



# 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)

January 9, 2023

6:00 PM

Council Chamber

In compliance with the Americans with Disabilities Act, if you need special assistance to access the City Council Chamber to participate at this meeting, please contact the City Clerk or General Services Director at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

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

### **Written Comments**

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

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



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

## **Verbal Comments**

- If you wish to speak to the Council on an item by telephone, you should contact the City Clerk at (559) 324-2060 no later than 4:00 p.m. the day of the meeting.
- You will be asked to provide your name, phone number, and your email. You will be emailed instructions to log into Webex to participate in the meeting. Staff recommends participants log into the Webex at 5:30 p.m. the day of the meeting to perform an audio and mic check.
- All callers will be placed on mute, and at the appropriate time for your comment your microphone will be unmuted.
- In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic

## **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 wanting to make a verbal comment via call will need to ensure that they accessed the WebEx meeting with audio and microphone transmission capabilities.

## **CALL TO ORDER**

## **FLAG SALUTE - Councilmember Pearce**

## **ROLL CALL**

## **PRESENTATIONS/PROCLAMATIONS**

1. Presentation of Proclamation declaring January as National Slavery and Human Trafficking Prevention Month.

**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 December 19, 2022, Council Meeting.
3. Administration - Approval – Award the Request for Proposals and approve the purchase of the three-year VMWare Subscription to Saitech, Inc. for the amount of \$59,788.
4. Planning and Development Services – Approval – Bid Award for CIP 21-13 Alley Improvements; and Authorize the City Manager to Execute the Contract on behalf of the City.
5. Public Utilities – Approval – Final Acceptance for CIP 22-03, Dry Creek Playground Resurfacing. (Councilmember Bessinger has a conflict of interest on this item)

**PUBLIC HEARINGS** - A public hearing is an open consideration within a regular or special meeting of the City Council, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1.

6. Consider Approval - Res. 23-\_\_\_, CUP2022-005 Appeal. Consideration of a resolution denying a request by George Beal to overturn the Planning Commission's approval of CUP2022-005, which allows a 24-hour convenience store and the sale of liquor and alcoholic beverages for off-site consumption on property located on the northeast corner of N. Temperance Avenue & Owens Mountain Parkway. Dave Virk, LLC, owner/applicant; Bottom Line Group LLC – Seth Ramirez, owner's representative; George Beal – Beal Developments LLC; applicant of appeal. (Continued from the December 19, 2022 meeting.)

**Staff:** Marissa Jensen, Assistant Planner

**Recommendation:** Continue item to the January 17, 2023 Meeting

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

7. Consider Approval – 2023 Street Closure Requests; and Approval – Res. 23-\_\_\_, Declaring Certain Events as Old Town Special Events and Setting Precise Boundaries for Those Old Town Special Events.

**Staff:** Shawn Miller, Business Development Manager

**Recommendation:** Approve

8. Receive and File – City Attorney Update.

**Staff:** Scott G. Cross, City Attorney

**Recommendation:** Receive and File

## **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.

9. Government Code Section 54956.9(d)(1)  
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Case Name: Desiree Martinez v. City of Clovis, et al., Case No. F082914

## **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:

Jan. 17, 2023 (Tue.)  
Feb. 6, 2023 (Mon.)  
Feb. 13, 2023 (Mon.)  
Feb. 21, 2023 (Tue.)