

CLOVIS CITY COUNCIL MEETING

December 9, 2019

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Bessinger
Flag Salute led by Boy Scout Troop

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

PUBLIC COMMENTS 6:03 P.M.

None

CONSENT CALENDAR 6:04

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, that the items on the Consent Calendar, except item 7, be approved, including the waiver of the reading of the ordinance. Motion carried by unanimous vote.

1. Administration - Receive and File - Business Organization of Old Town (B.O.O.T.) Second Quarter Report, October through December 2019.
2. Administration - Approval – 2020 Street Closure Requests; and Approval - **Res. 19-162**, Declaring Certain Events as Old Town Special Events and Setting Precise Boundaries for Those Old Town Special Events.
3. Finance – Receive and File – Investment Report for the Month of August 2019.
4. Finance – Receive and File – Treasurer’s Report for the Month of August 2019.
5. Finance - Receive and File – Status Report of Community Facilities District Revenues and Expenditures.
6. Planning and Development Services - Approval - For the City Manager to enter into a contract with Regency Property Management for the management and maintenance of certain improvements in Blackhorse Estates 1 & 2 – Assessment District 1995-1.
8. Public Utilities – Approval – Authorize the Purchase of Three CNG Side-Loading Refuse Trucks from Golden State Peterbilt.
9. Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of a 5-Yard Dump Truck off of the Sourcewell Purchasing Contract from PB Loader Corporation.

6:06 –**CONSENT CALENDAR ITEM 7 - APPROVED - RES. 19-163**, A REQUEST TO CONSIDER THE INITIATION OF AN ORDINANCE AMENDMENT TO PROVIDE FOR ELECTRONIC MESSAGE LED AND VIDEO DISPLAY SIGNS, CALIFORNIA HEALTH SCIENCES UNIVERSITY AND CLOVIS RODEO ASSOCIATION APPLICANTS

Planning and Development Services Director Dwight Kroll presented a report on a request consider the initiation of an ordinance amendment to provide for electronic message LED and video display signs, California Health Sciences University and Clovis Rodeo Association applicants. Staff has received requests from the California Health Sciences

University and the Clovis Rodeo Association to consider the installation of signs with video capability. Both organizations are seeking video signs to advertise on-site activities as well as community oriented events. With exception of changeable copy and time and temperature signs, the sign ordinance does not allow the opportunity for video or animated signs and only one so far has been approved as a special sign program through the Planned Commercial Zone District at the northeast corner of State Highway 168 and Temperance Avenue. As both organizations fill a quasi-public role in the community, there may be value in providing video signage in advertising organizational and community events. Staff, however, is cautious that such signs should not be utilized as off-site advertising for businesses or other similar activities.

Tom McLaughlin, representing California Health Sciences University, spoke in support of the ordinance initiation. Vince Jenco, Director, Clovis Rodeo Association, spoke in support of the ordinance initiation. Representative of a sign company, commented on options available to council. Discussion by the Council.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, for the Council to approve a request to consider the initiation of an ordinance amendment to provide for electronic message LED and video display signs. Motion carried by unanimous vote.

PUBLIC HEARINGS

- 10a. 7:01 - APPROVED - **RES. 19-164**, ADOPTING AN ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT GPA2019-001, REZONE R2019-003, AND VESTING TENTATIVE TRACT MAP TM6263; AND **ITEM 10B** - APPROVED - **RES. 19-165**, GPA2019-001, AMENDING THE GENERAL PLAN AND HERNDON-SHEPHERD SPECIFIC PLAN TO RE-DESIGNATE FROM THE LOW DENSITY RESIDENTIAL (2.1 TO 4.0 DU/AC) TO THE MEDIUM DENSITY RESIDENTIAL (4.1 TO 7.0 DU/AC) CLASSIFICATION; AND **ITEM 10C** – APPROVED - INTRODUCTION - **ORD. 19-19**, R2019-003, APPROVING A REZONE FROM THE R-1-7500 (SINGLE FAMILY RESIDENTIAL-7,500 SQ FT) TO THE R-1-PRD (SINGLE FAMILY PLANNED RESIDENTIAL) ZONE DISTRICT; AND **ITEM 10D** – APPROVED - **RES. 19-166**, TM6263, APPROVING A VESTING TENTATIVE TRACT MAP FOR A 137-LOT PLANNED RESIDENTIAL DEVELOPMENT

Senior Planner Ricky Caperton and City Engineer Mike Harrison presented a report on various items associated with approximately 21.52 acres of property located along the south side of Shepherd Avenue between Clovis and Sunnyside Avenues. The applicant is proposing a 137-unit single-family, non-gated planned residential development on approximately 21.52-acres of property shown in Figure 1. The Project would include construction of public streets, sidewalks, landscaped areas, and a block wall along the perimeter of the site, as well as a public park and related amenities (i.e. benches). There is no homeowner's association (HOA) proposed as part of the Project. To accommodate the Project, the applicant is requesting a general plan amendment to re-designate the site from the Low Density Residential (2.1 to 4.0 DU/Ac) to the Medium Density Residential (4.1 to 7.0 DU/Ac) designation, a rezone from the R-1-7500 (Single- Family Residential-7,500 Sq Ft) to the R-1-PRD (Single-Family Planned Residential) Zone District, and

approval of a vesting tentative tract map for a 137-lot, non-gated, planned residential single-family development. One of the three parcels that makes up the Project site is also designated as Housing Element Site #1, as also shown in Figure 1. This portion is an approximately 3-acre parcel and is within the City's Regional Housing Needs (RHN) Overlay District, which is further described below in the staff report.

Dirk Poeschel, representing the applicant, spoke in favor of the project. Deena Childers, resident who lives near the project raised concerns with traffic on Sunnyside Avenue. Marcus Dibuduo, area resident, raised concerns about traffic on Sunnyside Avenue and the Dry Creek Preserve Master Plan. Paul Pierce, area resident, raised concerns about traffic on Fowler Avenue. Joseph Flores, resident, commented on making more houses available for affordable housing. Gary Alver, area resident, questioned the traffic pattern spoke in support of an exit onto Shepherd Avenue. Jose Ramirez, traffic engineer for the project, addressed questions of Council and commented on the impact of traffic on Sunnyside. Todd Yinkling, area resident, commented on traffic impact on the project and requested Council consider an exit onto Shepherd.

Discussion by the Council.

Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to approve - **Resolution 19-164**, adopting an environmental finding of a Mitigated Negative Declaration for General Plan Amendment GPA2019-001, Rezone R2019-003, and Vesting Tentative Tract Map TM6263. Motion failed 3-2 with Councilmembers Mouanoutoua, Flores, and Mayor Bessinger voting no. Motion to reconsider the motion by Whalen, seconded by Flores, for the Council to approve. Motion carried by unanimous vote.

Motion by Councilmember Whalen, seconded by Councilmember Flores, for the Council to approve **Resolution 19-165**, GPA2019-001, amending the General Plan and Herndon-Shepherd Specific Plan to re-designate from the Low Density Residential (2.1 to 4.0 DU/Ac) to the Medium Density Residential (4.1 to 7.0 DU/Ac) classification. Motion carried by unanimous vote.

Motion by Councilmember Whalen, seconded by Councilmember Flores, for the Council to approve the introduction of **Ordinance 19-19**, R2019-003, approving a rezone from the R-1-7500 (Single Family Residential-7,500 Sq Ft) to the R-1-PRD (Single Family Planned Residential) Zone District. Motion carried by unanimous vote.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, for the Council to approve Resolution 19-166, TM6263, approving a vesting tentative tract map for a 137-lot Planned Residential Development with the added condition to plan for an access point on Shepherd Avenue. If it is feasible to include an access point off of Shepherd Avenue, the access point will be shown on the final map. Motion carried 3-2 with Councilmember Whalen and Ashbeck voting no.

AMINISTRATIVE ITEMS

11. 8:47 - APPROVED – BID AWARD FOR CIP 16-20, OWENS MOUNTAIN AND TEMPERANCE ROUNDABOUT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY.

CIP Manager Thad Avery presented on the bid award for Owens Mountain and Temperance Roundabout. Staff is recommending that City Council authorize the City Manager to award and execute the contract to Emmett's Excavation, Inc. who was the lowest responsible bidder from a bid opening that took place on November 19, 2019. The project consists of replacing the existing signalized intersection with a two-lane roundabout at the intersection of Temperance Avenue and Owens Mountain Parkway / Alluvial Avenue. The work, in general, consists of demolition, HMA pavement, curb, curb and gutter, sidewalk, truck apron, landscaping irrigation, sidewalk, signing and striping, and street and area lighting.

There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve the bid award for Owens Mountain and Temperance Roundabout. Staff is recommending that City Council authorize the City Manager to award and execute the contract to Emmett's Excavation, Inc. Motion carried with Mayor Bessinger voting no.

12. 8:53 - APPROVED - 2018-19 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Finance Director Jay Schengel presented on the 2018-19 Comprehensive Annual Financial Report. Financial reports are a primary objective source of information to most persons concerned about a government's financial condition. Taxpayers are interested in the amount of revenues and expenditures. Investors and bond-rating agencies are interested in the ability of a jurisdiction to meet its debt obligations. For the City Council, the financial reports provide an opportunity to determine compliance with budgetary appropriations as well as the status of the government's assets and liabilities and the financial condition of the City. The City of Clovis' financial report was audited and received an unqualified opinion from The Pun Group LLP, a firm of independent, licensed certified public accountants, which means the financial statements for the fiscal year ending June 30, 2019 are free of material misstatement and are fairly presented in conformity with Generally Accepted Accounting Principles (GAAP).

There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to approve the 2018-19 Comprehensive Annual Financial Report. Motion carried by unanimous vote.

13. APPROVED - RES 19-167, FINAL AMENDMENTS TO THE 2018-19 BUDGET IN CONFORMANCE WITH THE BUDGET ORDINANCE; AND RECEIVE AND FILE – YEAR END REPORT FOR ALL FUNDS AS OF JUNE 30, 2019.

Finance Director Jay Schengel presented the final amendments to the 2018-19 Budget in conformance with the Budget Ordinance; and receive and file the year-end report for all funds as of June 30, 2019. Each fiscal year, after the year end closing entries are completed, an analysis is prepared comparing actual fund balances against those projected during the budget process and presented to Council for adoption during the June 2019 budget hearings. The following is the summary of the actual results compared to estimates for the 2018-19 fiscal year end. During the preparation of the 2019-20 budget, estimates were made for 2018-19 revenues and expenditures to establish the estimated June 30, 2019 fund balances that are expected to be available for appropriation in the 2019-20 fiscal year. This report compares the variances between actual revenues and expenditures versus the estimates established during the budget process. The basis for this report is different from the information presented in the Comprehensive Annual Financial Report (CAFR), which compares actual data against the Council approved budget, as amended from time to time during the year. The Council adopted budget, as amended, is normally higher than the estimated budget used during the budget process. All departments were within or close to their estimates to close.

There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Ashbeck to approve the final amendments to the 2018-19 Budget in conformance with the Budget Ordinance; and receive and file the year-end report for all funds as of June 30, 2019.

CITY MANAGER COMMENTS 9:11

City Manager Luke Serpa commented on California Health Sciences University temporary Certificate of Occupancy.

COUNCIL COMMENTS 9:12

Councilmember Ashbeck asked about a development near Ashlan and Armstrong.

Councilmember Whalen showed picture of text message complimentary to living in Clovis.

Mayor Bessinger commented on plans to visit Disneyland.

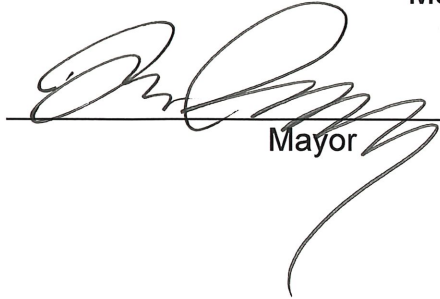
CLOSED SESSION 9:15

15. Government Code Section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

16. Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: City Attorney, David J. Wolfe
Unrepresented Employee: City Manager

Mayor Bessinger adjourned the meeting of the Council to December 9, 2019

Meeting adjourned: 9:25 p.m.



Mayor



City Clerk

