following: the United States Bankruptcy Code and applicable bankruptcy, insolvency, reorganization, moratorium, or similar laws relating to or affecting the enforcement of creditors' rights generally, now or hereafter in effect; usual equity principles which may limit the specific enforcement under State law of certain remedies; the exercise by the United States of America of the powers delegated to it by the Federal Constitution; and the reasonable and necessary exercise, in certain exceptional situations, of the police power inherent in the sovereignty of the State of California and its governmental bodies in the interest of serving a significant and legitimate public purpose. Bankruptcy proceedings, or the exercise of powers by the federal or state government, if initiated, could subject the Owners of the 2017 Bonds to judicial discretion and interpretation of their rights in bankruptcy or otherwise, and consequently may entail risks of delay, limitation or modification of their rights.

Natural Disasters

The City, like all California communities, is subject to unpredictable seismic activity, fires or floods. If there were a severe seismic, flood or fire event in the City, there could be substantial damage to and interference with the City, including the Wastewater System, which could impact the receipt of Gross Revenues, increase Operation and Maintenance Costs and adversely affect the City's ability to pay the Installment Payments.

Seismic Hazards. Like many areas of California, the City is subject to seismic activity and resulting liquefaction and subsidence. The primary seismic hazard is ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity of the Clovis area. The northwest-trending Clovis Fault is believed to be located approximately five to six miles east of the City, extending from an area just south of the San Joaquin River to a few miles south of Fancher Creek. The most probable sources of earthquakes that might have a potential for causing damage in the City are: the Owens Valley Fault Group located about 68 miles to the northeast; the Foothills Suture Fault Zone located approximately 75 miles to the north; the San Andreas Fault located approximately 80 miles to the southwest; and the White Wolf fault located about 120 miles to the south.

California Drought. In recent years the City, like most of California, has experienced drought conditions. However, as a result of above-average rainfall and snowfall, in April of 2017 the Governor issued an executive order declaring the drought to officially have ended in all but a few areas of the State. The City cannot predict whether drought conditions will return. Drought

conditions can be expected to cause significant water use changes which could reduce wastewater flows and consequently increase sewage strength. The effect on sewer revenues would likely be minimal; although existing facilities might reach their volume capacity later as flows reduce, solids loading capacity is typically the limiting factor for these types of facilities, and solids volume will not change as a result of reductions in water use.

Flooding Hazards. Portions of the City have been subject to historical flooding. The City uses the Federal Emergency Management Agency's Flood Insurance Study (FIS) and Flood Insurance Rate Map(s) (FIRM) as published in 2005 to assess flood risk and infrastructure mitigation.

The City is subject to flooding from a variety of sources:

- The City is traversed by four natural stream systems. Each of these systems is comprised of sub-streams, or creeks, that collect together to discharge to a centralized natural drainage channel. These stream systems collect storm runoff from the foothills east of the City and convey the runoff through the Clovis/Fresno metropolitan areas to the Fresno slough, which is located westerly of the City of Fresno. Many of these channels have been modified over time and have become dual use storm water conveyance channels and irrigation water conveyance channels. Those streams that have not been used for irrigation purposes have essentially remained in their natural state and have historically flowed uncontrolled during storm runoff events. These stream channels have limited flow capacity. In some cases, the historical uncontrolled grading of land has obliterated or severely modified the natural channels to the extent that their flow capacity has been seriously limited. Flooding has been a serious problem in the Clovis/Fresno metropolitan area when these channel capacities are exceeded.
- There are possible overflow areas from the Alluvial Drain area and the Dry Creek Reservoir. The major inundation areas from potential overflows from the Dry Creek Reservoir affect a majority of the northwesterly portion of the City, as well as the northwesterly portions of the current City Sphere of Influence and City boundaries.
- The Big Dry Creek Dam impounds storm-water runoff from Big Dry Creek in the Big Dry Creek Reservoir. Big Dry Creek Reservoir is owned and operated by the Fresno County Metropolitan Flood Control District, and is intended primarily for flood control of winter runoff from the Dry Creek and Dog Creek watersheds. The reservoir was designed for a 200-year standard project flood, which is a design specification used by the Army Corps of Engineers for reservoirs.
- The Dog Creek Channel alignment and in low depressed areas along the easterly sides of the Enterprise Canal.

Secondary Market for Bonds

There can be no guarantee that there will be a secondary market for the 2017 Bonds or, if a secondary market exists, that any 2017 Bonds can be sold for any particular price. Occasionally, because of general market conditions or because of adverse history or economic prospects connected with a particular issue, secondary marketing practices in connection with a

particular issue are suspended or terminated. Additionally, prices of issues for which a market is being made will depend upon then-prevailing circumstances. Such prices could be substantially different from the original purchase price.

Loss of Tax-Exemption

As discussed under the caption "TAX MATTERS," interest on the 2017 Bonds could become includable in gross income for purposes of federal income taxation retroactive to the date the 2017 Bonds were issued, as a result of future acts or omissions of the City in violation of its covenants in the Indenture.

In addition, current and future legislative proposals, if enacted into law, may cause interest on the 2017 Bonds to be subject, directly or indirectly, to federal income taxation by, for example, changing the current exclusion or deduction rules to limit the aggregate amount of interest on state and local government bonds that may be treated as tax exempt by individuals.

Should such an event of taxability occur, the 2017 Bonds are not subject to special redemption and will remain Outstanding until maturity or until redeemed under other provisions set forth in the Indenture.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of the Underwriter and the beneficial owners of the 2017 Bonds to provide certain financial information and operating data relating to the City no later than 270 days following the end of the City's fiscal year (presently June 30) (the "**Annual Report**"), commencing with the report for the Fiscal Year ending June 30, 2017, and to provide notices of the occurrence of certain enumerated events. The Annual Report and notices of enumerated events will be filed by the City with the Municipal Securities Rulemaking Board. The specific nature of the information to be contained in the Annual Report or the notices of enumerated events is set forth below in Appendix E — "FORM OF CONTINUING DISCLOSURE CERTIFICATE." These covenants have been made in order to assist the Underwriter in complying with S.E.C. Rule 15c2-12(b)(5).

The City and its related entities have previously entered into numerous disclosure undertakings under the Rule in connection with the issuance of long-term obligations (see Appendix A - "COMPREHENSIVE ANNUAL FINANCIAL REPORT, JUNE 30, ~~2014~~2016," Note F"). The City and its affiliated entities have failed, on a handful of occasions during the past five years, to comply, in all material respects, with these undertakings.

More specifically, during the last five years:

[CONTINUING DISCLOSURE COMPLIANCE HISTORY TO BE UPDATED]

Supplemental annual reports, notices of the rating changes and filings to correct all of the known failures by the City and its affiliated entities to comply with their continuing disclosure undertakings have been made.

The City believes that it has established procedures that will result in ongoing compliance in the future.

APPROVAL OF LEGAL PROCEEDINGS

The legal opinion of Bond Counsel, approving the validity of the 2017 Bonds, in substantially the form attached hereto as Appendix D, will be made available to purchasers at the time of original delivery of the 2017 Bonds, and a copy of the opinion will accompany each 2017 Bond.

Certain matters with respect to this Official Statement will be considered on behalf of the City by Jones Hall, A Professional Law Corporation ("**Disclosure Counsel**"). Certain matters will be passed upon for the City by the City Attorney. Quint & Thimmig LLP, Larkspur, California is acting as counsel to the Underwriter.

Payment of the fees and expenses of Bond Counsel, Disclosure Counsel and counsel to the Underwriter is contingent upon issuance of the 2017 Bonds.

TAX MATTERS

Tax Exemption

Federal Tax Status. In the opinion of Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel, subject, however to the qualifications set forth below, under existing law, the interest on the 2017 Bonds is excluded from gross income for federal income tax purposes and such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, *provided, however*, that, for the purpose of computing the alternative minimum tax imposed on corporations (as defined for federal income tax purposes), such interest is taken into account in determining certain income and earnings.

The opinions set forth in the preceding paragraph are subject to the condition that the District comply with all requirements of the Internal Revenue Code of 1986, as amended (the "**Tax Code**") that must be satisfied subsequent to the issuance of the 2017 Bonds. The District has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the inclusion of such interest in gross income for federal income tax purposes to be retroactive to the date of issuance of the 2017 Bonds.

Tax Treatment of Original Issue Discount and Premium. If the initial offering price to the public (excluding bond houses and brokers) at which a 2017 Bond is sold is less than the amount payable at maturity thereof, then such difference constitutes "**original issue discount**" for purposes of federal income taxes and State of California personal income taxes. If the initial offering price to the public (excluding bond houses and brokers) at which a 2017 Bond is sold is greater than the amount payable at maturity thereof, then such difference constitutes "**original issue premium**" for purposes of federal income taxes and State of California personal income taxes. *De minimis* original issue discount and original issue premium is disregarded.

Under the Tax Code, original issue discount is treated as interest excluded from federal gross income and exempt from State of California personal income taxes to the extent properly allocable to each owner thereof subject to the limitations described in the first paragraph of this section. The original issue discount accrues over the term to maturity of the 2017 Bond on the

basis of a constant interest rate compounded on each interest or principal payment date (with straight-line interpolations between compounding dates). The amount of original issue discount accruing during each period is added to the adjusted basis of such Bonds to determine taxable gain upon disposition (including sale, redemption, or payment on maturity) of such 2017 Bond. The Tax Code contains certain provisions relating to the accrual of original issue discount in the case of purchasers of the 2017 Bonds who purchase the 2017 Bonds after the initial offering of a substantial amount of such maturity. Owners of such 2017 Bonds should consult their own tax advisors with respect to the tax consequences of ownership of 2017 Bonds with original issue discount, including the treatment of purchasers who do not purchase in the original offering, the allowance of a deduction for any loss on a sale or other disposition, and the treatment of accrued original issue discount on such 2017 Bonds under federal individual and corporate alternative minimum taxes.

Under the Tax Code, original issue premium is amortized on an annual basis over the term of the 2017 Bond (said term being the shorter of the 2017 Bond's maturity date or its call date). The amount of original issue premium amortized each year reduces the adjusted basis of the owner of the 2017 Bond for purposes of determining taxable gain or loss upon disposition. The amount of original issue premium on a 2017 Bond is amortized each year over the term to maturity of the 2017 Bond on the basis of a constant interest rate compounded on each interest or principal payment date (with straight-line interpolations between compounding dates). Amortized 2017 Bond premium is not deductible for federal income tax purposes. Owners of premium 2017 Bonds, including purchasers who do not purchase in the original offering, should consult their own tax advisors with respect to State of California personal income tax and federal income tax consequences of owning such Bonds.

California Tax Status. In the further opinion of Bond Counsel, interest on the 2017 Bonds is exempt from California personal income taxes.

Other Tax Considerations. Owners of the 2017 Bonds should also be aware that the ownership or disposition of, or the accrual or receipt of interest on, the 2017 Bonds may have federal or state tax consequences other than as described above. Bond Counsel expresses no opinion regarding any federal or state tax consequences arising with respect to the 2017 Bonds other than as expressly described above, including any federal tax consequences arising with respect to the ownership, sale or disposition of the 2017 Bonds, or the amount, accrual or receipt of interest on the 2017 Bonds.

Form of Opinions. A copy of the proposed forms of opinions of Bond Counsel relating to the 2017 Bonds attached hereto as Appendix D.

Future Legislation

Future legislation, if enacted into law, or clarification of the Tax Code may cause interest on the 2017 Bonds to be subject, directly or indirectly, to federal income taxation, or otherwise prevent owners of the 2017 Bonds from realizing the full current benefit of the tax status of such interest. The introduction or enactment of any such future legislation or clarification of the Tax Code may also affect the market price for, or marketability of, the 2017 Bonds. Prospective purchasers of the 2017 Bonds should consult their own tax advisors regarding any pending or proposed federal tax legislation, as to which Bond Counsel expresses no opinion.

LITIGATION

There is no action, suit or proceeding pending or, to the knowledge of the City, threatened at the present time seeking to restrain or to enjoin the sale or delivery of the 2017 Bonds or in any way contesting or affecting the validity or enforceability of the 2017 Bonds or the Indenture or any action of the City contemplated by any of said documents.

There are no pending suits contesting or affecting the collection of Gross Revenues or which would have a material adverse effect on the Wastewater System, the financial condition of the City, including the City's ability to pay debt service on the 2017 Bonds, or the receipt of Gross Revenues by the City.

FINANCIAL STATEMENTS

The Pun Group, San Diego, California, audited the financial statements of the City for the fiscal year ended June 30, ~~2014~~2016. The firm's examination was made in accordance with generally accepted auditing standards. See Appendix A.

The City has not requested nor did the City obtain permission from The Pun Group to include the audited financial statements as an appendix to this Official Statement. Accordingly, The Pun Group has not performed any post-audit review of the financial condition or operations of the City.

RATINGS

Standard & Poor's Financial Services LLC, a subsidiary of The McGraw-Hill Companies, Inc. ("**S&P**"), has assigned its municipal bond rating of "___" to the 2017 Bonds.

Moody's Investors Service ("**Moody's**") has assigned its municipal bond rating of "___" to the 2017 Bonds.

These ratings reflect only the view of S&P and Moody's, and an explanation of the significance of the ratings, and any outlook assigned to or associated with the rating, should be obtained from S&P and Moody's.

Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. The City has provided certain additional information and materials to S&P and Moody's (some of which does not appear in this Official Statement).

There is no assurance that this rating will continue for any given period of time or that the rating will not be revised downward or withdrawn entirely by S&P and Moody's, if in the judgment of S&P and Moody's, circumstances so warrant. Any such downward revision or withdrawal of any rating on the 2017 Bonds may have an adverse effect on the market price or marketability of the 2017 Bonds.

UNDERWRITING

The 2017 Bonds are being purchased by Stifel, Nicolaus & Company, Incorporated as underwriter (the "**Underwriter**"). The Underwriter has agreed, subject to certain conditions, to purchase all of the 2017 Bonds described on the inside cover page of this Official Statement at an aggregate purchase price of \$_____ (which is equal to the par amount of the 2017 Bonds, plus net original premium of \$_____ and less underwriter's discount of \$_____).

The initial public offering prices stated on the inside cover of this Official Statement may be changed from time to time by the Underwriter. The Underwriter may offer and sell the 2017 Bonds to certain dealers (including dealers depositing 2017 Bonds into investment trusts), dealer banks, banks acting as agent and others at prices lower than such public offering prices.

MISCELLANEOUS

References made in this Official Statement to certain documents and reports are brief summaries thereof and do not purport to be complete or definitive, and reference is hereby made to such documents and reports for a full and complete statement of the contents thereof.

Any statements in this Official Statement involving matters of opinion, whether or not expressly so stated, are intended as such and not as representations of fact. This Official Statement is not to be construed as a contract or agreement between the Authority or the City and the purchasers or registered owners of any of the 2017 Bonds. The delivery and distribution of this Official Statement have been duly authorized by the Authority or the City.

CITY OF CLOVIS

By: _____
City Manager

APPENDIX A
COMPREHENSIVE ANNUAL FINANCIAL REPORT
JUNE 30, 2016

APPENDIX B

GENERAL INFORMATION ABOUT THE CITY OF CLOVIS AND FRESNO COUNTY

General

City of Clovis. The City of Clovis (the "City") encompasses 24.4 square miles located in the northeastern corner of the Fresno/Clovis metropolitan area, adjacent to the City of Fresno and approximately ten miles northeast of downtown Fresno. For many years the City was a suburban growth area for the City of Fresno, having very little in the way of any independent economic base. However, in recent years the pace of development in both retail sales and light manufacturing has proceeded proportionately faster than the City's already substantial residential development.

County of Fresno. Fresno County (the "County") is fifth largest county in the State of California (the "State"), covering approximately 6,000 square miles. It is located in the geographic center of the State and is a leading crop-producing county.

Within the County, there are roughly four different agricultural areas. East and south of the City of Fresno, grapes and other fruit and nut crops are grown, harvested and processed for shipment; west of the City of Fresno is the largest melon-producing area, which lies within the Mendota Unified School District. Also to the west, large crops of cotton, alfalfa, barley, rice, wheat and vegetables are produced. In the southwest are oil wells and extensive cattle and sheep ranches.

The County is the trade, financial and commercial center for many surrounding counties in Central California and is a hub of transportation facilities connecting Central California to all parts of the country. Two major north-south highways, State Highway 99 and Interstate Highway 5, pass through the County. State Highways 180 and 145 run east and west. Railroads, major airlines, bus lines and numerous trucking companies also serve the area.

Population

The table below shows comparable population data for the City, County, and State.

CITY OF CLOVIS, COUNTY OF FRESNO AND STATE OF CALIFORNIA Population Estimates

| Calendar
Year | City of
Clovis | County of
Fresno | State of
California |
|------------------|-------------------|---------------------|------------------------|
| 2013 | 100,595 | 956,098 | 38,238,492 |
| 2014 | 102,487 | 964,757 | 38,572,211 |
| 2015 | 105,224 | 975,324 | 38,915,880 |
| 2016 | 108,109 | 985,079 | 39,189,035 |
| 2017 | 110,762 | 995,975 | 39,523,613 |

Source: State Department of Finance estimates (as of January 1).

Employment

The unemployment rate in the County was 8.8% in April 2017, down from a revised 10.2% in May 2017, and below the year-ago estimate of 9.8%. This compares with an unadjusted unemployment rate of 4.5% for California and 4.1% for the nation during the same period.

The following table shows civilian labor force data and wage and salary employment data for Fresno County for the years 2012 through 2016.

FRESNO COUNTY
Civilian Labor Force, Employment and Unemployment, Unemployment by Industry
(Annual Averages)

| | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---------|---------|---------|---------|---------|
| Civilian Labor Force ⁽¹⁾ | 440,000 | 437,900 | 439,100 | 441,300 | 446,200 |
| Employment | 373,500 | 379,900 | 388,300 | 396,500 | 404,100 |
| Unemployment | 66,600 | 58,000 | 50,800 | 44,800 | 42,100 |
| Unemployment Rate | 15.1% | 13.2% | 11.6% | 10.2% | 9.4% |
| <u>Wage and Salary Employment:</u> ⁽²⁾ | | | | | |
| Agriculture | 48,900 | 49,200 | 48,800 | 47,300 | 47,000 |
| Mining and Logging | 300 | 300 | 300 | 300 | 300 |
| Construction | 12,200 | 13,100 | 13,900 | 15,000 | 15,900 |
| Manufacturing | 23,700 | 23,100 | 23,900 | 25,300 | 25,100 |
| Wholesale Trade | 12,800 | 13,600 | 13,700 | 13,800 | 14,400 |
| Retail Trade | 33,800 | 35,100 | 36,300 | 37,400 | 38,700 |
| Trans., Warehousing, Utilities | 11,600 | 12,000 | 11,900 | 12,300 | 12,700 |
| Information | 3,800 | 3,800 | 3,900 | 3,900 | 3,800 |
| Financial and Insurance | 8,800 | 8,700 | 8,400 | 8,500 | 8,700 |
| Real Estate, Rental & Leasing | 4,000 | 4,200 | 4,400 | 4,600 | 4,600 |
| Professional and Business Services | 26,800 | 28,900 | 31,000 | 31,500 | 31,900 |
| Educational and Health Services | 53,300 | 55,400 | 57,000 | 60,400 | 64,200 |
| Leisure and Hospitality | 28,000 | 29,000 | 30,600 | 31,400 | 32,200 |
| Other Services | 10,600 | 10,900 | 11,200 | 11,500 | 11,900 |
| Federal Government | 10,200 | 9,900 | 9,800 | 9,600 | 9,800 |
| State Government | 10,500 | 10,600 | 11,400 | 11,900 | 12,100 |
| Local Government | 43,400 | 43,600 | 45,100 | 47,200 | 49,200 |
| Total All Industries ⁽³⁾ | 342,500 | 351,500 | 361,500 | 371,700 | 382,500 |

(1) Labor force data is by place of residence; includes self-employed individuals, unpaid family workers, household domestic workers, and workers on strike.

(2) Industry employment is by place of work; excludes self-employed individuals, unpaid family workers, household domestic workers, and workers on strike.

(3) May not add due to rounding.

Source: State of California Employment Development Department.

Major Employers

The following table lists the principal employers in the City as of June 30, 2016.

CITY OF CLOVIS Principal Employers (As of June 30, 2016)

| <u>Company Name</u> | <u>Employment</u> |
|--------------------------------|-------------------|
| Clovis Unified School District | 6,400 |
| Clovis Community Hospital | 1,680 |
| Wawona Frozen Foods | 1,276 |
| Wal-Mart | 762 |
| City of Clovis | 656 |
| Pelco | 650 |
| Alorica | 535 |
| Target | 363 |
| Anlin Industries | 304 |
| Costco | 295 |
| Total (Top Employers) | 12,921 |

Source: City of Clovis Comprehensive Annual Financial Report as of June 30, 2016.

The table below lists the major employers in the County, listed alphabetically, as of June 2017.

FRESNO COUNTY Major Employers June 2017

| <u>Employer Name</u> | <u>Location</u> | <u>Industry</u> |
|-----------------------------------|-----------------|--|
| Aetna | Fresno | Insurance |
| California Teaching Fellows | Fresno | Employment Service-Govt Co Fraternal |
| Cargill | Fresno | Meat Packers (Mfrs) |
| Cargill Meat Solutions | Fresno | Locker Plants |
| Community Regional Medical Center | Fresno | Hospitals |
| Foster Farms | Fresno | Poultry Farms |
| Fresno County Economic Comm | Fresno | Pre-Schools |
| Fresno County Sheriff's Dept | Fresno | Police Departments |
| Fresno Police Dept | Fresno | Police Departments |
| Fresno Police Dept | Fresno | Police Departments |
| Fresno Police-Mgmt Support | Fresno | Police Departments |
| Fresno State | Fresno | Schools-Universities & Colleges Academic |
| Fresno Unified School District | Fresno | School Districts |
| Kaiser Permanente Fresno Med | Fresno | Hospitals |
| Pelco-Schneider Electric | Clovis | Security Control Equip & Systems-Mfrs |
| Phebe Conley Art Gallery | Fresno | Art Galleries & Dealers |
| Pitman Farms | Sanger | Farms |
| Pleasant Valley State Prison | Coalinga | Government Offices-State |
| Shehadey Pavilion At St Agnes | Fresno | Hospitals |
| St Agnes Medical Center | Fresno | Information & Referral Svcs-Hlth Prgrms |
| St Agnes Medical Center | Fresno | Hospitals |
| Stamoules Produce Co | Mendota | Fruits & Vegetables & Produce-Retail |
| State Center Community College | Fresno | Schools-Universities & Colleges Academic |
| US Veterans Hospital | Fresno | Hospitals |
| Zacky Farms | Fresno | Poultry & Eggs NEC |

Source: State of California Employment Development Department, extracted from the America's Labor Market Information System (ALMIS) Employer Database, 2017 2nd Edition.

Effective Buying Income

"Effective Buying Income" is defined as personal income less personal tax and nontax payments, a number often referred to as "disposable" or "after-tax" income. Personal income is the aggregate of wages and salaries, other labor-related income (such as employer contributions to private pension funds), proprietor's income, rental income (which includes imputed rental income of owner-occupants of non-farm dwellings), dividends paid by corporations, interest income from all sources, and transfer payments (such as pensions and welfare assistance). Deducted from this total are personal taxes (federal, state and local), nontax payments (fines, fees, penalties, etc.) and personal contributions to social insurance. According to U.S. government definitions, the resultant figure is commonly known as "disposable personal income."

The following table summarizes the total effective buying income for the City, County, State and the United States for the past five years.

FRESNO COUNTY Effective Buying Income As of January 1, 2012 through 2016

| <u>Year</u> | <u>Area</u> | <u>Total Effective
Buying Income
(000's Omitted)</u> | <u>Median Household
Effective Buying
Income</u> |
|-------------|------------------|--|---|
| 2012 | City of Clovis | \$2,066,548 | \$48,732 |
| | County of Fresno | 14,652,155 | 37,735 |
| | California | 864,088,828 | 47,307 |
| | United States | 6,737,867,730 | 41,358 |
| 2013 | City of Clovis | \$2,100,128 | \$49,908 |
| | County of Fresno | 14,713,743 | 38,382 |
| | California | 858,676,636 | 48,340 |
| | United States | 6,982,757,379 | 43,715 |
| 2014 | City of Clovis | \$2,189,623 | \$49,815 |
| | County of Fresno | 15,070,070 | 38,000 |
| | California | 901,189,699 | 50,072 |
| | United States | 7,357,153,421 | 45,448 |
| 2015 | City of Clovis | \$2,460,010 | \$54,513 |
| | County of Fresno | 16,227,013 | 40,819 |
| | California | 981,231,666 | 53,589 |
| | United States | 7,757,960,399 | 46,738 |
| 2016 | City of Clovis | \$2,601,255 | \$55,465 |
| | County of Fresno | 16,706,632 | 41,237 |
| | California | 1,036,142,723 | 55,681 |
| | United States | 8,132,748,136 | 48,043 |

Source: The Nielsen Company (US), Inc.

Commercial Activity

A summary of historic taxable sales within the City during calendar years 2011 through 2015 is shown in the following table. Total taxable sales reported during the first quarter of calendar year 2016 in the City were reported to be \$415.84 million, a 4.48% increase over the total taxable sales of \$397.99 million reported during the first quarter of calendar year 2015. Annual figures are not yet available for calendar year 2016.

CITY OF CLOVIS Taxable Transactions (figures in thousands)

| <u>Year</u> | <u>Retail Sales
Permits</u> | <u>Retail Sales</u> | <u>Total Sales
Permits</u> | <u>Total Taxable
Transactions</u> |
|---------------------|---------------------------------|---------------------|--------------------------------|---------------------------------------|
| 2011 | 1,303 | \$1,150,126 | 1,972 | \$1,278,684 |
| 2012 | 1,327 | 1,237,713 | 1,985 | 1,373,070 |
| 2013 | 1,374 | 1,365,206 | 1,983 | 1,509,721 |
| 2014 | 1,446 | 1,452,582 | 2,065 | 1,613,570 |
| 2015 ⁽¹⁾ | 1,548 | 1,500,019 | 2,351 | 1,675,127 |

(1) Permit figures for calendar year 2015 are not comparable to that of prior years due to outlet counts in these reports including the number of outlets that were active during the reporting period. Retailers that operate part-time are now tabulated with store retailers.

Source: State Board of Equalization

A summary of historic taxable sales within the County during calendar years 2011 through 2015 is shown in the following table. Total taxable sales reported during the first quarter of calendar year 2016 in the County were reported to be \$3.35 billion, a 4.10% increase over the total taxable sales of \$3.21 billion reported during the first quarter of calendar year 2015. Annual figures are not yet available for calendar year 2016.

COUNTY OF FRESNO Taxable Transactions (figures in thousands)

| <u>Year</u> | <u>Retail Sales
Permits</u> | <u>Retail Sales</u> | <u>Total Sales
Permits</u> | <u>Total Taxable
Transactions</u> |
|---------------------|---------------------------------|---------------------|--------------------------------|---------------------------------------|
| 2011 | 12,659 | \$7,602,313 | 19,238 | \$11,179,478 |
| 2012 | 12,670 | 8,164,919 | 19,164 | 12,020,630 |
| 2013 | 12,047 | 8,597,480 | 18,112 | 12,618,111 |
| 2014 | 12,268 | 8,998,182 | 18,304 | 13,328,511 |
| 2015 ⁽¹⁾ | 7,298 | 9,247,616 | 20,242 | 14,080,800 |

(1) Permit figures for calendar year 2015 are not comparable to that of prior years due to outlet counts in these reports including the number of outlets that were active during the reporting period. Retailers that operate part-time are now tabulated with store retailers.

Source: State Board of Equalization

Construction Activity

Building activity for the years 2012 through 2016 in the City and County are shown in the following tables:

CITY OF CLOVIS Total Building Permit Valuations (Valuations in Thousands)

| | 2012 | 2013 | 2014 | 2015 | 2016 |
|----------------------------|-----------------|-----------------|-----------------|-----------------|----------------|
| <u>Permit Valuation</u> | | | | | |
| New Single-family | \$84,051.4 | \$227,470.7 | \$125,171.2 | \$233,592.9 | \$294,670.8 |
| New Multi-family | 0.0 | 20,976.2 | 0.0 | 6,257.7 | 0.0 |
| Res. Alterations/Additions | <u>4,127.9</u> | <u>2,176.4</u> | <u>1,330.6</u> | <u>2,204.1</u> | <u>1,790.2</u> |
| Total Residential | \$88,179.30 | \$250,623.3 | \$126,501.8 | \$242,054.7 | \$296,461.0 |
| New Commercial | \$40,826.1 | \$12,733.6 | \$16,158.2 | \$31,577.0 | \$20,226.1 |
| New Industrial | 3,180.0 | 1,060.0 | 0.0 | 0.0 | 0.0 |
| New Other | 0.0 | 1,315.7 | 12,922.0 | 11,241.6 | 24,218.8 |
| Com. Alterations/Additions | <u>20,144.8</u> | <u>13,124.3</u> | <u>13,049.2</u> | <u>10,192.8</u> | <u>9,096.1</u> |
| Total Nonresidential | \$64,150.9 | \$28,233.6 | \$42,129.4 | \$53,011.4 | \$53,541.0 |
| <u>New Dwelling Units</u> | | | | | |
| Single Family | 333 | 836 | 483 | 839 | 1,086 |
| Multiple Family | <u>0</u> | <u>212</u> | <u>0</u> | <u>47</u> | <u>0</u> |
| TOTAL | 333 | 1,084 | 483 | 886 | 1,086 |

Source: Construction Industry Research Board, Building Permit Summary.

Building activity for the past five years in the County of Fresno is shown in the following tables.

COUNTY OF FRESNO Total Building Permit Valuations (Valuations in thousands)

| | 2012 | 2013 | 2014 | 2015 | 2016 |
|----------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <u>Permit Valuation</u> | | | | | |
| New Single-family | \$304,106.2 | \$622,066.8 | \$388,564.8 | \$580,986.1 | \$689,016.6 |
| New Multi-family | 17,836.2 | 66,027.4 | 43,654.0 | 34,183.6 | 52,363.2 |
| Res. Alterations/Additions | <u>27,063.5</u> | <u>30,063.8</u> | <u>35,354.2</u> | <u>31,800.5</u> | <u>30,648.8</u> |
| Total Residential | \$349,005.9 | \$718,158.0 | \$467,573.1 | \$646,970.2 | \$772,028.6 |
| New Commercial | \$95,185.4 | \$129,117.6 | \$98,770.5 | \$210,280.3 | \$184,408.2 |
| New Industrial | 9,469.7 | 20,967.0 | 21,368.5 | 8,359.4 | 14,895.8 |
| New Other | 3,231.6 | 49,089.1 | 49,382.5 | 121,042.6 | 147,642.2 |
| Com. Alterations/Additions | <u>77,031.1</u> | <u>77,977.8</u> | <u>70,566.8</u> | <u>88,609.5</u> | <u>80,745.4</u> |
| Total Nonresidential | \$184,917.8 | \$277,151.5 | \$240,088.3 | \$428,291.8 | \$427,691.6 |
| <u>New Dwelling Units</u> | | | | | |
| Single Family | 1,349 | 2,310 | 1,410 | 2,153 | 2,559 |
| Multiple Family | <u>243</u> | <u>773</u> | <u>539</u> | <u>343</u> | <u>239</u> |
| TOTAL | 1,592 | 3,083 | 1,949 | 2,496 | 2,798 |

Source: Construction Industry Research Board, Building Permit Summary

APPENDIX C

SUMMARY OF CERTAIN PROVISIONS OF THE INDENTURE

The following is a summary of certain provisions of the Indenture which are not described elsewhere. This summary does not purport to be comprehensive and reference should be made to the respective agreement for a full and complete statement of the provisions thereof.

APPENDIX D

FORM OF BOND COUNSEL OPINION

Upon delivery of the Bonds, Jones Hall, A Professional Law Corporation, Bond Counsel, proposes to render its final approving opinion, dated the closing date for the Bonds, in substantially the following form.

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

OPINION: \$ _____ City of Clovis
2017 Wastewater Revenue Refunding Bonds

Members of the City Council:

We have acted as bond counsel in connection with the issuance by the City of Clovis (the "City") of \$ _____ aggregate principal amount of bonds of the City designated the "City of Clovis 2017 Wastewater Revenue Refunding Bonds" (the "Bonds"), issued under the provisions of Articles 10 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, commencing with Section 53570 of said Code (the "Bond Law"), and under an Indenture of Trust dated as of August 1, 2017 (the "Indenture"), between the City and MUFG Union Bank, N.A., as trustee, and a resolution of the City Council of the City adopted on July __, 2017. We have examined the Bond Law, an executed copy of the Indenture and such certified proceedings and other papers as we deem necessary to render this opinion.

As to questions of fact material to our opinion, we have relied upon representations of the City contained in the Indenture and in the certified proceedings and other certifications of public officials furnished to us, without undertaking to verify the same by independent investigation.

Based upon our examination we are of the opinion, under existing law, that:

1. The City is a municipal corporation organized and existing under the laws of the State of California, with power to enter into the Indenture, to perform the agreements on its part contained therein and to issue the Bonds.
2. The Bonds have been duly authorized, executed and delivered by the City and are legal, valid and binding obligations of the City, payable solely from the sources provided therefor in the Indenture.
3. The Indenture has been duly approved by the City and constitutes a legal, valid and binding obligation of the City enforceable against the City in accordance with its terms.

4. Pursuant to the Bond Law, the Indenture establishes a valid lien on and pledge of the Net Revenues of the Wastewater System (as such terms are defined in the Indenture) for the security of the Bonds and any obligations issued on a parity therewith.

5. The interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; it should be noted, however, that for the purpose of computing the alternative minimum tax imposed on corporations (as defined for federal income tax purposes), such interest is taken into account in determining certain income and earnings. The opinions set forth in the preceding sentence are subject to the condition that the District comply with all requirements of the Internal Revenue Code of 1986 that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excluded from gross income for federal tax purposes. The District has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the inclusion of interest on the Bonds in gross income for federal income tax purposes to be retroactive to the date of issuance of the Bonds. We express no opinion regarding other federal tax consequences arising with respect to the ownership, sale or disposition of the Bonds, or the amount, accrual or receipt of interest on the Bonds.

6. The interest on the Bonds is exempt from personal income taxation imposed by the State of California.

The rights of the owners of the Bonds and the enforceability of the Bonds and the Indenture may be subject to bankruptcy, insolvency, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted and their enforcement may be subject to the exercise of judicial discretion in accordance with general principles of equity.

Respectfully submitted,

Jones Hall,
A Professional Law Corporation

APPENDIX E

FORM OF CONTINUING DISCLOSURE CERTIFICATE

\$ _____
CITY OF CLOVIS
2017 WASTEWATER REVENUE REFUNDING BONDS

This CONTINUING DISCLOSURE CERTIFICATE (this "Disclosure Certificate") is executed and delivered by the CITY OF CLOVIS (the "City") in connection with the execution and delivery of the bonds captioned above (the "Bonds"). The Bonds are being executed and delivered pursuant to an Indenture of Trust, dated as of August 1, 2017 (the "Indenture"), between the City and MUFG Union Bank, N.A., as trustee.

The City covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the City for the benefit of the holders and beneficial owners of the Bonds and in order to assist the Participating Underwriter in complying with S.E.C. Rule 15c2-12(b)(5).

Section 2. Definitions. In addition to the definitions set forth above and in the Indenture, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section 2, the following capitalized terms shall have the following meanings:

"*Annual Report*" means any Annual Report provided by the City pursuant to, and as described in, Sections 3 and 4.

"*Annual Report Date*" means the date that is nine months after the end of the City's fiscal year (currently March 31 based on the City's fiscal year end of June 30).

"*Dissemination Agent*" means the City, or any successor Dissemination Agent designated in writing by the City and which has filed with the City a written acceptance of such designation.

"*Listed Events*" means any of the events listed in Section 5(a).

"*MSRB*" means the Municipal Securities Rulemaking Board, which has been designated by the Securities and Exchange Commission as the sole repository of disclosure information for purposes of the Rule, or any other repository of disclosure information that may be designated by the Securities and Exchange Commission as such for purposes of the Rule in the future.

"*Official Statement*" means the final official statement executed by the City in connection with the issuance of the Bonds.

"*Participating Underwriter*" means Stifel, Nicolaus & Company, Incorporated, the original underwriter of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Rule" means Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as it may be amended from time to time.

Section 3. Provision of Annual Reports.

(a) The City shall, or shall cause the Dissemination Agent to, not later than the Annual Report Date, commencing March 31, 2018, with the report for the 2016-17 fiscal year, provide to the MSRB, in an electronic format as prescribed by the MSRB, an Annual Report that is consistent with the requirements of Section 4. Not later than 15 Business Days prior to the Annual Report Date, the City shall provide the Annual Report to the Dissemination Agent (if other than the City). If by 15 Business Days prior to the Annual Report Date the Dissemination Agent (if other than the City) has not received a copy of the Annual Report, the Dissemination Agent shall contact the City to determine if the City is in compliance with the previous sentence. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by reference other information as provided in Section 4; provided that the audited financial statements of the City may be submitted separately from the balance of the Annual Report, and later than the Annual Report Date, if not available by that date. If the City's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(c). The City shall provide a written certification with each Annual Report furnished to the Dissemination Agent to the effect that such Annual Report constitutes the Annual Report required to be furnished by the City hereunder.

(b) If the City does not provide (or cause the Dissemination Agent to provide) an Annual Report by the Annual Report Date, the City shall provide (or cause the Dissemination Agent to provide) to the MSRB, in an electronic format as prescribed by the MSRB, a notice in substantially the form attached as Exhibit A.

(c) With respect to each Annual Report, the Dissemination Agent shall:

- (i) determine each year prior to the Annual Report Date the then-applicable rules and electronic format prescribed by the MSRB for the filing of annual continuing disclosure reports; and
- (ii) if the Dissemination Agent is other than the City, file a report with the City certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, and stating the date it was provided.

Section 4. Content of Annual Reports. The City's Annual Report shall contain or incorporate by reference the following:

(a) The City's audited financial statements prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the City's audited financial statements are not available by the Annual Report Date, the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

(b) Unless otherwise provided in the audited financial statements filed on or before the Annual Report Date, financial information and operating data with respect to the City for the

preceding fiscal year, substantially similar to that provided in the corresponding tables in the Official Statement:

1. Information in the form of Table 12 of the Official Statement concerning operating revenues and expenses of the Wastewater System for the then-preceding fiscal year, including Net Revenue of the Wastewater System and debt service coverage
2. The outstanding principal amount of the Bonds and any Parity Debt as of June 30 of the most recently completed fiscal year.
3. The balance in the Reserve Fund as of June 30 of the most recently completed fiscal year. **[Delete if Reserve Fund Insurance Policy is purchased.]**
4. A description of any Parity Debt issued during the most recently completed fiscal year.
5. A description of any changes in Wastewater System rates and charges adopted by the City Council during the most recently completed fiscal year.
6. Information for the most recently-completed fiscal year in the form of Table 3 (Wastewater Flow to Regional Facility and Reuse Facility), Table 5 (History of Billings and Collections), Table 7 of the Official Statement (Residential and Commercial Sewer Accounts) and Table 8 (Principal Wastewater System Users).

(c) In addition to any of the information expressly required to be provided under this Disclosure Certificate, the City shall provide such further material information, if any, as may be necessary to make the specifically required statements, in the light of the circumstances under which they are made, not misleading.

(d) Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the City or related public entities, which are available to the public on the MSRB's Internet web site or filed with the Securities and Exchange Commission. The City shall clearly identify each such other document so included by reference.

Section 5. Reporting of Significant Events.

(a) The City shall give, or cause to be given, notice of the occurrence of any of the following Listed Events with respect to the Bonds:

- (1) Principal and interest payment delinquencies.
- (2) Non-payment related defaults, if material.
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties.

- (4) Unscheduled draws on credit enhancements reflecting financial difficulties.
- (5) Substitution of credit or liquidity providers, or their failure to perform.
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security.
- (7) Modifications to rights of security holders, if material.
- (8) Bond calls, if material, and tender offers.
- (9) Defeasances.
- (10) Release, substitution, or sale of property securing repayment of the securities, if material.
- (11) Rating changes.
- (12) Bankruptcy, insolvency, receivership or similar event of the City or other obligated person.
- (13) The consummation of a merger, consolidation, or acquisition involving the City or an obligated person, or the sale of all or substantially all of the assets of the City or an obligated person (other than in the ordinary course of business), the entry into a definitive agreement to undertake such an action, or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(b) Whenever the City obtains knowledge of the occurrence of a Listed Event, the City shall, or shall cause the Dissemination Agent (if not the City) to, file a notice of such occurrence with the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of 10 business days after the occurrence of the Listed Event. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8) and (9) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to holders of affected Bonds under the Indenture.

(c) The City acknowledges that the events described in subparagraphs (a)(2), (a)(7), (a)(8) (if the event is a bond call), (a)(10), (a)(13), and (a)(14) of this Section contain the qualifier "if material" and that subparagraph (a)(6) also contains the qualifier "material" with respect to certain notices, determinations or other events affecting the tax status of the Bonds. The City shall cause a notice to be filed as set forth in paragraph (b) above with respect to any such event only to the extent that it determines the event's occurrence is material for purposes of U.S. federal securities law. Whenever the City obtains knowledge of the occurrence of any of these Listed Events, the City will as soon as possible determine if such event would be material

under applicable federal securities law. If such event is determined to be material, the City will cause a notice to be filed as set forth in paragraph (b) above.

(d) For purposes of this Disclosure Certificate, any event described in paragraph (a)(12) above is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

Section 6. Identifying Information for Filings with the MSRB. All documents provided to the MSRB under the Disclosure Certificate shall be accompanied by identifying information as prescribed by the MSRB.

Section 7. Termination of Reporting Obligation. The City's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the City shall give notice of such termination in the same manner as for a Listed Event under Section 5(c).

Section 8. Dissemination Agent. The City may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any Dissemination Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the City. Any Dissemination Agent may resign by providing 30 days' written notice to the City.

Section 9. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the City may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) if the amendment or waiver relates to the provisions of Sections 3(a), 4 or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of an obligated person with respect to the Bonds, or type of business conducted;

(b) the undertakings herein, as proposed to be amended or waived, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) the proposed amendment or waiver either (i) is approved by holders of the Bonds in the manner provided in the Indenture for amendments to the Indenture with the consent of holders, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the holders or beneficial owners of the Bonds.

If the annual financial information or operating data to be provided in the Annual Report is amended pursuant to the provisions hereof, the first Annual Report filed pursuant hereto

containing the amended operating data or financial information shall explain, in narrative form, the reasons for the amendment and the impact of the change in the type of operating data or financial information being provided.

If an amendment is made to this Disclosure Certificate modifying the accounting principles to be followed in preparing financial statements, the Annual Report for the year in which the change is made shall present a comparison between the financial statements or information prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles. The comparison shall include a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information, in order to provide information to investors to enable them to evaluate the ability of the City to meet its obligations. To the extent reasonably feasible, the comparison shall be quantitative.

A notice of any amendment made pursuant to this Section 9 shall be filed in the same manner as for a Listed Event under Section 5(c).

Section 10. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the City chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the City shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 11. Default. If the City fails to comply with any provision of this Disclosure Certificate, the Participating Underwriter or any holder or beneficial owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default under the Indenture, and the sole remedy under this Disclosure Certificate in the event of any failure of the City to comply with this Disclosure Certificate shall be an action to compel performance.

Section 12. Duties, Immunities and Liabilities of Dissemination Agent. (a) The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the City agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which they may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The Dissemination Agent shall have no duty or obligation to review any information provided to it by the City hereunder, and shall not be deemed to be acting in any fiduciary capacity for the City, the Bond holders or any other party. The obligations of the City under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

(b) The Dissemination Agent shall be paid compensation by the City for its services provided hereunder in accordance with its schedule of fees as amended from time to time, and

shall be reimbursed for all expenses, legal fees and advances made or incurred by the Dissemination Agent in the performance of its duties hereunder.

Section 13. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the City, the Dissemination Agent, the Participating Underwriter and the holders and beneficial owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Section 14. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be regarded as an original, and all of which shall constitute one and the same instrument.

Date: _____, 2017

CITY OF CLOVIS

By: _____

Name: _____

Title: _____

EXHIBIT A

NOTICE OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: City of Clovis

Name of Issue: City of Clovis 2017 Wastewater Revenue Refunding Bonds

Date of Issuance: August __, 2017

NOTICE IS HEREBY GIVEN that the City has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate dated __, 2017. The City anticipates that the Annual Report will be filed by _____.

Dated: _____

DISSEMINATION AGENT:

By: _____
Its: _____

APPENDIX F

INFORMATION CONCERNING DTC

The following description of the Depository Trust Company ("DTC"), the procedures and record keeping with respect to beneficial ownership interests in the 2017 Bonds, payment of principal, interest and other payments on the 2017 Bonds to DTC Participants or Beneficial Owners, confirmation and transfer of beneficial ownership interest in the 2017 Bonds and other related transactions between DTC, the DTC Participants and the Beneficial Owners is based solely on information provided by DTC. Accordingly, no representations can be made concerning these matters and neither the DTC Participants nor the Beneficial Owners should rely on the foregoing information with respect to such matters, but should instead confirm the same with DTC or the DTC Participants, as the case may be.

Neither the issuer of the 2017 Bonds (the "Issuer") nor the trustee, fiscal agent or paying agent appointed with respect to the 2017 Bonds (the "Agent") take any responsibility for the information contained in this Appendix.

No assurances can be given that DTC, DTC Participants or Indirect Participants will distribute to the Beneficial Owners (a) payments of interest, principal or premium, if any, with respect to the 2017 Bonds, (b) certificates representing ownership interest in or other confirmation or ownership interest in the 2017 Bonds, or (c) redemption or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Bonds, or that they will so do on a timely basis, or that DTC, DTC Participants or DTC Indirect Participants will act in the manner described in this Appendix. The current "Rules" applicable to DTC are on file with the Securities and Exchange Commission and the current "Procedures" of DTC to be followed in dealing with DTC Participants are on file with DTC.

1. The Depository Trust Company ("DTC"), New York, NY, will act as securities depository for the securities (the "Securities"). The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Security certificate will be issued for each issue of the Securities, each in the aggregate principal amount of such issue, and will be deposited with DTC. If, however, the aggregate principal amount of any issue exceeds \$500 million, one certificate will be issued with respect to each \$500 million of principal amount, and an additional certificate will be issued with respect to any remaining principal amount of such issue.

2. DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and

dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com and www.dtc.org. *The information contained on this Internet site is not incorporated herein by reference.*

3. Purchases of Securities under the DTC system must be made by or through Direct Participants, which will receive a credit for the Securities on DTC's records. The ownership interest of each actual purchaser of each Security ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Securities are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Securities is discontinued.

4. To facilitate subsequent transfers, all Securities deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Securities with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Securities; DTC's records reflect only the identity of the Direct Participants to whose accounts such Securities are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Securities may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Securities, such as redemptions, tenders, defaults, and proposed amendments to the Security documents. For example, Beneficial Owners of Securities may wish to ascertain that the nominee holding the Securities for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

6. Redemption notices shall be sent to DTC. If less than all of the Securities within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and dividend payments on the Securities will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from Issuer or Agent, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, Agent, or Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of Issuer or Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. DTC may discontinue providing its services as depository with respect to the Securities at any time by giving reasonable notice to Issuer or Agent. Under such circumstances, in the event that a successor depository is not obtained, Security certificates are required to be printed and delivered.

10. Issuer may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Security certificates will be printed and delivered to DTC.

11. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that Issuer believes to be reliable, but Issuer takes no responsibility for the accuracy thereof.

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