

CLOVIS CITY COUNCIL MEETING

March 6, 2023

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Ashbeck at 6:03
Flag Salute led by Councilmember Basgall

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

PRESENTATION – 6:04

6:04 – ITEM 1 - PRESENTATION OF PROCLAMATION DECLARING MARCH 11, 2023, AS ARBOR DAY.

PUBLIC COMMENTS – 6:08

CONSENT CALENDAR – 6:09

Mayor Ashbeck abstained from voting on item 6 as she is a member on the Clovis Big Dry Creek Historical Society Board.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Bessinger that the items on the Consent Calendar, with the exception of item 6, be approved. Motion carried 4-0-1, with Councilmember Pearce absent.

2. Administration – Approved - Minutes from the February 21, 2023, Council Meeting.
3. Administration - Approved – Waive normal purchasing process and authorize City Manager to enter into the CALNET agreement with AT&T for Telecommunications services for the amount of \$190,000 per year.
4. Finance – Received and Filed – Investment Report for the Month of October 2022.
5. Finance – Received and Filed – Treasurer’s Report for the Month of October 2022.
7. General Services – Approved - Contract with LF Staffing Service, Inc. (DBA Labor Finders) for Temporary Labor Services.
8. General Services – Approved – Selection of Passio Technologies, LLC. for an Intelligent Transportation System “ITS” (Computer-Aided Dispatch/Automatic Vehicle Location/Automatic Voice Annunciation [CAD/AVL/AVA] Passenger Infotainment, and Historical and Real-time Application Programming Interfaces [API’s]) and Authorize City Manager to Execute the Contract for \$461,500.00.
9. Planning and Development Services – Approved – **Res. 23-10**, Annexation of Miscellaneous Properties to the Landscape Maintenance District No. 1.
10. Public Utilities - Approved – **Res. 23-11**, A Resolution Initiating Proceedings for the Annual Levy of Assessments for Landscape Maintenance District No. 1.
11. Public Utilities – Approved – Award a Contract to Karbonous, Inc. for Maintenance Work Consisting of Purchasing and Replacing Granular Activated Carbon (GAC) at Well 12 and Well 27 for the amount of \$240,156.20.

6:10 ITEM 6 GENERAL SERVICES – APPROVED – AUTHORIZE THE CITY MANAGER TO EXECUTE A 10-YEAR EXTENSION TO THE LEASE AGREEMENT WITH CLOVIS BIG DRY CREEK HISTORICAL SOCIETY, INC., FOR PROPERTY LOCATED AT 401 POLLASKY AVENUE, CLOVIS.

Motion for approval by Councilmember Basgall, seconded by Councilmember Bessinger. Motion carried 3-0-1-1, with Mayor Ashbeck abstaining and Councilmember Pearce absent.

COUNCIL ITEMS – 6:11

6:11 ITEM 19 - APPROVED – APPOINTMENTS TO THE CITY OF CLOVIS HISTORIC PRESERVATION COMMITTEE.

Motion to approve the appointment of committee members to the City of Clovis Historic Preservation Committee and allow the committee to consult with Paul Halajian for technical assistance on an as needed basis. Motioned by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion carried 4-0-1, with Councilmember Pearce absent.

PUBLIC HEARINGS – 6:16

6:16 ITEM 12 - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 1.04 ACRES OF LAND LOCATED ON THE NORTH SIDE OF ALLUVIAL AVENUE, BETWEEN SUNNYSIDE AND FORDHAM AVENUES. STALLION DEVELOPMENT AND CONSTRUCTION – ARMAN ZAKARYAN, OWNER/APPLICANT; DAN ZACK, REPRESENTATIVE.

Dan Zack, Representative for the Applicant, presented additional project details and addressed Council's questions.

Arman Zakaryan, Owner/Applicant, spoke in support of the project.

Linda Alvord, resident, spoke in opposition of the project.

Brent Nelly, resident, spoke in opposition of the project.

12A. APPROVED - **RES. 23-12**, A REQUEST TO APPROVE AN ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT GPA2022-001 AND REZONE R2022-001.

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

12B. DENIED - **RES. 23-XX**, GPA2022-001, A REQUEST TO AMEND THE GENERAL PLAN TO RE-DESIGNATE THE SUBJECT PROPERTY FROM THE LOW DENSITY RESIDENTIAL (2.1-4.0 DU/AC) CLASSIFICATION TO THE MEDIUM HIGH (7.1-15.0 DU/AC) CLASSIFICATION.

Motion for approval by Councilmember Mouanoutoua, no second. Motion failed.

Motion to continue this item to a future date in the next four (4) months for staff to return with a conceptual plan addressing traffic issue. Motioned by Councilmember Bessinger, no second. Motion failed.

Motion for approval to amend the General Plan to re-designate the subject property from the low density residential classification to the medium high density classification with direction for staff to not approve a site plan until a traffic plan for the roadway is presented. Motioned by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion failed 2-2, with Mayor Ashbeck and Councilmember Basgall voting no.

Motion for approval to amend the General Plan to re-designate the subject property from the low density residential classification to the medium high density classification with direction for staff to not approve a site plan until a traffic plan for the roadway is presented and without prejudice. Motioned by Councilmember Bessinger, no second. Motion failed.

Motion for denial without prejudice by Mayor Ashbeck, seconded by Councilmember Bessinger. Motion carried 3-1-1, with Councilmember Mouanoutoua voting no and Councilmember Pearce absent.

12C. INTRODUCTION - **ORD. 23-XX**, R2022-001, A REQUEST TO REZONE THE SUBJECT PROPERTY FROM THE R-1-7500 (SINGLE-FAMILY RESIDENTIAL, 7,500 SF) ZONE DISTRICT TO THE R-2 (MULTIFAMILY MEDIUM-HIGH DENSITY RESIDENTIAL) ZONE DISTRICT.

Consideration of this item is contingent upon the approval of item 12B (GPA2022-001). No motion made as item 12B (GPA2022-001) was denied.

8:10 ITEM 13 - APPROVED - **RES. 23-13**, RESOLUTION OF NECESSITY TO DETERMINE THAT PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF PROPERTY FOR PUBLIC PURPOSES; AND, AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN FOR TWO PROPERTIES LOCATED BETWEEN LOCAN AVENUE AND DEWOLF AVENUE. APN/OWNER: 553-030-05/ZEPEDA AND 565-042-14/SAMARIN. (CONTINUED FROM THE FEBRUARY 21, 2023, MEETING)

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

ADMINISTRATIVE ITEMS – 8:17

8:17 ITEM 14 - CONTINUED – ECONOMIC DEVELOPMENT, HOUSING AND COMMUNICATIONS UPDATE.

It was the consensus of the City Council to continue this item to a future date.

8:17 ITEM 16 - CONTINUED - 2023 FIVE-YEAR FINANCIAL FORECAST FOR THE CITY OF CLOVIS THROUGH 2027/28 AND DISCUSS OPTIONS FOR BUDGET PREPARATION FOR 2023/24.

It was the consensus of the City Council to continue this item to a future date.

8:18 ITEM 15 - CONSIDER – VARIOUS ITEMS RELATED TO THE RETAIL MARKET SURVEY AND LAND USE EVALUATION OF THE SHAW AVENUE CORRIDOR.

15A. RECEIVED AND FILED - RESULTS OF THE RETAIL MARKET SURVEY & LAND USE EVALUATION OF THE SHAW AVENUE CORRIDOR.

15B. APPROVED - FOR THE CITY TO ENTER INTO AN AGREEMENT WITH KOSMONT COMPANIES TO PROVIDE A FISCAL IMPACT AND ECONOMIC BENEFIT ANALYSIS FOR THE REDEVELOPMENT OF EXISTING RETAIL SPACE IN THE SHAW AVENUE CORRIDOR IN THE AMOUNT OF \$25,000.

Dennis Prindiville, Trustee of property located at the Sierra Vista Mall, requested that the Council direct the consultant to provide an example of comparable cities to Clovis and to allow him to be involved in this study.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Basgall. Motion carried 4-0-1, with Councilmember Pearce absent.

8:57 ITEM 17 - APPROVED - **RES. 23-14**, A REQUEST TO INITIATE A PREZONING OF PROPERTY WITHIN THE AREA GENERALLY BOUND BY SHEPHERD AVENUE ON THE SOUTH, WILLOW AVENUE ON THE WEST, THE ENTERPRISE CANAL ON THE NORTH AND THE PEACH AVENUE ALIGNMENT ON THE EAST AND AUTHORIZING STAFF TO PREPARE AN ANNEXATION APPLICATION FOR THE SAME BOUNDARY. CITY OF CLOVIS, APPLICANT.

Shawn Beaty, Clovis Hills Church representative, spoke in support of the annexation and requested for the Council to consider including the Clovis Hills Church property in this annexation.

Bill Smittcamp, spoke in support of including the Clovis Hills Church property in this annexation.

Manny Penn, developer, spoke in support of including the Clovis Hills Church property in this annexation.

Motion for approval to initiate a rezoning of property within the area generally bound by Shepherd Avenue on the south, Willow Avenue on the west, the Enterprise Canal on the north and the Peach Avenue alignment on the east; authorize staff to prepare an annexation application for the same boundary; and direct staff to plan the inclusion of the Clovis Hills Church site and the property north of the Enterprise Canal on the southeast corner of Willow and International Avenues to this annexation, conditional upon an agreement for a water supply from the Garfield Water District to provide water to the City of Clovis for the Clovis Hills Church site. Motioned by Councilmember Bessinger, seconded by Councilmember Mouanoutoua. Motion carried 4-0-1, with Councilmember Pearce absent.

9:38 ITEM 18 - APPROVED - **RES. 23-15**, A RESOLUTION OPPOSING INITIATIVE NO. 21-0042A1, THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT SPONSORED BY THE CALIFORNIA BUSINESS ROUNDTABLE.

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

CITY MANAGER COMMENTS – 9:45

COUNCIL COMMENTS – 9:46

Mayor Ashbeck adjourned the meeting of the Council to March 13, 2023

Meeting adjourned: 9:57 p.m.



Mayor



City Clerk



Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Tuesday, February 28, 2023 3:39 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-03-20

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

Full Name: Stephanie Storm

Email: stephanie.storm@yahoo.com

Comment: I would like to see the council reconsider their stand on allowing backyard chickens. I have attached a list of advantages and disadvantages and hope that they will give it an honest thought. I'm more than happy to do any required research or follow up work they request. I understand there are concerns, but it's important to give people a chance to succeed before you assume they will fail. I hope that the council will seriously consider allowing chickens into residential backyards here in Clovis.

Supporting Files (2 Max.):

<https://link.edgepilot.com/s/7eaf3cf2/UlrJeXvRL0e1B1jzoGFVLA?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/63fe9085e2183.docx>

Date: February 28, 2023

Time: 3:38 pm

Remote IP: 73.116.233.172

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Public Comments
March 6, 2023

The advantages and disadvantages of backyard chickens in the City of Clovis, CA

Advantages

- **Eggs:** It's no secret that the price of eggs has increased, and that there has been a supply-demand issue. Allowing residents to raise their own chickens, they will be able to provide more eggs for themselves. If there is a surplus, they can also share with other residents.
- **Pest control:** Chickens eat pests, including gnats, mosquitoes, and grubs. This improves quality of life for all residents, and cuts down on the use of pesticides and other chemicals that may ultimately leak into our water supply.
- **Pets:** Chickens make wonderful pets, which can increase the happiness and improve the mental health of many people. Chickens are a great choice for someone looking for a companion, but doesn't have the time or energy to commit to a pet such as a dog, or may have allergies to more common pets, such as dogs or cats. As long as they have the space to provide a proper home for the chickens, they are a wonderful option.
- **Educational:** Families can raise chickens together, improving their time together, and taking the opportunity to teach their children about animal well-being, life cycles (especially if some choose to incubate eggs!), responsibility, sustainability, etc. This is a chance for families to reap the benefits of the City of Clovis (such as CUSD), while also still appreciating the land for what it has to offer
- **Weed control:** Chickens help eat weeds, reducing the chemicals used in the environment
- **Waste management:** Chickens can eat tons of kitchen scraps, which will help reduce waste all around, helping to keep our city healthier.
- **Garden enrichment:** For those who also choose to garden, chicken waste is wonderful fertilizer for plants, increasing their personal sustainability, as well as offering additional educational benefits for those who want to use it for such. Those who do not garden, the city has an opportunity to allow residents to collect the chicken waste and/or add it to their green bin, which could be used to improve the free compost offerings.
- **Community growth:** Any new endeavor adds opportunities for neighbors to gather and enjoy their hobbies together. Backyard chickens are another topic for new friends to bond over. Happier communities are better for us all.

Disadvantages

- **Noisy:** It's no secret that chickens make noise, but there are many ways to help manage this. Firstly, a barking dog is louder than most chickens. A rule not allowing roosters will help cut back on noise levels. You can also restrict the number of chickens to 3 per home (or, the limit could be variable based on lot size, which many cities have had success with). There is also the option of requiring coops to be located at least a certain distance (often 35 feet) from neighboring homes.
- **Smelly:** All animal waste will smell. This is true of dogs, pigs, etc. As with any other pet, people should be responsibly taking care of their animals. That said, having some of the restrictions listed above, such as limiting the number of hens, will help with these problems, as it will reduce the chance of overcrowding a coop.
- **Chickens don't lay eggs forever:** Of course, the benefits of eggs don't last forever. While many people will happily keep their chicken companions, I realize that isn't true of everyone. Maybe there's potential for a program with a local farm that takes in older chickens for butcher, or simply to let live free somewhere.

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Sunday, March 5, 2023 9:20 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-03-06

Item Number (put "0" if your comment is regarding an item not on the agenda): 12

Full Name: Darin Alvord

Email: dalvord@darinalvord.com

Comment: In opposition to the proposed project 1491 Alluvial attached

Supporting Files (2 Max.):

<https://link.edgepilot.com/s/f2848cbe/43aPZWhfoUK8anLqXUfH4Q?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/6405780d0191b.pdf>

Date: March 5, 2023

Time: 9:20 pm

Remote IP: 121.55.229.234

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Clovis City Council

March 6 Meeting

Re: 1491 Alluvial Avenue proposed apartment project, Agenda Item #12

“It’s no stroke of luck that Clovis is such a fine place to live and work. A commitment to planning – renewed by city officials and endorsed by the public through the years – is to credit. And that commitment it is why Clovis remains one of the most highly desirable communities in which to live in California. A commitment to thoughtful planning is why the area’s growth seems to unfold naturally, smoothly in an organized manner — instead of busting out all over, haphazardly. It is why schools and neighborhoods feel connected and people have a sense of community.”

- From the Planning Dept web page <https://cityofclovis.com/planning-and-development/planning/>

This philosophy and its implementation over the years is why we chose to live in Clovis and is a philosophy worth fighting for. However, the proposed project at 1491 Alluvial runs counter to this philosophy and is worth fighting against.

In light of the draconian changes to the General Plan and to zoning (as such) necessary to have this proposed project be accepted by the City Council and go forward, it should be alarming to the Planning Department, the City Council and the community, as most certainly it is to the residents of the surrounding neighborhoods. It fits none of the characteristics of the neighborhood and the city’s guiding philosophy quoted above. However, it is not so alarming to the Planning Department for reasons that cause my blood to boil – acquiescence to tyranny.

It is a complete misfit to alter the General Plan by raising the dwelling unit density for this project – and to do so by TWO LEVELS is a slap in the face of the property owners, most of whom occupy their homes in the area. It is an absurd deviation from good planning. In addition, to create a malignant zoning change to accommodate this one-acre space for a developer’s speculation is an injury that has long-term negative effects on the area and its character. This is being done to us residents of the area by our city without regard (to this date) to our objections and in acquiescence to an arbitrary desire for this type of housing somewhere in the city, and to the tyrannical and ill-conceived actions of the State, against which this Council should push back. The Council has some history of resisting idiocy imposed by our governor and legislature with the COVID overreach and has resisted such dictatorial impositions before and should do so again in the name of liberty and city sovereignty.

Alternatives to the proposed project should be actively sought and are not beyond the reach of this contractor and architect. Four single family residences *can* be built on the property in question with little or no need to stretch rules, the General Plan or the essence of R1 zoning. The architect has put forward some “straw man” ideas along those lines in an effort to demonstrate four residences to be out of the question, but none of the neighbors buy those excuses. Such a plan is doable and more inline with what R1 zoning has always meant in the past and is in alignment with the paragraph quoted above.

We, the citizens and constituents of the area surrounding 1491 Alluvial, call upon the Clovis City Council to act in the best interest of us and the entire city to press back against excuses and cowardice of the current Planning Commission and reject the notion that R1 means nothing any more. The State of

California is wrong and to a destructive and tyrannical degree. The Planning commission should otherwise be dissolved and eliminated if the city does not have the greater concern of its own citizens, its own planning, and its own future at heart. (I pray that neither will be the case).

Please, members of the Council, do not simply approve this 12-unit apartment complex with all its real and future negative influences on the neighborhood and property value. Please look seriously at the direction this proposal takes the city and the loss of autonomy that the city will be sustaining if it goes forward at this time without a serious pause for reconsideration and a better solution for the neighborhood and Clovis itself.

Respectfully,

Darin Alvord
1538 Bedford Ave
Clovis

Lily Cha

From: Suzanne Tange [REDACTED]
Sent: Monday, March 6, 2023 2:32 AM
To: Lily Cha
Subject: [External] The Palms@Alluvial, #GPA2022-001 & R2022-001; 1491 Alluvial Avenue, Clovis CA

Follow Up Flag: Follow up
Flag Status: Flagged

Good Day,

I'm a neighbor on Fordham Avenue, and my property is to the northeast corner of this project site. I would like to address the Clovis City Council, regarding this new construction project on north Alluvial Avenue, between Sunnyside and Fordham Avenues, Stallion Development and Construction.

I would like to voice my concerns regarding this project - 1. There is heavy flooding on Alluvial Avenue every time it rains and vehicle's don't slow down. Also on Sunnyside Avenue and the corner of Fordham Avenue.

2. I know we were told that there was enough water to meet the needs of the new development, but there are certain times of the morning and day that there is a drop in my water pressure.

3. I was told that there was a revision to the site plan to help address the issue of privacy from the two story issues and height of the block wall. It should still be considered for a higher block wall height by what ever means possible to get it to at least 15' high. To stop or prevent people from climbing over the fence/block wall.

4. There is also the safety issue for children walking to and from the elementary school a block away. We have been told that the school district didn't have a problem with this apartment construction site. But the school district doesn't have responsibilities once the children leave the school grounds and facility.

5. I've already had issues with the theft of property and people going through garbage bins. I was told by the City of Clovis Police that there not much they could do in catching anyone because we are located near an easy on and off exist to Highway 168. What types of guarantees do we have that more property damage and theft would not occur?

6. I understand that with this type of development would cause the value of our property to decrease!

7. This type of project should have a fire hydrant on site and that would make it possible to consider the higher block wall and revisions to their general plan. I know I was told that it would take a lot of rule changes even to get this done. Shouldn't these types of changes take 4 - 6 months+?

I hope/which that the Clovis City Council consider to not approve this two story development to go through and the rezoning to be approved.

Thank you for considering and reading my letter.

Regards,
Suzanne Tange

PS...Please email me that you received this letter. Thank you.



CITY *of* CLOVIS

MEMORANDUM

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: March 6, 2023

SUBJECT: Consider Approval - Res. 23-___, Resolution of Necessity to determine that public interest and necessity require acquisition of property for public purposes and; authorizing proceedings in eminent domain for two properties located between Locan Avenue and DeWolf Avenue. APN/Owner: 553-030-05/Zepeda and 565-042-14/Samarin.

At the City Council meeting on February 21, 2023 the above referenced item was continued to allow additional time for staff to outreach to the property owners. Staff reached out to the property owners of both parcels. Staff has reached agreeable terms with Jose and Carmen Zepeda the property owners at the southeast corner of Herndon and Locan Avenues. Staff has a meeting scheduled with the Zepedas for Thursday, March 9 to sign documents.

Staff also spoke to Cheryl Simarin, one of the property owners of the parcel at the northeast corner of Hendon and DeWolf Avenues, who has stated they want to get an independent appraisal. Staff let her know they can counter the City's current offer. She indicated they may do so, but as of the writing of this memo, staff has not received any counteroffer. Staff has been working with the Simarins since the later part of 2021 and have discussed them providing an independent appraisal and a counteroffer on several occasions, but staff has never received either.

Since both of the acquisitions are not finalized, staff is requested the City Council approve the Resolution of Necessity as attached to the staff report. Staff will follow through on the completion of the documents for the Zepeda transaction and will continue to work with the Simarins to attempt to come to an agreement.