

7. Police - Approved - **Res. 20-123**, Amending the Police Department's Budget for FY 2020-2021 to reflect the Department of Alcoholic Beverage Control 2019-2020 GAP Grant Award in the amount of \$44,765.
8. Planning and Development Services – Approved – **Res. 20-124**, Final Map Tract 6255, located at the southwest corner of Ashlan Avenue and Highland Avenue (Wilson Premier Homes, Inc.).
9. Planning and Development Services – Approved – **Res. 20-125**, Annexation of Proposed Tract 6255, located at the southwest corner of Ashlan Avenue and Highland Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (Wilson Premier Homes, Inc.).
10. Public Utilities – Approved – Waive formal bidding requirements and authorize the purchase of a flatbed truck with liftgate off of the Sourcewell Purchasing Contract from Pape Kenworth; and Approved – **Res. 20-126**, Amending the 2020-2021 Public Utilities Department Community Sanitation budget to allocate funds for the purchase of the flatbed truck.

PUBLIC HEARINGS

ITEM 11 – 6:37 - CONSIDER APPROVAL - **RES. 20-127**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS CONFIRMING ASSESSMENT FOR ADMINISTRATIVE FINES FOR PROPERTY RELATED NUISANCES, 2153 WINDSOR AVENUE, CLOVIS, CA, APN NO: 550-222-18.

Assistant City Manager John Holt presented a report on a request for Council to approve a resolution confirming assessment for administrative fines for property related nuisances for 2153 Windsor Avenue, Clovis, CA. Beginning in approximately September of 2014, the City of Clovis has been compelled to issue numerous administrative citations in the total amount of Nineteen Thousand Eight Hundred Thirty Dollars and Zero Cents (\$19,830.00) as a result of ongoing property related nuisances at 2153 Windsor Avenue ("Property"). The Property occupant, Daren McDaniel, has ignored these citations and the City's demands to abate the underlying property nuisances for nearly six (6) years. At this time, the City is entitled to recover its enforcement costs from Mr. McDaniel and the Property, pursuant to Clovis Municipal Code ("CMC") section 5.29.103. Approval of the resolution will confirm these costs as an assessment and regular lien against the Property if not paid within 15 days of the passage of the Resolution. Police Corporal Josh Kirk provided an overview of activity at that address over the past five years.

Chip Wipfler, area resident, spoke in support approving the resolution. Maggie Leong, area resident, commented on the negative activity at that location for the past five years. Bill Scott, area resident, spoke in support approving the resolution. Brandon Leong, area resident, commented on the negative activity at that location for the past five years.

Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve a resolution confirming assessment for administrative fines for property related nuisances for 2153 Windsor Avenue, Clovis, CA with additional direction to considering lowering the threshold below the current \$20,000 and consider adding staff time versus just the dollar value of the citations. Motion carried by unanimous vote.

ITEM 12 – 7:22 - APPROVED - **RES. 20-128**, SPR2018-005A2, A REQUEST TO CONSIDER AN APPEAL OF THE SITE PLAN REVIEW DENIAL FOR AN ADDITIONAL ACCESS POINT ON WILLOW AVENUE FOR A PREVIOUSLY APPROVED COMMERCIAL CENTER LOCATED AT THE NORTHEAST CORNER OF WILLOW AND ALLUVIAL AVENUES. EL CENTRO CORNER PETROLEUM LLC, OWNER/APPLICANT.

Associate Planner Lily Cha presented a report SPR2018-005A2, a request to consider an appeal of the site plan review denial for an additional access point on Willow Avenue for a previously approved commercial center located at the northeast corner of Willow and Alluvial Avenues. City Engineer Mike Harrison provided an overview of options and reasoning for staff's recommended denial. SPR2018-005A2 was denied by the Director of Planning and Development Services on June 17, 2020. The request was denied based upon the established goals and policies of the General Plan and Municipal Code coupled with the jointly developed access plan between the City of Fresno and Clovis that identifies a limited number of access points along the Willow Avenue corridor. On July 23, 2020, the request was brought before the Planning Commission as an appeal to the Director's decision, where the Planning Commission upheld the Director's denial of the third project access point. The appellant has requested this appeal for Council's consideration of the additional access point. After review of the applicant's reasons for appeal, staff's findings remain consistent with the initial site plan review denial and therefore staff recommends that the City Council make a finding to deny the appeal. The Project is considered a ministerial review that does not require environmental review based on Section 9.56.060 of the Municipal Code.

Dirk Poeschel, representing the applicant, Rick Ameran, commercial real estate broker, Jay Virk, business owner, Peggy Sulane, representing the applicant, Applicant, as well as two other Real Estate Brokers, all spoke in support of the additional access point on Willow Avenue for a previously approved commercial center located at the northeast corner of Willow and Alluvial Avenues. Trevor Beal, area business owner, spoke in opposition due to concerns with city allowing exceptions in city processes. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Mouanoutoua, for the Council to approve the resolution provided to City Council on the dais this evening identified as the resolution not recommended by staff, thus allowing the additional access point on Willow Avenue at the northeast corner of Willow and Alluvial Avenues. Motion carried by unanimous vote.

ITEM 13 – 9:56 - APPROVED - **RES. 20-129**, ADOPTION OF THE CITY OF CLOVIS 2019-2020 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

Community and Economic Development Director Andy Haussler presented a report on the City of Clovis 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) for expenditure of Community Development Block Grant Funds. The U. S. Department of Housing and Urban Development (HUD) requires the City to adopt the attached 2019-2020 CAPER reporting on the expenditure of Community Development Block Grant Funds. Andy Haussler provided an overview of the projects completed for 2019-2020. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to approve a

resolution adopting the City of Clovis 2019-2020 Consolidated Annual Performance and Evaluation Report for expenditure of Community Development Block Grant Funds. Motion carried by unanimous vote.

COUNCIL ITEMS

ITEM 14 – 10:01 - CONTINUED – RES. 20-XX, A REQUEST FROM THE TORRANCE CITY COUNCILMEMBER MIKE GRIFFITHS REGARDING A REQUEST FOR THE CLOVIS CITY COUNCIL TO APPROVE A RESOLUTION IN SUPPORT OF “CALIFORNIA CITIZENS FOR LOCAL CONTROL”

City Manager Luke Serpa presented a report on a request from the Torrance City Councilmember Mike Griffiths regarding a request for the Clovis City Council to approve a resolution in support of “California Citizens for Local Control”. Staff has drafted a resolution for City Council consideration based on an email from Torrance City Councilmember Mike Griffiths regarding a request for the Council to approve a resolution in support of “California Citizens for Local Control”. Councilmember Griffiths is leading a grass roots movement of volunteers from the southern California on a mission to spread awareness and enlist support to ensure cities can continue to manage their own land use and zoning issues. It appears to be driven by state laws being considered and recently passed regarding housing and removing local control on how cities manage their development. Councilmember Griffiths indicates that there is currently a “... volunteer group of about 40 passionate people” involved in the grass roots effort. To date, nine cities have approved a similar resolution, and one city opposed. The nine cities are Torrance, Manhattan Beach, Lawndale, Palos Verdes Estates, Rolling Hills, Rolling Hills Estates, Rancho Palos Verdes, and El Segundo. The opposition letter was from Redondo Beach. The Mission Statement of the League of California Cities which the City of Clovis is a member of that appears to be similar in nature to Councilmember Griffiths’ “California Citizens for Local Control”. Staff is presenting this item at the direction of Council for consideration to approve the resolution or not approve due to the perceived redundancy with the mission of the League of California Cities which the City of Clovis is a member of.

Discussion by the Council. It was the consensus of City Council to table this item until at least after the League of California Cities annual conference in October.

WORKSHOP

ITEM 15 – 10:15 - CONSIDERED – A REQUEST FROM THE CITY AND COUNTY OF FRESNO TO ADD THE CITY OF CLOVIS AS A SIGNATORY ON A LETTER TO GOVERNOR NEWSOM URGING THE REOPENING OF RESTAURANTS AND COMMITTING THE CITY TO USE CODE ENFORCEMENT TO ENFORCE GUIDELINES FOR OPERATING OF RESTAURANTS TO ENSURE COMPLIANCE WITH STATE AND COUNTY GUIDELINES.

Mayor Bessinger presented a report on a request from the City and County of Fresno to add the City of Clovis as a signatory on a letter to Governor Newsom urging the reopening of restaurants and committing the city to use code enforcement to enforce guidelines for operating of restaurants to ensure compliance with state and county guidelines. Mayor Bessinger provided an overview of his communications with the City and County of Fresno regarding a proposed letter to the governor. He indicated that the letter had gone out last week

less Clovis' signature and he was concerned about the use of code enforcement to enforce guidelines for operating of restaurants to ensure compliance with state and county guidelines. Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. It was the consensus of City Council to take no action on this item at this time.

City Manager Luke Serpa provided City Council an update on the COVID-19 pandemic numbers in the City of Clovis.

CITY MANAGER COMMENTS – 10:37

City Manager Luke Serpa commented on the city supporting Fresno County with the fires with building inspections, and assistance with the Shaver Lake sewage treatment plant.

COUNCIL COMMENTS – 10:39

Councilmember Ashbeck commented on: 1. Former City Manager's Allen Goodman wife's passing; 2. Queried if staff is evaluating what happens post COVID-19, such as planning, retail space, etc.; 3. Asked if we could use volunteers for community service; and 4. Noting Bryson DeChambeau's winning of the U.S. Open on Sunday.

Councilmember Mouanoutoua commented on how the city could celebrate Bryson DeChambeau's winning the U.S. Open on Sunday, and asked about recognition of a police officer recently recognized for saving lives.

Mayor Bessinger noted that he had spoken at a pro-business rally in Fresno on Monday morning.

CLOSED SESSION – 10:48

City Attorney David Wolfe noted that Item 17 was added to the agenda because the city had received a demand letter from an attorney regarding the California Voters Right Act and challenging the city's current at large election process.

16. Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Brianna Glick v. City of Clovis, et. al.;
Fresno County Superior Court case # 19CECG00122

17. Government Code Section 54956.9(d)(2)
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION – One Case

Mayor Bessinger adjourned the meeting of the Council to October 5, 2020



Mayor

Meeting adjourned: 10:59 p.m.



City Clerk

