



CITY of CLOVIS

AGENDA • CITY COUNCIL MEETING

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060
www.cityofclovis.com

August 2, 2021

6:00 PM

Council Chamber

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.

The Clovis City Council meetings are open to the public at the physical address listed above. There are numerous ways to participate in the City Council meetings: you are able to attend in person; you may submit written comments as described below; you may participate by calling in by phone (see “Verbal Comments” below); and you may view the meeting which is webcast and accessed at www.cityofclovis.com/agendas.

Written Comments

- Members of the public are encouraged to submit written comments at: <https://cityofclovis.com/agendas> at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:

- Council Meeting Date
- Item Number
- Name
- Email
- Comment



- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the City Council noting the item number. If you wish to make a verbal comment, please see instructions below.
- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the City Council during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to City Council during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings.

Verbal Comments

- If you wish to speak to the Council on an item by telephone, you should contact the City Clerk at (559) 324-2060 no later than 4:00 p.m. the day of the meeting.
- You will be asked to provide your name, phone number, and your email. You will be emailed instructions to log into Webex to participate in the meeting. Staff recommends participants log into the Webex at 5:30 p.m. the day of the meeting to perform an audio check.
- All callers will be placed on mute, and at the appropriate time for your comment your microphone will be unmuted.
- You will be able to speak to the Council for up to five (5) minutes.

Webex Participation

- Reasonable efforts will be made to allow written and verbal comment from a participant communicating with the host of the virtual meeting. To do so, a participant will need to chat with the host and request to make a written or verbal comment. The host will make reasonable efforts to make written and verbal comments available to the City Council. Due to the new untested format of these meetings, the City cannot guarantee that these written and verbal comments initiated via chat will occur. Participants desiring to make a verbal comment via chat will need to ensure that they accessed the meeting with audio transmission capabilities.

CALL TO ORDER

FLAG SALUTE - Councilmember Whalen

ROLL CALL

PRESENTATIONS/PROCLAMATIONS

1. Presentation of Proclamation declaring August 1–7, 2021 International Assistance Dog Week.
2. Recognition of long term Planning and Development Services Employees Plans Examiner John Maclsaac and Senior Building Inspector Mike McLemore upon their retirement on August 6, 2021.

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 - 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.

3. Administration - Approval - Minutes from the July 19, 2021 Council Meeting.
4. Administration - Adopt - Ord. 21-04, R2021-004, A request to rezone approximately 2.71 acres of land located near the southeast corner of Sierra Vista Parkway and Shaw Avenue, from the C-P (Administrative/Professional Office) Zone District to the C-2 (Commercial Community) Zone District. (Vote: 5-0)
5. Administration - Receive and File – Economic Development Corporation Serving Fresno County Quarterly Report, April – June 2021.
6. Administration - Approval – Res 21-____, Authorizing submission of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; and Authorizing the City Manager to execute the Standard Agreement if selected for such funding and any Amendments thereto; and any related documents necessary to participate in the CalHome Program.
7. Finance - Approval – Res. 21-____, Approving the submittal of the 2021-2022 Transportation Funding Claim to the Council of Fresno County Governments.
8. Fire – Approval – Res. 21-____, Confirming Weed and Rubbish Abatement Charges for 2021.
9. General Services – Approval – Res. 21-____, Amending the City's Classification Plan by Revising the Police Officer Recruit/Lateral, Police Corporal, and Police Sergeant Classifications.
10. General Services – Approval – Res. 21-____, Amending the City's FY 2021-2022 Position Allocation Plan by Adding One (1) Animal Services Aide Position.
11. Planning and Development Services - Approval - Res. 21-____, Supporting and Implementing the "Timely Use of Funding" as required by AB1012 for Candidate 2021-22 Federal Transportation Act, FAST Act Projects.
12. Planning and Development Services – Approval – Bid Award for CIP 20-11 Clovis Avenue Street Rehabilitation; and Authorize the City Manager to execute the Contract on behalf of the City.
13. Planning and Development Services – Approval – Res. 21-____, Bid Award for CIP 19-03 Hydronic Piping Replacement; and Authorize the City Manager to Execute the Contract on behalf of the City. Amend the 2021-2022 Community Investment Program Budget for General Government Facilities, Civic Center Hydronic Piping Replacement.
14. Public Utilities - Approval – Final Acceptance for CIP 20-04, Pasa Tiempo Park Pour-In-Place Rubber Surfacing.

ADMINISTRATIVE ITEMS- Administrative Items are matters on the regular City Council Agenda other than Public Hearings.

15. Consider Adoption - Ord. 21-05, R2021-005, A request to rezone approximately 3.54 acres of land located near the northeast corner of Shaw and Locan Avenues from the P-F (Public Facilities) Zone District to the R-1 (Single-Family Residential 6,000 SF) Zone District. (Vote: 4-0-0-1 with Mayor Flores abstaining)

Staff: John Holt, Assistant City Manager / City Clerk

Recommendation: Adopt

COUNCIL ITEMS

16. Consider Approval – Designation of Voting Delegate and Alternate for the League of California Cities’ Annual Conference and Business Meeting on September 22-24, 2021.

Staff: Luke Serpa, City Manager

Recommendation: Approve

CITY MANAGER COMMENTS

COUNCIL COMMENTS

CLOSED SESSION - A “closed door” (not public) City Council meeting, allowed by State law, for consideration of pending legal matters and certain matters related to personnel and real estate transactions.

17. Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
SEMI-ANNUAL LITIGATION UPDATE

COURT CASES

1. Desiree Martinez, Maria De Jesus Sanchez v. City of Clovis, et al.
2. Debra Lindsay v. City of Clovis
3. City of Clovis v. Greg A. Borden, et al.
4. City of Clovis v. Karimkhanzan, et al.
5. Brianne Glick v. City of Clovis
6. Dimitrios Kastis v. City of Clovis et. al.
7. Bryon Espinosa v. City of Clovis
8. Clayman v. City of Clovis
9. Lisa De Gunya v. Multiple Defendants, Including the City of Clovis, Police Chief Curt Fleming, Clovis Police Officers Timothy Dronek and Anthony Puente
10. Cortney Rider, The Estate of Tierney Cooper-McCann, The Estate of Judith Cooper v. Dave McCann, City of Clovis Police Department
11. Sandra Culpepper v. City of Clovis
12. County of Santa Cruz, et al v. Bureau of Cannabis Control, et al.

CLAIMS

13. Richard Darby v. City of Clovis
14. Max Spohn v. City of Clovis
15. Jasbir Singh v. City of Clovis
16. Joe Valenzuela v. City of Clovis
17. George Beal v. City of Clovis
18. Rachel Bartel v. City of Clovis
19. Melissa Robles v. City of Clovis
20. Nancy Mendez v. City of Clovis
21. Hermandeep Nagra v. City of Clovis *

*** COUNCIL MEMBER MOUANOUTOUA AND MAYOR PRO TEM ASHBECK HAVE ABSTAINED FROM THIS MATTER. THIS ITEM IS NOT FOR THEIR ATTENTION.**

ADMINISTRATIVE CASES

22. Judith Sigala v. City of Clovis (Industrial Relations Complaint)

OTHER

23. 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):
1 Case

ADJOURNMENT

MEETINGS AND KEY ISSUES

Regular City Council Meetings are held at 6:00 P.M. in the Council Chamber. The following are future meeting dates:

Aug. 3 - Sept. 6, 2021 (Summer Recess)
Sep. 7, 2021 (Tue.)
Sep. 13, 2021 (Mon.)
Sep. 20, 2021 (Mon.)