

## CLOVIS CITY COUNCIL MEETING

**April 13, 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 - None

CONSENT CALENDAR – **6:08 p.m.**

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 March 21, 2020 and March 30, 2020 Council Meetings.
2. Administration - Received and Filed – Business Organization of Old Town (BOOT) Third Quarter Report, January through March 2020.
3. Finance - Approved - Selection of Auditing Firm to Perform the Annual City Financial Audit for 2019-20 through 2021-22.
4. General Services - Approved – **Res. 20-35**, Authorizing Amendments to the City's Classification and Compensation Plan by Amending the Water Production Manager Classification and Salary Range to \$8,670 to \$10,539.
5. Planning and Development Services - Approved - **Res. 20-36**, Resolution Supplementing the List of Projects Approved with Resolution 19-142, Resolution of the City Council Supporting and Implementing the "Timely Use of Funding" as required by AB1012 for Federal Transportation Project Selection - Federal Transportation Act: Fast Act.

### **PUBLIC HEARINGS**

ITEM 6A – 6:09 - APPROVED – **RES. 20-37**, RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES); AND ITEM 6B - APPROVED – **RES. 20-38**, RESOLUTION CALLING A SPECIAL LANDOWNER ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES); AND ITEM 6C - APPROVED – **RES. 20-39**, RESOLUTION OF THE CITY OF CLOVIS DECLARING THE RESULTS OF A SPECIAL LANDOWNER ELECTION AND DIRECTING RECORDING OF THE NOTICE OF SPECIAL TAX LIEN FOR CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES); AND ITEM 6D - APPROVED INTRODUCTION – **ORD. 20-08**, AUTHORIZE LEVY OF SPECIAL TAXES SOLELY WITHIN AND RELATING TO COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES).

Supervising Civil Engineer Sean Smith presented a report on actions related to formation of the City of Clovis Community Facilities District No. 2020-1 regarding the Dry Creek Preserve Sewer Facilities and Services. The recommended actions are the next steps that are legally required in the formation of a Community Facilities District (CFD), which will fund the costs of the operation and maintenance of temporary sewer facilities planned to be installed by Woodside Homes (“Woodside”) in accordance with the terms of approval of Woodside’s Vesting Tentative Tract Map No. 6154. The CFD will also provide funding for the eventual replacement of the temporary sewer facilities and the construction of permanent sewer capital facilities to serve the development. Woodside and staff are proposing to create the CFD in order to fund these costs and to meet this ongoing health and safety need of the current and future residents of real property within the project area. CFDs are authorized through the Mello-Roos Community Facilities Act of 1982 (the Act), which provides a mechanism to fund public improvements and services. Through the establishment of a CFD, an additional special tax is placed on property tax bills of the parcels within the CFD boundaries to fund the authorized improvements and services identified when the CFD is formed. City Clerk John Holt indicated that he was in receipt of one ballot representing 44 votes all in favor of the formation of the CFD.

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 approve **Resolution 20-37**, a resolution of Formation of Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried 4-1 with Councilmember Whalen voting no.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 20-38**, a resolution calling a special landowner election for Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 20-39**, a resolution of the City of Clovis declaring the results of a Special Landowner Election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve the introduction of **Ordinance 20-08**, authorize a levy of special taxes solely within and relating to Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried by unanimous vote.

## **ADMINISTRATIVE ITEMS**

ITEM 7- 6:23 - APPROVED – **RES. 20-40**, FINAL MAP TRACT 6154, LOCATED AT THE NORTHWEST CORNER OF FOWLER AVENUE AND TEAGUE AVENUE (WOODSIDE 06N, LP)



Supervising Civil Engineer Sean Smith presented a report on a request to approve a Final Map Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue (Woodside 06N, LP). The owner, Woodside 06N, LP (Woodside Homes), has submitted a final map. The improvement plans are being processed by City staff. The improvements to be installed include curb, gutter, sidewalk, street lights, fire hydrants, street paving, median island, sanitary sewer, a temporary sewer lift station and associated facilities, water mains and landscaping. The subject tract is located at the northwest corner of Fowler Avenue and Teague Avenue. It contains approximately 43.21 acres and consists of 94 units, zoned R-1. The subdivision agreement has been executed by the subdivider and all development fees paid or deferred in accordance with Municipal Code. The agreement provides for the developer to complete a technically correct map and improvement plans and to complete all required improvements in compliance with the conditions of approval. The improvements are adequately secured. 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 approve a Final Map Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue (Woodside 06N, LP). Motion carried by unanimous vote.

**ITEM 8 – 6:24 - APPROVED – RES. 20-41, ANNEXATION OF PROPOSED TRACT 6154, LOCATED AT THE NORTHWEST CORNER OF FOWLER AVENUE AND TEAGUE AVENUE TO THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 OF THE CITY OF CLOVIS (WOODSIDE 06N, LP).**

Supervising Civil Engineer Sean Smith presented a report on a request to approve the annexation of proposed Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Woodside 06N, LP). The owner, Woodside 06N, LP (Woodside Homes), acting as the subdivider, has requested to be annexed to the Landscape Maintenance District No. 1 of the City of Clovis as set forth by the Conditions of Approval for Vesting Tentative Tract Map 6154. 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 approve the annexation of proposed Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Woodside 06N, LP). Motion carried by unanimous vote.

## **COUNCIL ITEMS**

**ITEM 9 – 6:25 - APPROVED - RES. 20-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS CONFIRMING THE DIRECTOR OF EMERGENCY SERVICES' ORDERS**

City Manager Luke Serpa presented a report request to confirm the Director of Emergency Services':

1. Order 2020-08 related to suspension of employee vacation caps during the declared emergency;
2. Order 2020-09 related to waiving transit fares during the declared emergency;
3. Order 2020-04A, an addendum to 2020-04 relating to emergency leave/pay for use by all City of Clovis employees during the declared emergency;
4. Order 2020-10 related to closing play structures, exercise apparatuses, and picnic shelters at city owned parks;
5. Order 2020-11 related to local enforcement of Governor's Executive Order pertaining to the statewide stay at home requirements;
6. Order 2020-12 relating to enforcement of local emergency orders.

Luke Serpa provided an overview of each of the orders. Significant discussion of Order 2020-11 related to local enforcement of Governor's Executive Order pertaining to the statewide stay at home requirements and how the city was going to implement. Resident Jeremy Pearce provided written comment in opposition to Order 2020-11. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to Director of Emergency Services' orders 2020-08, 2020-09, 2020-04A, 2020-10, 2020-11, and 2020-12

**ITEM 10 – 7:14 - WORKSHOP – FOR THE CLOVIS CITY COUNCIL TO CONDUCT A WORKSHOP TO DISCUSS THE IMPACT ON ONGOING CITY OPERATIONS DURING THE COVID-19 STATE OF EMERGENCY AS DECLARED BY THE FEDERAL GOVERNMENT, STATE OF CALIFORNIA, COUNTY OF FRESNO, AND CITY OF CLOVIS; AND TO EXPLORE ACTIONS THE CITY MAY TAKE IN RESPONSE TO THE CRISIS.**

City Manager Luke Serpa provided Council an update on COVID-19 State of Emergency related City activity since the last meeting on April 6, 2020. Luke Serpa presented an update on possible impacts on the budget during the state of emergency. Luke Serpa indicated that it is likely that general fund revenues will take a significant reduction over the next eighteen to twenty four months. Luke Serpa indicated that he would return to City Council in May to update council and provide options to deal with the budget. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Council provided staff direction, but no formal action was taken during the workshop.

**CITY MANAGER COMMENTS 7:39 p.m. - None**

**CLOSED SESSION 7:40 p.m.**

11. Government Code Section 54956.9(d)(1)  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Austin v. City of Clovis

Mayor Bessinger adjourned the meeting of the Council to April 20, 2020

Meeting adjourned: 7:55 p.m.

  
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Mayor

  
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City Clerk

