

CLOVIS CITY COUNCIL MEETING

September 3, 2019

6:00 P.M.

Council Chamber

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

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

PRESENTATIONS/PROCLAMATIONS

1. 6:03 P.M. - PRESENTATION RECOGNIZING 7 YEAR OLD JOSEPH GUERRERO FOR THE INCREDIBLE JOB HE DID ON JUNE 23RD WHEN CALLING 911 FOR HIS MOTHER.

Police Corporal Jim Munro made a presentation recognizing 7 year old Joseph Guerrero for the incredible job he did on June 23rd when calling 911 for his mother.

2. 6:09 - PRESENTATION OF PROCLAMATION HONORING SOROPTIMIST INTERNATIONAL OF CLOVIS.

Councilmember Mouanoutoua presented a proclamation honoring the Soroptimist International of Clovis.

PUBLIC COMMENTS - 6:16

None

CONSENT CALENDAR – 6:17

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

3. City Clerk – Approved – Minutes from the August 5, 2019 Council Meeting.
4. Community and Economic Development - Approved – FY 2019-20 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County.
5. Community and Economic Development – Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, April – June 2019.
6. Finance - Approved – **Res. 19-105**, A Resolution of Intention (ROI) to Annex Territory (Annexation #58) (PM18-11-North East Corner of Locan and Powers.), to the Community Facilities District (CFD) 2004-1 and to Authorize the Levy of Special Taxes Therein and Setting the Public Hearing for October 7, 2019.
7. General Services - Approved – Claim Rejection of General Liability claim on behalf of Bryon Espinosa.
8. General Services - Approved – Claim Rejection of the General Liability Claim for Jose Gilberto Rivas.

9. General Services - Approved – **Res. 19-106**, Amending the City's Compensation Plan by Revising the Salary Range for the Planning and Development Administrative Manager Classification from \$9,735-\$11,834 to \$8,335-\$10,133.
10. General Services – Approved – **Res. 19-107**, Approving Government Crime Policies for the Purpose of Bonding City Officers and Employees and Establishing Policy Limits.
11. Planning and Development Services - Approved – **Res. 19-108**, Final Map Tract 6221, located at the northwest corner of Ashlan Avenue and Locan Avenue (Wilson Premier Homes, Inc.).
12. Planning and Development Services – Approved – **Res. 19-109**, Annexation of Proposed Tract 6221, located at the northwest corner of Ashlan Avenue and Locan Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (Wilson Premier Homes, Inc.).
13. Public Utilities – Approved – Waive formal bidding requirements and authorize entering into a contract with Golden Bell Products, Inc. for insect control in sanitary sewer manholes.
14. Public Utilities – Approved – Waive formal bidding requirements and authorize the purchase of a Hybrid vehicle from Future Ford of Clovis; and Approved – **Res. 19-110**, Authorizing the Submittal of a Grant Application under the SJVAPCD Public Benefit Grant Program and Authorize the City Manager to be the Contract Authority.

PUBLIC HEARINGS

15. 6:18 - DENIED – RES. 19-XX, A REQUEST FROM THE 500 CLUB LOCATED AT 771 W. SHAW AVENUE TO AMEND THE LICENSE FEES FOR GAMING CLUBS AND CARD ROOMS IN THE CITY

Assistant City Manager John Holt presented a report on a request from the 500 Club located at 771 W. Shaw Avenue to amend the license fees for gaming clubs and card rooms in the city. Staff is in receipt of a request from the owners of the 500 Club to amend the current card room license fee schedule approved by City Council in January 2018. In January 2018 the City Council approved a request to transfer the 500 Club Card Room License from Louis Sarantos to K & M Casinos, Inc. That same night Council approved a resolution setting license fees for Gaming Clubs and Card Rooms in the City (see Attachment 4). The current fee schedule is 6.25% of revenues in year 1, 8.0% in year two, and 10.0% thereafter. The 500 Club is proposing to pay the City \$2,750 per table monthly fee, which would generate \$660,000 per year based on the current ordinance for 20 card room tables. Jarhett Blonien, representing the 500 Club, and Kevin Barclay, owner, spoke in support of the request. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to deny the request from the 500 Club located at 771 W. Shaw Avenue to amend the license fees for gaming clubs and card rooms in the city and invite the owners to return in one year to revisit the request. Motion carried 4-1 with Councilmember Mouanoutoua voting no.

16. 6:49 - APPROVED - **RES. 19-111**, RESOLUTION OF NECESSITY TO DETERMINE THAT PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF PROPERTY FOR PUBLIC PURPOSES; AND AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN FOR TWO PROPERTIES LOCATED AT THE NORTHEAST CORNER OF SUNNYSIDE AVENUE AND FOURTH STREET. ADDRESSES: 1403 FOURTH STREET; APN: 491-191-18 AND 1421 FOURTH STREET; APN: 491-191-17. OWNERS: FLORES LIVING TRUST.

Councilmember Flores indicated that he would recuse himself from this item due to a conflict of interest and left the dais at 6:49.

Community and Economic Development Director Andy Haussler presented a report on a request to approve a resolution of necessity to determine that public interest and necessity require acquisition of property for public purposes; and authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Staff is requesting City Council to hold a public hearing and approve a Resolution of Necessity to determine that public interest and necessity require acquisition of property for public purposes; and authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Addresses: 1403 Fourth Street; APN: 491-191-18 and 1421 Fourth Street; APN: 491-191-17. Staff seeks approval to purchase the properties for additional street right-of-way to accommodate street improvements along Sunnyside Avenue and to redevelop the parcels as affordable housing units. Staff has reached an agreement with the representative of the property for price and terms. However, the eminent domain process is required due to Mayor Pro-Tem Flores having a financial interest in the property, in order to comply with California Government Code sections 1090-1091. As a result of Mayor Pro-Tem Flores' recusal, each of the four remaining Councilmembers must approve this Resolution of Necessity in order for it to be approved. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve a resolution of necessity to determine that public interest and necessity require acquisition of property for public purposes; and authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Motion carried with a 4-0-0-1 vote with Councilmember Flores abstaining.

Councilmember Flores returned to the dais at 6:53.

ADMINISTRATIVE ITEMS

17. 6:53 - ADOPTED – **ORD. 19-11**, R2019-004, A REQUEST TO APPROVE A REZONE OF A PORTION OF THE SITE FROM THE R-A (SINGLE-FAMILY RESIDENTIAL – 24,000 SQ. FT.) TO THE R-2 (LOW DENSITY MULTIPLE FAMILY RESIDENTIAL) (1 UNIT / 3,000 SQ. FT.) ZONE DISTRICT. (VOTE: 4-0-1 WITH MAYOR BESSINGER ABSENT)

Mayor Bessinger indicated that this item was on the regular agenda because at introduction it was approved with a less than unanimous vote. There being no public comment, Mayor Bessinger closed the public comment period. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve a rezone of a portion of the site from the R-A (single-family residential – 24,000 sq. ft.) to the R-2 (low density multiple family residential) (1 unit / 3,000 sq. ft.) zone district. Motion carried 4-0-0-1 with Mayor Bessinger abstaining.

CITY MANAGER COMMENTS 6:55

City Manager Luke Serpa reminded Council of the joint meeting with Fresno Metropolitan Flood Control District on September 9, 2019.

COUNCIL ITEMS

- 18. 6:56 - PRESENTATION ON THE MUNICODE AGENDA MANAGEMENT SYSTEM AND HOW AGENDA PACKETS WILL BE DELIVERED TO COUNCIL MEMBERS

Administrative Analyst Karey Cha made a presentation to City Council on a new automated agenda management system and how City Council will receive their agenda packets going forward. There being no public comment, Mayor Bessinger closed the public comment period. Discussion by the Council. It was the consensus to Council to receive and file the update.

- 19. 7:09 - APPROVED – DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES’ ANNUAL CONFERENCE AND ANNUAL BUSINESS MEETING, OCTOBER 16-18, 2019.

City Manager Luke Serpa presented a report on a request to have Council designate a voting delegate and alternate for the October 16-18, 2019, League of California Cities Annual Conference. There being no public comment, Mayor Bessinger closed the public comment period. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Flores, to designate Councilmember Mouanoutoua as the voting delegate, and designate Councilmember Whalen as the alternate. Motion carried by unanimous vote.

COUNCIL COMMENTS 7:10

Councilmember Whalen commented and showed a picture of a young man named “Clovis”.

Councilmember Ashbeck commented on the Hall of Fame dinner to be held on September 14, and shared some of her recent vacation travel stories.

Mayor Bessinger adjourned the meeting of the Council to September 9, 2019

Meeting adjourned: 7:15 p.m.



Mayor



City Clerk

