

CLOVIS CITY COUNCIL MEETING

September 12, 2022

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Flores at 6:03
Flag Salute led by Councilmember Bessinger

Roll Call: Present: Councilmembers Ashbeck, Bessinger, Mouanoutoua, Whalen
Mayor Flores

PRESENTATION – 6:04

6:04 – ITEM 1 - PRESENTATION OF CERTIFICATES OF RECOGNITION TO STUDENTS RECEIVING AMERICAN LEGION BOYS AND GIRLS STATE AWARDS.

The City Council recognized students who attended the American Legion State Governance Program.

6:17 – ITEM 2 - PRESENTATION BY FRESNO COUNTY ECONOMIC DEVELOPMENT CORPORATION ON SERVICES PROVIDED TO THE CITY OF CLOVIS.

The Fresno County Economic Development Corporation presented an update on the agency's accomplishments and activities.

PUBLIC COMMENTS – 6:36

None.

CONSENT CALENDAR – 6:37

City staff requested to pull item 16 for a presentation, discussion, and separate motion by Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that items on the Consent Calendar be approved with the exception of item 16. Motion carried by unanimous vote.

3. Administration - Approved - Minutes from the August 1, 2022, Council Meeting.
4. Administration – Adopt – **Ord. 22-07**, Amending various sections of the Clovis Municipal Code relating to the quadrant intersection development fee. (Vote: 5-0)
5. Administration – Approved – **Res. 22-96**, Amending the Conflict of Interest Code list of Designated Employees.
6. Administration - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, April - June 2022.
7. Administration - Approved – FY 2022-23 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County.

8. Administration - Approved – **Res. 22-97**, A Resolution authorizing the City Manager to approve the sales of mobile homes obtained through California’s CalHome Program, and other state and/or federal affordable housing programs, and to execute all necessary documents to effectuate the sales.
 9. Finance – Received and Filed – Investment Report for the Month of May 2022.
 10. Finance – Received and Filed – Treasurer’s Report for the Month of May 2022.
 11. General Services – Approved - Claim Rejection of the General Liability Claim on behalf of Cynthia Enns, Elwood Enns, and the Estate of Carson Warren Enns.
 12. General Services – Approved – **Res. 22-98**, Authorizing Amendments to the Senior Systems Video Analyst Classification in the Police Department.
 13. Planning and Development Services – Approved – **Res. 22-99**, Final Map Tract 6389, located in the southwest area of Loyola and North De Wolf Avenues (Granville Homes).
 14. Planning and Development Services - Approved – **Res. 22-100**, Annexation of Proposed Tract 6389, located in the southwest area of Loyola and North De Wolf Avenues to the Landscape Maintenance District No. 1 of the City of Clovis (Granville Homes).
 15. Planning and Development Services – Approved – Bid Award for CIP 17-21 Well 35 Drilling and Development; and Authorize the City Manager to execute the contract on behalf of the City.
- 6:39 – ITEM 16 - Planning and Development Services – Approved - **Res. 22-101**, Amending the 2022-2023 Community Investment Program (CIP) budget and authorizing the execution of a real property purchase agreement for property located at 2791 Serena Avenue.

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

PUBLIC HEARINGS – 6:46

6:48 – ITEM 19 - CONTINUED - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 310 ACRES OF LAND BOUND BY LEONARD AVENUE ON THE WEST, THOMPSON AVENUE ON THE EAST, GETTYSBURG AVENUE ON THE NORTH, AND ASHLAN AVENUE ON THE SOUTH. THE HOME PLACE HOLDINGS, LLC APPLICANT, 4CREEKS INC. REPRESENTATIVE; SAYRE M. MILLER, TRUSTEE OF THE SAYRE M. MILLER REVOCABLE TRUST DATED NOVEMBER 27, 2001, ET. AL., OWNER. **(CONTINUED TO SEPTEMBER 19, 2022)**

- 19A. CONSIDER INTRODUCTION – **ORD. 22-XX**, REZONE 2021-001 AND R2021-003, A REQUEST TO ESTABLISH A MASTER PLAN COMMUNITY (MPC) OVERLAY DISTRICT IN CONJUNCTION WITH HOME PLACE MASTER PLAN AND A REQUEST TO PREZONE PROPERTIES WITHIN THE BOUNDARIES OF THE HOME PLACE MASTER PLAN TO A COMBINATION OF BASE ZONE DISTRICTS TO IMPLEMENT THE LAND USES IDENTIFIED IN THE HOME PLACE MASTER PLAN.
- 19B. CONSIDER APPROVAL – **RES. 22-XX**, TM 6364, A REQUEST FOR A MASTER TENTATIVE TRACT MAP TO CREATE APPROXIMATELY 1,174 NEW RESIDENTIAL LOTS.

- 19C. CONSIDER APPROVAL – **RES. 22-XX**, PDP 2022-002, A REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ESTABLISH DEVELOPMENT STANDARDS AND CRITERIA FOR THE PROPOSED TRACT MAP 6364.)

Motion for continuance to September 19, 2022, by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

- 6:49 – ITEM 20 - CONTINUED - **RES. 22-XX**, RO304, A RESOLUTION OF APPLICATION FOR THE ANNEXATION OF THE TERRITORY KNOWN AS THE HOME PLACE – GETTYSBURG LEONARD SOUTHEAST REORGANIZATION ENCOMPASSING APPROXIMATELY 304 ACRES OF LAND GENERALLY BOUND BY LEONARD AVENUE ON THE WEST, THOMPSON AVENUE ON THE EAST, GETTYSBURG AVENUE ON THE NORTH, AND ASHLAN AVENUE ON THE SOUTH. THE HOME PLACE HOLDINGS, LLC APPLICANT; SAYRE M. MILLER, TRUSTEE OF THE SAYRE M. MILLER REVOCABLE TRUST DATED NOVEMBER 27, 2001, ET. AL., OWNER. **(CONTINUED TO SEPTEMBER 19, 2022)**

Motion for continuance to September 19, 2022, by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

- 6:50 – ITEM 17 - APPROVED – **RES. 22-102**, ADOPTION OF THE CITY OF CLOVIS 2021-2022 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

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

- 7:07 – ITEM 18 - CONSIDER VARIOUS OPTIONS REGARDING THE CREATION OF A HISTORIC PRESERVATION BOARD:

- 18A. ESTABLISH A COMMITTEE THAT WOULD WORK WITH STAFF ON THE DEVELOPMENT HISTORIC PRESERVATION BOARD ORDINANCE AND IDENTIFY INITIAL ACTIONS THE BOARD COULD TAKE;
- 18B. APPROVED INTRODUCTION – **ORD. 22-XX**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS ADDING CHAPTER 9.81 OF TITLE 9 OF THE CLOVIS MUNICIPAL CODE CREATING A HISTORIC PRESERVATION BOARD;
- 18C. TAKE NO ACTION AT THIS TIME.

Mayor Flores abstained from hearing and voting on this item stating that this item originated from a discussion regarding the property located at 325 Pollasky Avenue which is within 1000 ft. of another property that he has financial interest in.

Sayre Miller spoke in support of working together on alternatives to the proposed ordinance.

Tom Wright spoke in support of forming the board and voiced concern on limiting scope to the original square mile of the City of Clovis.

Bill Smittcamp expressed concern on involving government. Voiced the need for people to do the right thing.

Greg Newman expressed concern over the proposed options, supported option c.

Motion by Councilmember Whalen to establish an ad hoc committee that would assess historic resources in the City of Clovis and provide recommendations to the City Council on the protection of those identified resources. Membership of the committee will consist of five (5) members and each member shall be appointed by the City Council following a recommendation by the Mayor, and members must be a resident of the City of Clovis. Motion was seconded by Councilmember Mouanoutoua amending the motion to change the number of members to ten (10) with each council member selecting two members. Councilmember Whalen concurred with the amended second. Motion carried 4-0-0-1 with Mayor Flores abstaining.

8:34 – ITEM 21 - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 4.45 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF ARMSTRONG AND GETTYSBURG AVENUES. GARY MCDONALD HOMES/GLENEAGLES HOMES, PROPERTY OWNER/APPLICANT; HARBOUR & ASSOCIATES, REPRESENTATIVE. (MAYOR PRO TEM ASHBECK HAS A CONFLICT OF INTEREST ON THIS ITEM)

Mayor Pro Tem Ashbeck abstained from hearing and voting on this item stating that this project is within 500 ft. of her residence.

Lorren Smith, Harbour & Associates representative, commented on the parking options within the development and addressed Council's questions.

21A. APPROVED - **RES. 22-103**, TM6403, A REQUEST TO APPROVE A VESTING TENTATIVE TRACT MAP FOR A 15-LOT SINGLE-FAMILY SUBDIVISION ON APPROXIMATELY 4.45 ACRES OF LAND.

Motion for approval by Councilmember Whalen, seconded by Councilmember Mouanoutoua. Motion carried 4-0-0-1 with Mayor Pro Tem Ashbeck abstaining.

21B. APPROVED - **RES. 22-104**, PDP2022-001, A REQUEST TO APPROVE A PLANNED DEVELOPMENT PERMIT TO ALLOW DEVIATIONS FROM THE R-1-B (SINGLE-FAMILY RESIDENTIAL – 12,000 SQ. FT.) ZONE DISTRICT RESIDENTIAL DEVELOPMENT STANDARDS ASSOCIATED WITH TM6403.

Motion for approval by Councilmember Whalen, seconded by Councilmember Mouanoutoua. Motion carried 4-0-0-1 with Mayor Pro Tem Ashbeck abstaining.

CITY MANAGER COMMENTS – 9:07

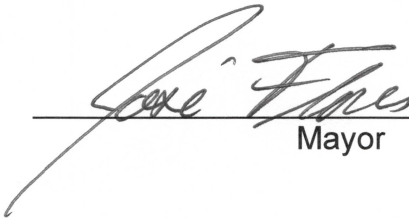
COUNCIL COMMENTS – 9:08

CLOSED SESSION – 9:19

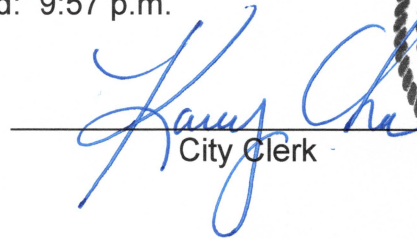
ITEM 22 - Government Code Section 54956.9(d)(2) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION FOUR POTENTIAL CASES BASED ON CLAIMS RECEIVED FOR THE SUNNYSIDE AVENUE WATER MAIN BREAK AND PROPERTY FLOODING INCIDENT ON JANUARY 3, 2022.

Mayor Flores adjourned the meeting of the Council to September 19, 2022

Meeting adjourned: 9:57 p.m.



Mayor



City Clerk



Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Saturday, September 3, 2022 4:52 AM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2022-09-03

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

Full Name: Marcus

Email: mkilgore23@icloud.com

Comment: GoodMorning My name is Marcus Kilgore I am 26 years young I'm a felon and I'm currently on parole I was incarcerated most of my teen and early adult years and honestly it might of helped me more than it could ever break me I have a fiancé 27. and a young daughter 7. Going on 30 since being released from state prison I have grown up and molded myself into a responsible young man I'm currently employed and I am enrolled in college courses to further my education and to earn a comfortable amount of revenue to support myself and my family of 3 being a felon on parole has affected my rights and amendments wich I now rely on at this moment in time felons have there right to bear arms right revoked as some people are a danger to themselves and others but what about the young men that didn't know any better and never learned of United States history and we're left to fend for themselves with no guidance or hope as teens that was me once upon a time although it took me much longer to realize that I was an angry adolescent committing crimes seeking to survive as I was forced into circumstances that I had no control over I was kicked out of my home at a young age and I couldn't seem to understand why I was disowned or unloved therefore I did what any human would do in these circumstances and that is to adapt and survive by any means and swiftly wich leads to criminal behavior wich I define as a young man and not a child as a short cut in life and is sinful and unholy gaining the knowledge I have obtained during what I call basic military training pertaining to being in conditions that can break certain individuals mentally leading to illness and what I believe contributes to violence and suicidal behavior but there are a small percentage of young men that are capable mentally and physically to bear conditions and circumstances that force human nature to either break or become well disciplined so long story short I have been paying a lot of attention to the global economy and also to an ongoing war that is progressing between Russia and Ukrainian that at any moment could force the United States to get involved along with our Allies wich is going to give birth to a world war so after alot of thought it didn't take long to make the decision to try and get my criminal record expunged and to earn my freedom as a United States citizen and potentially become a defender/soldier of our country so what I'm asking is for the community to give me a chance and to forgive my wrong doing for I have paid my debts to society and am passionate about defending our country and children that hold the future I would like to obtain my right to bear arms and be enrolled in to U.S military training so I can become an elite asset to my country and be frontline in war so please consider my request to have my criminal record wiped and to give me a chance at success and to help fight for our country land of the free and home of the brave thank you very much and enjoy your morning

Supporting Files (2 Max.):

Date: September 3, 2022
Time: 4:52 am
Remote IP: 73.151.185.118

PUBLIC COMMENTS
September 12, 2022

Karey Cha

From: Public Comments <email@cityofclovisca.us>
Sent: Monday, September 5, 2022 5:41 PM
To: Karey Cha; Andrew Haussler; Rebecca Simonian
Subject: [External] Public Comment for City Council

Council Meeting Date: 2022-09-06

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

Full Name: Natalie Jane Pattee

Email: nataliepattee@yahoo.com

Comment: My concern is the intersection of Tollhouse Rd and Fowler Ave. I am a homeowner in the Mansionette Palisades on that NE corner. The disrespect of the speed limit on both streets has become so far out of control and my reason to further this to you. I was actually rear ended at the stop light recently and it raises my concern more. There has been lack of concern for speed limits for many years, but if there is anything you can do to raise the awareness would be ideal. My suggestion is those portable light up signs that show the speed of cars as they proceed as used in school zones. I beg for something to be done. The traffic is immense in this area. The safety of all is my concern especially for our pedestrians, The speed limit is 40 mph.

Supporting Files (2 Max.):

Date: September 5, 2022

Time: 5:40 pm

Remote IP: 99.3.115.19

Item #16

Rebecca Simonian

From: andrea pena <punnkynn@hotmail.com>
Sent: Monday, September 12, 2022 6:18 PM
To: Mike Harrison
Subject: [External] Concerns about Tract 5122

Hi Mike,

Thank you for allowing me to express my concerns about keeping the Carson Ave connection open to Shepherd Ave. My main concern is the safety of the neighborhood where crime is concerned. There have been several crimes committed on my street of Serena Ave. We were victims of a car break in and attempted car break in. Several others were also car victims. Our neighbors were victims of stolen property. Another neighbor on the north east side of Serena at the corner of Carson and Serena were victims of a home invasion while the adults were home! They were thankful that their children were not there. This is a very easy access point for thieves to come in quickly, victimize us on Serena and leave quickly. Strange vehicles and people have been noted on Nextdoor as "hanging out" and possibly scoping out the neighborhood. A peace officer stopped a man who was walking on our street scoping out the house of his ex. This is not a neighborhood that should have to expect to look over our shoulders because we want to have a "convenient" access point. Another top concern is the speeding down Carson and my street Serena to get out onto Shepherd because they are running late! Our pets, elderly family members, and children have to run out of the way for the speeding vehicles that use this access point as a convenience. Not to mention the passersby on Shepherd who cross Carson. There have been several people who have had near misses of being hit because of the quick cars not looking to the right for the people who walk, ride bikes, and other modes of activity. I am also concerned that the value of our homes will decrease because of the increased crime that has occurred. When my husband and I bought this house, we were promised that that entrance would be closed. We chose this street knowing that it would someday be the neighborhood that we wanted to retire in. Please take these conditions under consideration and allow a safe neighborhood to prosper. Thank you for your time, Andrea