

these standards alter existing requirements in the Development Code, focusing primarily on the R-1-MD (Single Family Residential Medium Density) zone district. These standards, if adopted, also require amendments to the Development Code to eliminate inconsistencies.

Mike Cunningham, Planning Commissioner, commented on the side yard setbacks and the discussion that took place at the planning commission when this item was considered. Paul Pierce, resident, commented on the need to adequate size garages. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the council to table the discussion to a future date. Motion carried 4-1 with Councilmember Whalen voting no. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to reconsider the prior motion. Motion carried by unanimous vote. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to continue the item to the March 15, 2021. Motion carried 3-2, with Councilmembers Mouanoutoua and Whalen voting no.

ADMINISTRATIVE ITEMS

7:57 - ITEM 5A - APPROVED – **RES. 21-31**, A REQUEST AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTANT AGREEMENT BETWEEN THE CITY OF CLOVIS AND DE NOVO PLANNING GROUP FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND RELATED SERVICES; AND ITEM 5B - APPROVED – **RES. 21-32**, A REQUEST ALLOWING FOR THE PREPARATION AND SUBMITTAL OF AN APPLICATION TO THE FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION TO AMEND THE CITY OF CLOVIS SPHERE OF INFLUENCE TO INCLUDE ±1,050 ACRES.

Senior Planner Ricky Caperton presented a report on various items associated with ±1,050 acres of property located north of Shepherd Avenue generally between Sunnyside Avenues and north Carson Avenue (Big Dry Creek Dam). On September 14, 2020, the City Council considered information by staff and the applicant, Wilson Premier Homes, for a request to amend the City of Clovis SOI to include ±825 acres north of Shepherd Avenue. Ultimately, Council provided direction for staff to proceed with the request albeit with slightly increased acreage for purposes of creating a more “logical boundary,” for a total of ±1,050 acres. In addition, staff was directed to hold a public meeting with property owners located within the revised boundary within an 800 foot radius outside of the boundary, as well as with property owners within the Dry Creek Preserve area – south of the proposed Sphere of Influence (SOI) amendment boundary.

In response to Council direction, staff has since conducted interviews for selection of an EIR consultant, and held a neighborhood meeting with property owners in and around the proposed SOI boundary. The staff report provided a summary of progress that has occurred since the September 14 Council hearing, followed by a staff recommendation for Council approval of requests to allow the City to enter into an agreement with the Environmental Impact Report (EIR) consultant, and submit an application to LAFCo for the SOI amendment.

Dirk Poeschel, representing Wilson Homes, commented and spoke in support of the project. Sean Stevenson and Vince Genco, area property owners, spoke in support of the project. Arakel Arisian, representing Ricchiuti family, questioned availability of water and sewer to provide for both growth areas and spoke in opposition. Manny Penn, area property owner, spoke in support. Guy Vanata, area resident, spoke in opposition. Paul Pierce, area resident, spoke in opposition. Jarod McCallister, area resident, spoke in opposition. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve Res. 21-31 a request authorizing the city manager to execute a consultant agreement between the City of Clovis and De Novo Planning Group for the preparation of an EIR and related services. Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve Res. 21-32 a request allowing for the preparation and submittal of an application to the Fresno County LAFCo to amend the City of Clovis SOI to include $\pm 1,050$ acres. Motion carried 4-1 with Councilmember Whalen voting no.

9:53 ITEM 6 - RECEIVED AND FILED - 2021 FIVE-YEAR FINANCIAL FORECAST FOR THE CITY OF CLOVIS THROUGH FISCAL YEAR 2025-26 AND DISCUSS OPTIONS FOR BUDGET PREPARATION FOR 2021-22.

Finance Director Jay Schengel and City Manager Luke Serpa presented a report on the five year financial forecast. The Five-Year Financial Forecast is a management tool that is updated and prepared each year to provide the City Council and City management with information on trends for the City's long-term financial condition. The forecast represents a continuing effort to analyze the City's fiscal condition based upon a reasonable set of economic and operational assumptions. It is a very important management tool for identifying fiscal trends and issues which must be addressed early in order to assure continued financial success. The General Fund in this forecast is structurally balanced through 2025-26 with the exception of 2021-22. This report will serve as an opportunity to review the information in context with guidance for providing for the City's core services in a sustainable manner. Jay Schengel provided an overview of all funds.

There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. It was the consensus of City Council to receive and file the five year financial forecast.

10:13 ITEM 7 - CONTINUED – RES. 21-XX, APPROVING THE CONTRACT EXTENSION FOR SHELLI VINSON AS A CONTRACT EXTRA HELP FIRE INSPECTOR II IN ACCORDANCE WITH GOVERNMENT CODE SECTION 21224.

Mayor Bessinger indicated that staff was recommending this item be continued to the meeting of March 15, 2021. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. It was the consensus of City Council to continue the item to March 15, 2021.

COUNCIL ITEMS

10:14 ITEM 8 - APPROVED – FOR THE CITY COUNCIL TO PROVIDE POLICY DIRECTION TO OPPOSE, UNLESS AMENDED, PROPOSED LEGISLATION – SB 9 (ATKINS).

Community and Economic Development Director Andy Haussler presented a report on a request for the City Council to provide policy direction to Oppose Unless Amended Proposed Legislation – Senate Bill 9 (Atkins) Housing Development Approvals. Senate Bill 9 (Atkins) Housing Development Approvals is being considered by the California Legislature. Staff has reviewed the bill and in summary would allow by-right at least two dwelling units per a lot in the single-family zones. Staff is recommending City Council provide policy direction to oppose the legislation unless amended. If the recommendation is approved, staff will draft appropriate letters to submit to the legislature for consideration.

There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, for the City Council to approve a request to draft a letter to Oppose Unless Amended Proposed Legislation – Senate Bill 9 (Atkins) Housing Development Approvals.

10:19 ITEM 9 - APPROVED – CHANGE OF COUNCIL MEETING SCHEDULE.

City Manager Luke Serpa presented a report on a request to cancel the Council meeting of March 8, 2021, and add the meeting of March 22, 2021. 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 City Council to approve a request to cancel the Council meeting of March 8, 2021, and add the meeting of March 22, 2021.

WORKSHOP – 10:20


City Manager Luke Serpa provided an update on the numbers in Fresno County and the City of Clovis related to the pandemic.

CLOSED SESSION -10:30 p.m.

ITEM 10 - Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Desiree Martinez, Maria De Jesus Sanchez v. City of Clovis, et al.

Mayor Bessinger adjourned the meeting of the Council to March 15, 2021

Meeting adjourned: 10:50 p.m.



Mayor



City Clerk



John Holt

From: Public Comments <email@cityofclovis.com>
Sent: Monday, March 1, 2021 4:09 PM
To: John Holt; Karey Cha
Subject: Public Comment for City Council

Council Meeting Date: 2021-03-01

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

FullName: Judith Taylor

Email: judisteele@icloud.com

Comment: I am surprised that incumbent, Vong Mouanoutoua held a rally in which he planned to give Prizes as an encouragement to get votes in tomorrow's election. He had planned to give Raffle prizes but due to pressure and criticism from several sources he held the Rally without because they are considered illegal. I have included the Fresno Bee Article which had a story on this:

<https://www.fresnobee.com/news/politics-government/election/local-election/article249576313.html>

Vong, as an elected council member should have been aware of the implications of doing this, particularly at a time when voting practices are in question.

Supporting Files (2 Max.):

Date: March 1, 2021

Time: 5:08 pm

Remote IP: 73.220.10.172

March 1, 2021
Public Comments

John Holt

From: Public Comments <email@cityofclovis.com>
Sent: Monday, March 1, 2021 3:58 PM
To: John Holt; Karey Cha
Subject: Public Comment for City Council

Council Meeting Date: 2021-03-01

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

FullName: Judi Steele

Email: judisteele@sti.net

Comment: I'm concerned about the information presented at the Clovis City Council meetings about COVID-19. The graph created a month ago by the city manager which purported to show Clovis had the lowest covid infection rate in the County was inaccurate and not based on science. Council members such as Whalen spread misinformation about it on social media, using it to justify rescinding the local stay-at-home order after only a month or so in early May 2020. Per the Fresno County Dept of Public Health, "Data and rankings are reviewed as a whole County rather than independent jurisdictions. While we are able to share some data for each city in the County, we gather that data based on the residential address listed for the case. This data does NOT take into account where disease transmission actually occurred. This means we cannot say that cases attributed to one community's counts actually became infected within that same community. For example, it is possible that a case who has a Fresno City address became infected while in Clovis or vice versa."

I would rather see time spent promoting the vaccine immunization programs for our citizens in Clovis. I think the City Council should focus more on this than putting out charts about Clovis and how COVID-19 free our citizens are.

Supporting Files (2 Max.):

Date: March 1, 2021

Time: 4:57 pm

Remote IP: 73.220.10.172

John Holt

From: Public Comments <email@cityofclovis.com>
Sent: Monday, March 1, 2021 3:48 PM
To: John Holt; Karey Cha
Subject: Public Comment for City Council

Council Meeting Date: 2021-03-01

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

FullName: Rachel Youdelman

Email: rachel27@berkeley.edu

Comment: Vong Mouanoutoua, as a candidate for re-election to the City Council advertised a “prizes for ballots” rally at which rewards were offered in exchange for support of his candidacy. One of his campaign's social-media posts plainly asked voters to bring their ballots to receive a prize.

Offering such incentives to vote (raffles, prizes) is illegal, per California elections code 18522: candidates are not permitted to “pay, lend, or contribute ... any money or other valuable consideration to or for any voter.”

Only after public outcry did Mouanoutoua bother to cancel the planned distribution of prizes for ballots. His supporters in local government, including Mayor Bessinger, minimized the criminal wrongdoing and made light of Mouanoutoua’s egregious behavior.

How does offering prizes in exchange for votes serve the public interest? Even if such a practice were not illegal, a morally fit person would cringe at the notion.

Mouanoutoua’s questionable placement of campaign signs further impugns his judgement. That he was content to allow a rival candidate to be arrested as a felon for removing his illegally placed signs is a mark of weak character.

How is it that a sitting council member can contravene election rules with such evident impunity? Must his every move be monitored from now on?

Mouanoutoua’s self-interest clearly outweighs that of the public’s, he is unfit to serve the public, and he must resign.

Supporting Files (2 Max.): <https://cityofclovis.com/wp-content/uploads/elementor/forms/603d7d3673d1e.jpg>

Date: March 1, 2021

Time: 4:48 pm

Remote IP: 73.220.235.169

John Holt

From: Public Comments <email@cityofclovis.com>
Sent: Monday, March 1, 2021 1:05 PM
To: John Holt; Karey Cha
Subject: Public Comment for City Council

Council Meeting Date: 2021-03-01

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

FullName: Michael Rechkemmer

Email: mikerechk@verizon.net

Comment: I have spoken with the council via webcast on 5 May 2020 and 11 Jan 2021 regarding the break or split between the Enterprise Trail and Dry Creek Trail. I'll be speaking to these comments and the attached presentation at the meeting, if I'm given access. I'd ask that this be placed into the council meeting records.

Recapping my written submission that I asked to have read into the record on 5 May 2020:

From: Public Comments [mailto:email@cityofclovis.com]

Sent: Tuesday, May 19, 2020 8:38 AM

To: John Holt ; Karey Cha

Subject: [CAUTION SPOOFING] Public Comment for City Council

Council Meeting Date: 2020-05-18

Item Number: 1

Name: Michael Rechkemmer

Email: mikerechk@verizon.net

Comment: I'm reposting this comment I provided in this link on Sunday, May 17th as it was not addressed during the May 18th council meeting:

In the past couple of weeks homeowners have put up gates blocking access on the north side of the Enterprise canal between North Sunnyside Ave and North Fowler Ave, just south of East Shepherd Ave. This portion of the canal used to provide pedestrian and bicyclist access connecting Dry Creek Trail and Enterprise Trail. Without this access the only viable connection between the two trails is to use East Shepherd. And, this comes at great risk for those who might attempt to walk or bike between the two trails as East Shepherd Ave is extremely narrow, even for vehicular traffic on this portion of the road. Is the city aware and is there any emergency plan to provide alternative access between the two trails?

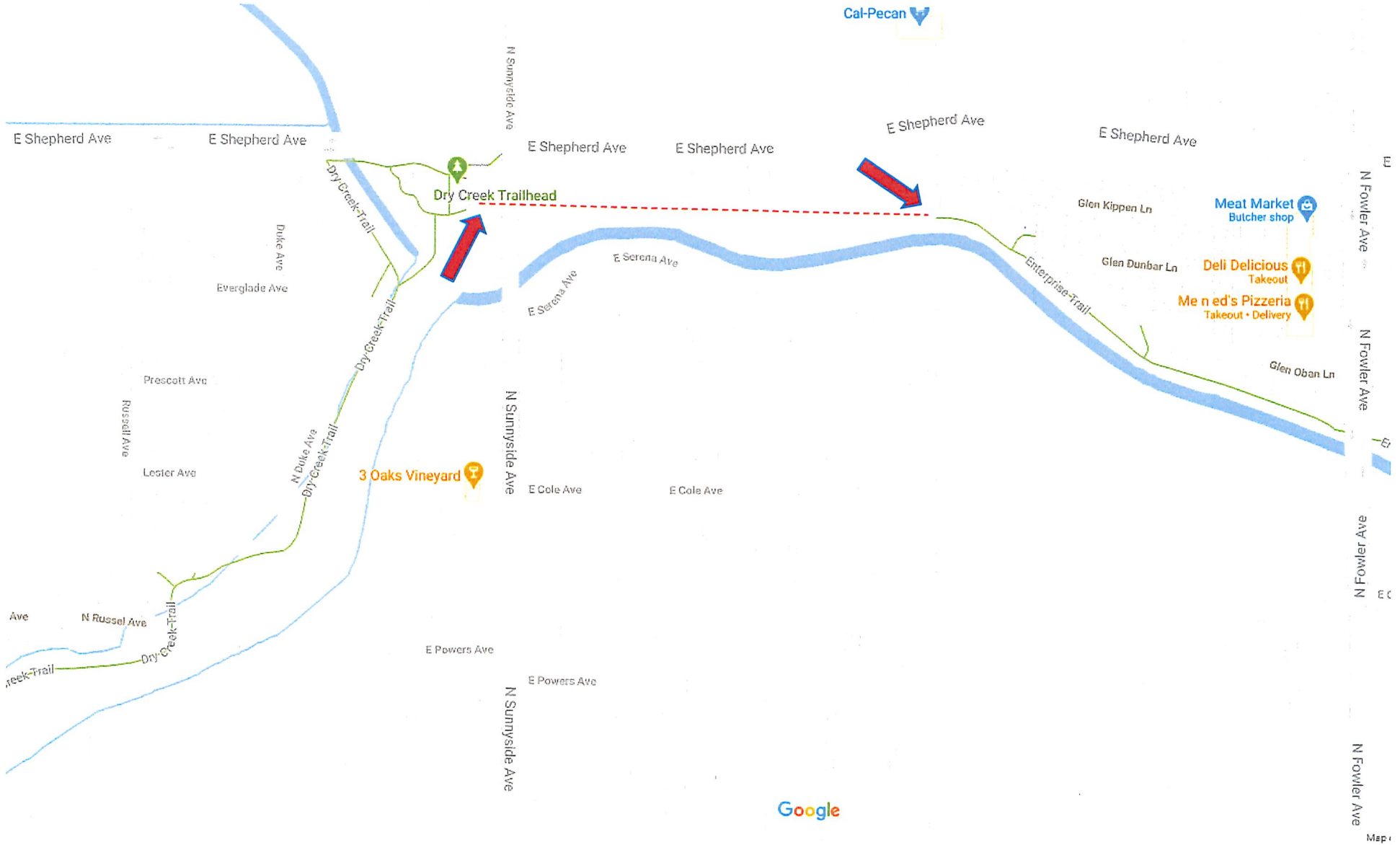
Supporting Files (2 Max.): <https://cityofclovis.com/wp-content/uploads/elementor/forms/603d56fd901a5.pptx>

Date: March 1, 2021

Time: 2:05 pm

Remote IP: 67.181.2.154

Enterprise Trail split from Dry Creek Trail



Enterprise Trail split from Dry Creek Trail



Enterprise Trail split from Dry Creek Trail
East Shepherd Ave – East View
Single lanes; gravel siding
Yellow line; no room to pass biker safely



Enterprise Trail split from Dry Creek Trail
East Shepherd Ave – West View
Single lanes; gravel siding
Yellow line; no room to pass biker safely

