

CLOVIS CITY COUNCIL MEETING

March 11, 2024

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Ashbeck at 6:00
Flag Salute led by Councilmember Mouanoutoua

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

PRESENTATION – 6:02

6:02 – ITEM -1 - PRESENTATION OF PROCLAMATION RECOGNIZING RETIRING POLICE LIEUTENANT JIM KOCH FOR HIS 27 YEARS OF DEDICATED SERVICE TO THE CITY OF CLOVIS.

6:22 – ITEM -2 - PRESENTATION OF PROCLAMATION DECLARING MARCH AS AMERICAN RED CROSS MONTH.

PUBLIC COMMENTS – 6:28

A resident invited City Council to a Vietnam War veterans event March 29, 2024, at the Clovis Veterans Memorial Building.

Malcolm Gibson, resident, thanked staff for the assisted hearing system and commented on affordable housing issues.

Ivan Garcia, Clovis Community College student, invited City Council to an event for the debate team on March 13, 2024, and provided an update on the team's success.

CONSENT CALENDAR – 6:42

Motion by Councilmember Bessinger, seconded by Councilmember Mouanoutoua, that the items on the Consent Calendar be approved. Motion carried by unanimous vote.

3. Administration - Approved - Minutes from the February 20, 2024, Council Meeting.
4. Administration - Approved – Award the Request for Proposals and approve the purchase of the Microsoft Enterprise Agreement to Dell Marketing, L.P., for \$426,200.78 per year for three years.
5. Finance – Received and Filed – Investment Report for the Month of October 2023.
6. Finance – Received and Filed – Treasurer's Report for the Month of October 2023.
7. Fire – Approved – Award Weed and Rubish Abatement Contract to Iron Cross Tractor Services, LLC, for discing, handwork, trash hauling, grading, tire disposal, and tree stump removal.

8. Planning and Development Services – Approved – Bid Award for CIP 24-03 ADA Curb Return Ramps 2024 – T2; and Authorize the City Manager to Execute the Contract on behalf of the City with Kroeker, Inc., in the amount of \$269,716.00.
9. Planning and Development Services – Approved – Bid Award for CIP 24-04 ADA Curb Return Ramps 2024 – T3; and Authorize the City Manager to Execute the Contract on behalf of the City with Geometric Construction, Inc., in the amount of \$211,156.00.
10. Planning and Development Services – Approved – Bid Award for CIP 22-05 Trail Pavement Maintenance 2022; and Authorize the City Manager to Execute the Contract on behalf of the City with Seal Rite Paving & Grading in the amount of \$129,870.00.
11. Planning and Development Services – Approved – Final Acceptance for Final Map Tract 6050, located at the northwest corner of Shepherd and Clovis Avenues (6050 Enterprises, LP (Wilson Homes)).
12. Planning and Development Services - Approved – **Res. 24-22**, Final Map Tract 6340, located at the southeast corner of Ashlan Avenue and Thompson Avenue (KB Home South Bay, Inc., a California Corporation).
13. Planning and Development Services - Approved – **Res. 24-23**, Annexation of Proposed Tract 6340, located at the southeast corner of Ashlan Avenue and Thompson Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (KB Home South Bay, Inc., A California Corporation).

PUBLIC HEARINGS – 6:42

- 6:42 ITEM 14 - APPROVED – **RES. 24-24**, A RESOLUTION APPROVING THE ANNUAL REVIEW AND UPDATE TO THE REGIONAL HOUSING NEEDS (RHN) OVERLAY DISTRICT MAP OF PARCELS AND ASSOCIATED LIST REFLECTING THOSE PARCELS THAT QUALIFY FOR DEVELOPMENT AS AN RHN OVERLAY PROJECT.

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

ADMINISTRATIVE ITEMS – 6:49

- 6:49 ITEM 15 - APPROVED – AWARD CONSULTING SERVICES CONTRACT TO APTIM IN THE TOTAL AMOUNT OF \$100,000 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY; AND RECEIVE AND FILE – UPDATE ON SB 1383.

Motion for approval by Councilmember Mouanoutoua, seconded by Councilmember Basgall. Motion carried 4-1 with Councilmember Bessinger voting no.

- 7:18 ITEM 16 - RECEIVED AND FILED - 2024 FIVE-YEAR FINANCIAL FORECAST FOR THE CITY OF CLOVIS THROUGH 2028/29 AND DISCUSS OPTIONS FOR BUDGET PREPARATION FOR 2024/25.

David Rau, Clovis resident, spoke on the potential impact of the taxpayer protection act.

CITY MANAGER COMMENTS – 8:16

COUNCIL COMMENTS – 8:17

CLOSED SESSION – 8:28

ITEM 17 - GOVERNMENT CODE SECTION 54956.9(D)(2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION ONE POTENTIAL CASE

RECONVENE INTO OPEN SESSION AND REPORT FROM CLOSED SESSION – 8:45

No action taken.

ADJOURNMENT

Mayor Ashbeck adjourned the meeting of the Council to March 18, 2024

Meeting adjourned: 8:45 p.m.



Mayor



City Clerk



PUBLIC COMMENTS
3-11-2024

Rebecca Simonian

From: Andrew Haussler
Sent: Wednesday, February 28, 2024 4:07 PM
To: Rebecca Simonian
Cc: John Holt
Subject: FW: [External] Public Comment for City Council

Please include this on the dais as a public comment for the 3/11 meeting. Thanks.

Andy Haussler
Assistant City Manager
City of Clovis
(559) 324-2095
andrewh@cityofclovis.com

From: Andrew Haussler
Sent: Wednesday, February 28, 2024 4:06 PM
To: 'amatafinancial@yahoo.com' <amatafinancial@yahoo.com>; Rebecca Simonian <rebeccas@ci.clovis.ca.us>
Subject: RE: [External] Public Comment for City Council

Mr. Mata,

Thank you for reaching out to our office on this issue. The city does have an ordinance regarding Air BnB rentals (short-term rentals), it is linked and pasted below. The issues you are describing are concerning and I would encourage you to call our police department at (559) 324-2800 to report issues. The more engagement our police department has the more we can engage the owners of the properties. If you have the addresses of the properties we can check to ensure they are registered here at the City as well. Feel free to call for any follow-up questions and/or concerns you have.

Andy Haussler
Assistant City Manager
City of Clovis
(559) 324-2095
andrewh@cityofclovis.com

<https://www.codepublishing.com/CA/Clovis/#!/html/Clovis09/Clovis0958.html>

9.58.065 Operating standards for short-term rentals.¹

In addition to all other requirements of this chapter, and notwithstanding any contrary provisions in this Code, short-term rentals are subject to the following operational standards:

A. Definitions. The definitions in this subsection shall govern the construction, meaning, and application of the following words and phrases used in this chapter:

1. "Local contact person" shall mean a person designated by an owner or the owner's agent, who, if designated to act as such, shall be available to respond to notification of a complaint regarding the

dwelling, and take remedial action necessary, as required under subsection D of this section. A local contact person may be the owner or the owner's agent.

2. "Occupant" shall mean any person who is on or in a short-term rental property other than service providers or the owner, whether or not the person stays overnight.

3. "Operator" shall mean the owner or the designated agent of the owner who is responsible for compliance with this section.

4. "Owner" shall mean the person(s) or entity(ies) that holds legal or equitable title to a dwelling. "Owner" includes a lessee.

5. "Short-term rental" shall mean the rental of a dwelling or a portion thereof by the owner to another person or group of persons for occupancy, dwelling, lodging or sleeping purposes for a period of less than thirty (30) consecutive calendar days. The rental of units within City-approved hotels, motels, bed and breakfasts, and time-share projects shall not be considered to be a short-term rental.

6. "Short-term rental unit" shall mean the habitable interior space of a dwelling, or any portion thereof, that is being rented, or is intended to be rented, as a short-term rental to a person or group of persons.

B. The owner of a short-term rental unit shall not be relieved of any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental unit, regardless of whether such noncompliance was committed by the owner's agent, a local contact person or the occupants of the owner's short-term rental unit.

C. The owner shall ensure that the short-term rental property and short-term rental unit(s) comply with all applicable codes regarding fire, building and safety, health and safety, and all other relevant laws, regulations and ordinances, obtain all permits required, and pay all applicable fees.

D. While a short-term rental unit is rented, the owner or a local contact person shall be available by telephone twenty-four (24) hours per day, seven (7) days per week to respond to complaints regarding the use, condition, operation or conduct of occupants of a short-term rental unit. The owner or a local contact person must be on the premises of the short-term rental at the request of an enforcement officer or the City's Police Department within forty-five (45) minutes of contact to satisfactorily correct or take remedial action necessary to resolve any complaint, alleged nuisance or violation of this chapter by occupants occurring at the short-term rental property. Failure of the owner or a local contact person to respond to calls or complaints in a timely and appropriate manner shall be grounds for imposition of penalties as set forth in this chapter and/or Chapter 7 of Title 1.

E. Within ten (10) calendar days following the issuance of a home occupation permit for a short-term rental, the owner shall mail or personally deliver in writing the following information to the owners and occupants of properties contiguous to and directly across the street (or alley or other right-of-way) from the short-term rental property: the name and telephone number of the person, whether the owner or the local contact person, who shall be available twenty-four (24) hours per day, seven (7) days per week to respond to complaints regarding the use, condition, operation or conduct of occupants of a short-term rental unit. Thereafter, within thirty (30) days of the issuance of the permit, the owner shall sign under penalty of perjury, and submit to the Director, a dated written certification that the required mailing or delivery was completed. At any time during the pendency of a home occupation permit for a short-term rental such information changes, the owner shall promptly mail or personally deliver in writing the updated information to maintain

accuracy and shall also promptly submit to the Director a signed (under penalty of perjury) and dated written certification that the required mailing or delivery of the updated information was completed.

F. Short-term rental property(ies) and short-term rental unit(s) shall be used only for overnight lodging accommodations. At no time shall a short-term rental unit or short-term rental property be used for activities in excess of the occupancy limits established in subsection H of this section, or for weddings, receptions, parties, commercial functions, advertised conferences, or other similar assemblies that are separate from the purpose of lodging.

G. All advertising appearing in any written publication or on any website that promotes the availability or existence of a short-term rental shall include the City-issued permit number as part of the rental offering. No person shall advertise the use of a dwelling as a short-term rental unless the City has approved a home occupation permit for short-term rental pursuant to this chapter.

H. The owner shall limit occupancy of a short-term rental property to a specific number of occupants. The following table sets forth the maximum number of occupants:

Number of Bedrooms	Total Occupants
0-Studio	2
1	4
2	7
3	9
4	11
5	13
6	15
7	17
8	19

For any dwelling having more than eight (8) bedrooms, the maximum number of occupants shall not exceed nineteen (19) persons. If the home occupation permit for short-term rental limits occupancy to a number less than that shown on the table, the limit in the permit shall govern.

I. Only the habitable interior portions of a dwelling shall be utilized as a short-term rental. No garages, tents, camper trailers, recreational vehicles, or other exterior structures or spaces are permissible as short-term rentals.

J. In any advertising concerning the availability of a dwelling as a short-term rental, the owner or a local contact person shall advertise the maximum number of occupants allowed to occupy the short-term rental.

K. All vehicles of occupants of a short-term rental unit shall be parked only in an approved driveway or garage on the short-term rental property. The maximum number of vehicles allowed on a short-term rental property shall be limited to the number of available off-street parking spaces; however, such property must have a minimum of two (2) off-street parking spaces. The owner shall provide access to the garage of the dwelling if that area has been included in the determination of the number of available off-street parking

spaces pursuant to this chapter. In no event shall off-street parking include the use of landscaped areas, any private or public sidewalk, parkway, walkway or alley (or any portion thereof) located on, at or adjacent to the short-term rental property, or the blocking of the driveway or street in front of said property. The term "sidewalk" shall include that portion of a driveway that is delineated for pedestrian travel or is in the public right-of-way.

L. No on-site exterior signs shall be posted advertising the availability of a short-term rental at the short-term rental property.

M. If an enforcement officer has received a complaint concerning a suspected violation of this chapter or of this code or any applicable law, rule, or regulation pertaining to the use or occupancy of a short-term rental unit, or if the enforcement officer has reason to believe that such a violation has occurred, the enforcement officer may notify the owner or the local contact person of the complaint or suspected violation and the notified person shall cooperate in facilitating the investigation and the correction of the suspected violation. Failure of the owner or the local contact person to affirmatively respond to the officer's request within forty-five (45) minutes by reasonably cooperating in facilitating the investigation and the correction of the suspected violation shall be deemed to be a violation of this chapter. Notwithstanding the foregoing, it is not intended that an owner or the local contact person act as a peace officer or place himself or herself in an at-risk situation.

N. No musical instrument, phonograph, loudspeaker, amplified or reproduced sound, or any machine or device for the production or reproduction of any sound shall be used outside or be audible from the outside of a short-term rental unit between the hours of 10:00 p.m. and 9:00 a.m.

O. Occupants shall not engage in outdoor activities on a short-term rental property between the hours of 10:00 p.m. and 9:00 a.m. that involve the use of swimming pools, hot tubs, spas, tennis and paddleboard courts, play equipment and other similar and related improvements. The hours between 10:00 p.m. and 9:00 a.m. are considered to be "quiet time," where all activities at a short-term rental property shall be conducted inside of a short-term rental unit so that no outdoor activity will disturb the peace and quiet of the neighborhood adjacent to a short-term rental property or cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

P. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the responsible trash hauler, as set forth in Section 6.3.06, which provides for containers to be placed at the curb on the day of pickup and removed by noon the following day. The owner of a short-term rental property shall provide sufficient trash collection containers and service to meet the demand of the occupants. The short-term rental property shall be free of debris both on site and in the adjacent portion of the street.

Q. It is unlawful for any owner, occupant, renter, lessee, person present upon, or person having charge or possession of a short-term rental to make or continue or cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area, or violates any provision of Chapter 5.27, Article 6.

R. The owner and the local contact person shall ensure that the occupants of a short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol, or the use of illegal drugs. Owners and local contact persons are expected to take any measures necessary to abate

disturbances, including, but not limited to, directing the occupants of a short-term rental unit to cease the disturbing conduct, calling for law enforcement services or enforcement officers, removing the occupant(s), or taking any other action necessary to immediately abate the disturbance.

S. The owner shall post a sign at a conspicuous location within the short-term rental unit advising occupants of all rules and operational standards imposed upon occupants under this section.

T. All short-term rentals shall be subject to the City's transient occupancy tax, as required by Chapter 3.3, Article 4. The owner shall also maintain at all times a valid Clovis business registration.

U. Short-term rentals shall not exceed one unit per address in any multiple-family complex comprised of two (2) or more residential units. (§ 2, Ord. 17-30, eff. February 7, 2018)

From: Public Comments <email@cityofclovisca.us>

Sent: Tuesday, February 27, 2024 12:58 PM

To: Karey Cha <kareyc@ci.clovis.ca.us>; Andrew Haussler <andrewh@ci.clovis.ca.us>; Rebecca Simonian <rebeccas@ci.clovis.ca.us>

Subject: [External] Public Comment for City Council

Council Meeting Date: 2024-02-28

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

Full Name: Andrew Z Mata

Email: amatafinacial@yahoo.com

Comment: Is there a current City ordinance regarding Air BnB rental locations? I am a home owner near old town clovis and there are currently Air BnB rentals on both sides of me owned by the same owner. Its is causing a nuisance for me and my family due to the fact that there are constantly people who's character we don't know staying on each side of us. Some of them party and threaten our neighbors when politely asked if they will be staying a while or to keep the noise down. I grew up in Clovis and this is not the Clovis way of life I grew up living. Please call me if you have any further questions 559-304-8070.

Supporting Files (2 Max.):

Date: February 27, 2024

Time: 12:57 pm

Remote IP: 73.151.184.123

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Sunday, March 3, 2024 7:46 AM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2024-03-04

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

Full Name: Melissa Griggs

Email: alaunit147@gmail.com

Comment: I wanted to invite the invite the city council out the our American Legion 1st ever Family day event. Open to the public, offering a bike safety check, giant rocking unicorns, bounce house, crafts for the kids, raffle and lunch and a chance to see what the American Legion Family is all about, from our American Legion, Legion Riders and Auxilairy.

Supporting Files (2 Max.): [https://link.edgepilot.com/s/d7b9ef83/zbawCuY-](https://link.edgepilot.com/s/d7b9ef83/zbawCuY-xUOSVPJsBr4wyA?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/65e49b3108d78.jpg)

[xUOSVPJsBr4wyA?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/65e49b3108d78.jpg](https://link.edgepilot.com/s/d7b9ef83/zbawCuY-xUOSVPJsBr4wyA?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/65e49b3108d78.jpg)

Date: March 3, 2024

Time: 7:45 am

Remote IP: 73.235.121.42

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.



THE UNITED STATES OF AMERICA
**VIETNAM WAR
COMMEMORATION**



**NATIONAL
VIETNAM WAR
VETERANS DAY**



9am - 1pm MARCH 29, 2024

*Join the nation & our Clovis Community in honoring Vietnam War Veterans,
widowed spouses of Vietnam War Veterans, spouses of Vietnam War Veterans,
& family members of servicemen whose names are on the Vietnam War Memorial.
There will be a ceremony, resource tables, photo exhibit, & more.*

Clovis Veterans Memorial District
808 4th St. Clovis CA 93612



Contact:
559.299.0471
@CVMDistrict



ACTION COMMUNITY THEATER
IN ASSOCIATION WITH MUSIC THEATRE INTERNATIONAL

GODSPELL

RESERVE YOUR TICKETS AT
actioncommunitytheater.com

MARCH 22ND
6:30PM

MARCH 23RD
1PM &
6:30PM

MARCH 24TH
9AM &
6:30PM

ADMISSION \$1

All Proceeds
Benefit
City Without
Orphans

Godspell is presented
through special
arrangement with Music
Theatre International. All
authorized performance
materials are supplied by
MTI. mtishows.com

