

CLOVIS CITY COUNCIL MEETING

December 13, 2021

6:00 P.M.

Council Chamber

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

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

PRESENTATION – 6:04

6:04 - ITEM 1 - PRESENTATION OF PROCLAMATION IN RECOGNITION OF LENNY "PAPPY" PAPULIAS' SUPPORT OF THE ANNUAL THANKSGIVING LUNCH AT THE CLOVIS SENIOR ACTIVITY CENTER.

The Clovis City Council and the Senior Activity Center staff presented a proclamation recognizing Lenny "Pappy" Papulias for 39 years of support in cooking and serving Thanksgiving meals at the Clovis Senior Activity Center.

6:10 - ITEM 2 - PRESENTATION OF RESOLUTION BY THE BOARD OF DIRECTORS OF THE FRESNO IRRIGATION DISTRICT HONORING LUKE SERPA FOR HIS MANY YEARS OF DEDICATED SERVICE.

Bill Stretch, General Manager of the Fresno Irrigation District, presented a resolution by the Fresno Irrigation District Board recognizing Luke Serpa for his many years of dedicated service.

6:15 - ITEM 3 - PRESENTATION OF PROCLAMATION HONORING CITY MANAGER LUKE SERPA UPON HIS RETIREMENT AND COMMENDING HIM FOR 16 YEARS OF SERVICE TO THE CLOVIS COMMUNITY.

The Clovis City Council presented a proclamation honoring Luke Serpa for his 16 years of service to the City of Clovis and the Clovis community and proclaiming December 13, 2021, as Luke Serpa Day.

COUNCIL ITEM – 6:21

6:21 – ITEM 17 - APPROVED - CONFIRMATION OF CITY MANAGER'S APPOINTMENT OF ASSISTANT CITY MANAGER.

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

PUBLIC COMMENTS – 6:25

Rami Zwebti, resident, commented on concerns regarding CUSD board meetings and COVID-19 vaccine mandates.

CONSENT CALENDAR – 6:33

Mayor Flores identified a conflict of interest with Item 9 due to owning property within 1000 feet of the project and will abstain from voting on the item.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that the items on the Consent Calendar, with the exception of Item 9, be approved. Motion carried 4-0-1 with Councilmember Whalen absent

4. Administration - Approve - Minutes from the November 15, 2021 Council Meeting.
5. Finance – Received and Filed – Investment Report for the Month of July 2021.
6. Finance – Received and Filed – Treasurer’s Report for the Month of July 2021.
7. Finance – Received and Filed – Investment Report for the Month of August 2021.
8. Finance – Received and Filed – Treasurer’s Report for the Month of August 2021.
10. Finance – Received and Filed – Status Report of Community Facilities District Revenues and Expenditures.
11. General Services – Approved - **Res. 21-148**, Authorizing Amendments to the City’s Classification and Compensation Plans to Adopt the Senior Information Technology Specialist Classification and Salary Range of \$6,028 to \$7,326 per month; and Approved - **Res. 21-149**, Amending the City’s FY 2021-22 Position Allocation Plan by adding one (1) Senior Information Technology Specialist position and deleting one (1) Information Technology Specialist position within the Administration Department.
12. Police - Approved - Waive the City’s Usual Purchasing Requirements and authorize the purchase of a Lenco BearCat; and Approved – **Res. 21-150**, Amending the 2021-2022 Public Utilities Department Fleet Capital Budget to allocate funds for purchase of the Lenco BearCat.
13. Planning and Development Services – Approved – Second Amendment to Land Tenure Agreement with Fresno Wildlife Rehabilitation Service.
14. Planning and Development Services – Approved – Final Acceptance for CIP 16-10 Owens Mountain Parkway Extension.

6:36 - CONSENT CALENDAR - ITEM 9 - FINANCE - APPROVED - **RES. 21-147**, A RESOLUTION OF INTENTION (ROI) TO ANNEX TERRITORY (ANNEXATION #72) (T6349 - NEC SHAW/LOCAN & T6377 SEC SHAW/LEONARD), TO THE COMMUNITY FACILITIES DISTRICT (CFD) 2004-1 AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN AND SETTING THE PUBLIC HEARING FOR JANUARY 18, 2022.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Bessinger. Motion carried 3-0-1-1 with Councilmember Whalen absent and Mayor Flores abstained.

ADMINISTRATIVE ITEMS – 6:38

6:39 – ITEM 15 - APPROVED VARIOUS ITEMS ASSOCIATED WITH CLOVIS LANDMARK SQUARE, LOCATED ON THE NORTH SIDE OF THIRD STREET AT VETERANS MEMORIAL PARKWAY.

ITEM 15A. RECEIVED AND FILED – UPDATE ON LANDMARK SQUARE CONSTRUCTION AND SOIL CONTAMINATION.

ITEM 15B. APPROVED – **RES. 21-151**, AMENDING THE 2021-2022 COMMUNITY INVESTMENT PROGRAM (CIP) BUDGET FOR THE LANDMARK SQUARE PROJECT.

Mayor Flores identified a conflict of interest with Item 15 due to owning property within 1000 feet of the project and will abstain from voting on the item.

Motion for approval by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion carried 3-0-1-1 with Councilmember Whalen absent and Mayor Flores abstained.

7:05 – ITEM 15A - CONSIDER APPROVAL – A REQUEST TO WAIVE THE CITY’S USUAL PURCHASING PROCEDURES AND AUTHORIZE THE PURCHASE OF FURNITURE FOR LANDMARK SQUARE FROM CORE BUSINESS INTERIORS UTILIZING PRICING FROM A COMPETITIVE BID AWARD THROUGH THE COUNTY OF FRESNO.

Motion for approval by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion carried 3-0-1-1 with Councilmember Whalen absent and Mayor Flores abstained.

COUNCIL ITEMS – 7:10

7:10 – ITEM – 16 - APPROVED – CHANGE OF COUNCIL MEETING SCHEDULE.

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

CITY MANAGER COMMENTS – 7:11

7:11 – ITEM 18 - COVID-19 Update.

Rami Zwebti, commented on issues regarding CUSD enforcement of new COVID-19 mandates.

COUNCIL COMMENTS – 7:26

CLOSED SESSION – 7:29

ITEM 19 - GOVERNMENT CODE SECTION 54956.9(D)(1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION CHARLES WAGES V. CITY OF CLOVIS, WORKER'S COMPENSATION APPEALS BOARD CASE NO. ADJ12270931

ITEM 20 - GOVERNMENT CODE SECTION 54956.9 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9 1 CASE

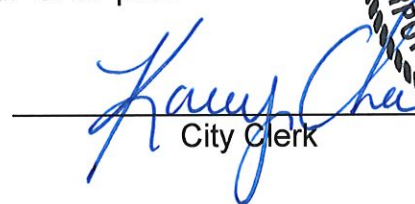
ITEM 21 - GOVERNMENT CODE SECTION 54956.9(D)(4) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION DECIDING WHETHER TO INITIATE LITIGATION ONE POTENTIAL CASE

Mayor Flores adjourned the meeting of the Council to January 10, 2022

Meeting adjourned: 8:15 p.m.



Mayor



City Clerk



December 13, 2021

Public Comments

Karey Cha

From: Public Comments <email@cityofclovis.com>
Sent: Sunday, December 12, 2021 11:08 PM
To: John Holt; Karey Cha
Subject: [External] Public Comment for City Council

Council Meeting Date: 2021-12-13

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

Full Name: Rami Zwebti

Email: ramizwebti@gmail.com

Comment: *I will be presenting this in-person at the Council Meeting on Monday*

Dear Clovis Council Members,

Hello. My name is Rami Zwebti. I am currently a senior at Buchanan High School. I identify as non-binary, so please use they and them pronouns when referring to me. This will be my first time attending a City Council meeting. After being harassed and neglected at my school's board meetings, I am here so that I may finally be heard. I hope that the audience in this room can demonstrate more maturity. I have come today to share my experience as a diabetic student.

Terror. That's what I feel when I enter my school grounds. Ignored. That's how I feel as I share my terror with those around me. Humiliated. That's what I feel when people in power ignore my struggles.

If you have kept updated with the events of our community, you will notice that there are adults who have been advocating against the vaccine mandate, often resorting to childish tactics such as intimidation and bullying. This leaves no room for who the meetings are intended for, our students, to speak in. Although sharing similar ideology, many of my classmates have told me that they feel unsafe going to school board meetings, as they are afraid of being booed or jeered at. Look at what our community has come to.

As a diabetic student, I have been robbed of my childhood innocence. While others roam without care, I see everything as a chance. As a risk. It feels as though I'm playing a twisted game of jeopardy, with my life on the line.

I am not allowed the privilege of being unvaccinated. In fact, personal comfort is the last thing to enter my mind. All that matters is that I have something that resembles defense against our pandemic. When compared to people who aren't immunocompromised, I can't help but feel as though my body is an underdeveloped country. I lack the resources to fight a fair battle against viruses, while others pay no mind.

Yet, I am one of the lucky ones. I have been so fortunate in having friends who are vaccinated. Their care for my well-being allows me to feel safe around them. However, this feeling is snatched from me as I enter my classroom.

Less than half of the students in Clovis are vaccinated. A flip of the coin. That is what my well-being is based upon. A heads or tails chance of contracting an illness that has killed millions who suffer from the same disease as me. When learning that 43% of COVID-19 deaths belonged to diabetics, pure dread filled my being. As I shared the fear for my life with those around me, I was mocked. I was laughed at. It became clear to me that I didn't matter in my community. However, the greatest tragedy lies in how we fail our youth. A plague of ignorance swarms our city, as parents will often feed false information to their children, putting the student at a severe disadvantage. Instead of being told the benefits of vaccines, they are forced to believe lies.

How is someone supposed to protect themselves... if they are not offered all the available information? That is where we must step in. As the leaders of our city, it is your RESPONSIBILITY to ensure that the members of Clovis are safe. We can start by offering education about the vaccine in classrooms. Similar to how we implemented lessons on digital citizenship, let's have a week where certain class periods will teach students what exactly is the COVID-19 vaccine and how it helps our body fight viruses.

It feels as though our community is about to enter war. However, instead of having two equal nations, we have an oppressed group and those who want to oppress. If you allow for it to commence, there will be many, many casualties. We have 6 months to prepare for the vaccine mandate. Utilize this time to not only make vaccines more accessible but understandable. I know you love our city, I love our city. Which is why I know we must do all that is in our power to ensure its prosperity.

I ask all of those in this room, does my life not have value. Does it not have importance? Complexity? Distinction? Do the

lives of those who fight the most violent battle of all, matter? Review this question in your head, recite it. Because the decision you make will not only impact you but all those around you. Release yourself of the poison that is selfishness and allow love to enter your hearts. Love for your neighbors, friends, family. Love for yourself. As then and ONLY THEN may we begin to heal the pain carried by our community.

Supporting Files (2 Max.):

Date: December 13, 2021

Time: 12:07 am

Remote IP: 108.88.67.253

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, December 13, 2021 4:59 PM
To: John Holt; Karey Cha
Subject: [External] Advanced Spam: Public Comment for City Council

Council Meeting Date: 2021-12-13

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

Full Name: Tim Hulse

Email: timhulse@comcast.net

Comment: The governor has just said that we have to wear masks again between December 15, 2021 and January 15, 2021. Please take a stand against this government overreach and help our small businesses and citizens continue to live free lives...

Supporting Files (2 Max.):

Date: December 13, 2021
Time: 5:59 pm
Remote IP: 174.208.173.160