



# CITY of CLOVIS

## AGENDA • CITY COUNCIL MEETING

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

June 7, 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.

### **\*SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19\***

Given the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the City is implementing the following changes to participate in Council meetings until notified otherwise. The Council chambers will be open to the public but we will be implementing social distancing policies and will limit the number of people who may be in the Council chambers. Face masks are required to attend. We are encouraging residents to participate virtually following the directions below. If you are sick, please do not attend the meeting. Any member of the City Council may participate from a remote location by teleconference.

- The meeting will be webcast and accessed at: <https://cityofclovis.com/government/city-council/city-council-agendas/>

### **Written Comments**

- Members of the public are encouraged to submit written comments at: <https://cityofclovis.com/government/city-council/city-council-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 three (3) 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 Ashbeck**

### **ROLL CALL**

### **PRESENTATIONS/PROCLAMATIONS**

1. Presentation of Proclamation declaring June 7 – 14, 2021 as Men's Health Week.

**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.

- [2.](#) Administration - Approval - Minutes from the May 17, 2021 Council Meeting.
- [3.](#) Finance – Receive and File – Investment Report for the Month of March 2021
- [4.](#) Finance – Receive and File – Treasurer's Report for the Month of March 2021
- [5.](#) Public Utilities – Approval – Award Non-Exclusive Franchise Agreements for Hauling of Construction and Demolition Debris and Update the City's Approved Hauler List.

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

- [6.](#) Consider Approval – Res. 21-\_\_\_\_, A Resolution Confirming the Diagram and Assessments for the Annual Levy, 2021-22 Landscape Maintenance District No. 1.

**Staff:** Glenn Eastes, Assistant Public Utilities Director

**Recommendation:** Approve

## COUNCIL ITEMS

- [7.](#) Consider Approval – A Request for a Letter of Support for Assembly Constitutional Amendment to the Constitution of the State, by amending Section 7 of, and adding Section 5.5 to, Article XI thereof, relating to local government, regarding regulations of the zoning or use of land within the boundaries of the city.

**Request by:** Councilmember Mouanoutoua

**Recommendation:** Consider

**WORKSHOP** - For the Clovis City Council to conduct a workshop to discuss the impact on ongoing City operations during the COVID-19 State of Emergency as declared by the Federal Government, State of California, County of Fresno, and City of Clovis; and to explore actions the City may take in response to the crisis.

## 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.

8. Government Code Section 54956.9  
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9  
1 potential case
9. Government Code Section 54957  
Public Employee Performance Evaluation  
Title: City Manager

## **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:

June 14, 2021 (Mon.)  
June 21, 2021 (Mon.)  
July 6, 2021 (Tue.)  
July 12, 2021 (Mon.)  
July 19, 2021 (Mon.)

# CITY *of* CLOVIS

## PROCLAMATION

### Declaring June 7 – 14, 2021 as Men's Health Week

**WHEREAS**, despite advances in medical technology and research, men continue to live an average of five years less than women with Native American and African-American men having the lowest life expectancy; and

**WHEREAS**, COVID-19 is destroying lives across the country, with the Centers for Disease Control reporting that males are more likely to die from this pandemic; and

**WHEREAS**, encouraging safe behaviors including social distancing, wearing masks, and being vaccinated will help stop the spread of COVID-19; and

**WHEREAS**, men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings; and

**WHEREAS**, fathers who maintain a healthy lifestyle are role models for their children and have happier, healthier children; and

**WHEREAS**, Men's Health Network worked with Congress to develop a national men's health awareness period as a special campaign to help educate men, boys, and their families about the importance of positive health attitudes and preventative health practices; and

**WHEREAS**, the City of Clovis Men's Health Month will focus on a broad range of men's health issues, including heart disease, mental health, diabetes, and prostate, testicular and colon cancer; and

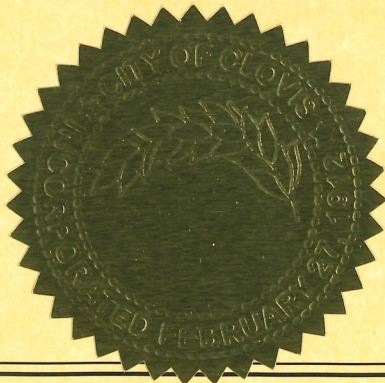
**WHEREAS**, the citizens of this City are encouraged to increase awareness of the importance of a healthy lifestyle, regular exercise, and medical check-ups.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Clovis does hereby declare June 7 – 14, 2021 as

## Men's Health Week

and encourage all citizens to pursue preventative health practices and early detection efforts throughout the year.

**IN WITNESS THEREFORE**, I hereunto set my hand and cause the official seal of the City of Clovis to be affixed the 7<sup>th</sup> day of June, 2021.



*Jose S Flores*  
 \_\_\_\_\_  
 Mayor

**CLOVIS CITY COUNCIL MEETING**

**May 17, 2021**

**6:00 P.M.**

**Council Chamber**

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

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

**PRESENTATION – 6:04**

1. PRESENTATION OF PROCLAMATION DESIGNATING MAY 16-22, 2021 AS NATIONAL PUBLIC WORKS WEEK.

City Council presented Public Utilities Director Scott Redelfs with a Proclamation designating May 16-22, 2021 as National Public Works Week.

**PUBLIC COMMENTS – 6:15**

See attached.

**CONSENT CALENDAR – 6:16**

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

2. Administration - Approved - Minutes from the May 3, 2021 Council Meeting.
3. Administration - Approved – Purchase of Support and Maintenance Contract for Network and Telecommunications Equipment from Zones, Inc.
4. Administration - Received and Filed – Business Organization of Old Town (BOOT) Third Quarter Report, January through March 2021.
5. Administration - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, January – March 2021.
6. Finance – Received and Filed – Investment Report for the Month of February 2021.
7. Finance – Received and Filed – Treasurer’s Report for the Month of February 2021.
8. Finance - Approved - **Res. 21-59**, A Resolution of Intention (ROI) to Annex Territory (Annexation #69) (T6339 - NWC Locan/Teague, T6332 - NEC Locan/Teague, Future phase - NEC Locan/Teague), to the Community Facilities District (CFD) 2004-1 and to Authorize the Levy of Special Taxes Therein and Setting the Public Hearing for June 21, 2021.
9. Fire – Received and Filed – 2020 Fire Department Annual Report.
10. Planning and Development Services – Approved – **Res. 21-60**, Adopt a list of projects funded by SB1: The Road Repair and Accountability Act.

ITEM – 11 – 6:17 - APPROVED – **RES. 21-61**, A RESOLUTION REVISING THE MASTER DEVELOPMENT FEE SCHEDULE AND PROVIDING A DESCRIPTION OF FEES TO BE REQUESTED FOR COUNTY ADOPTION.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve Resolution 21-61, revising the Master Development Fee Schedule and providing a description of fees to be requested for county adoption. Motion carried by unanimous vote.

**ADMINISTRATIVE ITEMS**

ITEM – 12 – 6:23 - ADOPTED - **ORD. 21-03**, AMENDING ARTICLES 1, 10, AND 11 OF CHAPTER 2.2 OF TITLE 2 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO THE APPOINTMENT OF CITY CLERK AND CITY TREASURER. (VOTE: 4-0-1 WITH COUNCILMEMBER ASHBECK ABSENT)

Motion by Councilmember Bessinger, seconded by Councilmember Whalen, for the Council to Adopt Ordinance 21-03, amending Articles 1, 10, and 11 of Chapter 2.2 of Title 2 of the Clovis Municipal Code pertaining to the appointment of City Clerk and City Treasurer. Motion carried 4-0-0-1 with Councilmember Ashbeck abstaining.

ITEM 13 – 6:25 - CONSIDERED INTRODUCTION – **RES. 21-XX**, 2021-22 CITY OF CLOVIS ANNUAL BUDGET, FIVE YEAR CAPITAL IMPROVEMENT PROGRAM, AND INFORMATION REGARDING THE CLOVIS SUCCESSOR AGENCY.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, for the Council to continue the 2021-22 City of Clovis Annual Budget, Five Year Capital Improvement Program, and information regarding the Clovis Successor Agency to June 14, 2021. Motion carried by unanimous vote.

ITEM 14 – 6:40 - WORKSHOP - UPDATE ON THE AMERICAN RESCUE PLAN ACT.

City Manager Luke Serpa presented a report on the American Rescue Plan Act. City Council provided feedback and direction. It was the consensus of City Council to provide direction to staff to pursue the focus of use of the American Rescue Plan Act on lost revenue.

ITEM 15 – 7:27 - CONSIDERED - UPDATE AND SEEK POLICY DIRECTION REGARDING EMERGENCY ORDER 2020-14 AND EMERGENCY ORDER 2020-15 ASSISTING RESTAURANTS AND OTHER BUSINESSES SEVERELY IMPACTED BY THE COVID-19 CRISIS BY ALLOWING BUSINESSES THE OPTION TO TEMPORARILY EXPAND CAPACITY INTO PUBLIC AND PRIVATE COMMON AREAS UNDER SPECIFIED CIRCUMSTANCES AND POTENTIAL FOR LONGER TERM USES.

Community and Economic Development Director Andy Haussler presented a report regarding Emergency Order 2020-14 and Emergency Order 2020-15 assisting restaurants and other businesses severely impacted by the COVID-19 crisis by allowing businesses the option to temporarily expand capacity into public and private common areas under

specified circumstances and potential for longer term uses. City Council provided feedback and direction. It was the consensus of Council to allow the continued use by businesses the option to temporarily expand capacity into public and private common areas through October 15, 2021, and to develop a process so that after that date businesses could apply for a more permanent use in the future.

**COUNCIL COMMENTS – 8:11**

**CLOSED SESSION – 8:25**

Mayor Flores adjourned the meeting to Closed Session and indicated that Closed Session would be held in the City Hall foyer, and that action may or may not be taken.

16. Government Code Section 54956.9(d)(1)  
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Case Name: Desiree Martinez v. City of Clovis

8:47 – Mayor Flores reconvened the regular meeting from Closed Session and indicated that action had been taken. Mayor Flores reported out that on a motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to direct legal counsel to appeal the decision of the court in the matter of Desiree Martinez v. City of Clovis. Motion carried by unanimous vote.

Mayor Flores adjourned the meeting of the Council to June 7, 2021

Meeting adjourned: **8:51 p.m.**

\_\_\_\_\_  
Mayor

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



**John Holt**

**From:** Public Comments <email@cityofclovis.com>  
**Sent:** Monday, May 17, 2021 2:34 PM  
**To:** John Holt; Karey Cha  
**Subject:** Public Comment for City Council

Council Meeting Date: 2021-05-17

Item Number (put "0" if your comment is regarding an item not on the agenda): 0

Full Name: Rachel Youdelman

Email: rachel27@berkeley.edu

Comment: I've been a regular observer of the Clovis City Council for over a year. I have a couple of comments about the most recent meeting:

Agenda Item 8 from the 3 May 2021 Council meeting was to have been an ethics review and a summary discussion of AB992. Was it Scott Gross' intention to be misleading regarding the content of the bill? By stating that "interaction between Council members may constitute a violation of the Brown Act," he gave the impression that any such interaction could be a violation.

Any reasonable person who reads the text of the bill will understand that Mr Gross appeared to be deliberately misrepresenting its content. This sort of disinformation does not serve the interests of the city or its constituents.

We constituents were stunned to learn that, though the bill has been in effect since 1 Jan 2021, our Clovis City Council members appeared to know nothing about it. Apparently, none of them (Whalen, Bessinger, Flores, & Mouanoutoua—Ashbeck was absent) had so much as read the meeting agenda beforehand, not to speak of familiarizing themselves with this important piece of legislation, which they had 3 months to do, before the 3 May meeting.

Further, were juvenile jokes and questions about "liking" this or that social-media post merely disingenuous, or did they reflect the Council's ignorance of the law? If the content of the law had been discussed at meetings of the League of California Cities, attended by some Council members, can this lack of understanding be affectation? In any case, we constituents deserve better. We deserve a City Council who at the very least prepares for meetings by reading agendas beforehand, does the meeting preparation, and does not wait 3 months after a bill becomes a law to learn about it, particularly if it affects their public behavior as elected officials.

During a discussion of Agenda Item 10, also at the 3 May meeting, Mayor Flores made what could be considered defamatory comments about state senator Wiener ("Wiener wants to help with the commission of crimes"). Flores' further remark that he could be "creative" in charging an innocent person with a crime is not a subject fit for jest. He should have the maturity, judgement, and leadership capability to know better. Flores can neither control his temper nor monitor his own speech, as he has demonstrated before. He should resign immediately, as he is clearly unfit for public service.

Supporting Files (2 Max.):

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Date: May 17, 2021

Time: 2:34 pm

Remote IP: 73.220.235.169

**PUBLIC COMMENT**  
**MAY 17, 2021**

John Holt

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**From:** Andrew Haussler  
**Sent:** Thursday, May 13, 2021 5:10 PM  
**To:** John Holt  
**Subject:** Fwd: 559 Patio

Comment for Monday night.

Andy

Sent from my iPhone

Begin forwarded message:

**From:** Shawn Miller <ShawnM@ci.clovis.ca.us>  
**Date:** May 13, 2021 at 5:07:42 PM PDT  
**To:** Andrew Haussler <andrewh@ci.clovis.ca.us>, John Holt <johnh@ci.clovis.ca.us>  
**Subject:** FW: 559 Patio

FYI

-----Original Message-----

**From:** Jess Mendoza [mailto:ahothd@gmail.com]  
**Sent:** Thursday, May 13, 2021 3:40 PM  
**To:** Shawn Miller <ShawnM@ci.clovis.ca.us>  
**Subject:** 559 Patio

Hi Shawn, thank you for opening the parking Old Town so desperately needed by the removal of the temp patios which brings me to the reason of this email, Cora has informed me that 559 would like to request a permanent status for their make shift patio, I am in agreement with our fellow merchants that we do not want that patio even on a temporary basis, 559 continues to violate the ABC law they were cited for as their customers continue to walk off their premises with alcoholic beverages in hand, additionally their make shift patio blocks the handicap parking spaces for this block, please remove their patio, thank you

**John Holt**

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**From:** Shawn Miller  
**Sent:** Thursday, May 13, 2021 5:08 PM  
**To:** Andrew Haussler; John Holt  
**Subject:** FW: 559 Patio

FYI

-----Original Message-----

**From:** Jess Mendoza [mailto:ahothd@gmail.com]  
**Sent:** Thursday, May 13, 2021 3:40 PM  
**To:** Shawn Miller <ShawnM@ci.clovis.ca.us>  
**Subject:** 559 Patio

Hi Shawn, thank you for opening the parking Old Town so desperately needed by the removal of the temp patios which brings me to the reason of this email, Cora has informed me that 559 would like to request a permanent status for their make shift patio, I am in agreement with our fellow merchants that we do not want that patio even on a temporary basis, 559 continues to violate the ABC law they were cited for as their customers continue to walk off their premises with alcoholic beverages in hand, additionally their make shift patio blocks the handicap parking spaces for this block, please remove their patio, thank you

**John Holt**

**From:** Clovis Help Line <noreply@user.govoutreach.com>  
**Sent:** Thursday, May 13, 2021 2:58 PM  
**To:** John Holt  
**Subject:** Clovis CRM: You have been assigned a new Request #: 5676024

**Request # 5676024 from the Government Outreach System has been assigned to you by Jacquie Pronovost.**

**Request type:** Problem

**Request area:** City council

**Citizen name:** Jennifer Green

**Description:** Hello,

I would like to request that the barriers set out in front of 559 at the corner of Pollasky and 4th St. be removed. Parking in Old Town is already very limited and it is my understanding that outside patio dining areas were a "temporary" solution to aid our local restaurants during the pandemic.

Thank you,  
Jennifer Green - owner  
Once Upon a Time  
440 Pollasky Ave

**Expected Close Date:** June 2, 2021

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**John Holt**

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**From:** Clovis Help Line <noreply@user.govoutreach.com>  
**Sent:** Thursday, May 13, 2021 8:02 AM  
**To:** John Holt  
**Subject:** Clovis CRM: You have been assigned a new Request #: 5674890

**Request # 5674890 from the Government Outreach System has been assigned to you.**

**Request type:** Problem

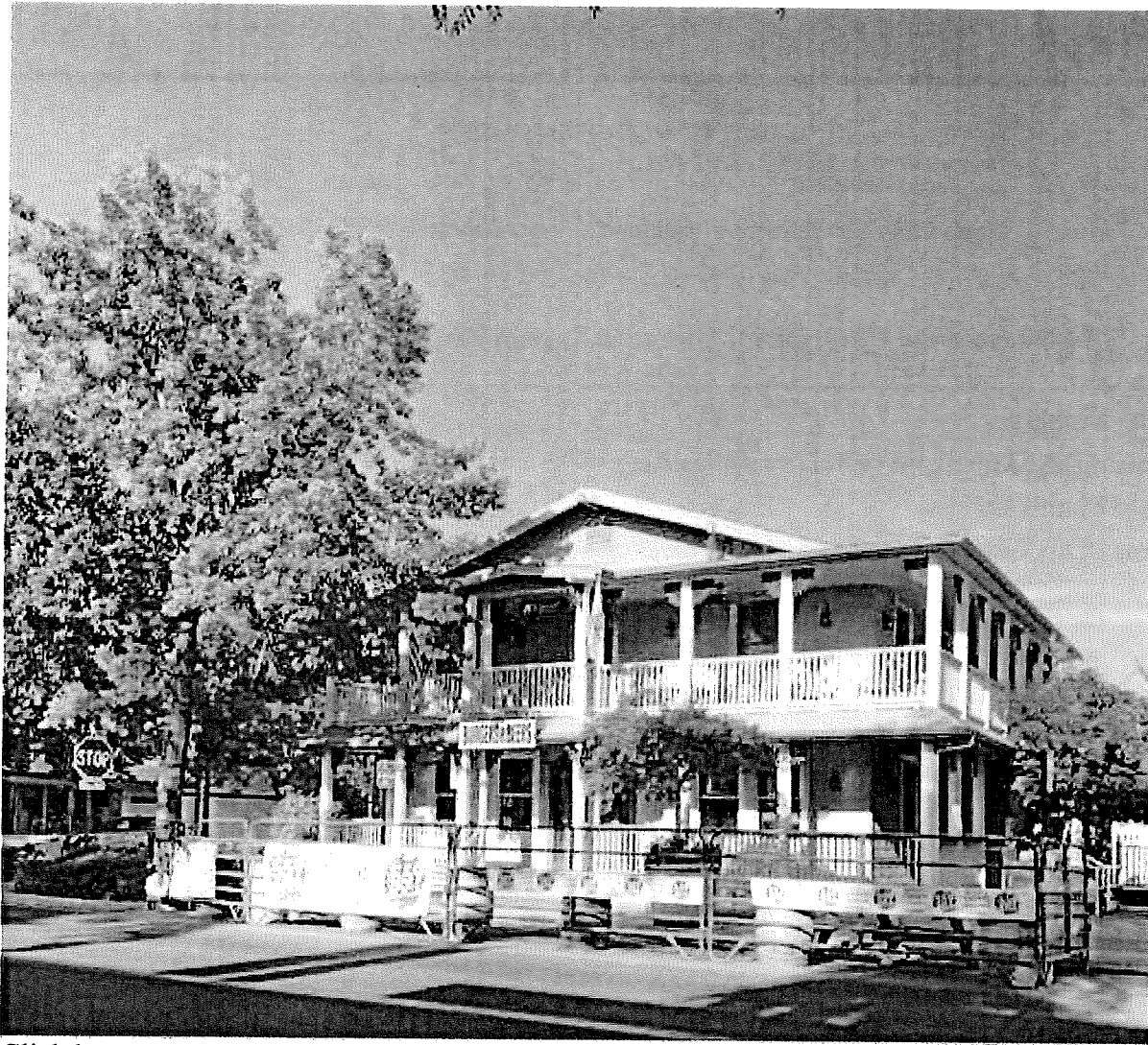
**Request area:** ADA (Americans with Disabilities Act)

**Citizen name:** Margie Penner

**Description:** In my observation, the use of the handicap access parking spot for free outdoor space doesn't seem very wise. The business has a whole outdoor patio that isn't being used for their functioning as a restaurant. It's the only business left that gets free outdoor space and I don't understand why. Their signs make the street seem tacky and not necessary. Whereas handicap parking is at a minimum.

**Location:** 340 Pollasky Ave, Clovis

**Expected Close Date:** June 2, 2021



[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**John Holt****ITEM 10**

**From:** Public Comments <email@cityofclovis.com>  
**Sent:** Sunday, May 16, 2021 9:47 PM  
**To:** John Holt; Karey Cha  
**Subject:** Public Comment for City Council

Council Meeting Date: 2021-05-17

Item Number (put "0" if your comment is regarding an item not on the agenda): 16

Full Name: Stephen Sacks

Email: johnsonsacks@comcast.net

Comment: Clovis has an incredible need for low income housing. The government standard since 1981 is that residents spend 30% of their income on housing. Right now, the average apartment in Clovis rents for around \$1300. For someone who works in a typical business (non-professional), let's assume they make \$15 an hour (which is probably higher than many people in Clovis earn). For a 40 hour a week job (and again, many people in Clovis do not work 40 hours but are still fully employed) at \$15 an hour, they gross \$600 a week or \$2400 a month. 30% for housing would be \$720 a month or close to half what the average rent in Clovis is!

Supporting Files (2 Max.):

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Date: May 16, 2021

Time: 9:47 pm

Remote IP: 67.181.164.235

**John Holt**

16

**From:** Public Comments <email@cityofclovis.com>  
**Sent:** Sunday, May 16, 2021 8:04 PM  
**To:** John Holt; Karey Cha  
**Subject:** Public Comment for City Council

Council Meeting Date: 2021-05-16

Item Number (put "0" if your comment is regarding an item not on the agenda): 16

Full Name: Jackie Newman

Email: Jnewman.newman67@gmail.com

Comment: Clovis has a highly tarnished reputation in the Central Valley for practices that discriminate against those in need. It's time to take this opportunity to make real change and move toward erasing their racist reputation.

Supporting Files (2 Max.):

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Date: May 16, 2021  
Time: 8:04 pm  
Remote IP: 76.254.96.82



**John Holt**

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**From:** Public Comments <email@cityofclovis.com>  
**Sent:** Sunday, May 16, 2021 6:46 PM  
**To:** John Holt; Karey Cha  
**Subject:** Public Comment for City Council

Council Meeting Date: 2021-05-17

Item Number (put "0" if your comment is regarding an item not on the agenda): 16

Full Name: Ken Mah

Email: kenandred@comcast.net

Comment: Is there sufficient will and leadership in Clovis to support affordable housing? The complexities and barriers to such projects are real, but how have other communities made more credible efforts where Clovis has failed? If the Clovis way of life is to be more inclusive, it s time to stop blaming others and making excuses. It is time to be goal-directed. It is time to follow the law.

Supporting Files (2 Max.):

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Date: May 16, 2021

Time: 6:46 pm

Remote IP: 73.66.21.235

**John Holt**

10

**From:** Public Comments <email@cityofclovis.com>  
**Sent:** Sunday, May 16, 2021 1:28 PM  
**To:** John Holt; Karey Cha  
**Subject:** Public Comment for City Council

Council Meeting Date: 2021-05-17

Item Number (put "0" if your comment is regarding an item not on the agenda): 16

Full Name: Connie Young

Email: cyoungn@sbcglobal.net

Comment: I urge you to provide safe, affordable housing for Clovis's low-income residents. Many of them work at jobs like healthcare, retail and food service that keep the Clovis economy going. Providing adequate housing will enable them to live close to their jobs. This will reduce their commutes which will reduce air pollution from vehicular traffic and improve the health and quality life for Clovis residents. Living in Clovis also will reduce their expenses and they'll be more likely to patronize Clovis businesses, which will be good for the local economy.

Supporting Files (2 Max.):

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Date: May 16, 2021

Time: 1:27 pm

Remote IP: 104.12.100.57

10

**John Holt**

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**From:** Public Comments <email@cityofclovis.com>  
**Sent:** Saturday, May 15, 2021 5:15 PM  
**To:** John Holt; Karey Cha  
**Subject:** Public Comment for City Council

Council Meeting Date: 2021-05-17

Item Number (put "0" if your comment is regarding an item not on the agenda): 16

Full Name: Laurie Tidyman-Jones

Email: ltj007not@gmail.com

Comment: It is the responsibility of all cities to provide for all its citizenry, no matter their socioeconomic status. For Clovis to display such a disregard for law and dispassion for those who can't afford those big box houses is shameful.

Fulfill your commitment and display the values that you purport to the community. Make right on your responsibility!

Supporting Files (2 Max.):

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Date: May 15, 2021

Time: 5:15 pm

Remote IP: 107.197.149.178



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: June 7, 2021

SUBJECT: Finance – Receive and File – Investment Report for the Month of March 2021

ATTACHMENTS:

1. Distribution of Investments
2. Monthly Investment Transactions
3. Certificates of Deposit
4. Municipal Securities
5. Graph of March 31, 2021 Treasury Rates

Attached is the Investment Report for the month of March 2021. Shown in Attachment 1 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. Attachment 2 reflects the monthly investment transactions for the month of March 2021. Attachment 3 lists the certificates of deposit. Attachment 4 lists the municipal securities. Attachment 5 is a graph of Treasury rates on March 31, 2021.

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 0.10%. The rate of return for the City of Clovis portfolio is 1.17%. The goal for the City of Clovis investment return is 120% of the 90-day Treasury bill rate. The current rate of return is 1,170% 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 March 2021 the average investment life of the City's investment portfolio is 0.77 years.

#### Current Investment Environment and Philosophy

During the month of March 2021, the federal funds rate remained at 0.00%-0.25%. On March 31, 2021, the Treasury yield curve increased from 3-month to 10-year notes.

#### 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

- 2 government securities totaling \$7,000,000 were purchased.
- 0 government securities were called or matured.
- 4 certificates of deposit totaling \$1,000,000 were purchased.
- 1 certificate of deposit totaling \$250,000 matured.
- 0 municipal securities were purchased.

#### Market Environment

- During March, the federal funds rate remained at 0.00%-0.25%.
- On March 31, the yield curve increased from 3-month to 10-year notes. See Attachment 5, Graph of Treasury Rates on March 31, 2021.

Prepared by: Jeffrey Blanks, Deputy Finance Director

Reviewed by: City Manager *JH*

**City of Clovis  
Distribution of Investments  
As of March 31, 2021**

AGENDA ITEM NO. 3.

	<u>COST</u>	<u>NET BOOK VALUE</u>	<u>MARKET VALUE *</u>	<u>YIELD TO MATURITY</u>	<u>STATED INTEREST RATE</u>	<u>INVEST DATE</u>	<u>MATURITY DATE</u>	<u>DAYS TO MATURITY FROM 3/31/2021</u>
<b><u>GOV'T SECURITIES</u></b>								
FAMCMTN	2,502,236	2,500,041	2,503,275	2.650%	2.650%	06/28/18	04/19/21	19
FHLB	2,568,983	2,504,603	2,517,175	3.625%	3.625%	06/28/18	06/11/21	72
FAMCMTN	3,000,000	3,000,000	3,031,140	2.750%	2.750%	09/06/18	08/17/21	139
FFCB	1,998,520	1,999,797	2,021,200	2.700%	2.700%	09/06/18	08/27/21	149
FFCB	2,490,878	2,498,540	2,532,975	2.850%	2.850%	10/05/18	09/20/21	173
FFCB	2,500,200	2,500,048	2,548,550	2.800%	2.800%	12/17/18	12/17/21	261
FAMCMTN	2,999,400	2,999,762	3,033,420	1.520%	1.520%	01/23/20	01/10/22	285
FHLMCMTN	6,129,600	6,043,051	6,107,940	2.375%	2.375%	08/30/19	01/13/22	288
FHLB	12,110,520	12,036,279	12,271,440	2.500%	2.500%	04/25/19	03/11/22	345
FFCB	5,979,668	5,966,496	6,087,365	2.280%	2.280%	03/28/19	03/28/22	362
FFCB	6,017,400	6,007,069	6,127,920	1.875%	1.875%	06/27/19	06/14/22	440
FAMCMTN	6,024,900	6,010,481	6,132,840	1.950%	1.950%	07/25/19	06/21/22	447
FFCB	3,005,250	3,002,675	3,061,530	1.625%	1.625%	11/27/19	08/22/22	509
FHLB	6,065,100	6,032,862	6,159,360	2.000%	2.000%	10/31/19	09/09/22	527
FFCB	2,984,460	2,991,719	3,055,050	1.375%	1.375%	11/27/19	10/11/22	559
FFCB	5,008,500	5,004,797	5,111,150	1.600%	1.600%	01/23/20	10/13/22	561
FHLB	8,045,600	8,025,949	6,686,160	1.875%	1.875%	12/19/19	12/09/22	618
FHLB	5,047,500	5,027,931	6,686,160	1.875%	1.875%	01/23/20	12/09/22	618
FAMCMTN	8,544,965	8,528,636	8,685,300	1.350%	1.350%	02/27/20	02/27/23	698
FHLB	5,255,000	5,173,175	5,207,872	2.125%	2.125%	03/26/20	03/10/23	709
FHLB	13,579,800	13,380,981	13,470,728	2.125%	2.125%	04/30/20	03/10/23	709
FFCB	5,000,000	5,000,000	4,975,350	0.250%	0.250%	03/01/21	03/01/24	1,066
FFCB	1,999,000	1,999,006	1,995,680	0.300%	0.300%	03/24/21	03/18/24	1,083
<b>SECURITIES TOTAL</b>	<u>\$ 118,857,479</u>	<u>\$ 118,233,898</u>	<u>\$120,009,580</u>					
<b>LAIF</b>		<u>\$ 74,223,185</u>	<u>\$ 74,223,185</u>					
<b>Municipal Issuance</b>		<u>\$ 4,900,000</u>	<u>\$ 4,898,515</u>					
<b>Sweep Account (Union Bank)</b>		<u>\$ 34,616,537</u>	<u>\$ 34,616,537</u>					
<b>TOTAL CD'S</b>		<u>\$ 10,740,000</u>	<u>\$ 10,944,973</u>					
<b>TOTAL INVESTMENTS</b>		<u>\$ 242,713,620</u>	<u>\$ 244,692,790</u>					

\* Market values for securities obtained from US Bank.

**City of Clovis**  
**Monthly Investment Transactions**  
**As of March 31, 2021**

AGENDA ITEM NO. 3.

Institution	Description	Activity	Amount	Market Value	Rate	Activity Date	Maturity Date
FFCB	Gov Security	Purchase	5,000,000	5,000,000	0.250%	03/01/21	03/01/24
FFCB	Gov Security	Purchase	2,000,000	1,999,000	0.300%	03/24/21	03/18/24
Bankunited Natl Assn	CD	Purchase	250,000	250,000	0.450%	03/31/21	04/01/24
Investors Cmnty Bk	CD	Purchase	250,000	250,000	0.400%	03/24/21	03/25/24
Preferred Bk LA	CD	Purchase	250,000	250,000	0.250%	03/25/21	03/25/24
Transportation Alliance Bk	CD	Purchase	250,000	250,000	0.250%	03/12/21	03/12/24
Merrick Bk South Utah	CD	Maturity	250,000	250,000	2.550%	03/09/21	03/09/21

**PORTFOLIO DATA**

**Current Month (03/21)**

	Book	Market
CD'S	\$ 10,740,000	\$ 10,944,973
Gov't Securities*	118,233,898	120,009,580
Municipal Securities	4,900,000	4,898,515
LAIF	74,223,185	74,223,185
Sweep Account (Union Bank)	34,616,537	34,616,537
<b>TOTAL</b>	<b>\$ 242,713,620</b>	<b>\$ 244,692,790</b>

**Prior Month (02/21)**

	Book	Market
CD'S	\$ 9,990,000	\$ 10,215,200
Gov't Securities*	111,601,755	113,219,589
Municipal Securities	4,900,000	4,902,632
LAIF	74,223,185	74,223,185
Sweep Account (Union Bank)	42,086,591	42,086,591
<b>TOTAL</b>	<b>\$ 242,801,531</b>	<b>\$ 244,647,197</b>

**Three Months Previous (12/20)**

	Book	Market
CD'S	\$ 9,990,000	\$ 10,250,158
Gov't Securities*	114,096,254	116,092,636
Municipal Securities	3,375,000	3,382,339
LAIF	74,106,014	74,106,014
Sweep Account (Union Bank)	31,601,453	31,601,453
<b>TOTAL</b>	<b>\$ 233,168,721</b>	<b>\$ 235,432,600</b>

**Six Months Previous (09/20)**

	Book	Market
CD'S	\$ 9,990,000	\$ 10,306,545
Gov't Securities*	114,096,254	116,576,948
Municipal Securities	500,000	499,855
LAIF	73,948,977	73,948,977
Sweep Account (Union Bank)	25,177,022	25,177,022
<b>TOTAL</b>	<b>\$ 223,712,253</b>	<b>\$ 226,509,347</b>

**One Year Previous (03/20)**

	Book	Market
CD'S	\$ 11,975,000	\$ 12,115,411
Gov't Securities*	119,528,679	121,989,353
Municipal Securities	-	-
LAIF	65,373,805	65,373,805
Sweep Account (Union Bank)	22,636,858	22,636,858
<b>TOTAL</b>	<b>\$ 219,514,342</b>	<b>\$ 222,115,427</b>

\*Adjusted Quarterly for Premium/Discount Amortization

**City of Clovis  
Certificates of Deposit  
As of March 31, 2021**

AGENDA ITEM NO. 3.

<u>Negotiable CDs</u>	<u>COST</u>	<u>MARKET PRICE</u>	<u>INTEREST RATE</u>	<u>INVEST DATE</u>	<u>MATURITY DATE</u>	<u>MATURITY FROM 03/31/21</u>	<u>INTEREST FREQUENCY</u>
Towne Bank	250,000	250,497.50	2.700%	04/27/18	04/27/21	27	MONTHLY
Citibank	250,000	251,067.50	2.900%	05/22/18	05/24/21	54	MONTHLY
University Of Iowa Cmnty Fcu	250,000	251,147.50	2.900%	05/24/18	05/28/21	58	MONTHLY
BMW Bank North America	250,000	251,557.50	3.000%	06/15/18	06/15/21	76	MONTHLY
Connectone Bk Englewood Cliffs	250,000	251,537.50	3.000%	06/15/18	06/15/21	76	MONTHLY
Bar Harbor Bank Trust	250,000	251,822.50	3.000%	06/29/18	06/29/21	90	MONTHLY
Keesler Fed Cr Un	250,000	253,122.50	3.050%	02/20/19	08/30/21	152	QUARTERLY
Ubs Bank Usa	250,000	254,757.50	3.200%	11/07/18	11/08/21	222	MONTHLY
Mountain America Fd Credit	250,000	254,910.00	3.200%	11/15/18	11/15/21	229	MONTHLY
Wells Fargo	250,000	255,865.00	3.000%	01/18/19	01/18/22	293	MONTHLY
Goldman Sachs Bk USA Ny	245,000	250,997.60	2.800%	02/20/19	02/22/22	328	QUARTERLY
Tiaa FSB Jacksonville Fla	245,000	251,107.85	2.850%	02/28/19	02/22/22	328	QUARTERLY
Comenity Capital Bank	250,000	256,625.00	2.550%	04/30/19	04/29/22	394	QUARTERLY
Synchrony Bank	250,000	256,637.50	2.450%	05/17/19	05/17/22	412	QUARTERLY
First State Bank of Dequeen	250,000	255,482.50	2.000%	07/26/19	05/26/22	421	QUARTERLY
Flagstar Bank	250,000	257,212.50	2.500%	06/12/19	06/13/22	439	QUARTERLY
Capital One Bank	250,000	256,867.50	2.350%	06/19/19	06/20/22	446	QUARTERLY
Morgan Stanley Bk	250,000	256,562.50	2.100%	07/25/19	07/25/22	481	QUARTERLY
Capital One Bank	250,000	256,917.50	2.150%	08/07/19	08/08/22	495	QUARTERLY
Everbanke USA Salt Lake City	250,000	256,577.50	2.050%	08/07/19	08/08/22	495	QUARTERLY
Raymond James Bank	250,000	256,242.50	1.900%	08/23/19	08/23/22	510	QUARTERLY
Ally Bank	250,000	256,375.00	1.850%	09/19/19	09/19/22	537	QUARTERLY
Usalliance Federal Credit Union	250,000	256,837.50	2.850%	09/30/19	09/30/22	548	QUARTERLY
Morgan Stanley Bank	250,000	256,652.50	2.100%	10/17/19	10/17/22	565	MONTHLY
Lafayette Fed Cr Un	250,000	256,430.00	1.700%	11/22/19	11/22/22	601	MONTHLY
Live Oak Banking Co.	250,000	256,842.50	1.750%	12/11/19	12/12/22	621	QUARTERLY
Wells Fargo Natl Bk West	250,000	257,065.00	1.800%	12/13/19	12/13/22	622	QUARTERLY
Valley Cent Svgs Bk	250,000	256,980.00	1.700%	01/15/20	01/17/23	657	QUARTERLY
Sallie Mae Bank	250,000	257,955.00	1.900%	01/23/20	01/23/23	663	QUARTERLY
Servisfirst Bank	250,000	256,842.50	1.600%	02/21/20	02/21/23	692	MONTHLY
Celtic Bank	250,000	256,800.00	1.550%	03/13/20	03/13/23	712	MONTHLY
Axos Bank	250,000	256,922.50	1.550%	03/26/20	03/27/23	726	MONTHLY
Nicolet Natl Bank	250,000	254,437.50	0.900%	03/27/20	03/27/23	726	MONTHLY
Centerstate Bank	250,000	253,720.00	0.900%	03/30/20	03/30/23	729	MONTHLY
Bank Leumi	250,000	256,475.00	1.450%	03/31/20	03/31/23	730	MONTHLY
Discover Bank	250,000	256,467.50	1.350%	04/02/20	04/03/23	733	MONTHLY
Berkshire Bank	250,000	255,750.00	1.300%	04/08/20	04/06/23	736	MONTHLY
American Express	250,000	254,790.00	1.100%	04/21/20	04/21/23	751	MONTHLY
New York Cmnty Bank	250,000	250,547.50	0.350%	12/11/20	12/11/23	985	QUARTERLY
Transportation Alliance Bk	250,000	249,575.00	0.250%	03/12/21	03/12/24	1,077	QUARTERLY
Investors Cmnty Bk	250,000	250,207.50	0.400%	03/24/21	03/25/24	1,090	QUARTERLY
Preferred Bank	250,000	249,530.00	0.250%	03/25/21	03/25/24	1,090	QUARTERLY
Bankunited Natl Assn	250,000	250,255.00	0.450%	03/31/21	04/01/24	1,097	QUARTERLY
<b>Negotiable CD TOTAL</b>	<u>\$ 10,740,000</u>	<u>\$ 10,944,973</u>					
<b>CD TOTAL</b>	<u>\$ 10,740,000</u>	<u>\$ 10,944,973</u>					



**City of Clovis  
Municipal Securities  
As of March 31, 2021**

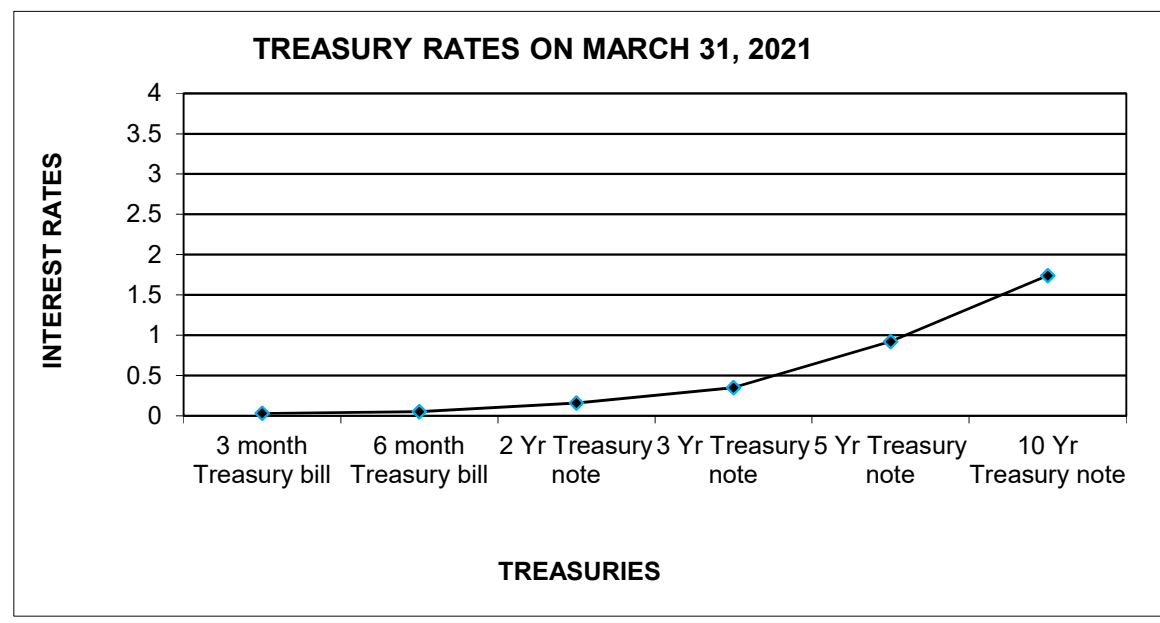
AGENDA ITEM NO. 3.

<u>Municipal Securities</u>	<u>COST</u>	<u>MARKET PRICE</u>	<u>INTEREST RATE</u>	<u>INVEST DATE</u>	<u>MATURITY DATE</u>	<u>MATURITY FROM 03/31/21</u>	<u>INTEREST FREQUENCY</u>
Fresno Unified Taxable Go Ref Bond	500,000	500,120.00	0.462%	09/30/20	08/01/23	853	QUARTERLY
Pomona Cali Uni Sch Dist Go Bond	815,000	815,798.70	0.534%	10/20/20	08/01/23	853	QUARTERLY
William Hart Cali HS Go Bond	1,000,000	999,640.00	0.366%	12/23/20	08/01/23	853	QUARTERLY
San Jose CA USD Ref Bond	775,000	773,380.25	0.221%	01/20/21	08/01/23	853	QUARTERLY
Vista CA USD Ref Bond	750,000	748,020.00	0.221%	01/20/21	08/01/23	853	QUARTERLY
Jefferson Cali Elem Sch Dist Go Bond	710,000	710,376.30	0.399%	10/27/20	09/01/23	884	QUARTERLY
Santa Rosa Calif Watr Ref Bond	350,000	351,179.50	0.578%	12/01/20	09/01/23	884	QUARTERLY
<b>Mun. Securities TOTAL</b>	<u>\$ 4,900,000</u>	<u>\$ 4,898,515</u>					
<b>Municipal Securities TOTAL</b>	<u><u>\$ 4,900,000</u></u>	<u><u>\$ 4,898,515</u></u>					

**CITY OF CLOVIS  
FINANCE DEPARTMENT  
MARCH 31, 2021 TREASURY RATES**

**Treasury Rates as of March 31, 2021**

3 month Treasury bill	0.03
6 month Treasury bill	0.05
2 Yr Treasury note	0.16
3 Yr Treasury note	0.35
5 Yr Treasury note	0.92
10 Yr Treasury note	1.74



As indicated in the above graph, treasuries increase from 3-month to 10-year notes.



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: June 7, 2021

SUBJECT: Finance – Receive and File – Treasurer’s Report for the Month of March 2021

ATTACHMENTS:
 

1. Summary of Cash Balances
2. Summary of Investment Activity
3. Investments with Original Maturities Exceeding One Year

Attached for the Council’s information is the Treasurer’s Report for the month ended March 31, 2021.

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. Attachment 1 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. Attachment 2 summarizes the investment activity for the month and distribution, by type of investment, held by the City. Attachment 3 lists all investments with original maturities exceeding one year as of the month ended March 31, 2021.

Prepared by: Jeffrey Blanks, Deputy Finance Director

Reviewed by: City Manager *JH*

**City of Clovis**  
**Statement of Cash Balances**  
**As of March 31, 2021**

<b>Previous Balance</b>	\$	3,879,734.27
<b>Deposits</b>		26,356,251.13
<b>Disbursements</b>		(25,136,881.14)
		_____
<b>Current Balance</b>	\$	5,099,104.26

<b>FUNDS</b>	<b>BALANCE</b>
100 General Fund	\$ 10,586,389.55
201 Local Transportation	15,712,696.90
202 Parking and Business Improvements	162,141.80
203 Off Highway Use	70,324.09
204 Off Highway Use	27,214.93
205 Senior Citizen Memorial Trust	54,080.56
207 Landscape Assessment District	5,220,113.30
208 Blackhorse III (95-1) Assessment District	132,497.07
301 Park & Recreation Acquisition	9,143,995.86
305 Refuse Equipment Reserve	1,622,058.91
310 Special Street Deposit Fund	28,530,333.14
313 Successor Agency	128,959.91
314 Housing Successor Agency	1,250,754.14
402 1976 Fire Bond Redemption	25,475.23
404 1976 Sewer Bond Redemption Fund	405,757.67
501 Community Sanitation Fund	15,756,618.38
502 Sewer Service Fund	34,580,449.11
504 Sewer Capital Projects-Users	1,135,581.79
506 Sewer Capital Projects-Developer	2,217,967.56
507 Water Service Fund	48,432,050.89
508 Water Capital Projects-Users	6,541,017.29
509 Water Capital Projects-Developer	6,962,352.54
515 Transit Fund	318,941.41
540 Planning & Development Services	16,188,143.57
601 Property & Liability Insurance	1,346,262.14
602 Fleet Maintenance	13,412,578.96
603 Employee Benefit Fund	9,843,763.41
604 General Government Services	16,281,384.67
701 Curb & Gutter Fund	160,417.20
703 Payroll Tax & Withholding Fund	1,335,948.49
712 Temperance/Barstow Assmt Dist (98-1)	75,708.23
713 Shepherd/Temperance Assmt Dist (2000-1)	5,727.89
715 Supp Law Enforcement Serv	259,421.52
716 Asset Forfeiture	141,648.08
720 Measure A-Public Safety Facility Tax	412.88
736 SA Admin Trust Fund	1,421.40
741 SA Debt Service Trust Fund	(259,025.41)
747 Housing Successor Trust Fund	1,137.98
	_____
<b>SUBTOTALS</b>	\$ 247,812,723.04
999 Invested Funds	(242,713,618.78)
	_____
<b>TOTAL</b>	\$ 5,099,104.26

**City of Clovis  
Summary of Investment Activity  
For the month of March 31, 2021**

<hr/> <hr/>		
<u>Balance of Investments Previous Month End</u>		<u>\$242,801,530.18</u>
<u>Time Certificates of Deposit Transactions</u>		
Investments	1,000,000.00	
Withdrawals	<u>(250,000.00)</u>	
<b>Total CD Changes</b>		750,000.00
<u>Other Changes</u>		
Government Securities	6,632,143.00	
Local Agency Investment Fund	0.00	
Municipal Securities	0.00	
Sweep Account	<u>(7,470,054.40)</u>	
<b>Total Other Changes</b>		<u>(837,911.40)</u>
<b>Balance of Investments Current Month End</b>		<u>\$ 242,713,618.78</u>

**City of Clovis  
Distribution of Investments  
As of March 31, 2021**

<hr/> <hr/>	
Insured CD's	10,740,000.00
Government Securities	118,233,897.25
US Treasury Notes	0.00
Local Agency Investment Fund	74,223,184.57
Municipal Securities	4,900,000.00
Sweep Account	<u>34,616,536.96</u>
<b>Investment Total</b>	<u>\$ 242,713,618.78</u>

**City of Clovis**  
**Original Maturities Exceeding One Year**  
**As of March 31, 2021**

<b>Institution</b>	<b>Face Value</b>	<b>Investment Balance At Amortized Cost</b>	<b>Maturity</b>	<b>Stated Rate</b>
FAMCMTN	2,500,000.00	2,500,041.00	4/19/2021	2.650%
FHLB	2,500,000.00	2,504,603.00	6/11/2021	3.625%
FAMCMTN	3,000,000.00	3,000,000.00	8/17/2021	2.750%
FFCB	2,000,000.00	1,999,797.00	8/27/2021	2.700%
FFCB	2,500,000.00	2,498,540.00	9/20/2021	2.850%
FFCB	2,500,000.00	2,500,048.00	12/17/2021	2.800%
FAMCMTN	3,000,000.00	2,999,762.00	1/10/2022	1.520%
FHLMCMTN	6,000,000.00	6,043,051.00	1/13/2022	2.375%
FHLB	12,000,000.00	12,036,279.00	3/11/2022	2.500%
FFCB	5,960,000.00	5,966,496.00	3/28/2022	2.280%
FFCB	6,000,000.00	6,007,069.00	6/14/2022	1.875%
FAMCMTN	6,000,000.00	6,010,481.00	6/21/2022	1.950%
FFCB	3,000,000.00	3,002,675.00	8/22/2022	1.625%
FHLB	6,000,000.00	6,032,862.00	9/9/2022	2.000%
FFCB	3,000,000.00	2,991,719.00	10/11/2022	1.375%
FFCB	5,000,000.00	5,004,797.00	10/13/2022	1.600%
FHLB	8,000,000.00	8,025,949.00	12/9/2022	1.875%
FHLB	5,000,000.00	5,027,931.00	12/9/2022	1.875%
FAMCMTN	8,500,000.00	8,528,636.00	2/27/2023	1.350%
FHLB	5,000,000.00	5,173,175.00	3/10/2023	2.125%
FHLB	13,000,000.00	13,380,981.00	3/10/2023	2.125%
FFCB	5,000,000.00	5,000,000.00	3/1/2024	0.250%
FFCB	2,000,000.00	1,999,006.00	3/18/2024	0.300%



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: June 7, 2021

SUBJECT: Public Utilities – Approval – Award Non-Exclusive Franchise Agreements for Hauling of Construction and Demolition Debris and Update the City’s Approved Hauler List.

ATTACHMENTS: 1. Approved Hauler List

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

For the City Council to award two-year, non-exclusive Construction and Demolition (C&D) hauling franchise agreements to the following haulers: Allied Waste Services of Fresno; Industrial Waste & Salvage; Kroeker, Inc.; Mid Valley Disposal; Mini Dumpsters of Fresno; Nick’s Trucking, Inc.; North Cal Hauling Company; Waste Management; Legacy Construction Debris Service; and True Clean Construction Cleanup, Inc.

### **EXECUTIVE SUMMARY**

On May 6, 2013, Council adopted Ordinance 13-12, pertaining to the recycling and diversion of construction and demolition debris (C&D). One of the requirements of this ordinance is that all firms hauling C&D in Clovis must apply for and be awarded a non-exclusive C&D hauling franchise agreement. This year we had 10 applications, eight of which are renewing their agreement that expires on June 30, 2021 and two of which are new applicants. Staff is recommending that all applicants be awarded two-year, non-exclusive C&D hauling franchise agreements and be added to the City’s list of approved haulers.

### **BACKGROUND**

AB 939 – the California Waste Management Act of 1989 (Public Resources Code §§ 40000 et seq.) – along with the California Green Building Standards Code or CALGreen (CCR, Title 24, Part 11) require the City of Clovis to prepare, adopt, and implement source reduction and recycling plans to reach landfill diversion goals. The City has achieved the State’s diversion goals, but AB 939 also requires the City to annually report to the State the

quantities of waste that are disposed of in landfills and the quantities of waste that are diverted through recycling programs. CALGreen further instructs local jurisdictions to require contractors to develop and maintain a waste management plan and to divert a minimum of 65 percent of waste material.

Debris from construction, demolition, and renovation of buildings is the largest waste stream from Clovis that is not hauled by the City or the City's direct contractors. Prior to the adoption of Ordinance 13-12, the hauling of this waste was unregulated and the City had no means to track and report the quantities of this waste that are recycled or disposed of in landfills. The ordinance established non-exclusive C&D hauling franchises for haulers wishing to haul C&D debris generated within the City. The ordinance also prohibits non-franchised haulers from transporting C&D debris generated in Clovis. Lastly, the ordinance requires the franchised haulers to report to the City the quantities of this material that they recycle and dispose of in landfills, and to pay the AB 939 surcharges associated with any C&D debris they dispose of in landfills.

The ordinance established a fee of \$1,000 for each two-year, non-exclusive franchise. The fee is based on the estimated costs for the staff time that will be spent to process each application and to review the quarterly reporting from each hauler. The ordinance was prepared with input from the Building Industry Association (BIA) and from local waste haulers.

#### **FISCAL IMPACT**

There is no significant fiscal impact to the City associated with the award of these agreements. The application fee for the two-year, non-exclusive franchise agreement to haul C&D debris is based on the estimated costs for staff time to process the applications and to review and process the quarterly reports from each hauler.

#### **REASON FOR RECOMMENDATION**

Haulers must be franchised in order to haul C&D debris in Clovis. All applicants recommended for approval have met all of the requirements for the non-exclusive franchise.

#### **ACTIONS FOLLOWING APPROVAL**

Originals of the franchise agreements will be forwarded to the City Manager for signature. Staff will notify the haulers that they have been awarded the non-exclusive franchise agreements. Staff will provide the Building Official with the list of the approved C&D haulers. Staff will monitor the franchised haulers' reports for compliance with Ordinance 13-12.

Prepared by: Kristen Freberg, Management Analyst

Reviewed by: City Manager 



**APPROVED CONSTRUCTION AND DEMOLITION DEBRIS (C&D) HAULERS**

Approval valid through 7-01-2022

Clovis Recycling, Inc.  
710 Jefferson Avenue  
Clovis, CA 93612  
(559) 325-2128  
[www.clovisrecyclingcenter.com](http://www.clovisrecyclingcenter.com)

Hinojosa Cleanup Service (HCS)  
777 Minnewawa Avenue, Suite 2  
Clovis, CA 93612  
(559) 647-2602  
[www.hcsrolloff.com](http://www.hcsrolloff.com)

F-N-F Roll-Off Service  
P.O. Box 11807  
Fresno, CA 93775  
(559) 318-0644  
[www.fnfrolloffservices.com](http://www.fnfrolloffservices.com)

Kochergen Farms Composting, Inc.  
P.O. Box 11006  
Fresno, CA 93771  
(559) 266-2650  
[www.kochergenfarmscomposting.com](http://www.kochergenfarmscomposting.com)

HD Matthews Demolition & Excavation  
P.O. Box 12483  
Fresno, CA 93778  
(559) 275-3366

Accurate Cleaning Systems  
802 Industrial Drive, Suite 200  
Hollister, CA 95023  
(831) 636-9767

Approval valid through 7-01-2023

Allied Waste Services of Fresno  
5501 N. Golden State Boulevard  
Fresno, CA 93722  
(559) 275-1551  
[www.republicservices.com](http://www.republicservices.com)

Nick's Trucking, Inc.  
7420 N. Van Ness Boulevard  
Fresno, CA 93711  
(559) 281-2267

Industrial Waste & Salvage  
3457 S. Cedar Avenue  
Fresno, CA 93725  
(559) 233-1159  
[www.cagliaenvironmental.com](http://www.cagliaenvironmental.com)

North Cal Hauling Company  
5716 Folsom Boulevard, PMB 285  
Sacramento, CA 95819  
(916) 381-9033  
[www.northcalhauling.com](http://www.northcalhauling.com)

Kroeker, Inc.  
4627 S. Chestnut Avenue  
Fresno, CA 93725  
(559) 237-3764  
[www.kroekerinc.com](http://www.kroekerinc.com)

Waste Management  
4333 E. Jefferson Avenue  
Fresno, CA 93725  
(559) 834-4070  
[www.wm.com](http://www.wm.com)

Mid Valley Disposal  
2721 S. Elm Avenue, Fresno, CA 93706  
15300 W. Jensen Avenue, Kerman, CA 93630  
(559) 237-9425  
[www.midvalleydisposal.com](http://www.midvalleydisposal.com)

Legacy Construction Debris Service  
1968 N. Gateway Boulevard, Ste. 103  
Fresno, CA 93727  
(559) 251-1605

Mini Dumpsters of Fresno, LLC  
500 S. Teilman Avenue  
Fresno, CA 93721  
(559) 696-6626  
[www.minidumpstersoffresno.com](http://www.minidumpstersoffresno.com)

True Clean Construction Cleanup, Inc.  
2505 E. Oakdale Avenue  
Tulare, CA 93274  
(559) 936-7557



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: June 7, 2021

SUBJECT: Consider Approval – Res. 21-\_\_\_\_, A Resolution Confirming the Diagram and Assessments for the Annual Levy, 2021-22 Landscape Maintenance District No. 1.

**Staff:** Glenn Eastes, Assistant Public Utilities Director

**Recommendation:** Approve

ATTACHMENTS: 1. Resolution Confirming Diagram and Assessments  
2. Assessment Diagrams

### CONFLICT OF INTEREST

None

### RECOMMENDATION

1. Conduct the Public Hearing; and
2. Adopt Res. No. 21-\_\_\_\_\_, confirming the diagram and assessments for the annual levy of Landscape Maintenance District No. 1 for FY 2021-22.

### EXECUTIVE SUMMARY

A Public Hearing is required by the Landscape and Lighting Act of 1972 (ACT) to consider all written statements and to afford all interested persons the opportunity to hear and be heard concerning the Landscape Maintenance District assessments for the coming year. There have been no written comments made or filed as of the writing of this report. At the conclusion of the Public Hearing, the Council will confirm the diagram and assessments in the Engineer's Report, as presented or amended, in order to levy assessments on parcels in the LMD for the following fiscal year.

### BACKGROUND

On July 15, 1985, Council adopted Resolution No. 85-78, forming the City of Clovis Landscape Maintenance District No. 1 (LMD) in accordance with the Landscaping and Lighting Act of 1972, approved by the California State Legislature. The purpose of the District is to fund the

operation and maintenance of landscaped areas and interior parks benefiting development throughout the City.

The yearly assessments established for all properties within the District provide funding for the City's cost for operation, maintenance, and related services. The required operation and maintenance includes mowing, edging, fertilizing, weed control, irrigation systems, pruning, plant replacement, lighting, and a depreciation fund to periodically replace picnic area amenities, playground equipment, and other items such as neighborhood monuments. The assessments are collected by the County as a special assessment on the property tax bills.

On May 3, 2021, Council approved the Preliminary Engineer's Report and adopted Res. 21-56, which declared the City's intention to levy and collect the annual assessments for Landscape Maintenance District No. 1 and gave notice of Public Hearing. The Notice was published in The Business Journal on May 14, 2021. At this time, the Council is to consider all oral and written statements, make any changes to the Engineer's Report, and adopt the resolution to levy assessments for FY 2021-22.

Fourteen Assessment Zones will receive a rate increase, thirty-one Assessment Zones will receive no rate change, and two Assessment Zones will receive a rate decrease.

As required by the ACT, the Engineer's Report for Landscape District No. 1 is on file with the City Clerk and includes the following:

- A full and detailed description of the improvements;
- A description of the assessable lots and parcels of land within the LMD;
- A diagram for the Landscape Maintenance District No. 1 showing the exterior boundaries and the boundaries of any zones within the LMD;
- The estimated costs of the improvements; and
- The proposed assessments.

#### **FISCAL IMPACT**

Approval of the Engineer's Report will provide the necessary funding for the Landscape Maintenance District No. 1 to continue the operation and maintenance of landscaped areas benefiting development throughout the City for the next fiscal year.

#### **REASON FOR RECOMMENDATION**

This resolution confirming the diagram and assessments in the Engineer's Report is required annually by the Landscaping and Lighting Act of 1972. Adoption of the resolution establishes the levy of assessments in the amount specified in the Engineer's Report for each parcel for the coming fiscal year.

**ACTIONS FOLLOWING APPROVAL**

1. The Engineer's Report, as amended and approved by Council, will be recorded with the Fresno County Recorder's Office and filed with the Fresno County Auditor-Controller.
2. The assessments will be collected with the property taxes.

Prepared by: Eric Aller, Parks Manager

Reviewed by: City Manager *EA*

**RESOLUTION NO. 21-****A RESOLUTION OF THE COUNCIL OF THE CITY OF CLOVIS, CALIFORNIA,  
CONFIRMING THE DIAGRAM AND ASSESSMENTS IN THE ENGINEER'S REPORT FOR  
THE ANNUAL LEVY, 2021-22 LANDSCAPE MAINTENANCE DISTRICT NO. 1**

**WHEREAS**, on May 3, 2021, pursuant to Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, the Council of the City of Clovis did adopt Res. 21-56, a Resolution of Intention to Levy and Collect the Annual Assessment for Landscape Maintenance District No. 1 of the City of Clovis (herein "LMD No. 1"); and

**WHEREAS**, the Council did declare in said Resolution of Intention its intention to levy and collect the annual assessment for the maintenance and operation of the landscaping facilities in said LMD No. 1; and

**WHEREAS**, notice of the public hearing was given as provided by law.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** as follows:

1. The Council determines that the territory within the LMD No. 1, whose boundaries are set forth in the Engineer's Report of the City of Clovis LMD No. 1 dated June 7, 2021, as amended and on file with the City Clerk of the City of Clovis, will be the territory benefited by the maintenance and servicing of the improvements described in said Engineer's Report.
2. The assessments are in compliance with Part 2 of Division 15 of the Streets and Highways Code, and are levied without regard to property valuation. The City Council directs the placement of the assessments on the tax roll for collection.
3. The Public Hearing on said annual levy of assessments was held in accordance with law, and all persons filing protests or requesting to speak and who appeared were heard.
4. The Engineer's Report and the assessment of the estimated costs of the improvements contained therein and each and every part of said report, as amended, is adopted and approved; and the assessments upon the land in the LMD No. 1, being found to be in proportion to the benefits to be received from the improvements, are finally approved and confirmed as the assessments to pay the costs of each improvement and the expenses incidental thereto.
5. The Council hereby orders the levy of the assessments described in the Engineer's Report, as amended.
6. The subdivisions of land within the District are to be assessed to pay the costs of the landscape maintenance.

7. The City Clerk shall file the Engineer's Report and assessments, as confirmed, or a certified copy thereof, with the Recorder of the County of Fresno.

\* \* \* \* \*

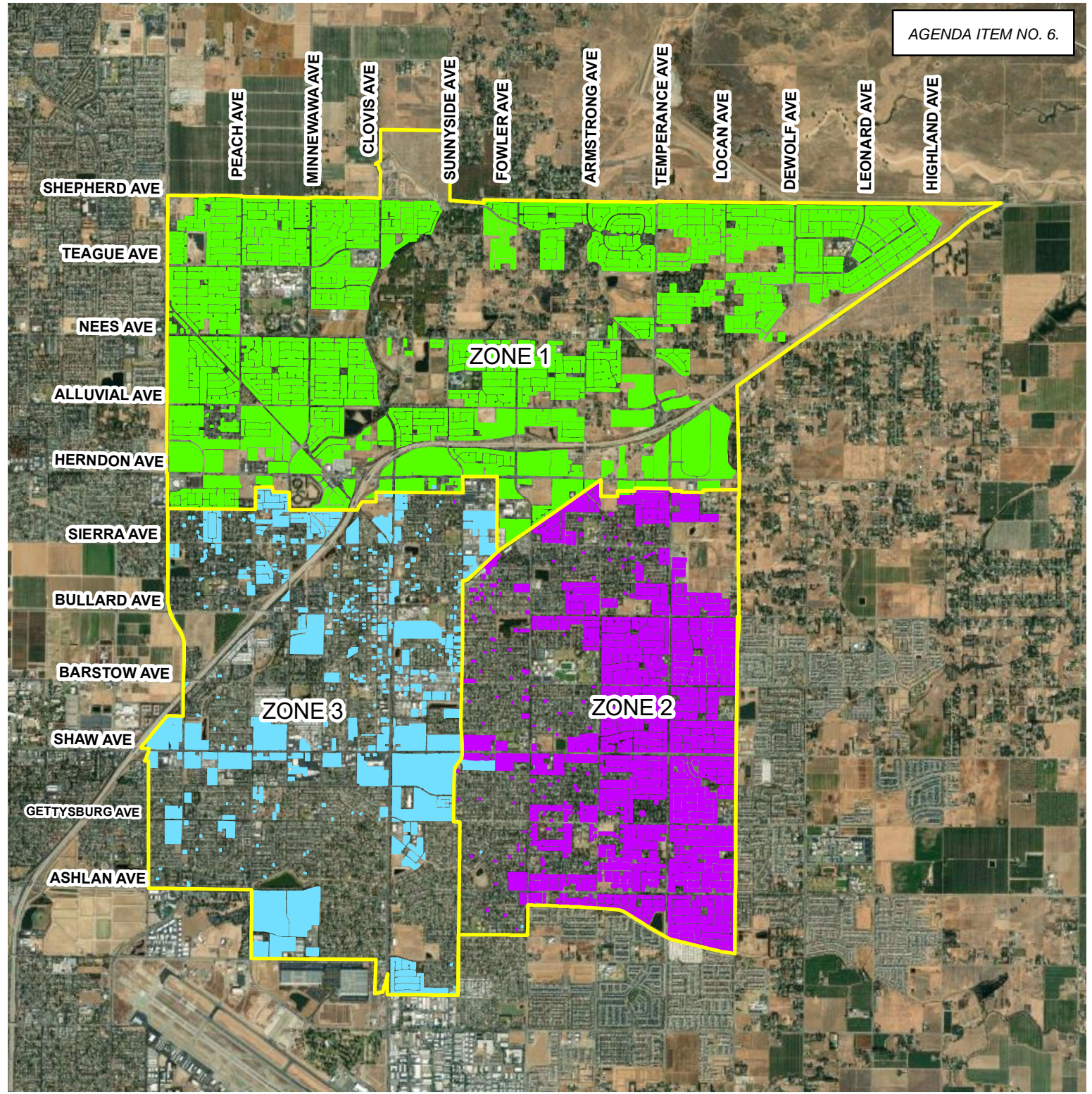
The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on June 7, 2021 by the following vote, to wit.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

DATED:

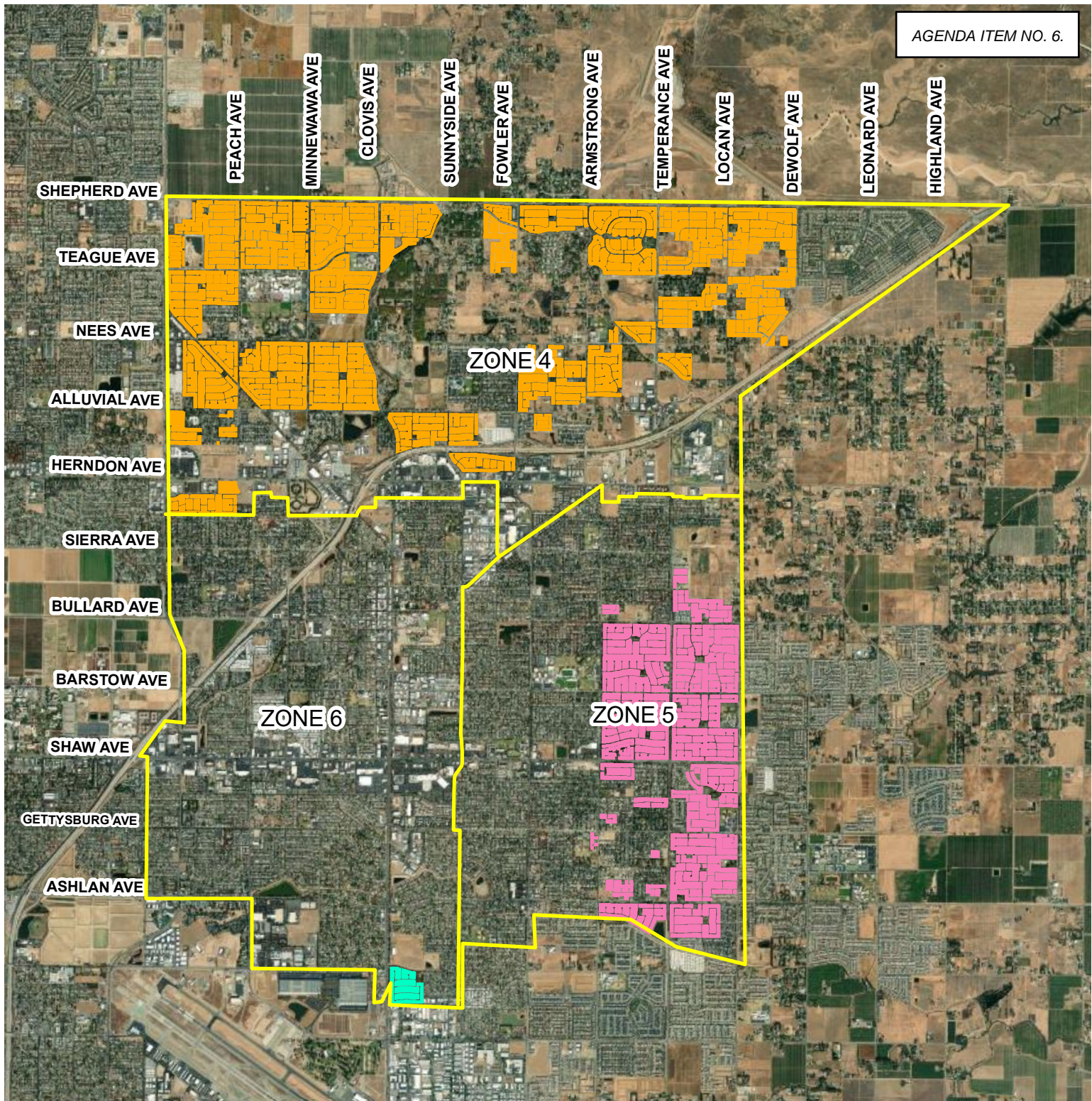
\_\_\_\_\_  
Mayor

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



**LMD ZONES 1-3  
 GENERAL LANDSCAPING  
 2021/2022 ASSESSMENT CHANGES  
 NO ASSESSMENT CHANGES ZONES 1-3**



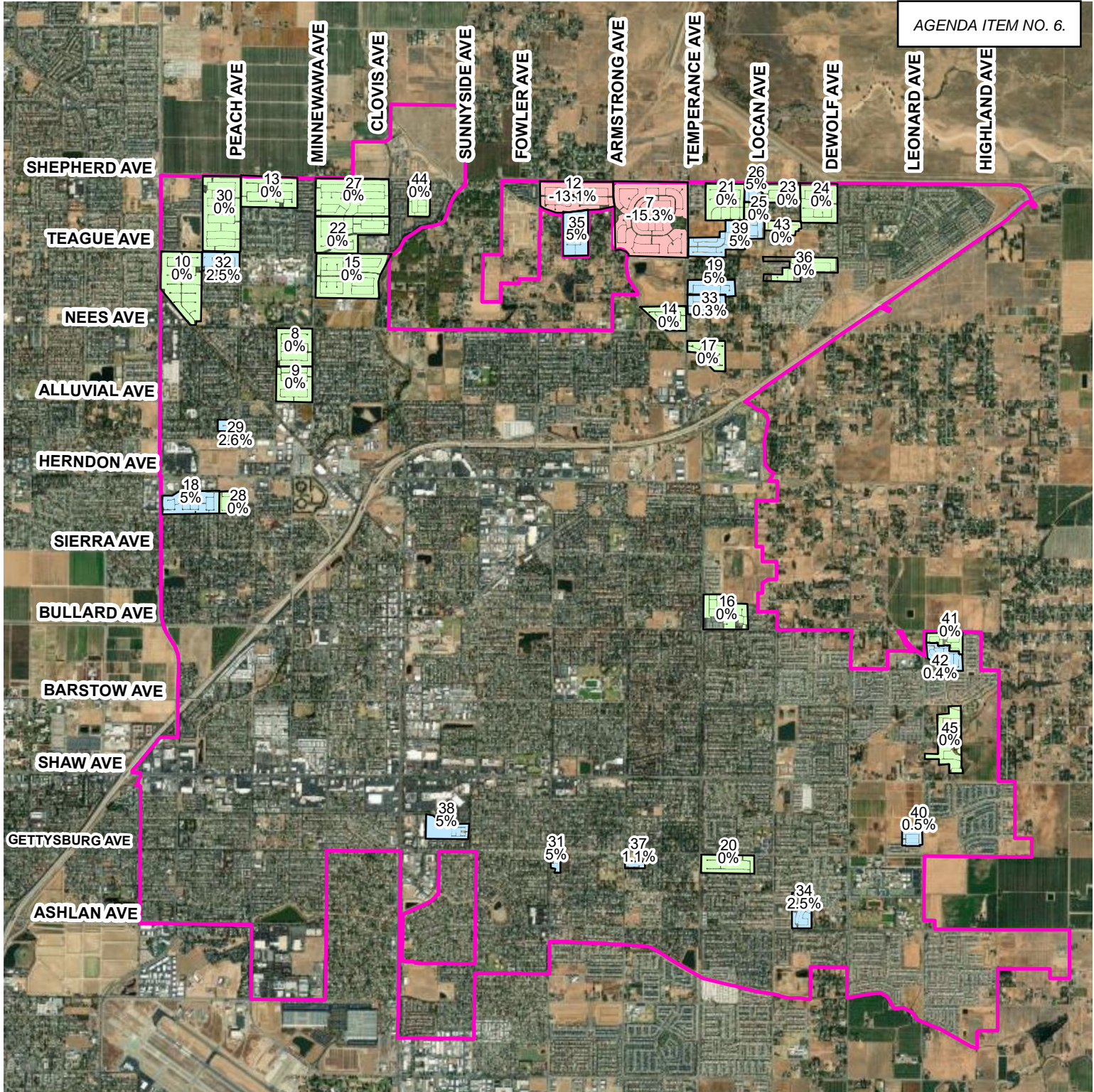


LMD ZONES 4-6  
PARKS

2021/2022 ASSESSMENT CHANGES  
NO ASSESSMENT CHANGES ZONES 4-6







# LMD ZONES 7 - 45

## NEIGHBORHOOD ENHANCEMENTS

### 2021/2022 ASSESSMENT CHANGES

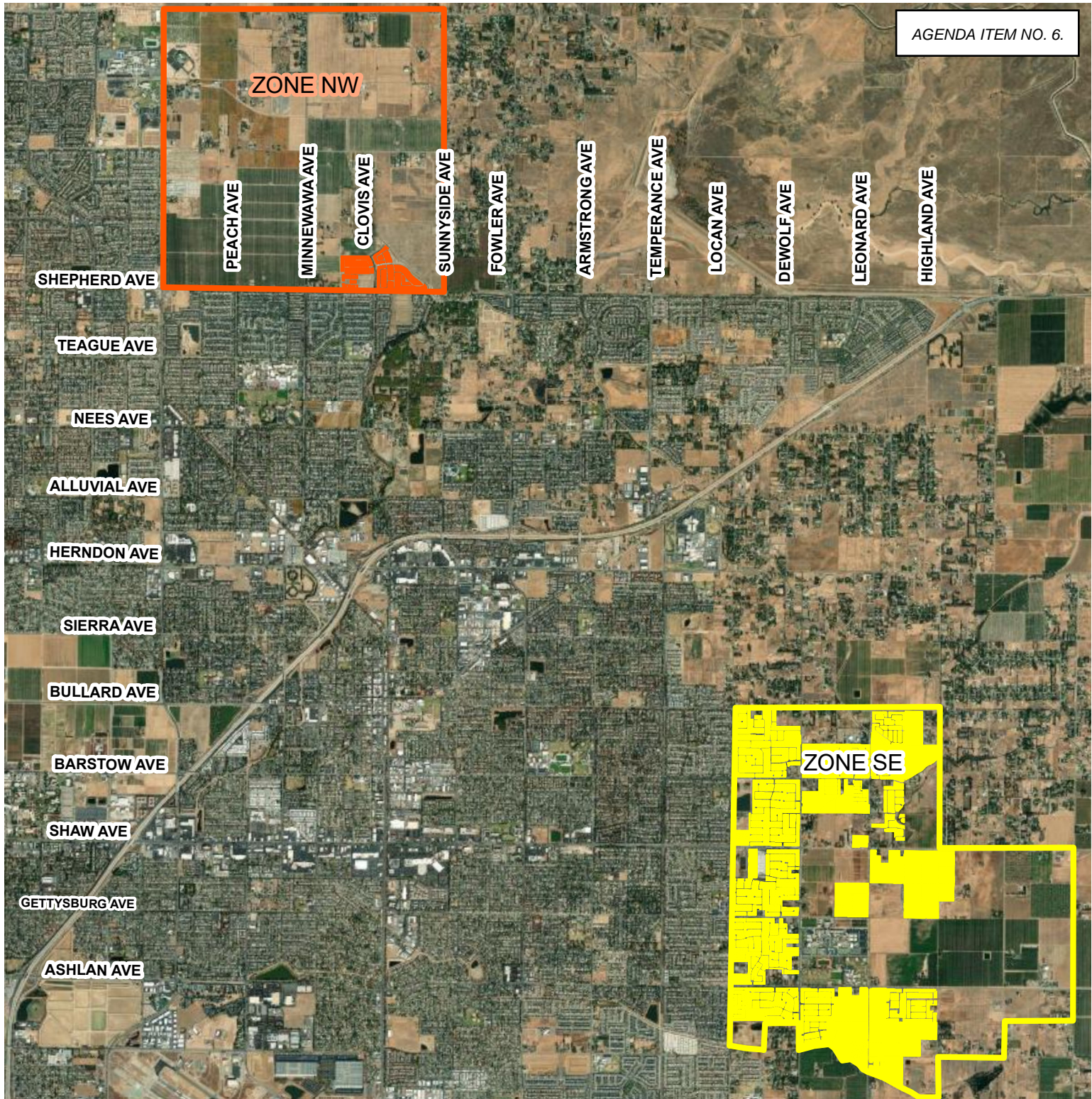


CITY OF CLOVIS

Assessment Changes     No Change     Decrease     Increase



1 inch = 4,833



LMD ZONES SOUTHEAST AND NORTHWEST  
 2021/2022 ASSESSMENT CHANGES  
 NO ASSESSMENT CHANGE FOR ZONES SE & NW





# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: June 7, 2021

SUBJECT: Consider Approval – A Request for a Letter of Support for Assembly Constitutional Amendment to the Constitution of the State, by amending Section 7 of, and adding Section 5.5 to, Article XI thereof, relating to local government, regarding regulations of the zoning or use of land within the boundaries of the City.

**Request by:** Councilmember Mouanoutoua

**Recommendation:** Consider

ATTACHMENTS: 1. Draft legislation

Councilmember Mouanoutoua requested this item be placed on the agenda for consideration of a letter of support from the City Council.

### Bill Description:

ACA 7 is an Assembly Constitutional Amendment that, if approved, would provide the following:

- A county or city ordinance or regulation enacted under the police power that regulates the zoning or use of land within the boundaries of the county or city which would prevail over conflicting general laws, with specified exceptions; and
- A city charter provision, or an ordinance or regulation adopted pursuant to a city charter, that regulates the zoning or use of land within the boundaries of the city is deemed to address a municipal affair and would prevail over a conflicting state statute, with specified exceptions.

### Specified exceptions are as follows:

- The California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), or a successor statute;
- The siting of a power generating facility capable of generating more than 50 megawatts of electricity; and
- The development or construction of a water or transportation infrastructure project for which the Legislature has declared in statute the reasons why the project addresses a matter of statewide concern and is in the best interests of the state. For purposes of this paragraph, a transportation infrastructure project does not include a transit-oriented development project, whether residential, commercial, or mixed use.


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**ACA-7 Local government: police power: municipal affairs: land use and zoning.** (2021-2022)

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CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

**ASSEMBLY  
AMENDMENT**

**CONSTITUTIONAL**

**NO. 7**

**Introduced by Assembly Member Muratsuchi  
(Principal coauthor: Senator Glazer)**

**March 16, 2021**

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 7 of, and adding Section 5.5 to, Article XI thereof, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

ACA 7, as introduced, Muratsuchi. Local government: police power: municipal affairs: land use and zoning.

The California Constitution authorizes a city or county to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws, which is also known as the police power. Existing law also authorizes a county or city to adopt a charter, as provided. The California Constitution authorizes a city governed under a charter make and enforce all ordinances and regulations in respect to municipal affairs and provides that, with respect to municipal affairs, a city charter supersedes all inconsistent laws. Under the California Constitution, the power to regulate land use is within the scope of the police power, and is also generally considered to be a municipal affair, for purposes of these provisions.

This measure would provide that a county or city ordinance or regulation enacted under the police power that regulates the zoning or use of land within the boundaries of the county or city would prevail over conflicting general laws, with specified exceptions. The measure, in the event of the conflict with a state statute, would also specify that a city charter provision, or an ordinance or regulation adopted pursuant to a city charter, that regulates the zoning or use of land within the boundaries of the city is deemed to address a municipal affair and prevails over a conflicting state statute, except that the measure would provide that a court may determine that a city charter provision, ordinance, or regulation addresses either a matter of statewide concern or a municipal affair if it conflicts with specified state statutes. The measure would make findings in this regard and provide that its provisions are severable.

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

**Attachment 1**

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its Regular Session commencing on the seventh day of December 2020, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

**First**— That the people of the State of California find and declare all of the following:

(a) The circumstances and impacts of local land use decisions vary greatly across the state from locality to locality.

(b) The infrastructure required to maintain appropriate levels of public services, including police and fire services, parklands and public open spaces, transportation, schools, and sewers, also varies greatly across the state from locality to locality.

(c) Land use decisions made by local officials seek to balance development with the economic, environmental, and social needs of the particular communities served by those local officials.

(d) Thus, it is in the best interests of the state for these complex decisions to be made at the local level to ensure that the specific, unique characteristics, constraints, and needs of those communities are properly analyzed and addressed.

(e) Gentrification of housing adjacent to public transportation will reduce or eliminate the availability of very low income housing near public transit.

(f) The Legislature cannot properly assess the impacts upon each community of sweeping land use rules and zoning regulations that apply across the state and, as a result, do great harm to many local communities with differing circumstances and concerns.

(g) Development within a community should not be controlled by state laws that may or may not address the needs of, and the impacts upon, that local community.

(h) Numerous state laws have been enacted, and continue to be proposed, that eliminate or erode local control over the type and character of local development.

(i) The purpose of this measure is to ensure that all decisions regarding local land use controls and zoning regulations are made within the affected communities in accordance with local law, while still allowing either local or state law to control, as it otherwise would, in those instances where state and local law conflict regarding the coastal zone, the siting of a power plant that can generate more than 50 megawatts of electricity, or the development or construction of a water or transportation infrastructure project for which the Legislature declares why the project addresses a matter of statewide concern and is in the best interests of the state. For purposes of this measure, it is the intent that a transportation infrastructure project not include a transit-oriented development project that is residential, commercial, or mixed used.

**Second**— That Section 5.5 is added to Article XI thereof, to read:

**SEC. 5.5.** (a) Except as provided in subdivision (b), in the event of a conflict with a state statute, a city charter provision, or an ordinance or a regulation adopted pursuant to a city charter, that regulates the zoning or use of land within the boundaries of the city shall be deemed to address a municipal affair within the meaning of Section 5 and shall prevail over a conflicting state statute.

(b) A city charter provision, or an ordinance or a regulation adopted pursuant to a city charter, may be determined by a court of competent jurisdiction, in accordance with Section 5, to address either a matter of statewide concern or a municipal affair if that provision, ordinance, or regulation conflicts with a state statute with regard to any of the following:

(1) The California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), or a successor statute.

(2) The siting of a power generating facility capable of generating more than 50 megawatts of electricity.

(3) The development or construction of a water or transportation infrastructure project for which the Legislature has declared in statute the reasons why the project addresses a matter of statewide concern and is in the best interests of the state. For purposes of this paragraph, a transportation infrastructure project does not include a transit-oriented development project, whether residential, commercial, or mixed use.

(c) The provisions of this section are severable. If any provision of this section or its application is that invalidity shall not affect other provisions or applications that can be given effect without provision or application.

AGENDA ITEM NO. 7.

**Third**— That Section 7 of Article XI thereof is amended to read:

**SEC. 7. (a)** A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations ~~not that are not, except as provided in subdivision (b),~~ in conflict with general laws.

*(b) (1) A county or city ordinance or regulation that regulates the zoning or use of land within the boundaries of the county or city shall prevail over conflicting general laws, except for the following:*

*(A) An ordinance or regulation that conflicts with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), or a successor statute.*

*(B) An ordinance or regulation that addresses the siting of a power generating facility capable of generating more than 50 megawatts of electricity.*

*(C) An ordinance or regulation that addresses the development or construction of a water or transportation infrastructure project for which the Legislature has declared in statute the reasons why the project addresses a matter of statewide concern and is in the best interests of the state. For purposes of this subparagraph, a transportation infrastructure project does not include a transit-oriented development project, whether residential, commercial, or mixed use.*

*(2) The provisions of this subdivision are severable. If any provision of this subdivision or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.*

