

## CLOVIS CITY COUNCIL MEETING

July 6, 2020

6:00 P.M.

Council Chamber

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

Roll Call: Present: Councilmembers Ashbeck, Flores, Mouanoutoua, Whalen  
Mayor Bessinger  
Absent: None

### 6:03 ITEM 1 - PRESENTATION OF PROCLAMATION RECOGNIZING JEFF AIELLO FOR HIS MANY ACHIEVEMENTS

City Council presented a proclamation to resident Jeff Aiello for his many achievements.

### CONSENT CALENDAR – 6:12

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, that the items on the Consent Calendar, except items 12 and 14, be approved, including the waiver of the reading of the ordinance.

2. Administration - Approved - Minutes from the June 15, 2020 Council Meeting.
3. Administration - Adopted - **Ord. 20-12**, R2016-10, A request to prezone from the County AE-20 (Exclusive Agricultural) Zone District to the Clovis R-1-PRD (Planned Residential Development) Zone District. (Approximately 38.50 acres of land located at the northwest corner of Shepherd and N. Clovis Avenues.) (Vote: 5-0).
4. Administration - Approved - Waive the City's Standard Bid Procedure and Enter Into an Agreement with the Community Housing Council of Fresno to Provide Housing and Budget Counseling for Implementation of the Emergency Housing Payment Program.
5. Administration - Received and Filed – Business Organization of Old Town (BOOT) Fourth Quarter Report, April through June 2020.
6. Administration - Approved – Waive Normal Purchasing Process and approve the purchase of replacement desktop computers and servers using competitively bid contracts with purchasing provisions for California State and Local government agencies.
7. Finance - Received and Filed - Investment Report for the month of March 2020.
8. Finance - Received and Filed - Treasurer's Report for the month of March 2020.
9. Finance - Received and Filed - Investment Report for the month of April 2020.
10. Finance - Received and Filed - Treasurer's Report for the month of April 2020.
11. Finance - Approved - **Res. 20-79**, Measure C Extension Local Transportation Pass Through Revenues Certification and Claim Forms for 2020-21.
13. General Services - Approval – **Res. 20-80**, Amending the FY20-21 Transit Budget to Add \$34,535.40 in Capital Expenditures; and, Approve the Receipt of Grant Fund Revenue in the Amount of \$34,535.40; and Waive the City's Usual Purchasing Procedures and Authorize Purchase of Bus Stop Shelters from Tolar Manufacturing, Inc. Utilizing Pricing from a Competitive Bid Award Through the California Association for Coordinated Transportation.

14. General Services – Approval – Waive Normal Bidding Procedures and Allow Pre-Award for Needlepoint Bipolar Ionization Systems, and; Authorize the City Manager to execute the contract on behalf of the City.
15. Planning and Development Services - Approval - Final Acceptance for Final Map for Tract 6068, located at the southwest corner of Shaw and Highland Avenues (DYP 6068, L.P., De Young Properties).
16. Planning and Development Services - Approval - Final Acceptance for Final Map for Tract 6102, located at the southwest area of Shaw and Highland Avenues (DYP 6068, L.P., De Young Properties).
17. Planning and Development Services - Approval - **Res. 20-81**, Partial Acceptance for Final Map for Tract 6180, located at the southwest corner of N Locan and Teague Avenues (DYP 6180, L.P., De Young Properties).
18. Planning and Development Services - Approval - **Res. 20-82**, Final Map Tract 6230, located at the southeast corner of Leonard and Bullard Avenues (WC Clovis 6186, LLC).
19. Planning and Development Services - Approval - **Res. 20-83**, Annexation of Proposed Tract 6230, located at the southeast corner of Leonard and Bullard Avenues to the Landscape Maintenance District No. 1 of the City of Clovis (WC Clovis 6186, LLC).
20. Planning and Development Services - Approval - Waive the City's usual purchasing procedures and authorize the City Manager to enter into a purchase agreement with Quinn Power Systems to supply an emergency generator and automatic transfer switch for CIP 17-22, Miss Winkles Pet Adoption Center Emergency Generator.
21. Public Utilities – Approval – **Res. 20-84**, amending the 2020-2021 Budget to fund an allocated Utility Worker position in the Public Utilities Department's Parks Maintenance section.

6:13 - CONSENT CALENDAR ITEM 12 - FINANCE - CONTINUED – **RES. 20-XX**, A RESOLUTION OF INTENTION (ROI) TO ANNEX TERRITORY (ANNEXATION #63) (CURRENT APN: [558-020-05] LOT LINE ADJUSTMENT: PARCEL B PME 2020-004 - NORTHWEST CORNER OF DE WOLF AND HARLAN RANCH BLVD), TO THE COMMUNITY FACILITIES DISTRICT (CFD) 2004-1 AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN AND SETTING THE PUBLIC HEARING FOR SEPTEMBER 8, 2020.

Mayor Bessinger indicated that this item was being pulled from consideration based of a request from staff. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to continue this item to a date uncertain. Motion carried by unanimous vote.

6:14 - CONSENT CALENDAR ITEM 14 - GENERAL SERVICES – APPROVED – WAIVE NORMAL BIDDING PROCEDURES AND ALLOW PRE-AWARD FOR NEEDLEPOINT BIPOLAR IONIZATION SYSTEMS, AND; AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

General Services Director Shonna Halterman provided a brief summary and was prepared for questions. Staff is recommending that Council pre-authorize the City Manager to award and execute the contract to the lowest responsible vendor, so the contractor may start and complete construction in a timely manner.

This project consists of the installation of Needlepoint Bipolar Ionization Systems (NPBI) in most City facilities. NPBI systems improve the overall indoor air quality of facilities and help reduce the transmission of airborne diseases such as COVID-19. The NPBI system provides the most efficient air cleaning without costly maintenance and expensive filters. Installation of approximately 60 NPBI systems in the City's 59 air conditioning/heating systems is estimated not to exceed \$215,000. Staff is still receiving quotes but is requesting pre-award in order to expedite the installation. Raquel White, Central Regional Compliance Manager, Construction Industry Force Account Council (CIFAC) phoned in and raised concerns about the process being proposed by staff. Discussion by the City Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua to approve a request to waive normal bidding procedures and allow pre-award for Needlepoint Bipolar Ionization Systems, and; Authorize the City Manager to execute the contract on behalf of the City with the added caveat of limiting the bid amount to the informal bidding amount and to bring back should that amount be exceeded. Motion carried by unanimous vote.

## **PUBLIC HEARINGS**

6:22 ITEM 22 - APPROVED – **RES. 20-85**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000 TO FINANCE AND REFINANCE A 75-UNIT PERMANENT SUPPORTIVE RENTAL HOUSING FACILITY FOR THE BENEFIT OF UPH BUTTERFLY GARDENS, LP, AND CERTAIN OTHER MATTERS RELATING THERETO.

Community and Economic Development Director Andy Haussler presented a report on a request to approve a resolution approving the issuance of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$30,000,000 to finance and refinance a 75-unit permanent supportive rental housing facility for the benefit of UPH Butterfly Gardens, LP. UPH Butterfly Gardens, LP, has requested that the CMFA issue one or more series of revenue bonds in an aggregate principal amount not to exceed \$30,000,000, including but not limited to revenue bonds issued as part of a plan to finance and refinance the acquisition, construction, improvement and equipping of a 75-unit permanent supportive rental housing facility for very low income persons experiencing homelessness and persons with disabilities, to be located at 784 W. Holland Avenue in the City of Clovis. UPH Butterfly Gardens, LP (the "Borrower"), is a limited partnership formed by Self Help Enterprises for this project. Self Help Enterprises has a long history of being a partner in affordable housing to the City of Clovis. The total construction cost of the project is estimated to be \$21,000,000. Representatives of Self Help Enterprises, UP Holdings, and Bond Legal Counsel, spoke in support and addressed questions of City Council. Discussion by the Council. Motion by Councilmember Mouanoutoua, seconded by Councilmember Ashbeck, for the City Council to approve a resolution approving the issuance of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$30,000,000 to finance and refinance a 75-unit permanent supportive rental housing facility for the benefit of UPH Butterfly Gardens, LP. Motion carried by unanimous vote.

## ADMINISTRATIVE ITEMS

7:03 – ITEM 23 - ADOPTED - **ORD. 20-11**, R2019-009, A REQUEST TO RECONSIDER APPROVAL OF A REZONE OF APPROXIMATELY 4 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF TEMPERANCE AND NEES AVENUES FROM THE R-A (SINGLE-FAMILY RESIDENTIAL VERY LOW DENSITY) ZONE DISTRICT TO THE C-P (PROFESSIONAL OFFICE) ZONE DISTRICT, IN ORDER TO ADDRESS THE CONDITION REQUIRING TRAIL IMPROVEMENTS ON THE WESTERN SIDE OF THE PROPERTY. BEAL PROPERTIES INC., PROPERTY OWNER/ APPLICANT.

City Planner Dave Merchan presented a report on a request to adopt Ordinance 20-11, approving a rezone of approximately 4 acres of property located at the southwest corner of Temperance and Nees Avenues to be consistent with the underlying General Plan designation of MU-BC (Mixed Use- Business Campus). (This request is to rezone the subject property from the R-A (Single-Family Residential Very Low Density) Zone District to the C-P (Professional Office) Zone District), and amending the added condition from the May 18, 2020 introduction for staff and the property owners to explore opportunities using the Fresno Irrigation District canal bank as a trail pathway on the west side of the property.

On May 18, 2020, the City Council considered the introduction of Rezone R2019-009. The applicant's request included the rezone of the subject property from the R-A to the C-P Zone District, bringing the property into consistency with the General Plan. During the public hearing, the Council discussed the need for trail connectivity along the Enterprise Canal in this area. As a result, Council approved the applicant's rezone request with the addition of a condition that requires improvement and/or contribution of the applicant's portion of a trail system adjacent to the Enterprise Canal, along the western side of the property for future connectivity to the north.

On June 15, 2020, Rezone R2019-009 was reconsidered by the Council to confirm and/or modify the trail condition as directed by Council. Council heard testimony from the applicant and the adjacent property owner to the south of the subject property specific to the various trail configurations that are feasible for this area. After discussion, Council took action to reintroduce R2019-009 with a modified trail requirement allowing for a maximum 5 feet of dedication towards the trail alignment that is to be placed adjacent to the Fresno Irrigation District (FID) canal bank. The action was approved by a 3-2 vote with Councilmembers Ashbeck and Mouanoutoua voting no. This item is returning to Council on July 6, 2020 for a second reading and adoption. Staff member Andy Haussler read into the record correspondence from resident David Angel who raised concerns about traffic and use of the property and spoke in opposition to the proposed changes. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Flores, for the Council to adopt Ordinance 20-11, approving a rezone of approximately 4 acres of property located at the southwest corner of Temperance and Nees Avenues to be consistent with the underlying General Plan designation of MU-BC (Mixed Use- Business Campus). (This request is to rezone the subject property from the R-A (Single-Family Residential Very Low Density) Zone District to the C-P (Professional Office) Zone District), and amending the added condition from the May 18, 2020 introduction for staff and the property owners to explore opportunities using the Fresno Irrigation District canal bank as a trail pathway on the west side of the property. Motion carried 3-2 with Councilmembers Ashbeck and Mouanoutoua voting no.

**COUNCIL ITEMS**

**7:10 ITEM 24 - APPROVED – CHANGE OF COUNCIL MEETING SCHEDULE.**

City Manager Luke Serpa presented a report on a request to cancel the Council meeting of July 13, 2020. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve the cancellation of the Council meeting of July 13, 2020. Motion carried by unanimous vote.

**7:15 ITEM 25. 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.**

a. Consider Approval – Authorize the City Manager to Execute the Certification Form for Receipt of CARES Act funds from the State of California and All Related Documents.

Community and Economic Development Director Andrew Haussler presented a report on a request to authorize the City Manager to execute the Certification Form for Receipt of CARES Act funds from the State of California and All Related Documents. On July 1, 2020, the State of California released an application process for federal CARES Act funds that were allocated to the State of California. A certification form must be submitted to the State of California by July 10, 2020 with subsequent documentation of eligible COVID-19 related expenditures. The State of California has determined that the City of Clovis would be eligible for up to \$1,471,470. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Mouanoutoua for the Council to authorize the City Manager to execute the Certification Form for Receipt of CARES Act funds from the State of California and All Related Documents. Motion carried by unanimous vote.

**CLOSED SESSION**

**7:20 Item 26 - Government Code Section 54956.9**

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

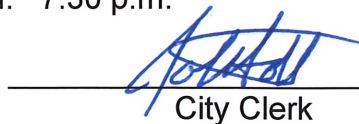
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9

1 case

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

  
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Mayor

Meeting adjourned: 7:30 p.m.

  
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City Clerk

