

CLOVIS CITY COUNCIL MEETING

March 13, 2023

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Pro Tem Mouanoutoua at 6:01
Flag Salute led by Councilmember Bessinger

Roll Call: Present: Councilmembers Basgall, Bessinger, Mouanoutoua, Pearce
 Absent Mayor Ashbeck

PUBLIC COMMENTS – 6:01

Crystal Reed, resident, shared concerns regarding Councilmember Pearce.

David Avakian, resident, spoke in support of allowing residents to have backyard chickens.

Angela Bates, resident, spoke in support of allowing residents to have backyard chickens.

Chip Wipfler, resident, spoke in opposition of allowing residents to have backyard chickens.

Garen Bates, resident, spoke in support of allowing residents to have backyard chickens.

June B., resident, spoke in opposition of allowing residents to have backyard chickens.

Crystal Reed, resident, spoke in support of allowing residents to have backyard chickens.

Michelle Sanders, spoke in support of allowing residents to have backyard chickens.

CONSENT CALENDAR – 6:36

Mayor Pro Tem Mouanoutoua requested for staff to present the information in the staff report for item 3.

Motion by Councilmember Bessinger, seconded by Councilmember Basgall that the items on the Consent Calendar, with the exception of item 3, be approved. Motion carried 4-0-1, with Mayor Ashbeck absent.

1. Administration - Approved - Minutes from the March 6, 2023, Council Meeting.
2. General Services – Approved – **Res. 23-16**, Authorizing the General Services Manager to Apply for and Administer the AB 836 Clean Air Centers Pilot Program Through the San Joaquin Valley Air Pollution Control District.
4. Public Utilities – Approved – Authorize the Purchase of a Flygt Sewage Pump from Shape Incorporated for the Amount of \$108,348.18.

6:38 ITEM 3 - PLANNING AND DEVELOPMENT SERVICES – RECEIVED AND FILED – MEASURE C UPDATE.

Motion for approval by Councilmember Bessinger, seconded by Councilmember Basgall. Motion carried 4-0-1, with Mayor Ashbeck absent.

ADMINISTRATIVE ITEMS – 6:49

6:50 ITEM 5 - RECEIVED AND FILED - 2023 FIVE-YEAR FINANCIAL FORECAST FOR THE CITY OF CLOVIS THROUGH 2027/28 AND DISCUSS OPTIONS FOR BUDGET PREPARATION FOR 2023/24. (CONTINUED FROM THE MARCH 6, 2023, MEETING)

Des Haus, resident, commended the City Council and staff for doing their fiduciary duty by allocating appropriate funds towards public safety and all other departments.

7:20 ITEM 6 - APPROVED – **RES. 23-17**, A RESOLUTION APPROVING THE ANNUAL REVIEW AND UPDATE TO THE REGIONAL HOUSING NEEDS (RHN) OVERLAY DISTRICT MAP OF PARCELS AND ASSOCIATED LIST REFLECTING THOSE PARCELS THAT QUALIFY FOR DEVELOPMENT AS AN RHN OVERLAY PROJECT.

Motion for approval by Councilmember Bessinger, seconded by Councilmember Pearce. Motion carried 4-0-1, with Mayor Ashbeck absent.

CITY MANAGER COMMENTS – 7:34

COUNCIL COMMENTS – 7:37

CLOSED SESSION – 7:43

7. GOVERNMENT CODE SECTION 54956.9(D)(2) CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION THREE POTENTIAL CASES BASED ON CLAIMS RECEIVED FOR THE SUNNYSIDE AVENUE WATER MAIN BREAK AND PROPERTY FLOODING INCIDENT ON JANUARY 3, 2022.

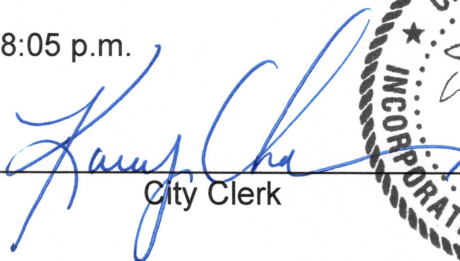
No action was taken by the City Council during the closed session.

Mayor Pro Tem Mouanoutoua adjourned the meeting of the Council to March 20, 2023.

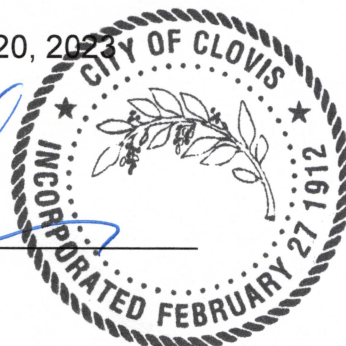
Meeting adjourned: 8:05 p.m.



Mayor



City Clerk



Public Comments

March 13, 2023

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Friday, March 10, 2023 9:43 AM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-03-13

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

Full Name: David Meyer Avakian

Email: davidmeyeravakian@gmail.com

Comment: I believe Hens should be allowed in Clovis City limits with strict guidelines to stick by, this why and how. Not only would Clovis's citizens receive better quality food, less bugs, less waste, and less weeds but it'd also increase Clovis's tax revenue through their sales tax directly due to Hen owners buying Coups, feed, grit rocks for digestion, waterers, straw for bedding and of course the Hens themselves. This alone would help Clovis but if you also add on the permit fee which we'd like to propose, I believe the CPD Animal Control Services would actually see an increase in revenue from this amendment thus making it easier to answer all calls by hiring if needed. If an annual permit fee for owning Hens was priced at \$100 and a measly 1,000 citizens purchased a permit we'd have over \$100,000 extra for Clovis's Animal Services. I believe with the right restrictions surrounding this amendment including no roosters, limits on size of property lots, limits on coup sizes, limits of amount of hens per SQft, a permit with an annual fee, and mandatory inspections if a complaint ever arises we can have an amendment that would be a better fit to serve the people of Clovis. Some of the main complaints against Hens tend to be noise, odor, and bug issues but many will assure you the noise of a hen is not nearly as loud as a dog which are legal in Clovis, with proper requirements odor would not be an issue as it is not with majority of hen owners thus it would likely not smell as much as pot bellied pig which is also legal in Clovis, Hens also eat a good amount of bugs especially when let out to free roam which would help especially on the Clovis City Limits where we have struggled for years very badly with mosquitoes. Another common fear with hens is that they'll attract flies, this is false. Hens do not attract flies, filth attracts flies. As long as a coup is cleaned at minimum once a month you will not see enough build up of feces for flies to spawn in and therefore won't see an increase in flies rather a decrease in all bugs.

Comments by citizens in support of amending the no farm animals bill for Hens.

Sharon W, From Wrenwood says "My back fence neighbors have chickens and I love listening to them softly clucking in the mornings after they lay. Never had any smell or other problems of any kind and don't forget they eat bugs of all kinds."

Marcella M from Willow/Nees says "Had chickens for TEN years W/NO complaints from my neighbors! Loved my girls - great fertilizer from them, NO bugs, snails or slugs in my backyard and great entertainment! Plus the best eggs ever. Miss my girls!"

Kathleen C from Bicentennial Park says "I wouldn't mind it"

Becky G from Red Bank says "I know a couple of people who have hens. Their neighbors are fine with it, they're responsible concerning noise and odor. I would love to have some."

Carla G from East Sierra says "People worry about flies and such but if you clean your coop weekly those shouldn't be an issue. I had 15 chickens years ago and didn't smell anything but I kept the coop clean. And had no pests and no weeds in the coop area. Without birds I'm battling out of control weeds and earwigs all summer."

Ross R says "I support everyone to have chickens."

Government has no right to restrict sustainability.”

Linda H from East Sierra says “I would love to have 2/3 chickens. They are very calming. When we lived on our ranch we had 20 chickens and a rooster or two. Loved the sounds of the roosters. I understand that's some people do not like the spud of the roosters, but to me it is a beautiful sound unlike the speeding cars and sirens we hear in the city. As for flies we never had a problem with them. It would be nice to have a couple of chickens for the eggs”

Mary S from Old Town says “New to the area. Where is the meeting held and at what time does it start? I support Hens!”

Kevin D from Herndon says “We love our backyard chickens and one of them, seriously, is a registered therapy animal for my autistic granddaughter.”

Toni M from Bullard and McCall says “I'm in the county, and I have six chickens. I have family that lives in the city limits who would love chickens though. These family members come over and take my eggs far too often too. Chickens don't need an acre to run on. They do just fine in an appropriately sized coop, although they love being able to have a run of a yard, even if it's a small yard, every now and then. Great pest control if you let them run around during daylight, which I highly recommend.”

Lisa H from Red Bank says “We would love to have a few hens, especially with price of eggs now!”

Deana B from Town and Country says “I am all for it! Just keep their poo picked up. They provide food and keep the bugs at bay. I would love to have a few to pick the bugs off of my plants and fertilize my soil.”

Al G from Clovis High says “I'm okay with this, if you rule against chickens then get rid of dogs.”

Kristin C from Old Town says “It's been proven that when people own chickens waste is reduced. The eggs are healthier, they help with bugs and rodent control, and the fertilizer is like gold. For anyone also growing fruits and veg. I only see positives.”

Supporting Files (2 Max.):

Date: March 10, 2023

Time: 9:42 am

Remote IP: 73.41.131.206

Karey Cha

From: John Holt
Sent: Friday, March 10, 2023 11:46 AM
To: Karey Cha
Subject: FW: [External] Concerned Clovis Resident Regarding new effort for Backyard Chickens

Public comment for Monday

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

From: Chip Wipfler <chipwipfler@yahoo.com>
Sent: Friday, March 10, 2023 10:54 AM
Cc: Chip Wipfler <chipwipfler@yahoo.com>
Subject: [External] Concerned Clovis Resident Regarding new effort for Backyard Chickens

Dear Clovis City Council,

- > ****Please keep this issue OFF Council Agendas - There is a new effort (we went through this in 2020) by some to change the ordinance to allow chickens.**
- > We organized a strong Resistance in 2020 and council voted it down thankfully. We spoke loud and clear on the negative issues of it and You Listened to us! Thank you!
- > We don't want to litigate this every 2 years. It's very high-anxiety for those of us who fought hard for our way of life here - for the many that have serious health issues and compromised immune systems - and for the Police Dept. who already have their hands full. Additionally, it doesn't make common sense to add potentially new disease dangers into our city, especially after the recent pandemic. From what I can tell on Nextdoor, tgis new push began because 1 or 2 people complained about egg prices and asked if hens are allowed. That is not a viable reason to change an ordinance, in my opinion.
- Please continue to support our community , our health & our way of life by keeping the ordinance as it currently stands. Please do not allow this issue to go on the Council agenda.
- > Thank you!
- > Kind Regards,
- > Chip Wipfler

Why Hens would improve Clovis

Not only would Clovis's citizens receive better quality food, less bugs, less waste, and less weeds but it'd also increase Clovis's tax revenue through their sales tax directly due to Hen owners buying Coups, feed, grit rocks for digestion, waterers, straw for bedding and of course the Hens themselves. This alone would help Clovis but if you also add on the permit fee which we'd like to propose, I believe the CPD Animal Control Services would actually see an increase in revenue from this amendment thus making it easier to answer all calls by hiring if needed. I believe with the right restrictions surrounding this amendment including no roosters, limits on size of property lots, limits on coup sizes, limits of amount of hens per SQft, a permit with an annual fee, and mandatory inspections if a complaint ever arises we can have a amendment that would be a better fit to serve the people of Clovis. Some of the main complaints against Hens tend to be noise, odor, and bug issues but many will assure you the noise of a hen is not nearly as loud as a dog which are legal in Clovis, with proper requirements odor would not be an issue as long as guidelines are followed, if they aren't inspections should follow up and guilty owners should be fined to offset the cost of said inspection. Hens also eat a good amount of bugs especially when let out to free roam which would help especially on the Clovis City Limits where we have struggled for years very badly with mosquitoes. Another common fear with hens is that they'll attract flies, this is false.

Hens do not attract flies, filth attracts flies. As long as a coup is cleaned at minimum once a week you will not see enough build up of feces for flies to spawn in and therefore won't see an increase in flies rather a decrease in all bugs. If you allow this amendment to go through, not only will you see increases in revenue, you will also see a boost of morale in citizens, less waste, and less panic next time we have egg shortages. If cities like San Mateo, Turlock, Anaheim, Bakersfield, Cupertino, Long Beach, Huntington Beach, San Francisco and many more can do it, why can't the great city of Clovis do it?

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Jean Y from Loma Vista says "I love this idea!"

Debra from Fowler and Bullard says "Dogs make noise and smell but you're allowed to own them."

Jeanne P from Loma Vista says "We live on the edge of the country and hear roosters every morning and have no issue. I don't have any issue with hens."

Devron from Regent Park says "Depends on how big your yard is. I think it would be okay if homes are on large lots."

Lauren D from Tollhouse says "I think a limited number, say 4, would be manageable."

Yvonne Gomez from Shaw and McCall says "It would be fine with me if said chicken owners keep the chickens on their property."

Marylou Kelly from Red Bank says "Put it on the ballot for next election"

Mark M from Finchwood says "I say if people have enough space it should be fine to have chickens. Obviously if you have no room for them it makes sense not too. The way our country is looking, self sustainability needs to be attained."

Barbara M says "My neighbors had chickens, I never hear them and would never complain they are such good neighbors."

Gayle O from Lamonica Stadium " I wholeheartedly support the idea of backyard chicken flicks within the City of Clovis. Restrictions to flock size in relation to lot size would be good as well as fines imposed for failure to secure areas properly, keeping the areas clean etc. It is my personal opinion then an application should be filed with a reasonable, not inflationary, fee. Once filed, it becomes the owners responsibility to address any complaints made within 2-days, after that, a substantial fine would be imposed. Another suggestion to reduce City costs of enforcement, a Citizen's Committee be appointed for inspections and approval of corrections to any complaints."

Michelle S from Tollhouse says "If we are going to talk about chicken feed bringing in rodents, then we should also regulate backyard bird feeders and those who leave food out for cats. Not to mention fruit trees and gardens. Live and let live. Lots of people going hungry because they can't afford food. Encourage self-sustainability!"

Melinda S says "Our family believes it would be beneficial for the Clovis residence to have laying hens because of the cost of eggs and the benefit of pets for the kids for educational purposes!"

Colton L from Dewolf says "The argument that the Clovis Police Force is over burdened already is inaccurate and even if it was accurate, that can be solved with staffing of the Animal Services through the annual fee charged for Hens along with the inspection fine."

Council Meeting Date: March 13, 2023

Name: Shawn and Christy Ferreria

Email: shawnferreria@gmail.com

Please receive and file the following comment:

Good Evening,

We are proud citizens of the City of Clovis. We in Clovis take pride in our pioneer roots by promoting the Rodeo as our showcase for our community and the "Clovis Way of Life."

According to the United States Department of Agriculture, in March the average wholesale price for Grade A large eggs was around \$4.00 a dozen. Retailers have placed limits on eggs due to supply shortages.

With the shortage of eggs, my 6-year old son asked me if we could have hens. Upon doing our research, we found that other communities in California; like Sacramento, San Diego, Los Angeles, Atwater, and Turlock to name a few already allow to have hens, except for Clovis. My son asked me, "Why not Clovis?"

Thank you for allowing this item to be discussed as a future City of Clovis agenda item.

Sincerely,

Shawn and Christy Ferreria



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

Guidelines for the Keeping of Domestic Poultry (Chickens and Ducks) in Residential Communities

*The following summarizes the key aspects for keeping domestic poultry within residential zones. **ROOSTERS ARE STRICTLY PROHIBITED.** Guidelines are intended as a guide to assist in the proper care and standards for the keeping of domestic poultry in unincorporated San Mateo County.*

1. Coops/runs and enclosures shall be 3 feet from the side or rear property line to permit easy observation for any rodent activity. Coops/runs and enclosures shall measure no more than 100 sq. ft. with a maximum height limit of 6 feet.
2. Coops containing food and water should be totally enclosed (top and bottom) with a rodent-proof barrier; i.e., solid wood, metal, etc., with no unprotected opening greater than 1/4 inch and in good repair to render coops and runs rodent proof (Title 4, Section 4.80.060, San Mateo County Ordinance Code).
3. General sanitation code requires animal food storage and feeding areas to be secured from insects, rodents, and other vermin. A solid roof will shade and protect from the elements. All elements of the enclosure should be maintained in good condition so as to keep it rodent proof (Title 4, Section 4.80.050, San Mateo Ordinance Code).
4. Manure shall be removed from the coop and run at least weekly or more often as necessary to prevent insect breeding, vermin attraction, offensive odor, or any other nuisance. This material should be either removed from the property weekly or placed in a properly managed compost bin. Information regarding the purchase of bins can be found at www.recycleworks.org (Title 4, Section 4.80.030, San Mateo Ordinance Code).
5. All runoff shall be contained within the property. Best practices can be found on the resources guide detailed below.
6. Dead poultry should be removed as soon as possible and properly disposed. Call your veterinarian if there is any sign of disease or questions about the health of the birds (Title 4, Section 4.80.030, San Mateo Ordinance Code).

Portions excerpted from: Animal Laws and Ordinances Salt Lake Valley Health Department

Other resources:

SanMateoChickens@yahoo.com
www.urbanchickens.net
<http://animalscience.ucdavis.edu>

<http://www.gardenguides.com>
<http://www.backyardchickens.com>

located on the rear half of the parcel and to setbacks pursuant to the accessory building regulations, Sections 6410 and 6411 of the San Mateo County Zoning Regulations. Such parcel shall be enclosed on the side and rear yards by a good and substantial fence of a height of at least six (6) feet. Nothing herein shall exempt any property owners from any regulations regarding the height or location of fences.

(d) Number of Domestic Poultry and Parcel Size

The minimum parcel size in a residentially zoned district for the keeping of domestic poultry is 2,500 sq. ft. On parcels that are at greater than 2,500 sq. ft., but less than 7,500 sq. ft. in size, a maximum of six (6) domestic poultry may be kept. On parcels that are at least 7,500 sq. ft. in size, a maximum of ten (10) domestic poultry may be kept.

(e) Roosters Prohibited

No roosters shall be kept within any residentially zoned district within the unincorporated area of San Mateo County.

(f) Sanitation

All yards, coops and runs for domestic poultry shall be kept in a sanitary condition and free from offensive odors and flies. Dead domestic poultry shall be kept in an insect-tight container and promptly removed from the premises (Title 4, Section 4.80.030 of the County Ordinance Code).

FULL TEXT LINKS



> Poult Sci. 2014 Nov;93(11):2920-31. doi: 10.3382/ps.2014-04154. Epub 2014 Sep 5.

Backyard chickens in the United States: a survey of flock owners

C Elkhoraibi ¹, R A Blatchford ¹, M E Pitesky ², J A Mench ³

Affiliations

PMID: 25193256 DOI: 10.3382/ps.2014-04154

Free article

Abstract

Although it has become increasingly popular to keep backyard chickens in the United States, few studies have provided information about these flocks. An online survey of backyard chicken owners was conducted, advertised through Master Gardeners' websites, social platforms, and other sites. The survey had 56 questions about flock history, husbandry, health care, and owner attitudes and demographics. Surveys received (n = 1,487) came almost equally from urban, suburban, and rural areas. Most (71%) respondents owned fewer than 10 chickens and had kept chickens for less than 5 yr (70%). Major reasons for keeping chickens were as food for home use (95%), gardening partners (63%), pets (57%), or a combination of these. Rural respondents had larger flocks ($P \leq 0.001$) and were more likely to keep chickens as a source of income or for show ($P \leq 0.001$) than urban and suburban respondents. Owners thought that eggs/meat from their chickens were more nutritious (86%), safer to consume (84%), and tasted better (95%) than store-bought products, and also that the health and welfare of their chickens was better (95%) than on commercial farms. The majority (59%) indicated no flock health problems in the last 12 mo. However, there was a lack of awareness about some poultry health conditions. Many knew either little or nothing about exotic Newcastle or Marek's disease, and most (61%) did not vaccinate against Marek's. Respondents wanted to learn more about various flock management topics, especially how to detect (64%) and treat (66%) health problems. The Internet was the main source of information (87%) used by backyard flock owners, followed by books/magazines (62%) and feed stores (40%). Minimizing predation was the most cited challenge (49%), followed by providing adequate feed at low cost (28%), dealing with soil management (25%), and complying with zoning regulations (23%). The evidence obtained from this survey will help to determine what information and resources are needed to maintain good biosecurity and improve the health and welfare of backyard flocks.

Keywords: backyard; chicken; disease; survey; welfare.

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LinkOut - more resources

Full Text Sources

Elsevier Science

Silverchair Information Systems

Other Literature Sources

scite Smart Citations

THE BENEFITS OF BACKYARD CHICKENS

1. They'll eat your food scraps

If you have a compost heap at home, chickens will dig through and eat just about everything from the food-scrap pile (although, most don't like citrus fruit). If you don't have many scraps, make sure to supplement with organic feed so they maintain the nutrition to lay strong eggs.

2. They help create good fertilizer/compost for your garden

Not only will chickens help break down your food scraps and compost faster, but their fertilizer is a great addition to the garden. Whether you have a compost pile or not, adding a bit of chicken fertilizer to your garden will create more nutrient-dense soil and help you grow your garden veggies.

3. They're a trusty pest-control method

Chickens make a wonderful addition to bigger backyards or ones with nearby woods. They'll relish in having so many bugs to eat, and if you leave them enough room to roam around, they'll take care of the pests, ticks and other unwanted insects around your garden and yard.

4. They produce more nutritious eggs

When they forage for bugs, eat better quality feed and have room to roam, chickens have the opportunity to produce more nutritious eggs. Pasture-raised and backyard roaming hens lay eggs that contain two to three times the amount of omega-3 fatty acids than industry-sourced eggs, and one-third of the cholesterol of factory-farmed eggs.

5. They're healthier and happier in your yard

By consuming eggs from your own chickens, not only will you know exactly where your food comes from, but you'll also be supporting healthier and happier hens in the process. Industrial farms often keep their hens in close, inhumane quarters where they're not able to walk around and will eventually become depressed and aggressive. By keeping your hens ethically and sustainably, you are giving them a better quality of life and they'll return the favour.

6. They make great pets

Chickens help deepen your connection to nature, and they'll also help teach your children and loved ones how to care for the environment, its animals, and to show them the full life and food cycle of animals. Chickens actually make great social and affectionate pets, and they're so enjoyable to watch roam around your yard.

7. They help you save money

Even considering coop costs and feed, most backyard chicken keepers save money. Organic farmers' market eggs can run anywhere from \$6 to \$8 per dozen, whereas backyard eggs can "cost" around just \$3 to \$4 per dozen.

WHAT TO KNOW BEFORE YOU COMMIT

1. Proper and secure housing for chickens

Chickens need a coop for safety from the weather, they need boxes to lay their eggs into, and a large space to forage and roam in, as well as three to four feet of space in the coop. You can use milk crates and other repurposed materials for laying boxes and coop building, and be sure to take predator-safety into account when building.

2. Daily chores

Chickens may seem easy to care for, but they are just like having any other pet. They require fresh water every day and about 1/4 cup of feed per day. They're cold-hardy and heat-tolerant, but they still require protection from the elements in extreme weather. Chickens require dry areas to keep their feet safe as well as for their dust baths as they don't bathe in water.

3. How to pick your hens

Find your local quail and poultry shop and see which breeds of hens they have available. Each breed of hen has a different personality, different laying habits, and even different coloured eggs! Some choose to raise their chickens from chicks, but you do risk having roosters in the mix, so others choose to wait until they're "sexed" before adopting them. Your hens will begin laying at six months old, but remember that their production will vary with the seasons.

guys feel about backyard hens? I'm not speaking of loud roosters but just hens, in 2020 an amendment to the no farm animals rule was proposed but unfortunately declined. In the amendment would be rules such as no roosters, limits of size of enclosures, and possibly requiring a permit. I personally agree with this and recently emailed our council men and women and asked them to propose an amendment with the same requirements but also inspections if needed. I understand the main reason it was turned down last time was due to noise, odor and neighbor complaints so this time I'd like to propose inspections to ensure the backyard hens could be properly housed before hand. I've had one response to my email so far and the councilman told me to come on Monday to their meeting and write it on the agenda so they can formally discuss it. How do you guys feel about the chickens and would you come to the meeting on Monday?

I'd love backyard hens in Clovis if restricted properly! 68%

I want no Hens in the City of Clovis's City Limits. 32%

253 votes Closed