

CLOVIS CITY COUNCIL MEETING

November 7, 2022

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Flores at 6:03
Flag Salute led by Councilmember Mouanoutoua

Roll Call: Present: Councilmembers Ashbeck, Bessinger, Mouanoutoua,
Mayor Flores
Absent: Councilmember Whalen

PUBLIC COMMENTS – 6:04 p.m.

Sherry Persons, resident, shared concerns regarding the negotiation process between the City and the residents impacted by the Sunnyside Avenue water main break.

Melvin Lubisich, property owner, shared his tenant's complaint regarding feral cats surrounding the property.

CONSENT CALENDAR – 6:13 p.m.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that the items on the Consent Calendar be approved. Motion carried 4-0-1, with Councilmember Whalen absent.

1. Administration - Approval - Minutes from the October 17, 2022, Council Meeting.
2. Administration - Approval – Approve the Purchase of Network, Electrical and Mechanical Equipment, and Related Services to Enhance the Resiliency of the Infrastructure of the City's Server Rooms During Power Outages; and Approval – **Res. 22-123**, Amending the 2022-2023 Information Technology Division and the General Services Facilities Maintenance Budgets to Allocate Funds for Purchase of the Equipment and Services.
3. Administration - Approval – Award the Request for Proposals and approve the purchase of Storage Area Network equipment from AMS.NET in the amount of \$161,495.37.
4. Administration - Receive and File – Economic Development Corporation Serving Fresno County Quarterly Report, July-September 2022.
5. Administration - Receive and File – Business Organization of Old Town (BOOT) First Quarter Report, July through September 2022.
6. Finance - Approval - **Res. 22-124**, Amending Resolution 21-129 approving the Appropriations Limit related to approving the 2021-2022 City of Clovis Annual Budget; and Approval - **Res. 22-125**, Amending Resolution 22-54 approving the Appropriations Limit related to approving the 2022-2023 City of Clovis Annual Budget.
7. Fire – Approval – Waive formal bidding requirements and authorize the purchase of replacement self-contained breathing apparatus (SCBA), SCBA fill station, and O2 (oxygen) fill station.
8. Planning and Development Services - Approval – **Res. 22-126**, Final Map Tract 6367, located at the southeast area of Nees Avenue and North Armstrong Avenue (Gleneagles

Homes, a California Corp doing business as Gary McDonald Homes, a California corporation).

9. Planning and Development Services - Approval – **Res. 22-127**, Annexation of Proposed Tract 6367, located at the southeast area of Nees Avenue and North Armstrong Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Gleneagles Homes, a California Corp doing business as Gary McDonald Homes, a California corporation).

COUNCIL ITEMS – 6:14 p.m.

- 6:15 – ITEM 10- APPROVED – APPOINTMENT TO CONSOLIDATED MOSQUITO ABATEMENT DISTRICT.

Motion for approval to reappoint the current representative, Jennifer Willems, to the Consolidated Mosquito Abatement District for a 2-year term through December 31, 2024. Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried 4-0-1 with Councilmember Whalen absent.

- 6:16 – ITEM 11 - CONSIDER – A REQUEST FROM THE BUILDING INDUSTRY ASSOCIATION TO DRAFT A LETTER TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION REGARDING THE IMPACTS OF PACIFIC GAS & ELECTRIC BUSINESS PRACTICES AND HOW THEY ARE NEGATIVELY IMPACTING THE CITY OF CLOVIS DEVELOPMENT.

Motion for approval to draft a letter relative to Clovis to the California Public Utilities Commission and to State representatives by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried 4-0-1 with Councilmember Whalen absent.

PUBLIC HEARINGS – 6:27 p.m.

- 6:27 – ITEM 12 - CONSIDER INTRODUCTION – **ORD. 22-10**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTIONS 8.1.02, 8.2.101, 8.5.101, 8.6.101, 8.15.101, 8.16.101, 8.17.101 OF TITLE 8 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO ADOPTION OF 2022 CALIFORNIA BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, RESIDENTIAL, ENERGY AND GREEN BUILDING STANDARDS CODES.

Mike Cunningham, resident, shared his experience with installing lithium batteries in his home.

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

- 6:38 – ITEM 13 - CONSIDER APPROVAL – **RES. 22-128**, MAKING AND ADOPTING EXPRESS FINDINGS TO THE 2022 CALIFORNIA FIRE CODE REASONABLY REQUIRED BASED ON LOCAL CLIMATIC, GEOLOGICAL, AND TOPOGRAPHICAL CONDITIONS; AND CONSIDER INTRODUCTION – **ORD. 22-11**, AMENDING VARIOUS SECTIONS OF

TITLE 4, CHAPTER 4.4, ARTICLE 1 OF THE CLOVIS MUNICIPAL CODE RELATING TO THE CALIFORNIA FIRE CODE.

Motion for approval of Res. 22-128 by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried 4-0-1 with Councilmember Whalen absent.

Motion for approval of the introduction of Ord. 22-11 by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried 4-0-1 with Councilmember Whalen absent.

6:46 – ITEM 14 - CONSIDER APPROVAL – **RES. 22-129**, APPROVING THE CITY’S UPDATED MASTER ADMINISTRATIVE FEE SCHEDULE.

Motion for approval with modifications to the Fire Administrative Fees by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua. Motion carried 4-0-1 with Councilmember Whalen absent.

ADMINISTRATIVE ITEMS – 7:07

7:07 – ITEM 15 - CONSIDER ADOPTION – ORD. 22-09, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING ARTICLE 5 DEPARTMENT OF PUBLIC UTILITIES, SECTIONS 2.2.501 AND 2.2.502, AND ADDING SECTIONS 2.2.503 AND 2.2.504 OF CHAPTER 2.2 (OFFICERS AND EMPLOYEES) OF THE CLOVIS MUNICIPAL CODE PERTAINING TO THE DEPARTMENT OF PUBLIC UTILITIES AND THE POSITION OF PUBLIC UTILITIES DIRECTOR. (VOTE: 4-0-1 WITH COUNCILMEMBER ASHBECK ABSENT)

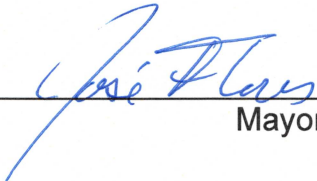
Motion for approval by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion carried 3-0-1-1 with Councilmember Whalen absent and Councilmember Ashbeck abstaining.

CITY MANAGER COMMENTS – 6:59

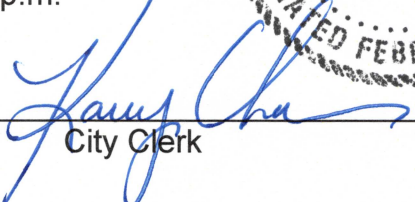
COUNCIL COMMENTS – 7:00

Mayor Flores adjourned the meeting of the Council to November 14, 2022

Meeting adjourned: 7:07 p.m.



Mayor



City Clerk



Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Friday, October 21, 2022 7:27 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2022-11-03

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

Full Name: Woodrow Storey

Email: Wstorey1960@gmail.com

Comment: Your proposed ordinance of abortion is nothing more than Maga madness. Yall need to move to the republic of Texas

Supporting Files (2 Max.):

Date: October 21, 2022

Time: 7:26 pm

Remote IP: 74.195.150.244

**Public Comments
November 7, 2022**

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Wednesday, October 26, 2022 7:23 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2022-10-26

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

Full Name: Steven Locke

Email: stevenlocke@gmx.com

Comment: I believe that it would be to the benefit of the American economy and general welfare for the people of the united states of America if we all agreed upon a new civil-code legislation order toward the requirement for new statutes concerning social policy that there be provided a safe discard/dispensary strongbox deposit bins similar to sharps and medications discard containers already provided by all local agencies already engaged and participating with and including activities involving hazardous materials/waste depositories for all vaporous-inhalers and similar style products including vape-pens due to the potentialities of human fatality concerning the repurposed uses and accidental usages of said unethically discarded devices as weapons of mass destruction unless the device is being utilized by a reputedly accredited agency for the collection of pests/micro-biotech as an environmental hazard sampling unit but not as a boobytrapping scandal involving the frivolous lawsuits that have been repeatedly occurring as ongoing economic weapon of fraudulent theft scams waged by foreign military interest groups operating through the majority of all local social-recovery programs and money-laundering facade-crime front religious groups working for communist military organizations involved with global trafficking and drug-trades that funded jihadist along with all other various hate-group based terrorism which forced us into war with the middle east due to the mass-effect of all local-level gang and mafia/mob activities involving county corruption networks attacking the U.S. constitutional-based graces for the proliferation of all forms of life on this planet.

Supporting Files (2 Max.):

Date: October 26, 2022

Time: 7:23 pm

Remote IP: 209.129.121.70

Karey Cha

From: Michelle Hoole <michelle.clovismed@sbcglobal.net>
Sent: Thursday, November 3, 2022 11:46 AM
To: Karey Cha
Subject: [External] FERAL CATS!!

Hello, I am the office manager at Clovis Medical Group located at 221 W. Fir Ave #101 Clovis, CA.

I am contacting you today to request that the issue of feral cats be addressed by city council! I have contacted animal control numerous times and was informed that I would be responsible for taking cats to be sterilized and they would be returned to our property. Not only am I not willing to transport a wild cat but this is a ridiculous solution!

As a doctor's office, this is a real health hazard to our patients. The areas surrounding our entrances are being used as a litter box and our patients are at risk for disease. Unacceptable!

I called today and was informed that there is no budget for reducing the number of feral cats over running our city. As property tax payers, we request that issue be brought up before the city council at the next board meeting as this is a city wide problem. Just walk through Sierra Vista Mall to get a whiff of the flower beds or go to Wells Fargo Bank on Shaw and Villa, both properties reek of cat waste. The city needs to address this issue as it will only keep getting worse as they breed!

Karey Cha

From: Melvin Lubisich <melvin@lubisich.com>
Sent: Thursday, November 3, 2022 12:02 PM
To: Karey Cha
Subject: [External] Help!!

Hi Karey,

I am the owner of the building at 221 W Fir Ave in Clovis. My tenants, Clovis Medical Group, Thrive Physical Therapy and Dr. Malan are having and have had a growing problem with feral cats hanging around their building. The cat's are urinating and defecating in the flower beds causing a very bad odor problem. They are rather concerned that being a medical facility that disease or just the thought of it will deter their patients or potentially cause a health risk.

We really need some City involvement to help eradicate this issue. Can this be brought up at the next City Council meeting to see if we can get some help?

Thank you,

Melvin J. Lubisich

LUBISICH BROS. INVESTMENTS, LLC
GARFIELD PARK HIGHLANDS, LP
LUBISICH BROS. AMERICAN PROPERTIES
2824 E. Nees Ave.
Clovis, CA 93611
559-217-2000



CITY of CLOVIS
OFFICE OF THE CITY CLERK

TO: Mayor and City Council

FROM: Karey Cha, City Clerk

DATE: November 7, 2022

RE: Written Public Comments Submitted for the City Council to Address Feral Cats at 221 W. Fir Ave. #101

On November 3, 2022, the City Manager's office received a complaint via phone call from the office manager of Clovis Medical Group located at 221 W. Fir Avenue. Subsequently, two written complaints from the office manager of Clovis Medical Group and the property owner were submitted to the City Clerk requesting for the Council to address the issue at the next Council meeting. The comments were provided to the Police Department's Animal Services Division in an effort to address the issue sooner rather than later. Animal Services Supervisor, Erin Ford, reached out to the office manager and was able to have a phone conversation with her. Staff followed-up with both the office manager and property owner to confirm the submission of the written public comments to the Council and invited them to participate in the meeting should they be interested. Additionally, Animal Services Supervisor, Erin Ford, provided a report of the issue and the conversation she had with the office manager.

Animal Services Report:

Clovis Animal Services spoke to Michelle during the last week of September, when she first brought the issue to our attention. At that time, CAS advised her that we would look into the situation and see if we could identify who was feeding and what course(s) of action we could take. During the officer's visit to the property, it was determined that a few of the staff at one of the other office buildings to the north (on Halifax Avenue) were feeding cats along the property line that is shared with Derrel's Mini Storage to the east. They were advised that if they were going to take communal responsibility for the cats that the cats would need to be TNR'd (trapped, spayed/neutered, released) and that we could help with appointments for spaying/neutering once we confirmed availability at a local veterinarian. They were advised that the trapping and transporting of one cat per day would need to be coordinated by on-site staff and they advised CAS that they were willing to help however they could.

One of my field officers did make contact with Michelle yesterday as part of his normal follow-ups and advised her that CAS was looking to get the TNR process started in the area soon. She was advised that she could be part of that TNR process, to which she replied she would not, as she didn't have any interest in transporting wild, spraying cats in her car and that releasing the cats at the property afterward would not rid her of the cat problem.

Coincidentally, my officers did another follow-up earlier today with the Halifax property and were able to identify an employee of the property who is willing to take the lead on TNR efforts. He said that he would coordinate the trapping and transport of the cats, beginning next week.

I left a message for Michelle earlier this afternoon and was able to talk with her for a bit on the phone. I asked her to catch me up on her side of things and to bring me up to speed on who she's spoken to. She basically is frustrated that there is cat poop in her complex and feels that the City Council should "find funds" to address the cat issues across the City. I spoke to her a little bit about feral cats/community cats and how it's not just a Clovis issue - that it's nationwide, if not world-wide. She asked what to do about them since we can't just come get them and remove all of them for her (like a pest control would do if she had rats). I let her know that each situation is a little bit different, but what we typically recommend is a TNR approach followed by general oversight by people in the area. I told her that since there are other parties invested and interested in helping with the TNR process on Halifax Avenue, hopefully we can get that group of cats to a healthy status quo where there are no new kittens and very few (if any) new adult cats coming in. She was receptive to that process and said the Halifax staff had a bigger heart than hers. She also advised that there seemed to be fewer feeding bowls/stations than she recalls from a few months ago, though there are still probably a total of 20 cats between her side of the fence and Derrel's.

Result: I told her that we would keep working on the situation in that area and would continue to see if there were ways to address TNR, feeding stations, and cat feces in the flowerbeds. I gave her my direct line and my email, should she have any developments or updates to share. She knows we can't make everyone 100% happy in this situation but was appreciative of the efforts being made and the contact.

Erin Ford
Animal Services Supervisor
Police Department – Clovis Animal Services