

CLOVIS CITY COUNCIL MEETING

January 14, 2019

6:06 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

PRESENTATION 6:08

1. PRESENTATION OF PROCLAMATION DECLARING JANUARY 2019 AS NATIONAL SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH

Councilmember Ashbeck presented Sarah Johnston of Fresno EOC a Proclamation declaring January 2019 as National Slavery and Human Trafficking prevention month.

PUBLIC COMMENTS 6:16

Michael Cunningham, resident, commented on and raised concerns on the proposed Clovis library based on a meeting held last Thursday night and images shown of the proposed library by the County.

Tom Wright, resident, requested the City Council reconsider the naming of "Landmark Commons" for the future project located at the northeast corner of Third and Clovis Avenues. It was the consensus of Council to direct staff to work with Mr. Wright on getting the item back on the agenda to reconsider the naming of Landmark Commons.

Erin Fanning, resident, thanked Clovis Police and Fire. She also commented on the Thursday meeting last week on the proposed Fresno County Library. She also requested a copy of the July 9, 2018 EIR on Landmark Commons.

CONSENT CALENDAR 6:45

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

2. City Clerk – Approved - Minutes for the January 7, 2019 Council Meetings.
3. Finance - Received and Filed - Status Report of Community Facilities District Revenues and Expenditures.
4. Finance - Received and Filed - Status Report of the Development Fee Funds for 2018.
5. Finance - Received and Filed - Investment Report for the month of October 2018.
6. Finance - Received and Filed – Treasurer's Report for the month of October 2018.
7. Finance - Received and Filed – Investment Report for the month of November 2018.
8. Finance - Received and Filed – Treasurer's Report for the month of November 2018.
9. General Services - Approved of Claim Rejection of General Liability claim for Aaron Moore.
10. General Services - Approved of Claim Rejection of General Liability claim for Sanford Martin.

11. Public Utilities – Received and Filed – Public Utilities Report for the month of September 2018.

PUBLIC HEARINGS

12. APPROVED ACTIONS RELATED TO ANNEXATION OF TERRITORY (ANNEXATION #56-T6181-NORTHEAST CORNER OF SHAW AND LEONARD) TO THE CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES). **6:47 p.m.**
 - A. APPROVED - **RES. 19-02**, A RESOLUTION ANNEXING TERRITORY (ANNEXATION #56) (T6181-NORTH EAST CORNER OF SHAW AND LEONARD) TO THE CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES) AND CALLING A SPECIAL LANDOWNER ELECTION TO ANNEX TERRITORY (ANNEXATION #56) TO CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES)
 - B. APPROVED - **RES. 19-03**, A RESOLUTION OF THE CITY OF CLOVIS DECLARING THE RESULTS OF A SPECIAL LANDOWNER ELECTION AND DIRECTING RECORDING OF THE NOTICE OF SPECIAL TAX LIEN FOR CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES).

Finance Director Jay Schengel presented a report on actions related to annexation of territory (Annexation #56 - T6181 – Northeast Corner of Shaw and Leonard) to the City of Clovis Community Facilities District (CFD) No. 2004-1 (Police and Fire Services). Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004 must petition to be annexed to the existing CFD. This action is required to begin the process of annexation provided by the conditions of approval of the development entitlements. Jay Schengel provided an overview of Annexation #56. There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 19-02**, for the Council to approve a Resolution annexing territory (Annexation #56 - T6181 - Northeast Corner of Shaw and Leonard) to the city of Clovis Community Facilities District (CFD) No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #56) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). Motion carried by unanimous vote.

City Clerk John Holt reported out that he was in receipt of one ballot representing 40 votes all in favor and noted unanimous passage of the ballot measure. There being no comment, Mayor Whalen closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 19-03**, a Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for

CORRESPONDENCE

13. None.

ADMINISTRATIVE ITEMS

14. APPROVED – **RES. 19-04**, APPROVING THE EXCEPTION TO THE 180-DAY WAIT PERIOD (GOVERNMENT CODE SECTIONS 7522.56 & 21224) PERTAINING TO THE HIRING OF LARRY LOUIE AS EXTRA HELP FOR CRITICAL PUBLIC FACILITY PROJECTS – **6:50 p.m.**

General Services Director Shonna Halterman presented a report on a request to approve an exception to the 180-Day Wait Period (Government Code Sections 7522.56 & 21224) pertaining to the hiring of Larry Louie as extra help for critical public facility projects. The General Services Department requests authority to utilize the exception provided in Government Code section 21224 to hire a retired CalPERS employee for the limited duration, not to exceed one year, to complete and/or train a new employee related to several critical ongoing infrastructure projects that are highly technical and specialized in nature and can have a detrimental effect on City facilities as well as the staff and people of Clovis if delayed or completed improperly. 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 exception to the 180-Day Wait Period (Government Code Sections 7522.56 & 21224) pertaining to the hiring of Larry Louie as extra help for critical public facility projects. Motion carried by unanimous vote.

15. APPROVED – FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT – **6:55 p.m.**

General Services Director Shonna Halterman presented a report on a request to approve the First Amendment to City Manager Employment Agreement, which sets forth the terms and conditions of the appointment of Luke Serpa as City Manager through June 30, 2020. The City Council appointed Luke Serpa as the City Manager effective July 1, 2017, and approved an employment agreement which sets forth the terms and conditions of that appointment along with a three year contract. The Council originally set the City Manager's annual salary at Step 1 of the City Manager's salary schedule that was in effect on July 1, 2017. The Council desires to place the City Manager on Step 2 of the salary schedule effective as of January 1, 2019. After evaluating the City Manager's performance, the Council desires to provide Serpa with the equivalent of a first employee step increase, which amounts to a 5% adjustment in salary. Serpa's annual salary shall be \$216,636 effective as of January 1, 2019. Serpa shall also be entitled to receive cost of living adjustments made applicable to all executive management employees, including those that become effective fiscal years 2019/2020. There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to approve the First Amendment to City Manager Employment Agreement, which sets forth the terms and conditions of the appointment of Luke Serpa as City Manager through June 30, 2020. Motion carried by unanimous vote.

16. APPROVED - VARIOUS ACTIONS ASSOCIATED WITH THE ACQUISITION OF FIRE APPARATUS – **6:56 p.m.**
- A. APPROVED – WAIVE THE CITY’S FORMAL BIDDING REQUIREMENTS AND AUTHORIZE THE SOLE SOURCE PURCHASE OF A PIERCE VELOCITY 110’ PLATFORM ALL-WHEEL-STEER QUINT FIRE TRUCK FROM GOLDEN STATE FIRE APPARATUS IN SACRAMENTO; AND
 - B. APPROVED – **RES. 19-05**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS: (1) AMENDING THE PUBLIC UTILITIES DEPARTMENT BUDGET TO PROVIDE FUNDING FOR THE PURCHASE OF A FIRE TRUCK AND FIREFIGHTING EQUIPMENT; (2) APPROVING THE USE OF LEASE-PURCHASE FINANCING FOR ACQUISITION OF THE TRUCK AND EQUIPMENT; AND (3) AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE TERMS OF THAT LEASE-PURCHASE FINANCING AND EXECUTE RELATED DOCUMENTS; AND
 - C. APPROVED – **RES. 19-06**, DECLARING THE CITY’S INTENT TO REIMBURSE EXPENDITURES RELATED TO THE PURCHASE OF A FIRE TRUCK FROM TAX-EXEMPT LEASE PURCHASE FINANCING.

Battalion Chief Jim Damico presented a report on various actions associated with the acquisition of fire apparatus. Staff requests City Council approve the sole source purchase of a 2019 Pierce Velocity 110’ Platform All-Wheel-Steer Quint Fire Truck as per the Clovis Fire Department’s apparatus specifications. This purchase would replace the Quint ladder truck purchased in 1998 by the Clovis Fire Department’s fire apparatus fleet, placing the existing Quint ladder truck in “reserve” status for a minimum of 10 years, and eliminating the oldest quint ladder truck in the fleet. In order to allocate the cost of this Quint ladder truck over its useful life, lease purchase financing is recommended. The lease purchase structure is also appropriate for this purchase due to the attractive interest rates available for tax-exempt financings. To attain the pre-payment discount pricing for the truck, the City will purchase the fire truck and related equipment. Lease financing will then be obtained. Per IRS regulations, in order to pay the invoices prior to lease funding availability, the Council will need to approve an “Intent to Reimburse Resolution” to keep the exempt status of the financing. 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 waive the city’s formal bidding requirements and authorize the sole source purchase of a Pierce Velocity 110’ platform all-wheel-steer Quint fire truck from Golden State fire apparatus in Sacramento. Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve a resolution of the City Council of the City of Clovis: (1) amending the Public Utilities department budget to provide funding for the purchase of a fire truck and firefighting equipment; (2) approving the use of lease-purchase financing for acquisition of the truck and equipment; and (3) authorizing the city manager to negotiate the terms

of that lease-purchase financing and execute related documents. Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to approve a resolution declaring the city's intent to reimburse expenditures related to the purchase of a fire truck from tax-exempt lease purchase financing. Motion carried by unanimous vote.

17. RECEIVED AND FILED – FALL 2018 CLOVIS TRAIL COUNT REPORT 7:22 p.m.

Assistant Engineer Colleen Vidoroff presented a report on the Fall 2018 Trail Count. The City of Clovis Trail Count provides an answer to the important question of how many people use the Clovis trails. The traffic on the trails has a wide range of volumes, daily use, and modal splits. The count results show the trails are highly used and valued by the City of Clovis residents and the importance of connectivity, amenities, destinations, and location to encourage trail use. The results show the City of Clovis Trails are used by both bicyclists and pedestrians for commuting and recreation. There is data to confidently indicate that the trails of Clovis were visited by over 1.7 million trail users each year for the past two years. There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council. It was the consensus of City Council to receive and file the report.

CITY MANAGER COMMENTS – 7:43

City Manager Luke Serpa commented on plans to put into effect a means to work with furloughed federal workers who are not receiving paychecks regarding their utility bills due the city.

COUNCIL ITEMS

18. APPROVED – APPOINTMENT TO FRESNO COUNTY TRANSPORTATION AUTHORITY – 7:44 p.m.

City Manager Luke Serpa presented a report on a request for the City Council to make appointment of a representative to the Fresno County Transportation Authority (FCTA) for the term beginning February 1, 2019 and ending January 31, 2021. The City of Clovis is responsible for appointing a member to serve on the FCTA.

There being no public comment, Mayor Whalen closed the public portion. Discussion by the Council regarding how the City Council places individual member on various committees / commissions. Motion by Councilmember Mouanoutoua, seconded by Councilmember Bessinger, for the Council to reappoint Councilmember Ashbeck to the Fresno County Transportation Authority (FCTA) for the term beginning February 1, 2019 and ending January 31, 2021.

19. COUNCIL COMMENTS 7:57 p.m.

Councilmember Ashbeck commented on services for Randy Gann. She also indicated that the family of David McDonald had requested she make comments at his service on January 24, 2019. Councilmember Ashbeck indicated that she would reach out to the

McDonald family regarding having the city provide something for the services such as a proclamation or similar.

Councilmember Flores reminded Council of the Martin Luther King Breakfast on Saturday morning.

Councilmember Mouanoutoua commented on attending Fresno Irrigation District Executive Director Gary Serrato's retirement luncheon last week.


Mayor Whalen commented on feedback he received by visiting the Clovis Barber Shop recently. He indicated that he heard complaints of speeding vehicles on Pollasky between Shaw and 7th. He also heard complaints of traffic associated with Clark Intermediate in the morning hours and after school for the intersection of 5th and Clovis Avenue. He requested to know what the traffic grade that intersection has during those hours.

CLOSED SESSION 8:04 p.m.


20. Government Code Section 54956.9(a)
CONFERENCE WITH LEGAL COUNCIL - EXISTING LITIGATION
Workers Compensation Case in Regards to: James Kantarakis
21. Government Code Section 54956.9(a)
CONFERENCE WITH LEGAL - COUNCIL- EXISTING LITIGATION
Workers Compensation Case in Regards to: Robert McCurry

Mayor Whalen adjourned the meeting of the Council to January 22, 2019

Meeting adjourned: 8:21 p.m.



Mayor



City Clerk

