

## CLOVIS CITY COUNCIL MEETING

**June 5, 2023**

**6:00 P.M.**

**Council Chamber**

Meeting called to order by Mayor Ashbeck  
Flag Salute led by Councilmember Bessinger

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

### **PRESENTATION – 6:03**

6:03 – ITEM -1 - PRESENTATION OF PROCLAMATION HONORING FIRE CHIEF JOHN BINASKI UPON HIS RETIREMENT AND COMMENDING HIM FOR HIS OVERALL 32 YEARS OF FIRE SERVICE AND 10 YEARS OF SERVICE TO THE CLOVIS COMMUNITY.

6:29 – ITEM – 2 - PRESENTATION OF PROCLAMATION HONORING CITY ENGINEER MIKE HARRISON UPON HIS RETIREMENT AND COMMENDING HIM FOR 39 YEARS OF SERVICE TO THE CLOVIS COMMUNITY.

### **PUBLIC COMMENTS – 6:56**

Robert, Resident, shared complaints regarding an ongoing issue with the smoke detectors in his apartment complex and affordable housing.

### **CONSENT CALENDAR – 7:05**

Councilmember Basgall abstained from voting on item 11 indicating that he has been involved with the incident as a witness. He also abstained from voting on item 14 as he is a member of the Marjaree Mason Center Board.

Motion by Councilmember Bessinger, seconded by Councilmember Mouanoutoua, that the items on the Consent Calendar with the exception of items 11 and 14, be approved. Motion carried by unanimous vote.

3. Administration - Approved - Minutes from the May 8, 2023, Council Meeting.
4. Administration - Adopted - **Ord. 23-03**, R2023-003, A request to establish rezoning classifications for approximately 333 acres of property and to modify rezoning classifications on approximately 35 acres within the overall 500-acre project area, located 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. City of Clovis, applicant. (Vote: 5-0)
5. Administration - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, January - March 2023.

6. Administration - Received and Filed – Business Organization of Old Town (BOOT) Third Quarter Report, January through March 2023.
7. Administration - Approved – Authorize the City Manager to enter into an agreement with Pro Ag Management, Inc. on the lease of 1625 Shaw Ave., Suite 101, for \$116,000 per year.
8. Administration – Approved – Waive Formal Bidding Requirements and Authorize a Service Contract with The Lew Edwards Group to Conduct Polling and Feasibility Analysis of Revenue Options for \$49,400.
9. Finance – Received and Filed – Investment Report for the Month of February 2023.
10. Finance – Received and Filed – Treasurer’s Report for the Month of February 2023.
12. Planning and Development Services – Approved – Final Acceptance for Final Map for Tract 6367, located at southeast area of Armstrong Avenue and Nees Avenue (Gleneagles Homes, a California Corp DBA Gary McDonald Homes, a California corporation).
13. Planning and Development Services – Approved – Bid Award for CIP 19-11 Bullard Avenue Rehabilitation; and authorize the City Manager to execute the contract on behalf of the City with Dave Christian Construction Company in the amount of \$761,162.25.
15. Public Utilities – Approved – Award Non-Exclusive Franchise Agreements for Hauling of Construction and Demolition Debris, and Update the City’s Approved Hauler List.

7:06 ITEM 11 - GENERAL SERVICES – APPROVED - CLAIM REJECTION OF THE GENERAL LIABILITY CLAIM ON BEHALF OF PHORUM SHETH.

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

7:06 ITEM 14 - POLICE - APPROVED – **RES. 23-44**, AUTHORIZING THE POLICE CHIEF AND THE POLICE DEPARTMENT TO EXECUTE AN MOU AND GRANT COOPERATIVE AGREEMENT BETWEEN MARJAREE MASON CENTER, INC., A CALIFORNIA NONPROFIT CORPORATION (MMC), AND APPROVED - **RES. 23-45**, AMENDING THE POLICE DEPARTMENT BUDGET TO REFLECT THE AWARD OF \$25,000.

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

**PUBLIC HEARINGS – 7:07**

7:07 ITEM 16 - APPROVED INTRODUCTION – **ORD. 23-04**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS ADDING CHAPTER 4.14 TO TITLE 4 OF THE CLOVIS MUNICIPAL CODE PROHIBITING SPECTATORS AT VEHICLE SIDESHOWS IN THE CITY OF CLOVIS.

Lewis, Resident, shared concerns regarding street racing and people running traffic lights.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

7:25 ITEM 17 - APPROVED – **RES. 23-46**, A RESOLUTION REVISING THE MASTER DEVELOPMENT FEE SCHEDULE AND PROVIDING A DESCRIPTION OF FEES TO BE REQUESTED FOR COUNTY ADOPTION. (CONTINUED FROM THE MAY 8, 2023, MEETING.)

Mike Prandini, BIA Representative, requested for the Council to defer the decision due to inconsistencies in the fee calculation for the street fees.

Darius Assemi, Granville Homes Representative, spoke in support of Council holding a workshop with stakeholders to discuss potential financing options for development.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Bessinger, for the Council to approve a resolution revising the master development fee schedule and directing staff to continue working with stakeholders and return with a workshop or workshops to explore other means of calculating and collecting development impact fees. Motion carried by unanimous vote.

8:41 ITEM 18 - CONTINUED - **RES. 23-47**, 2023-2024 CITY OF CLOVIS ANNUAL BUDGET, FIVE YEAR CAPITAL IMPROVEMENT PROGRAM, AND INFORMATION REGARDING THE CLOVIS SUCCESSOR AGENCY. (CONTINUED FROM THE MAY 15, 2023, MEETING.)

Item continued to the June 19, 2023, City Council meeting.

**COUNCIL ITEMS – 0:00**

9:44 ITEM 19 - APPROVED – CHANGE OF COUNCIL MEETING SCHEDULE.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

**CITY MANAGER COMMENTS – 9:45**

**COUNCIL COMMENTS – 9:45**

**CLOSED SESSION – 9:53**

- 20. GOVERNMENT CODE SECTION 54956.9(D)(4) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION DECIDING WHETHER TO INITIATE LITIGATION ONE POTENTIAL CASE
- 21. GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYEE EVALUATION  
TITLE: CITY MANAGER

No action was taken by the City Council during the closed session.

Mayor Ashbeck adjourned the meeting of the Council to June 19, 2023

Meeting adjourned: 10:45 p.m.



A handwritten signature in blue ink, appearing to read "Lynne Ashbeck", is written over a horizontal line.

Mayor

A handwritten signature in blue ink, appearing to read "Karyn Chen", is written over a horizontal line.

City Clerk

Sayre McFarlane Miller  
McFarlane and McFarlane  
4211 Ashlan Avenue  
Clovis, California 93619

City Council Meeting  
June 5, 2023

**Agenda Item 17**

I am pleased that Council is considering a revision of the Master Development Fee Schedule that does not include at this time an increase in the water category. However, there are four options listed in the staff report for a future water category fee increase [pages 160 and 161] that do not appear to take into consideration the widely varying water supplies and entitlements of the three growth areas.

For more than a century, landowners within the Fresno Irrigation District have paid to deliver the Kings River water supply that makes possible the existence of the cities of Clovis and Fresno. Landowners to the north and east of the Enterprise canal have contributed nothing to this effort while enjoying significant enhancements to the local aquifer.

Fresno Irrigation District landowners are bearing the lion's share of the burden to implement the North Kings Groundwater Sustainability Plan. Landowners pumping from wells outside the District with no surface water supply will continue to benefit disproportionately from these efforts.

It is unfair for the City of Clovis to overlook the longtime contributions of FID ratepayers. The differences in rates inside and outside FID [page 189] are insignificant in relation to the true cost of providing our local water supply. It appears that these rates reflect only the current price of acquiring water, which does not necessarily constitute an entitlement.

It is my belief that discussion of the City's current and future water supply requires the participation of stakeholders beyond the development community.