

CLOVIS CITY COUNCIL MEETING

May 6, 2019

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Pro Tem Flores
Flag Salute led by Councilmember Ashbeck

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

PRESENTATION

1. 6:01 p.m. - PRESENTATION OF PLAQUES TO AUSTIN AND JACKSON LOWE FOR HEROIC ACTIONS TAKEN DURING A MEDICAL EMERGENCY

Police Captain Curt Fleming presented Plaques to Austin and Jackson Lowe for heroic actions taken during a medical emergency.

2. 6:04 - PRESENTATION OF PROCLAMATION TO PAUL ARMENDARIZ DECLARING MAY AS "WATER AWARENESS MONTH"

Councilmember Mouanoutoua presented a Proclamation to Paul Armendariz declaring May as "Water Awareness Month".

3. 6:09 - PRESENTATION OF PROCLAMATION RECOGNIZING MATERNAL MENTAL HEALTH AWARENESS WEEK

Councilmember Ashbeck presented a Proclamation recognizing Maternal Mental Health Awareness week.

24. 6:13 - APPROVED – APPOINTMENT TO PERSONNEL AND PLANNING COMMISSIONS

City Manager Luke Serpa presented a report on appointments to the Personnel and Planning Commission. Personnel Commissioner Jerry Brady, whose term of office expires in May of 2019, has requested to be reappointed. Mayor Bessinger is recommending that the Personnel Commissioner be reappointed.

Planning Commissioner Michael Cunningham, whose term of office expires in May of 2019, has requested to be reappointed. Mayor Bessinger is recommending that the Planning Commissioner be reappointed. There being no public comment, Mayor Pro Tem Flores closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to reappoint Personnel Commissioner Jerry Brady and Planning Commissioner Michael Cunningham. Motion carried 4-0-1 with Mayor Bessinger absent.

PUBLIC COMMENTS

6:15 – Dirk Poeschel, expressed gratitude for the sphere of influence change in the northeast consisting of approximately 1,000 acres.

Ron Sundquist, resident, thanked staff for Trailfest this past Saturday.

Adam, Boy Scout, requested to know if there were any city projects he could work on to earn his Eagle Scout. Parks Manager Eric Aller met with Adam.

6:19 - CONSENT CALENDAR

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, that the items on the Consent Calendar be approved. Motion carried 4-0-1 with Mayor Bessinger absent.

4. City Clerk – Approved – Minutes from the April 8, 2019 Council Meeting.
5. Community and Economic Development - Received and Filed – Business Organization of Old Town (BOOT) First Quarter Report, January through March 2019.
6. Community and Economic Development - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, January–March 2019.
7. Finance - Received and Filed – Findings & Recommendations from Community Facilities District Citizens Committee.
8. Finance - Received and Filed – Investment Report for the month of February 2019.
9. Finance - Received and Filed – Treasurer's Report for the month of February 2019.
10. Planning and Development Services - Approved- Authorizing the City Manager to execute a Real Property Purchase Agreement between the City of Clovis and Person Development, L.P. for property located south of Shaw Avenue, between DeWolf Avenue and Leonard Avenue, for the Loma Vista Village Green Park.
11. Planning and Development Services - Approved – Final Acceptance for Final Map Tract 6137A2, located on the south side of Shaw Avenue east of Locan Avenue (Wilson Premier Homes, Inc.).
12. Planning and Development Services - Approved – Final Acceptance for Tract 6170, located on the southwest corner of Santa Ana Avenue and Sierra Vista Parkway (BN Micro LP – Bonadelle Neighborhoods).
13. Public Safety – Approved - **Res. 19-51**, Amending the 2018-19 Police Department Budget to reflect the awards of the Stop Tobacco Access to Kids Enforcement (STAKE) grant program for \$139,880.00 and the State Homeland Security Grant Program for \$122,150.00.
14. Public Utilities – Approved - Waive Formal Bidding Requirements and Authorize the Purchase of a Roll-Off Truck off of the Sourcewell Purchasing Contract from E.M. Tharp, Inc., dba Golden State Peterbilt.
15. Public Utilities – Approved - Waive Formal Bidding Requirements and Authorize the Purchase of a Sewer Vacuum Truck off of the Sourcewell Purchasing Contract from Haaker Equipment Company.
16. Public Utilities – Approved - Preliminary Engineer's Report; and Approval - **Res. 19-52**, A Resolution Declaring the City's Intention to Levy and Collect the Annual Assessments for Landscape Maintenance District No. 1.
17. Public Utilities – Received and Filed – Public Utilities Report for November 2018.

PUBLIC HEARINGS

- 19A – 6:20 - APPROVED - **RES. 19-53**, APPROVING AN ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION FOR REZONE R2018-11, CONDITIONAL USE PERMIT CUP2018-13 AND SITE PLAN REVIEW SPR2018-25; AND **ITEM 19B** - APPROVED INTRODUCTION - **ORD. 19-07**, R2018-11, A REQUEST TO APPROVE A REZONE FROM THE R-A (SINGLE-FAMILY RESIDENTIAL – 24,000 SQ. FT.) ZONE DISTRICT TO THE R-3 (MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL-(1 UNIT/2,000 SQ. FT.) ZONE DISTRICT.

Councilmember Ashbeck indicated that she would recuse herself from consideration on this item due to the fact that her employer owns land near this project and could be a potential conflict of interest and left the dais at 6:20 p.m.

Associate Planner George Gonzalez presented a report on various actions associated with approximately 7.5 acres of land located at the southwest corner of Herndon and North McKelvy Avenues. The applicant is requesting to rezone approximately 7.5 acres of property located at the southwest corner of Herndon and N. McKelvy Avenues from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential - 1 Unit/2,000 Sq. Ft.) Zone District. Approval of this rezone would allow the developer to continue processing Site Plan Review SPR2018-25 and development drawings for the multi-family development. The applicant is requesting to rezone the Project site from the R-A (Single Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential - 1 Unit/2,000 Sq. Ft.) Zone District. The Project's proposed rezone is consistent with the General Plan and Mixed Use Focus Area #5 and approval of the proposed rezone to the R-3 Zone District would accommodate the development of a 158-unit multi-family development at the subject site. The multi-family density is proposed at 21.18 units per acre which is consistent with the target density of Focus Area #5.

Dirk Poeschel, representing the applicant, spoke in favor of the project. Discussion by the Council.

Motion by Councilmember Whalen, seconded by Councilmember Mouanoutoua, for the Council to approve **Resolution 19-53**, a request to approve an environmental finding of a mitigated negative declaration for rezone T2018-11, Conditional Use Permit C2018-13 and Site Plan Review SPR2018-25. Motion carried 3-0-1-1 with Mayor Bessinger absent and Councilmember Ashbeck abstaining.

Motion by Councilmember Whalen, seconded by Councilmember Mouanoutoua, for the Council to approve **Ordinance 19-07**, R2018-11, rezoning from the R-A (single-family residential – 24,000 sq. ft.) zone district to the R-3 (medium density multiple family residential (1 unit/2,000 sq. ft.) zone district. Motion carried 3-0-1-1 with Mayor Bessinger absent and Councilmember Ashbeck abstaining.

Councilmember Ashbeck returned to the dais at 6:35

- 20A. 6:36 - APPROVED - **RES. 19-54**, A RESOLUTION ANNEXING TERRITORY (ANNEXATION #57) (T6154-NORTH WEST CORNER OF TEAGUE AND FOWLER) 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 #57) TO CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES); AND ITEM 20B - APPROVED - **RES. 19-55**, 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).

Assistant Finance Director Gina Daniels presented a report on various actions related to annexation of territory (Annexation #57-T6154-Northwest corner of Teague and Fowler Avenues) to the city of Clovis Community Facilities District Number 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. Gina Daniels provided an overview of Annexation #57. There being no public comment, Mayor Pro Tem Flores closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve **Resolution 19-54**, for the Council to approve a Resolution annexing territory (Annexation #57-T6154-Northwest corner of Teague and Fowler Avenues) 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 #57) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). Motion carried by 4-0-1 with Mayor Bessinger absent.

City Clerk John Holt reported out that he was in receipt of one ballot representing 43 votes all in favor and noted unanimous passage of the ballot measure. There being no comment, Mayor Pro Tem Flores closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve **Resolution 19-55**, a Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services). Motion carried by 4-0-1 with Mayor Bessinger absent.

CORRESPONDENCE

21. NONE

ADMINISTRATIVE ITEMS

22. 6:41 - APPROVED - **RES. 19-56**, PERMANENT CLOSURE OF THE CLOVIS AVENUE FRONTAGE ROAD AT SANTA ANA AVENUE, IN CONJUNCTION WITH THE CLOVIS AVENUE/SANTA ANA AVENUE TRAFFIC SIGNAL MODIFICATION BY SPR 2017-024 (COSTCO)

Assistant Engineer Sean Smith presented a report regarding the proposed permanent closure of the Clovis Avenue frontage road at Santa Ana Avenue, in conjunction with the Clovis Avenue / Santa Ana Avenue traffic signal modification by SPR 2017-024 (COSTCO). The development of the northwest corner of Santa Ana and Clovis Avenues by Costco Warehouse Corporation ("Costco") is conditioned through Site Plan Review 2017-024 to complete the Santa Ana-Clovis intersection and modify the traffic signal. This will result in the widening of Santa Ana so that the westbound traffic is better aligned through the intersection. With these modifications and the potential increase in pedestrian and vehicular traffic, staff is recommending improvements that will either alter or close the Clovis Avenue frontage road south of Santa Ana Avenue to enhance safety, primarily for pedestrians traversing the intersection.

Area resident requested city consider using speed bumps to slow traffic in the area. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve **Resolution 19-56** regarding the permanent closure of the Clovis Avenue frontage road at Santa Ana Avenue, in conjunction with the Clovis Avenue / Santa Ana Avenue traffic signal modification by SPR 2017-024. Motion carried by 4-0-1 with Mayor Bessinger absent.

23. 7:11 - APPROVED – REJECTION OF ALL BIDS FOR CIP 16-20, OWENS MOUNTAIN & TEMPERANCE ROUNDABOUT

Community Investment Program Manager Thad Avery presented a report on a recommendation to reject all bids for CIP 16-20, Owens Mountain and Temperance Avenue Roundabout. The project to construct a roundabout at the intersection of Owen's Mountain Parkway and Temperance Avenue was put out to bid in anticipation of beginning construction at the beginning of summer. Two bids were received on April 16, 2019, with the lowest bid being 45% higher than the estimated cost. Staff is recommending rejection of these bids and rebidding at a later date in hopes of a more competitive climate for bidding.

There being no public comment, Mayor Pro Tem Flores closed the public portion. Discussion by the Council. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to reject all bids for CIP 16-20, Owens Mountain and Temperance Avenue Roundabout. Motion carried by 4-0-1 with Mayor Bessinger absent.

CITY MANAGER COMMENTS 7:17

City Manager Luke Serpa reported out on the rodeo and trailfest.

COUNCIL ITEMS 7:18

25. Council Comments

Councilmember Whalen commented on group of cricket players at Bicentennial Park, who are overdue on fees owed the city and that they are requesting if any relief can be provided.

Councilmember Ashbeck reported out on Fresno County Transportation Authority meeting attended.

Councilmember Flores commented on the North Kings Groundwater Sustainability Agency and the selection of new director.

CLOSED SESSION 7:21

26. Government Code Section 54956.9

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9
(Deciding Whether to Initiate Litigation)

Two Potential Cases

Mayor Pro Tem Flores adjourned the meeting of the Council to May 13, 2019

Meeting adjourned: 8:30 p.m.



Mayor Pro Tem



City Clerk

