

CLOVIS CITY COUNCIL MEETING

January 21, 2020

6:00 P.M.

Council Chamber

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

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

PUBLIC COMMENTS - 6:02 P.M.

Sue Schram, representing the Friends of the Library, invited City Council to an event on February 20, 2020, from 5:00 – 8:00 p.m. at the Clovis Regional Library.

Molly Abrum, resident, commented on some proposed legislation for the March 3, 2020 election.

CONSENT CALENDAR – 6:07

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

1. Administration - Approved - Minutes from the January 13, 2020 Council Meeting.
2. Finance – Received and Filed – Treasurer’s Report for the Month of September 2019.
3. Finance – Received and Filed – Investment Report for the Month of September 2019.
4. Finance – Received and Filed – Status Report of Development Fee Funds for the fiscal year ended June 30, 2019.
5. General Services - Approved – Waive Bidding Requirements and Approve HVAC Building Automation System Contract with Trane.
6. Police – Approved – Authorize the City Manager to enter into a new five (5) year agreement with Axon allowing the purchase of 122 Taser-7 Conducted Energy Weapons (all training, accessories, support included) totaling \$467,117.49.

PUBLIC HEARINGS

- 7A. 6:09 - APPROVED - INTRODUCTION – **ORD. 20-01**, AMENDING SECTIONS 6.5.102, 6.5.105, 6.5.106, AND 6.5.107 OF CHAPTER 6.5 OF TITLE 6 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO RESIDENTIAL WATER SERVICE, AND APPROVED - CITY OF CLOVIS WATER DISCONTINUATION POLICY

Deputy Finance Director Jeff Blanks presented a report on various actions relating to water service. Jeff Blanks indicated that staff was recommending Council consider introducing Ordinance 20-01, amendments the City of Clovis Municipal Code (CMC), which would amend Sections 6.5.102, 6.5.105, 6.5.106, and 6.5.107 of Chapter 6.5 of Title 6 of the CMC. And consider approval of the City of Clovis Water Discontinuation Policy, effective February 1, 2020. Health and Safety Code sections 116900-116926 (Discontinuation of

Residential Water Service, collectively) require that “an urban and community water system shall have a written policy on discontinuation of residential service for nonpayment”. Staff is bringing forward the water discontinuation policy in order to abide by the prescribed guidance of the Health and Safety Code. Jeff Blanks noted that this only applies to residential water service, and not for any other services provided by the City. Jeff Blanks indicated that certain language within the CMC relating to deposits, fees, and discontinuation need to be updated to conform to the new policy and to provide clarity in certain ambiguous areas. Paul Pierce, county resident, raised questions of staff regarding shut offs and who pays. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve the introduction of **Ordinance 20-01**, amending the City of Clovis Municipal Code, which would amend Sections 6.5.102, 6.5.105, 6.5.106, and 6.5.107 of Chapter 6.5 of Title 6 of.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve the City of Clovis Water Discontinuation Policy, effective February 1, 2020. Motion carried by unanimous vote.

ADMINISTRATIVE ITEMS

8. 6:38 - RECEIVED AND FILED - UPDATE REGARDING THE STATUS OF THE REGIONAL HOUSING NEEDS ALLOCATION (RHNA) SITE INVENTORY AND UNIT CAPACITY

Senior Planner Rickie Caperton presented an update regarding the status of the Regional Housing Needs Allocation (RHNA) site inventory and unit capacity. Rickie Caperton presented background and current status on the City’s RHNA site inventory and current unit capacity (referred to as “yield”), including the starting unit yield, as well as adjusted yield accounting for recently approved projects. There was also a discussion on reasonably foreseeable projects that would affect the City’s RHNA yield which are not yet approved, but in process of being reviewed. Discussion by the Council.

Paul Pierce, county resident, commented on reducing public facilities and the impact on public transit.

Mayor Bessinger noted that this item was a receive and file and no action was taken.

9. 7:11 - ADOPTED – **ORD. 20-02**, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS EXTENDING URGENCY ORDINANCE ORD. 19-21, WHICH AMENDED PROVISIONS OF TITLE 9 TO THE CLOVIS MUNICIPAL CODE RELATING TO HOUSING DEVELOPMENT PROJECT STANDARDS AND PROCEDURES, DENSITY BONUS, ACCESSORY DWELLING UNITS, AND REVIEW PROCEDURES; CONSIDER AND APPROVE WRITTEN REPORT DESCRIBING THE MEASURES TAKEN TO ADDRESS THE CONDITIONS THAT LED TO ADOPTION OF URGENCY ORDINANCE 19-21

City Planner Dave Merchen presented a report on a request to adopt Ordinance 20-02, an urgency ordinance of the City Council of the City of Clovis extending urgency Ordinance 19-21, which amended provisions of Title 9 to the Clovis Municipal Code relating to Housing Development Project Standards and procedures, density bonus, Accessory Dwelling Units, and Review Procedures; and Consider and Approve Written Report describing the measures taken to address the conditions that led to adoption of Urgency Ordinance 19-21. On December 16, 2019, the City Council adopted Ord. 19-21, as an urgency ordinance. The Urgency Ordinance was adopted in order to ensure that the City is in compliance with new state housing laws. The Urgency Ordinance amended certain provisions of Title 9 of the Clovis Municipal Code affected by the 2019 Housing Laws. Among the effects of the 2019 Housing Laws are changes to the procedures and standards for housing development projects, density bonus, accessory dwelling units, and other housing-related concerns. The Urgency Ordinance was needed to implement new housing development procedures and to allow the City to accept housing development applications under the new procedures by January 1, 2020. The City is currently in the process of preparing permanent amendments to the Development Code. The Urgency Ordinance is initially effective for 45 days. Council was advised that the Urgency Ordinance would come back for a requested extension at the January 21, 2020, Council meeting. The interim regulations will be effective for up to 10 months and 15 days, until December 15, 2020. A summary of the Urgency Ordinance was published in the Business Journal on December 30, 2019. A notice of public hearing was published on January 6, 2020 notifying the public that the City proposes to extend the interim ordinance for up to 10 months and 15 days until a permanent ordinance amending the Development Code is adopted.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to adopt Ordinance 20-02, an urgency ordinance of the City Council of the City of Clovis extending urgency Ordinance 19-21, which amended provisions of Title 9 to the Clovis Municipal Code relating to Housing Development Project Standards and procedures, density bonus, Accessory Dwelling Units, and Review Procedures; and Consider and Approve Written Report describing the measures taken to address the conditions that led to adoption of Urgency Ordinance 19-21. Motion carried by unanimous vote.

CITY MANAGER COMMENTS – 7:16

City Manager Luke Serpa commended the Clovis Police Department on the Martin Luther King Breakfast held on January 18, 2020.

COUNCIL COMMENTS 7:17

Councilmember Mouanoutoua also commended the Police Department on the job well on the Martin Luther King Breakfast and the Police Officers who participated in the parade on Monday.

COUNCIL ITEMS

10. 7:18 - CONSIDERED – LETTER OF SUPPORT TO GOVERNOR NEWSOM FOR THE CENTRAL VALLEY COALITION FOR ENERGY AND JOBS.

Mayor Bessinger presented a short report on the State of California putting restrictions on fracking in the Bakersfield area. He requested a letter be sent to Governor Newsom opposing legislation restricting fracking in the Central Valley. Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. It was the consensus of Council to authorize Mayor Bessinger to support an action by the Council of Governments should they take a position opposing Governor Newsom's legislation restricting fracking in the Central Valley.

CLOSED SESSION – 7:28

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

COURT CASES

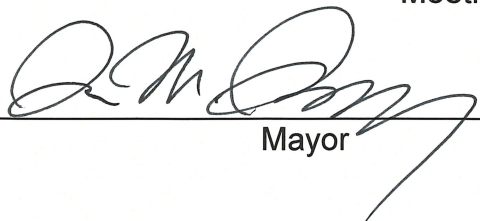
1. Desiree Martinez, Maria De Jesus Sanchez v. City of Clovis, et al.
2. City of Clovis v. Uriel and Jose Aguilera
3. City of Clovis v. Greg A. Borden, et al.
4. Desiree Martinez v. Kyle Pennington, City of Clovis, City of Sanger and Others
5. Brianne Glick v. City of Clovis
6. Sanford Martin v. City of Clovis, Stacey and Tyler Horne v. City of Clovis
7. Dimitrios Kastis v. City of Clovis et al.
8. David and Gretchen Jessen v. County of Fresno, City of Clovis
9. County of Santa Cruz, et al. v. Bureau of Cannabis Control, et al.

CLAIMS

10. Debra Lindsay v. City of Clovis
11. Bryon Espinosa v. City of Clovis
12. Jose Rivas v. City of Clovis
13. John Bartram v. City of Clovis
14. Erik Hedstrom v. City of Clovis
15. April Watt v. City of Clovis
16. Joan Daggett v. City of Clovis

Mayor Bessinger adjourned the meeting of the Council to February 3, 2020

Meeting adjourned: 7:38 p.m.



Mayor



City Clerk

