

CLOVIS CITY COUNCIL MEETING

November 2, 2020

6:00 P.M.

Council Chamber

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

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

PUBLIC COMMENTS – 6:04

Representatives of United Health Centers commented on a new office located in the City of Clovis.

Daren Tharp, representing Center Stage Clovis, commented on and invited City Council to participate in a virtual event to be held on November 30 in Old Town.

CONSENT CALENDAR – 6:20

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, 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 October 19, 2020 Council Meeting.
2. Administration - Adopted - **Ord. 20-14**, R2020-003, A request to rezone approximately 30 acres from the C-2 (Community Commercial), M-1 (Light Industrial), M-2 (Heavy Industrial), and R-2 (Multifamily Medium-High Density Residential) Zone Districts to the C-M (Commercial and Light Manufacturing) Zone District. (Vote: 5-0)
3. Administration - Adopted - **Ord. 20-15**, OA2020-003, A request to amend the Clovis Municipal Code to clarify and refine Section 9.18.050 – Regional Housing Needs (RHN) Overlay District and to establish a ministerial process to subdivide parcels that qualify for development pursuant to the RHN Overlay District. City of Clovis, applicant. (Vote: 5-0)
4. Finance - Received and Filed – Treasurer’s Report for the Month of June 2020.
5. Finance - Received and Filed – Treasurer’s Report for the Month of July 2020.
6. Finance – Received and Filed – Investment Report for the Month of June 2020.
7. Finance - Received and Filed – Investment Report for the Month of July 2020.
8. Finance - Approved - **Res. 20-153**, A Resolution of Intention (ROI) to Annex Territory (Annexation #65) (T6050-Northwest Corner of Clovis and Shepherd), to the Community Facilities District (CFD) 2004-1 and to Authorize the Levy of Special Taxes Therein and Setting the Public Hearing for December 7, 2020.
9. Fire - Approved – **Res. 20-154**, Amending the Fire Department Budget to reflect \$32,695 in 2019 State Homeland Security Grant Program (SHSGP) award to fund Fire Department equipment.
10. Public Utilities - Approved – Waive formal bidding requirements and authorize the purchase of a replacement Tree Trimming Truck from Altec Industries, Inc. off the Sourcewell Purchasing Contract.

11. Public Utilities - Approved – Waive formal bidding requirements and authorize the purchase of a replacement TORO Field Mower from Turf Star Western off the National Intergovernmental Purchasing Alliance Contract Purchasing Alliance Contract.

PUBLIC HEARINGS

12. 6:22 P.M. - APPROVED - **RES. 20-155**, A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CLOVIS DECLARING ITS INTENT TO: (1) REVIEW AND EVALUATE THE 2020 CENSUS DATA AND MARCH 2, 2021 ELECTION DATA, AND CONSIDER A CONVERSION TO DISTRICT-BASED ELECTIONS IF FOUND TO BE IN THE PUBLIC INTEREST; AND (2) ESTABLISH A SCHEDULE FOR CONVERTING TO DISTRICT-BASED ELECTIONS IF DETERMINED NECESSARY AND APPROPRIATE

Assistant City Manager John Holt presented a report on a request for the council to approve a resolution declaring its intent to: (1) review and evaluate the 2020 census data and March 2, 2021 election data, and consider a conversion to district-based elections if found to be in the public interest; and (2) establish a schedule for converting to district-based elections if determined necessary and appropriate.

The Clovis City Council members are currently elected in at-large elections where each of the five Council Members are elected by the registered voters of the entire City. Under the California Voting Rights Act (“CVRA”), at-large elections are not impermissible unless such elections result in racially polarized voting.

Based upon the most recent data available, there is no evidence of racially polarized voting in the City’s elections dating back to 2010, and further, the data shows that the current demographic makeup of the City Council reasonably reflects the demographics of the City. However, in anticipation of the availability of the 2020 census data and additional election data from the upcoming March 2, 2021 election, the City, by this resolution, is committing to a meaningful, public, evaluation of the census and election data to ensure the public interest continues to be served by an at-large election method, or if it is necessary and appropriate to convert to district-based elections. In a district-based method of election, council members would only be elected by the voters residing within the election district in which the candidate resides. If a conversion to district-based election is deemed necessary and appropriate following the City’s evaluation of the 2020 census and March 2, 2021 data, this resolution establishes a tentative timeline for the formation of the election districts assuming the availability of the 2020 census data in or about July 2021.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to approve a resolution declaring its intent to: (1) review and evaluate the 2020 census data and March 2, 2021 election data, and consider a conversion to district-based elections if found to be in the public interest; and (2) establish a schedule for converting to district-based elections if determined necessary and appropriate. Motion carried by unanimous vote.

13. 6:43 - APPROVED INTRODUCTION - **ORD. 20-16**, CAMPAIGN CONTRIBUTION LIMITS, A REQUEST TO ADD CHAPTER 1.9 TO TITLE 1 OF THE CLOVIS MUNICIPAL CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS

Deputy City Clerk Karey Cha presented a report on a request to approve the introduction of an ordinance adding Chapter 1.9 to Title 1 of the Clovis Municipal Code regarding campaign contribution limits due to the new Assembly Bill 571. On October 12, 2020, staff presented various actions for Council consideration regarding campaign contribution limits due to Assembly Bill 571, which becomes effective on January 1, 2021. AB 571 creates identical campaign contribution limits for candidates for city office as the limits imposed on certain elective state office candidates. It also authorizes a county or city to establish its own contribution limits and to administer and enforce those limits. Council's decision to take formal action to set no limit on local campaign contributions with the exception of a voluntary expenditure limit requires an ordinance to amend Title 1 of the Clovis Municipal Code. The proposed ordinance will add Chapter 1.9 to Title 1 of Clovis Municipal Code to formally set no limitation on campaign contributions from an individual, entity, or committee to a candidate.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve the introduction of an ordinance adding Chapter 1.9 to Title 1 of the Clovis Municipal Code regarding campaign contribution limits due to the new Assembly Bill 571. Motion carried by unanimous vote.

14. 6:50 - APPROVED – RES. 20-156, ADOPTION OF A RESOLUTION AMENDING THE 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

Community and Economic Development Director Andy Haussler presented a report for council to consider amending the 2019-2020 Annual Action Plan to add recently received Community Development Block Grant (CDBG)-CV3 funds in the amount of \$102,534 to the plan, and to direct the use of those funds for the Senior Meals Program. The City of Clovis received notification from the U.S. Department of Housing and Urban Development (HUD) that the City has received an allocation of CDBG-CV3 funds in the amount of \$602,534. On October 12, 2020, Council approved \$500,000 of those funds for use for the Emergency Housing Payment Program. The remaining \$102,534 was put on hold for a future use. In order to now utilize those funds, City Council must adopt an amendment to its CDBG Annual Action Plan to establish use of the funds.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve a request to amend the 2019-2020 Annual Action Plan to add recently received Community Development Block Grant (CDBG)-CV3 funds in the amount of \$102,534 to the plan, and to direct the use of those funds for the Senior Meals Program. Motion carried by unanimous vote.

COUNCIL ITEMS

15. 6:53 - APPROVED – CONSIDERATION OF DESIGN OF CITY OF CLOVIS FLAG.

Mayor Bessinger presented a report on proposals for a city flag design. Council provided direction to staff on options for the flag and requested staff return to evaluate the three options selected.

WORKSHOP - 7:20

City Manager Luke Serpa provided council an update on Fresno County COVID-19 related numbers.

COUNCIL COMMENTS – 7:25

Councilmember Ashbeck reported out on a recent Fresno County Transportation Authority meeting she attended last week.

Councilmember Mouanoutoua commented on visiting the downtown business of Just My Essentials and noted that the business owner was planning on reopening on November 14. He also commented on joint meetings with Clovis Unified. He also congratulated Councilmember Whalen for his selection as chair of the Public Safety Committee for the League of California Cities.


Councilmember Flores reported out on a Fresno County Council of Governments meeting held last week.

CLOSED SESSION – 7:35

- 16. Government Code Section 54957
Public Employee Performance Evaluation
Title: City Attorney

Mayor Bessinger adjourned the meeting of the Council to November 9, 2020

Meeting adjourned: 7:50 p.m.



Mayor



City Clerk



From: [Public Comments](#)
To: [John Holt](#); [Karey Cha](#)
Subject: [CAUTION SPOOFING] Public Comment for City Council
Date: Monday, November 2, 2020 2:31:33 PM

Council Meeting Date: 2020-11-02

Item Number: 12

Name: Jeni-Ann Kren

Email: jenikren@aol.com

Comment: This is in response to the resolution to consider whether the current system of city-wide election of City Council Members is consistent with requirements of the California Voting Rights Act or whether there is evidence of racially polarized voting which would indicate a need to move toward district-based elections. I support this evaluation but I call on the Council to use a broader standard for making this decision. The question should be whether district-based elections would enhance small d democratic engagement of constituents in the government of our community. There is evidence that the current system does not encourage participation in the fact that election cycles were cancelled in 2011, 2013, and 2015. Also, when elections do occur, voter turnout is only about 25% of that of Clovis residents in the general elections. The city needs to do more to engage its citizens. District based elections would be a step in that direction.

Supporting Files (2 Max.):

Date: November 2, 2020

Time: 2:33 pm

Remote IP: 73.41.97.20

From: [Public Comments](#)
To: [John Holt](#); [Karey Cha](#)
Subject: [CAUTION SPOOFING] Public Comment for City Council
Date: Monday, November 2, 2020 1:00:34 PM

Council Meeting Date: 2020-11-02

Item Number: 12

Name: Paul McGeary

Email: pmcgeary@gmail.com

Comment: Councilors:

I wish to be recorded as favoring the action described in Item No. 12 on the agenda of Nov. 2, 2020, which calls for review of the current at-large method of electing members of the City Council and Clovis Unified school board at-large to a system of district-based elections. I feel that such a system is more responsive to the voters and will better represent the interests of individual communities within the city and the unified school district.

This is particularly important in the matter of elections for trustees of the Clovis Unified School Board. By moving to district-based election, we ensure that all voices are heard and that the residents of a particular district have the ultimate say in who will represent them.

As for City Council elections, the present system of electing five members at-large is less in need of change, though I suggest enlarging the Council to, say, nine members, with five members elected at-large and four representing and elected from voting districts the boundaries of which would be determined after the results of the 2020 federal Census are received and analyzed. This would ensure that the Council—whose purview is Clovis only—would have a mix of members with responsibility to the entire city and those representing the interests of specific districts within the city. Clovis' increasing diversity and expanding geography, in my view, make such an adjustment in size and qualifications for City Council appropriate and will make for a more responsive government.

Very truly yours,

Paul McGeary

4012 Trenton Ave.

Clovis CA 93619

Supporting Files (2 Max.):

Date: November 2, 2020

Time: 2:00 pm

Remote IP: 67.187.178.166

From: [Public Comments](#)
To: [John Holt](#); [Karey Cha](#)
Subject: [CAUTION SPOOFING] Public Comment for City Council
Date: Sunday, November 1, 2020 9:48:11 AM

Council Meeting Date: 2020-11-02

Item Number: 12

Name: Harold, and Judy Mitchell, 1416 Roberts Avenue Clovis California

Email: mitchsgrenthumb@yahoo.com

Comment: We are opposed to the proposal coming before the city council. Dividing the city up by council districts is not a good idea. We have seen gerrymandering all across this country. We can't trust you to do the right thing. There will be a small group selecting our council. Your votes make decisions for the whole city why not be elected by the whole city? It's about accountability! No bad idea for Clovis!

Supporting Files (2 Max.):

Date: November 1, 2020

Time: 10:48 am

Remote IP: 99.92.81.18

From: [Public Comments](#)
To: [John Holt](#); [Karey Cha](#)
Subject: [CAUTION SPOOFING] Public Comment for City Council
Date: Monday, November 2, 2020 3:13:39 PM

Council Meeting Date: 2020-11-02

Item Number: 12

Name: Rachel Youdelman

Email: rachel27@berkeley.edu

Comment: Please read this comment into the record:

Results of the 2020 census and the March 2020 primary election notwithstanding, district-based elections will not only reflect the public interest more closely than will off-year city-wide elections for at-large representatives, they will stimulate wider participation in city government, something the City Council should be doing far more to encourage. Currently the Council seems reactive regarding engaging the public, as when it passively hears from citizens showing up at Council meetings with complaints about commercial housing developers and the like. From what I have noticed as an observer of the Council meetings this year, such citizens from specific districts have needs and interests which warrant better representation—neighborhood development being a case in point. Expectations of public servants would be raised, as would public accountability. Hence I strongly support conversion to district-based municipal elections in Clovis.

Supporting Files (2 Max.):

Date: November 2, 2020

Time: 4:13 pm

Remote IP: 73.220.235.169

From: [Andrew Haussler](#)
To: [John Holt](#)
Subject: FW: Council item: 11/2/20 regarding Council members representing City Districts not at large
Date: Monday, November 2, 2020 7:35:09 AM
Attachments: [image001.png](#)

Please provide to Council.

Andy Haussler
Community & Economic Development Director
City of Clovis
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Clovis, CA 93612
p. (559) 324-2095
f. (559) 324-2840
www.ci.clovis.ca.us



From: pbos@clovis-museum.com [mailto:pbos@clovis-museum.com]
Sent: Sunday, November 01, 2020 7:46 PM
To: Andrew Haussler <andrewh@ci.clovis.ca.us>
Subject: Council item: 11/2/20 regarding Council members representing City Districts not at large

Hi Andrew, please forward this E-mail to Council Members regarding considering Council members being elected by districts and not at large. Fresno is a prime example of how ineffective/quarrelsome Councils become. Does the 2020 Census population require us to create districts? IF we have a choice, this item should be tabled and our citizens should be alerted to this drastic change. Thank you for forwarding this E-mail. Kind regards, Peg