

CLOVIS CITY COUNCIL MEETING

July 10, 2023

6:00 P.M.

Council Chamber

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

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

PUBLIC COMMENTS – 6:02

Charles Brough, Resident, shared concerns regarding the design of the new Landmark Square buildings and various street intersections throughout the city.

David Flum, Resident, shared concerns regarding “chip seals” that are used in street repairs and are causing damage to tires.

Bill Brigg, Resident, spoke in opposition of the LGBTQ+ books in the library.

Tracy Boren, Resident, spoke in support of the LGBTQ+ books in the library and shared concerns regarding Councilmember Pearce’s social media post.

Jennifer Cruz, Resident, spoke in support of the LGBTQ+ books in the library and shared concerns regarding Councilmember Pearce’s social media post.

Jenni-Ann Kren, Resident, shared concerns regarding Councilmember Pearce’s social media post regarding the LGBTQ+ books in the library.

David Raul, Resident, shared concerns regarding Councilmember Pearce’s social media post regarding the LGBTQ+ books in the library.

Matthew Vang, Resident, spoke in support of the LGBTQ+ books in the library.

CONSENT CALENDAR – 6:45

Motion by Councilmember Basgall, seconded by Councilmember Mouanoutoua, that the items on the Consent Calendar be approved, including the waiver of the reading of the ordinance. Motion carried by unanimous vote.

1. Administration - Approved - Minutes from the June 19, 2023, Council Meeting.
2. Administration - Adopted – **Ord. 23-05**, Ordinance Amendment 2023-001, A request to amend sections of Title 9 of the Clovis Municipal Code (“Development Code”) as a semi-

annual cleanup to address changes, deletions, and content errors as a result of the 2014 Development Code Update. City of Clovis, applicant. (Vote: 5-0)

3. Administration - Received and Filed – Business Organization of Old Town (BOOT) Fourth Quarter Report, April through June 2023.
4. Finance – Approved - **Res. 23-60**, Measure C Extension Local Transportation Pass Through Revenues Certification and Claim Forms for 2023-24.
5. Finance – Received and Filed – Investment Report for the Month of April 2023.
6. Finance – Received and Filed – Treasurer’s Report for the Month of April 2023.
7. General Services – Approved - **Res. 23-61**, Appointing the City Manager as Plan Administrator of the City’s Deferred Compensation Plan.
8. General Services - Approved – **Res. 23-62**, Authorizing Amendments to the City’s Classification and Compensation Plans to Adopt the Traffic Signal Operations Specialist Classification with a Salary Range of \$7,112 to \$8,645 per month.
9. General Services – Approved - Claim Rejection of the General Liability Claim on behalf of Bryan Booth, Mason Booth, Ernesto Gonzales Jr., and Manuel Gonzales.
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.

CITY MANAGER COMMENTS – 6:00

COUNCIL COMMENTS – 6:45

CLOSED SESSION – 7:11

11. GOVERNMENT CODE SECTION 54957.6 CONFERENCE WITH LABOR NEGOTIATORS AGENCY DESIGNATED REPRESENTATIVES: JOHN HOLT, ANDREW HAUSSLER, SHONNA HALTERMAN, SCOTT CROSS EMPLOYEE ORGANIZATION: CLOVIS POLICE OFFICERS ASSOCIATION, CLOVIS FIREFIGHTERS ASSOCIATION
12. GOVERNMENT CODE SECTION 54956.9(D)(1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION CASE NAME: DESIREE MARTINEZ V. CITY OF CLOVIS, ET AL., CASE NO. F082914

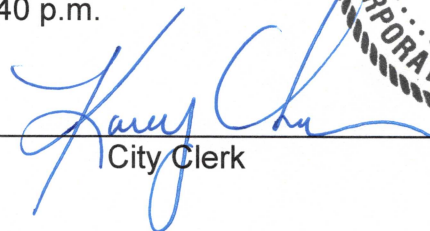
No action was taken by the City Council during the closed session.

Mayor Ashbeck adjourned the meeting of the Council to August 7, 2023

Meeting adjourned: 7:40 p.m.



Mayor



City Clerk



Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, July 10, 2023 3:35 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Laura Jimenez

Email: laura.j.jimenez1973@gmail.com

Comment: Its a World full of hate & Racist people, when God loves all as one human person Amen!

Supporting Files (2 Max.):

Date: July 10, 2023

Time: 3:35 pm

Remote IP: 71.193.3.70

PUBLIC COMMENTS
July 10, 2023

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Friday, July 7, 2023 12:48 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Jeni-Ann Kren

Email: jeni.kren@gmail.com

Comment: Mayor Ashbeck:

We write regarding council member Diane Pearce's remarks (posted on June 28, 2023, to the Facebook page she manages as a Clovis City Council member) advising Clovis residents to avoid patronizing our local library because of the display of Pride books for children.

As Heinrich Heine said, "Dort wo man Bücher verbrennt, verbrennt man auch am Ende Menschen." (Where they burn books, they will also end in burning human beings). This truth has been borne out over history and reminds us of the consequences which result when targeted viewpoints are suppressed.

Our public library offers a wide selection of age-appropriate books on a range of subjects, fiction and non-fiction, which encourage curiosity and love of learning. Juvenile and young-adult literature has the power to shape young intellects, and when libraries offer book collections affirming the experiences of LGBTQ+ people, they promote inclusivity and tolerance, foster empathy, and generally enrich our common intellectual fabric. Until now, the library space has been a safe one for everybody. Pearce's provocative comments compromise that safety.

The presence of children's Pride books in the library needn't impinge on anyone's human rights or personal beliefs—but removing them absolutely will. Suggesting that the entire library be avoided because of this type of book, which Pearce has done—in her official capacity as a representative of the city government—creates a climate of fear aimed at certain community members and makes them afraid to visit their own public library. That's a dangerous failure of leadership.

Indeed, by encouraging constituents to boycott or avoid the library, Pearce sends a regressive message that undermines the very essence of intellectual freedom and inclusion, not to speak of her fitness for her position as a council member.

Pearce's further remarks on another Facebook post of June 29 highlight her unwillingness to represent all of Clovis by affirming her hostility toward certain members of the school board and the planning commission, while showcasing her antagonism toward her city council colleagues. That antagonism has already been plainly demonstrated recently by her disingenuous position regarding display of the American flag. Despite her continual protestations that she is still "new" to the council, she demonstrates zero interest in governance, instead preferring provocation, baiting, and intimidation. When Pearce promotes bigoted or even partisan policies as a city official in a non-partisan position, how is such behavior permissible?

Civic leaders help communities thrive when they set a tone of promoting understanding,

acceptance, tolerance, and a commitment to inclusive governance. Our city governmental officials should encourage everyone to patronize our public library as well as other public spaces and ensure that everyone feels welcome. They should lead by example and model collaboration with common goals in mind. Pearce could start by heeding the words of Heinrich Heine and ensure that we do not repeat the mistakes of the past.

Jeni-Ann Kren
President
Clovis Democratic Club
Supporting Files (2 Max.):

Date: July 7, 2023
Time: 12:48 pm
Remote IP: 73.220.2.179

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Friday, July 7, 2023 4:54 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Jennifer Blackman

Email: j.paige.boyd@gmail.com

Comment: Libraries are carefully curated by Librarians who take their responsibility to the Public very seriously. They do their best to provide media that represents many people and possibilities.

An elected official is someone who should represent their full constituency, not just the people they align with or like. Taxes are paid by everyone, and with those taxes come representation.

Last week, a Clovis elected official, Diane Pearce, DID NOT represent her entire constituency, and instead encouraged people to not go to the library because it was June aka "Pride Month" and the library featured books about people in the LGBTQIA+ Community.

THIS IS UNACCEPTABLE and it is disrespectful to the Librarians who take much care and effort to be a safe and inclusive place and offer books that give representation. When they curate certain books, it is to provide understanding, education, inclusion, and representation.

Telling your constituents to not go to the library is a slap in the face to the many people who work hard to create a welcoming place full of wonder, a place to learn, a place to go on adventures, and a place to find answers for themselves.

Whether it is Fresno, Clovis, LA or San Francisco or a town or city in between, the library is a place where the public can go to take a rest or study for an exam or entertain their kids, etc. It is the physical manifestation of our First Amendment. It is a safe space for all.

I contacted a dear friend who is a Librarian and sent him the link to the Facebook post, then I asked him to respond. This is his response:

"A Public Library or a Public School Library is not standing in the way of parenting your kids. In fact, PLEASE parent your kids MORE. These public institutions are simply providing information to the whole community, including people who look and think like you and people who DON'T look and think like you. If you do not want to check out a book, then don't. There has never been a public library or a public school library that has required you to check out a book.

We are not here to coddle you or your children. We are here to provide stories and information that matches your needs and interests. If you don't want your children to access certain materials, it is up to you to guide them when they check out books. We do not know what you want them to access or not. But we will not deny others access to materials just because you do not want to do any parenting."

I am here to ask the City Council to make clear that discrimination will not be tolerated. Diane Pearce, an elected official, with her Facebook post, clearly was discriminating.

Supporting Files (2 Max.):

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content/uploads/elementor/forms/64a8a58185226.png

Date: July 7, 2023

Time: 4:53 pm

Remote IP: 73.235.17.176

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Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Sunday, July 9, 2023 7:33 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Hanna Negami

Email: hanna.negami@gmail.com

Comment: I am a registered Clovis voter. I am writing to comment on city council member Diane Pearce's Facebook post from June 28 showing a photo of a Pride month display of children's books at the library with a caption saying, "Might want to wait until June is over to take your kids to the Clovis Public Library." I work abroad in Waterloo, Ontario, where two weeks ago an assailant walked into a gender studies class at the University of Waterloo, asked what the class was about, and stabbed three people, including the professor. The attack was hate-motivated. It was spurred by intolerance of diverse gender expressions and sexuality—the same intolerance broadcast in council member Pearce's Facebook post. If council member Pearce wants to keep her own children away from age-appropriate literature on gender and sexuality, that is her own personal business. But consider the effects of this kind of intolerance and exclusion when urging others to do the same, publicly, as a council member. I hope to see more of the understanding, acceptance, and empathy that these library books teach from the Clovis City Council.

Supporting Files (2 Max.):

Date: July 9, 2023

Time: 7:32 pm

Remote IP: 108.175.227.25

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, July 10, 2023 2:25 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Jason Scott

Email: jason@jasonscott.com

Comment: I am writing to express my deep concern and disagreement regarding the recent statement made by city councilmember Diane Pearce. Her posting about the library is not her first anti-LGBTQ statement. She has previously targeted a transgender Clovis teen and has generally been against our community.

As a lifelong resident of Clovis, I strongly believe in equality, inclusivity, and the fundamental rights of every individual, regardless of their sexual orientation or gender identity.

It is disheartening to see a public institution, such as the city council, used to propagate views that discriminate against the LGBTQ community. By doing so, we risk marginalizing a significant portion of our population and fostering an environment that is unwelcoming, harmful, and contrary to the principles of fairness and compassion.

It is essential to recognize that the LGBTQ community faces significant challenges and often endures discrimination, prejudice, and inequality. As a society, we should be working together to create an environment where every individual feels valued, accepted, and safe. Statements that single out or stigmatize any particular group not only perpetuate harmful stereotypes but also hinder progress towards an inclusive and harmonious society.

I urge the council to denounce such divisive comments at tonight's meeting.

Thank you for your time and attention to this matter.

Supporting Files (2 Max.):

Date: July 10, 2023

Time: 2:24 pm

Remote IP: 172.59.48.248

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, July 10, 2023 2:51 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Ada Jimenez

Email: adalupej@gmail.com

Comment: I just want to comment on Ms. Pearce's commentary on the Clovis library's LGBTQ+ decision to highlight LGBTQ+ books for Pride month. She had only succeeded in bringing more attention and interest to the group. I hope she recognizes that

Supporting Files (2 Max.):

Date: July 10, 2023

Time: 2:50 pm

Remote IP: 172.58.39.5

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, July 10, 2023 3:12 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Rebecca Vavrosky

Email: r.vavrosky@gmail.com

Comment: I was very disappointed in Diane Pearce's recent facebook post, where she called out the Clovis Public Library for having a Pride Display. As someone who lives in Clovis, has a spouse who works for Clovis Unified, and has a child who attends Clovis Unified, it worries me that a current Clovis Council member is so outwardly full of hate and bigotry. I am also a member of the LGBTQ+ community. Those displays show my child that she is not alone in this community. That there are others who support and accept her and her mothers. Diane is obviously allowed her own opinion, but being a Clovis Council member means she serves EVERYONE in Clovis, not just the people who think like her. Books at the library are not harming our children. But trying to get the displays taken down, or spouting hate towards anyone who agrees with supporting the LGBTQ+ community does hurt our children. Diane, you serve Clovis, and that means everyone. Please keep your hate to yourself.

Supporting Files (2 Max.):

Date: July 10, 2023

Time: 3:12 pm

Remote IP: 71.195.122.40

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, July 10, 2023 3:31 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Matthew Vang

Email: matthew.vang.25@gmail.com

Comment: Good evening City Council Members. I'd like to make a comment thanking the Clovis Public Library for its humane support of LGBTQ+ communities and recognizing the multitude of experiences that people have. As a queer young person growing up in Clovis and Fresno, it is incredibly validating and life-saving to see the strides that libraries and community spaces make to properly hold space for LGBTQ+ communities. Having even one of these books would have saved me a lifetime of trouble and loneliness throughout my adolescent and high school years in Clovis. I hope that this trend of supporting LGBTQ+ communities and giving young people the agency to live their lives continues to grow.

Regarding Councilmember Diane Pierce's public Facebook post insisting on avoiding the library, I hope that even with your different beliefs about gender and sexuality, you can still recognize and value the life of a person who has different ones. If your idea of protecting children is to limit the ways in which they can learn about themselves and how public spaces operate, then maybe you are seeking control and not protection. Like a fellow advocate and parent of a trans-child remarked, "I would rather see a young child change their pronouns over and over again than have to read their obituary."

Supporting Files (2 Max.):

Date: July 10, 2023

Time: 3:30 pm

Remote IP: 69.26.139.246

Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, July 10, 2023 3:32 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Claudia Soria-Delgado

Email: csoriad@gmail.com

Comment: File is attached and Also pasted herewith:

To: Clovis City Council Members:

National Women's Political Caucus Fresno is a pro-choice, multicultural, intergenerational, and multi-issue grassroots organization dedicated to increasing women's participation in the political process and creating a true women's political power base to achieve equality for all women. NWPC Fresno recruits, trains and supports pro-choice women candidates for elected and appointed offices at all levels of government regardless of party affiliation. In addition to financial donations, the Caucus offers campaign training for candidates as well as technical assistance and advice. NWPC Fresno provides support to candidates running for all levels of office by helping raise money and providing crucial hands-on volunteer assistance.

NWPC Resolution on LGBTQ Rights

Whereas, the National Women's Political Caucus prioritizes the advancement of women's rights on an intersectional basis and strongly opposes racism, homophobia, ableism, and all other forms of discrimination at the local, state and national levels; and

Whereas, the U.S. is seeing an explosion of political attacks on the rights of lesbian, gay, bisexual, transgender, and queer people (LGBTQ+), including legislation outlawing gender affirming care and other support for the community, especially trans youth, and

Whereas, these actions are based on misinformation and blatant lies about the LGBTQ+ community, and represent homophobia that is just another manifestation of sexism, misogyny, enforcement of traditional gender roles, and other virulent forms of sex discrimination which is increasing in the current political environment,

Now, therefore, be it resolved, that the National Women's Political Caucus emphatically condemns homophobia and transphobia and all the damaging anti-LGBTQ+ actions taken in legislation and administration of government services, and calls upon legislators to reject cruel and unnecessary anti-LGBTQ+ policies and instead seek to ensure and expand the rights of LGBTQ+ people, and

Be it further resolved that NWPC will collaborate with other organizations to fight discrimination against the LGBTQ+ community, will encourage our members to vigorously oppose these policies and politicians who attack LGBTQ+ rights, and will transmit our position to our members, other concerned organizations, and our endorsed elected women in Congress and in state legislatures.

Claudia E. Soria-Delgado,

Vice-President for Political Action

National Women's Political Caucus of Fresno &

Northern California Regional Director, NWPCCA

Supporting Files (2 Max.): https://link.edgepilot.com/s/c3536a48/snOQsQQP-EGdpIWbFFt_-

Q?u=https://cityofclovis.com/wp-content/uploads/elementor/forms/64ac86d3ee59b.pdf

Date: July 10, 2023

Time: 3:31 pm

Remote IP: 98.208.114.224

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Rebecca Simonian

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, July 10, 2023 3:59 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2023-07-10

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

Full Name: Judi Steele

Email: judisteele@sti.net

Comment: I'm very disturbed that Diane Pearce, a Clovis city Council member and mother posted some disparaging Comments on her Facebook account about the Clovis public library/Fresno County libraries aimed at their featured display of books honoring Gay pride month .

Her words may result in unintended consequences towards the LGBTQ community where hate crimes against them are on the rise.

I ask that she issue a public apology and remove her post from Facebook.

Thank you,

Judi Steele

1672 Alluvial Ave.

Clovis 93611

Supporting Files (2 Max.):

Date: July 10, 2023

Time: 3:58 pm

Remote IP: 76.149.94.15