

## CLOVIS CITY COUNCIL MEETING

August 2, 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

ITEM 1 – 6:02 - PRESENTATION OF PROCLAMATION DECLARING AUGUST 1–7, 2021 INTERNATIONAL ASSISTANCE DOG WEEK.

Councilmember Bessinger presented a proclamation to Ed Crain declaring August 1–7, 2021 International Assistance Dog Week.

ITEM 2 – 6:08 - RECOGNITION OF LONG TERM PLANNING AND DEVELOPMENT SERVICES EMPLOYEES PLANS EXAMINER JOHN MACISAAC AND SENIOR BUILDING INSPECTOR MIKE MCLEMORE UPON THEIR RETIREMENT ON AUGUST 6, 2021.

City Building Official Doug Stawarski made a presentation recognizing long term Planning and Development Services Employees Plans Examiner John MacIsaac and Senior Building Inspector Mike McLemore upon their retirement on August 6, 2021.

**PUBLIC COMMENTS – 6:17 - NONE**

**CONSENT CALENDAR – 6:18**

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that the items on the Consent Calendar be approved, including the waiver of the reading of the ordinance.

3. Administration – Approved - Minutes from the July 19, 2021 Council Meeting.
4. Administration - Adopted - **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 - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, April – June 2021.
6. Administration - Approved – **Res. 21-86**, 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 – Approved – **Res. 21-87**, Approving the submittal of the 2021-2022 Transportation Funding Claim to the Council of Fresno County Governments.
8. Fire – Approved – **Res. 21-88**, Confirming Weed and Rubbish Abatement Charges for 2021.
9. General Services – Approved – **Res. 21-89**, Amending the City’s Classification Plan by Revising the Police Officer Recruit/Lateral, Police Corporal, and Police Sergeant Classifications.
10. General Services – Approved – **Res. 21-90**, Amending the City’s FY 2021-2022 Position Allocation Plan by Adding One (1) Animal Services Aide Position.
11. Planning and Development Services - Approved - **Res. 21-91**, 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 – Approved – 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 – Approved – **Res. 21-92**, 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 - Approved – Final Acceptance for CIP 20-04, Pasa Tiempo Park Pour-In-Place Rubber Surfacing.

**ADMINISTRATIVE ITEMS**

ITEM 15 – 6:19 - ADOPTED - **ORD. 21-05**, R2021-005, REZONING 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)

Mayor Flores indicated that he had a conflict of interest due to proximity to property he owns and left the dais at 6:19.

Motion by Councilmember Whalen, seconded by Councilmember Bessinger, for the Council to adopt **Ord. 21-05**, R2021-005, rezoning 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. Motion carried 4-0-0-1 with Mayor Flores abstaining.

Mayor Flores returned to the dais at 6:21.

**COUNCIL ITEMS**

ITEM 16 – 6:22 - APPROVED – DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES’ ANNUAL CONFERENCE AND BUSINESS MEETING ON SEPTEMBER 22-24, 2021.

Motion by Councilmember Whalen, seconded by Councilmember Bessinger, for the Council to appoint Mayor Flores as primary voting delegate and Councilmember Mouanoutoua as the alternate for the League of California Cities' Annual Conference and Business Meeting on September 22-24, 2021. Motion carried by unanimous vote.

## **CLOSED SESSION - 6:30**

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

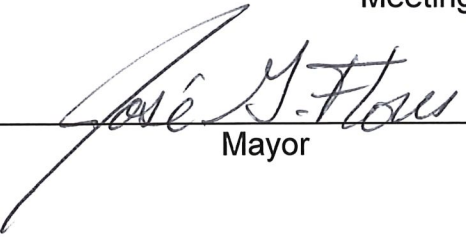
22. Judith Sigala v. City of Clovis (Industrial Relations Complaint)

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

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

Meeting adjourned: 6:48 p.m.

  
\_\_\_\_\_  
Mayor

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

