



CITY *of* CLOVIS

AGENDA • CITY COUNCIL MEETING

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060
www.cityofclovis.com

December 2, 2024

6:00 PM

Council Chamber

In compliance with the Americans with Disabilities Act, if you need special assistance to access the City Council Chamber to participate at this meeting, please contact the City Clerk or General Services Director at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

The Clovis City Council meetings are open to the public at the physical address listed above. There are numerous ways to participate in the City Council meetings: you are able to attend in person; you may submit written comments as described below; and you may view the meeting which is webcast and accessed at www.cityofclovis.com/agendas.

Written Comments

- Members of the public are encouraged to submit written comments at: www.cityofclovis.com/agendas at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:

- Council Meeting Date
- Item Number
- Name
- Email
- Comment



- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the City Council noting the item number. If you wish to make a verbal comment, please see instructions below.
- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the City Council during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to City Council during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings.

CAMPAIGN CONTRIBUTION PROHIBITIONS AND MANDATORY DISCLOSURE - Pursuant to Government Code section 84308, a Councilmember shall not accept, solicit, or direct a campaign contribution of more than \$250 from any party or their agent, or from any participant or their agent, while a proceeding involving a license, permit, contract, or other entitlement for use is pending before the City or for 12 months after a final decision is rendered in that proceeding. Any Councilmember who has received a campaign contribution of more than \$250 within the preceding 12 months from a party or their agent, or from a participant or their agent, must disclose that fact on the record of the proceeding and shall not make, participate in making, or in any way attempt to use their official position to influence the decision.

Pursuant to Government Code section 84308(e), any party to a covered proceeding before the City Council is required to disclose on the record of the proceeding any campaign contribution, including aggregated contributions, of more than \$250 made within the preceding 12 months by the party or their agent to any Councilmember. The disclosure shall be made as required by Government Code Section 84308(e)(1) and 2 CCR Section 18438.8. No party or their agent, and no participant or their agent, shall make a campaign contribution of more than \$250 to any Councilmember during the covered proceeding or for 12 months after a final decision is made in that proceeding. The foregoing statements do not constitute legal advice, and parties and participants are urged to consult with their own legal counsel regarding the applicable requirements of the law.

CALL TO ORDER

FLAG SALUTE - Councilmember Basgall

ROLL CALL

PUBLIC COMMENTS - This is an opportunity for the members of the public to address the City Council on any matter within the City Council's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 3 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the City Manager's office and submit correspondence at least 10 days before the desired date of appearance.

CONSENT CALENDAR - Items considered routine in nature are to be placed upon the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Councilmember requests individual consideration. A Councilmember's vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of adoption of the Consent Calendar are deemed to include a motion to waive the reading of any ordinance or resolution on the Consent Calendar. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered Consent items.

1. Administration - Approval - Minutes for the November 18, 2024, Regular Council Meeting and the November 18, 2024, Special Council Meeting.
2. Administration - Adopt - Ord. 24-17, Amending Sections 2.7.06 and 2.7.08 of Chapter 2.7 and Section 2.9.03 of Chapter 2.9 of Title 2 of the Clovis Municipal Code Pertaining to the City Purchasing System and Procurement Procedures for Public Projects. (Vote: 5-0)
3. Administration - Approval - Waive Normal Purchasing Process and approve the purchase of a next generation enterprise cybersecurity system from CDWG Corporation using the Omnia cooperative purchasing program; a competitively bid

contract with purchasing provisions for California State and Local government agencies in the amount of \$54,978.89 per year for three years.

- [4.](#) General Services – Approval – Res. 24-____, Authorizing Amendments to the City's Classification and Compensation Plans to Adopt the Parks Supervisor Classification with a Salary Range of \$8,773 to \$10,665 per month.
- [5.](#) General Services – Approval - Waive the City's Usual Purchasing Requirements and Authorize the Purchase of One (1) Ram Promaster Transit Vehicle for \$170,610.05 Utilizing the California Association for Cooperative Transportation (CalACT) Competitive Bid Award.
- [6.](#) Planning and Development Services – Approval – Final Acceptance for CIP 24-01, Rubberized Cape Seal 2024.
- [7.](#) Planning and Development Services – Approval – Bid Award for CIP 24-06, New Bus Stops: B2 to Cervantes Landscape Services, Inc., in the amount of \$167,172.00; and authorize the City Manager to execute the contract on behalf of the City.
- [8.](#) Planning and Development Services – Approval – Bid Award for CIP 24-24, Santa Ana Sidewalk Improvements to Platinum Dirt Worx, LLC, in the amount of \$74,594.02; and authorize the City Manager to execute the contract on behalf of the City.
- [9.](#) Planning and Development Services - Approval – Res. 24-____, Final Map Tract 6205 located on northeast corner of Shepherd Avenue and Sunnyside Avenue (Great Bigland, Inc., a California Corporation).
- [10.](#) Planning and Development Services - Approval – Res. 24-____, Annexation of Proposed Tract 6205 located on northeast corner of Shepherd Avenue and Sunnyside Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (Great Bigland, Inc., a California Corporation).
- [11.](#) Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of One Case 521G XT Wheel Loader Tractor from Sequoia Equipment Company Using the Sourcewell Cooperative Purchasing Contract in the Amount of \$204,892.59.
- [12.](#) Public Utilities – Approval – Final Acceptance for CIP 23-17, Sierra Bicentennial Dog Park Improvements, with a Final Contract Cost of \$66,196.86.

CHRISTMAS TREE LIGHTING CEREMONY

COUNCIL ITEMS

- [13.](#) Consider Approval - Re-appointment to Consolidated Mosquito Abatement District for a term ending December 31, 2026.

Staff: John Holt, City Manager

Recommendation: Approve

PRESENTATIONS/PROCLAMATIONS

- [14.](#) Presentation of Proclamation honoring General Services Director Shonna Halterman upon her retirement and commending her for 30 years of service to the Clovis Community.

PUBLIC HEARINGS - A public hearing is an open consideration within a regular or special meeting of the City Council, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1.

15. Consider Approval – Res. 24-____, Adoption of a Resolution Amending the 2019-2020 Community Development Block Grant (CDBG) Action Plan and the 2016-2020 Consolidated Plan to change the use of Community Development Block Grant – Coronavirus (CDBG-CV) funds from the Utilities Assistance Program and Program Administration to the Water Tower I Trail Expansion for the prevention of the spread of Coronavirus by increasing the capacity for social distancing; and Consider Approval – Res. 24-____, Amend the 2024-2025 Community Investment Program Budget for Parks Improvements, to include Water Tower 1 Trail Plaza Improvements in the amount of \$155,876.

Staff: Claudia Cazares, Housing Program Manager

Recommendation: Approve

16. Conduct a Proposition 218 Public Hearing and Majority Protest Vote to Implement a Water Meter Installation Fee to Unmetered Parcels in Tarpey Village; and Consider Approval – Res. 24 - ___, A Resolution of the City Council of the City of Clovis Authorizing a Water Meter Installation Fee.

Staff: Paul Armendariz, Deputy Public Utilities Director

Recommendation: Approve

ADMINISTRATIVE ITEMS - Administrative Items are matters on the regular City Council Agenda other than Public Hearings.

17. Consider Various Requests from Wilson Homes regarding Tract Map 6205, a 580-lot subdivision located at the northeast corner of Sunnyside and Shepherd Avenues.

a. Allow for a deviation from city policy regarding reimbursements within Street Area 1 as requested by Wilson Homes.

b. Deny the request to deviate from city policy regarding reimbursements of Sewer Major Facility improvements as requested by Wilson Homes.

c. Deny the request to deviate from city policy regarding reimbursements of Water Major Facility improvements as requested by Wilson Homes.

d. Deny the request to deviate from the City's Municipal Code and allow for the deferment of the Water Supply Fee as requested by Wilson Homes.

Staff: Thad Avery, City Engineer

Recommendation: Approve

CITY MANAGER COMMENTS

COUNCIL COMMENTS

CLOSED SESSION - A “closed door” (not public) City Council meeting, allowed by State law, for consideration of pending legal matters and certain matters related to personnel and real estate transactions.

18. Government Code section 54956.9
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Deciding whether to initiate litigation pursuant to Government Code section 54956.9, subdivision (d)(4): One potential case
19. Government Code Section 54957.6
Conference with Labor Negotiator(s)
Agency designated representative: City Attorney
Unrepresented employee: City Manager
20. Government Code Section 54957
PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
Title: City Manager

RECONVENE INTO OPEN SESSION AND REPORT FROM CLOSED SESSION

ADJOURNMENT

FUTURE MEETINGS

Regular City Council Meetings are held at 6:00 P.M. in the Council Chamber. The following are future meeting dates:

Dec. 9, 2024 (Mon.)
Dec. 16, 2024 (Mon.)
Jan. 6, 2025 (Mon.)
Jan. 13, 2025 (Mon.)
Jan. 21, 2025 (Tue.)

CLOVIS CITY COUNCIL CLOSED SESSION ONLY SPECIAL MEETING

November 18, 2024

4:00 P.M.

Transit Center

Meeting called to order by Mayor Ashbeck at **4:00 p.m.**
Flag Salute led by Councilmember Pearce

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

Mayor Pro Tem Mouanoutoua was absent during roll call and joined the meeting at 4:04 p.m.

CLOSED SESSION – 4:01 p.m.

Upon call, there was no public comment.

ITEM 1 - GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYEE APPOINTMENT /
EMPLOYMENT TITLE: CITY MANAGER

RECONVENE INTO OPEN SESSION AND REPORT FROM CLOSED SESSION

No action taken.

ADJOURNMENT

Mayor Ashbeck adjourned the special meeting of the Council to November 18, 2024.

Meeting adjourned: **5:30 p.m.**

Mayor

City Clerk

CLOVIS CITY COUNCIL MEETING

November 18, 2024

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Ashbeck **at 6:00**

Flag Salute led by Councilmember Pearce

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

PRESENTATION – 6:01

6:01 – ITEM 1 - PRESENTATION OF PROCLAMATION RECOGNIZING NOVEMBER 18, 2024,
AS NATIONAL INJURY PREVENTION DAY.

PUBLIC COMMENTS – 6:05

Upon call, there was no public comment.

CONSENT CALENDAR – 6:06

Upon call, there was no public comment.

Motion by Councilmember Bessinger, seconded by Councilmember Basgall, that the items, with the exception of item 6, on the Consent Calendar be approved. Motion carried by unanimous vote.

2. Administration - Approval - Minutes for the November 12, 2024, Special Meeting, and the November 12, 2024, Regular Council Meeting.
3. Finance - Receive and File – Year-end report for all funds as of June 30, 2024.
4. General Services - Approval – **Res. 24-119**, Authorizing Amendments to the City's Classification and Compensation Plans to adopt the Revenue Supervisor Classification with a Salary Range of \$8,773 to \$10,665 per month, and Approval – **Res. 24-120**, Amending the City's FY 24-25 Position Allocation Plan to add one (1) Revenue Supervisor Position within the Finance Department.
5. General Services – Approval – **Res. 24-121**, Amending the City's Classification and Compensation Plans by Revising the Senior Services Supervisor Classification with a Salary Range of \$8,773 to \$10,665 per month; and Approval – **Res. 24.122**, Amending the City's FY 2024-2025 Position Allocation Plan by adding one (1) Senior Services Supervisor within General Services; and Approval – **Res. 24-123**, Amending the General Services Budget to reflect an additional \$71,000 in General Fund expenditure.
7. Planning and Development Services – Approval – **Res. 24-132**, Amend the 2024-2025 Community Investment Program Budget for General Government Services Fund, for the Peg Bos Plaza Project at the northwest corner of Third Street and Sunnyside Avenue in the amount of \$100,000.

8. Police Department - Approval - Request to Authorize the City Manager to enter into a five-year agreement with BRINC Drones to Implement a Drone as First Responder Program in the amount of \$1,118,035.93.

ITEMS PULLED FROM CONSENT CALENDAR

- 6:07 ITEM 6 - Planning and Development Services - Approval – **Res. 24-XX**, Annexation of Miscellaneous Properties to the Landscape Maintenance District No. 1.

The above item was removed from the Consent Calendar and continued to a future date.

PUBLIC HEARINGS – 6:09

- 6:09 ITEM 9 - RECEIVE AND FILE - INFORMATION FROM FIRST PUBLIC HEARING IN CITY'S TRANSITION TO DISTRICT-BASED ELECTIONS.

Eric Rollins, resident, requested clarification on using Dave's map to analyze census data for creating community maps, and recommends staying with five council members with a rotating Mayor.

Steve Trevino, resident, highlighted difficulties in identifying landmarks and neighborhoods in the redistricting process and asked to consider streets and landmarks remain together.

Julie, resident, discussed the importances of collaboration among council members and raised concerns about future housing developments creating district imbalances.

The Council requested the communications team to actively promote the district-based transition through social media and community outreach to gather input, with the goal of presenting the collected data at the December 16, 2024, Council meeting. Additionally, the Council requested that the December 16, 2024, meeting include a discussion on the options of a five-member council versus four members plus an at-large mayor, with maps for both options to support a more thorough discussion.

RECEIVED AND FILED

- 6:54 ITEM 10 - CONSIDER ACTIONS RELATED TO ANNEXATION OF TERRITORY (ANNEXATION #74, T6205 – NORTHEAST CORNER SUNNYSIDE/SHEPHERD, T6343 – SOUTHWEST CORNER BEHYMER/SUNNYSIDE) TO THE CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES).

Upon call, there was no public comment.

10A. CONSIDER APPROVAL - **RES. 24-124**, A RESOLUTION ANNEXING TERRITORY (ANNEXATION #74) (T6205 – NORTHEAST CORNER SUNNYSIDE/SHEPHERD, T6343

– SOUTHWEST CORNER BEHYMER/SUNNYSIDE) TO THE CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES) AND CALLING A SPECIAL LANDOWNER ELECTION TO ANNEX TERRITORY (ANNEXATION #74) TO CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES).

City Clerk Parra announced Annexation #74 received 1 vote representing the 143 yes votes indicating passage.

Motion for approval by Councilmember Pearce seconded by Councilmember Bessinger. Motion carried by unanimous vote.

B. CONSIDER APPROVAL - **RES. 24-125**, A RESOLUTION OF THE CITY OF CLOVIS DECLARING THE RESULTS OF A SPECIAL LANDOWNER ELECTION AND DIRECTING RECORDING OF THE NOTICE OF SPECIAL TAX LIEN FOR CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES).

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

7:00 ITEM 11 - CONSIDER APPROVAL OF VARIOUS ACTIONS RELATED TO CITY PURCHASING SYSTEM AND PROCUREMENT PROCEDURES FOR PUBLIC PROJECTS:

Upon call, there was no public comment.

11A. CONSIDER INTRODUCTION – **ORD. 24-17**, AMENDING SECTIONS 2.7.06 AND 2.7.08 OF CHAPTER 2.7 AND SECTION 2.9.03 OF CHAPTER 2.9 OF TITLE 2 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO THE CITY PURCHASING SYSTEM AND PROCUREMENT PROCEDURES FOR PUBLIC PROJECTS.

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

11B. CONSIDER APPROVAL – **RES. 24-126**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING UPDATED PURCHASING MANUAL.

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

11C. CONSIDER APPROVAL – **RES. 24-127**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS ESTABLISHING CLAIMS SETTLEMENT AND

REJECTION/DENIAL AUTHORITY FOR VARIOUS TYPES OF CLAIMS FILED WITH AND INVOLVING THE CITY.

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

7:07 ITEM 12 - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 33 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF SIERRA AND N. CLOVIS AVENUES. BLANCHIMONT CORNER LLC ET AL., OWNERS; LEGACY REALTY AND DEVELOPMENT, APPLICANT; ROGER HURTADO, REPRESENTATIVE.

Jeff Milgrom with Legacy Realty and Development praised City staff, discussed food truck spaces, wayfinding, and provided some context on the projects name, the "Golden Triangle."

CJ Wison, Applicant, praised City staff, discussed challenges with brand consistency and marketing agreements, and agreed with the importance of flexibility in naming and digital signage.

Eric Tienken with Legacy Realty and Development praised the City staff, discussed the parking situation, and confirmed that there are no issues with parking under current City standards. He also mentioned that there is some remaining land on the hotel property, which they are considering how to best utilize, and agreed on the naming and digital signage plans.

The Council discussed the possibility of incorporating digital signage for directional purposes, expressed concerns about the "Golden Triangle" name and recommended finding an alternative name.

12A. CONSIDER APPROVAL - **RES. 24-128**, A REQUEST TO APPROVE AN ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR PLANNED COMMERCIAL CENTER AMENDMENT R2024-004.

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

12B. CONSIDER INTRODUCTION – **ORD. 24-18**, R2024-004, A REQUEST TO AMEND THE DEVELOPMENT STANDARDS AND PRELIMINARY DEVELOPMENT PLAN FOR THE TUSCAN VILLAGE PLANNED COMMERCIAL CENTER.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Bessinger to approve as amended with the additional ability to add a digital signage and for staff to work

with the applicant on the specific details and implementation of the signage. Motion carried by unanimous vote.

7:59 ITEM 13 - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 18 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF N. BARON AND PERRIN AVENUES. FRANCES RICCHIUTI AND PATRICK V. RICCHIUTI, OWNERS; LENNAR HOMES, APPLICANT; YAMABE & HORN ENGINEERING INC., REPRESENTATIVE.

Brandon Broussard with Yamabe and Horn Engineering, Inc., presented a presentation on the Lennar project and addressed the concerns of Council.

Walter Diamond with Lennar Homes discussed the challenges of working on a landlocked project for the past couple of years and aims to appeal to a different buyer segment with affordable housing.

Rhonda Hill with Lennar Homes praised City staff on their hard work.

Michelle, resident, addressed traffic concerns and road safety.

The Council sought clarification on the blended density policy, pedestrian connectivity, and expressed concerns about the impact on County roads, traffic, parking, and inquired with the Fire Chief about how fire staff would access the homes.

13A. CONSIDER APPROVAL - **RES. 24-129**, A RESOLUTION OF THE CITY COUNCIL ADOPTING AN ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR VESTING TENTATIVE TRACT MAP 6452 AND PLANNED DEVELOPMENT PERMIT 2023-001.

Motion for approval by Councilmember Pearce, seconded by Councilmember Basgall. Motion carried by unanimous vote.

13B. CONSIDER APPROVAL - **RES. 24-130**, TM6452, A RESOLUTION OF THE CITY COUNCIL APPROVING A VESTING TENTATIVE TRACT MAP FOR A 153-LOT SINGLE-FAMILY PLANNED RESIDENTIAL DEVELOPMENT ON APPROXIMATELY 18 ACRES OF LAND.

Motion for approval by Councilmember Pearce, seconded by Councilmember Basgall. Motion carried 4-1, with Mayor Ashbeck voting no.

13C. CONSIDER APPROVAL - **RES. 24-131**, PDP2023-001, A RESOLUTION OF THE CITY COUNCIL APPROVING A PLANNED DEVELOPMENT PERMIT FOR A 153-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.

Motion for approval by Councilmember Pearce, seconded by Councilmember Basgall.
Motion carried 4-1, with Mayor Ashbeck voting no.

ADMINISTRATIVE ITEMS – 6:08

6:08 ITEM 14 - CONSIDER VARIOUS REQUESTS FROM WILSON HOMES REGARDING TRACT MAP 6205, A 580-LOT SUBDIVISION LOCATED AT THE NORTHEAST CORNER OF SUNNYSIDE AND SHEPHERD AVENUES.

14A. ALLOW FOR A DEVIATION FROM CITY POLICY REGARDING REIMBURSEMENTS WITHIN STREET AREA AS REQUESTED BY WILSON HOMES

14B. DENY THE REQUEST TO DEVIATE FROM CITY POLICY REGARDING REIMBURSEMENTS OF SEWER MAJOR FACILITY IMPROVEMENTS AS REQUESTED BY WILSON HOMES

14C. DENY THE REQUEST TO DEVIATE FROM CITY POLICY REGARDING REIMBURSEMENTS OF WATER MAJOR FACILITY IMPROVEMENTS AS REQUESTED BY WILSON HOMES

14D. DENY THE REQUEST TO DEVIATE FROM THE CITY'S MUNICIPAL CODE AND ALLOW FOR THE DEFERMENT OF THE WATER SUPPLY FEE AS REQUESTED BY WILSON HOMES

14E. CONSIDER APPROVAL, AUTHORIZE THE CITY ENGINEER TO EXECUTE A MASTER DEVELOPMENT AGREEMENT FOR TRACT MAP 6205

Upon call, there was no public comment.

Motion to continue to December 2, 2024, by Councilmember Mouanoutoua, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

CITY MANAGER COMMENTS – 9:07

None.

COUNCIL COMMENTS – 9:07

The Council requested an update on a pedestrian light for the roundabout at Temperance and Alluvial Avenue.

ADJOURNMENT

Mayor Ashbeck adjourned the meeting of the Council to December 2, 2024.

Meeting adjourned: 9:12 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: December 2, 2024

SUBJECT: Administration - Adopt - Ord. 24-17, Amending Sections 2.7.06 and 2.7.08 of Chapter 2.7 and Section 2.9.03 of Chapter 2.9 of Title 2 of the Clovis Municipal Code Pertaining to the City Purchasing System and Procurement Procedures for Public Projects. (Vote: 5-0)

ATTACHMENTS: None.

This item was approved for introduction on November 18, 2024, with a unanimous vote.

Please direct questions to the City Manager's office at 559-324-2060.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: December 2, 2024

SUBJECT: Administration - Approval - Waive Normal Purchasing Process and approve the purchase of a next generation enterprise cybersecurity system from CDWG Corporation using the Omnia cooperative purchasing program; a competitively bid contract with purchasing provisions for California State and Local government agencies in the amount of \$54,978.89 per year for three years.

ATTACHMENTS: None.

RECOMMENDATION

For the Council to waive the normal purchasing process and authorize the purchase of the Next-Generation enterprise cybersecurity system for \$164,936.67, payable at \$54,978.89 each year.

EXECUTIVE SUMMARY

The cybersecurity landscape continues to evolve, and new threats and vulnerabilities are introduced every day. To keep up with these challenges and to meet the requirements of the City's cybersecurity insurance program, a new, next-generation cybersecurity system is needed. Staff is recommending the purchase of this system from CDWG Corporation using the Omnia cooperative purchasing program.

BACKGROUND

Over the last year staff has seen an increase in spam emails making it past the city's current filtering systems. Staff has also seen that the current website filtering system has been less effective in blocking questionable sites and has at times, hampered staff's ability to use our online systems and services.

To keep up with today's cybersecurity challenges, staff began evaluating other website and email/spam filtering systems to gauge their effectiveness in responding to new threats and vulnerabilities. These next-gen platforms provide more comprehensive security protection across all the city's networks (internal, public access, video, etc.), they use advanced algorithms and heuristics to stop inbound spam/junk email before even making it to the city's email server or individual mailboxes, and they can scan and protect web browsing activity in real time (instead

of using the traditional/static lists that are downloaded on a set schedule). Additionally, in 2022 the City signed up for cybersecurity insurance and one of the requirements for maintaining our coverage was to implement secure Domain Naming System (DNS) services, which these systems also provide.

Staff evaluated several systems and is recommending the product and services from Cloudflare Inc. as they have one of the largest global networks to better mitigate and prevent cyber threats. Their enterprise cybersecurity system provides a centralized portal for managing the various modules and it includes the ability to protect remotely connected devices and cloud/subscription-based systems. Additionally, the Cloudflare platform provides the resiliency, speed and accessibility needed in today's always on and connected world. Staff is recommending the purchase of this system from CDWG using the Omnia cooperative purchasing program for a total amount of \$164,936.67 (payable annually at \$54,978.89 per year), plus \$6000.00 for implementation services.

FISCAL IMPACT

The cost of purchasing the licenses is included in the I.T. Division budget for Fiscal Year 2024-2025.

REASON FOR RECOMMENDATION

To meet today's cybersecurity challenges, address some existing vulnerabilities and gaps in coverage, and to meet the requirements of the City's cybersecurity insurance program, a new enterprise cybersecurity platform is needed.

ACTIONS FOLLOWING APPROVAL

After Council approval, staff will purchase the licenses, and the system will be installed to provide protection for all City computers, servers and other technology assets.

CONFLICT OF INTEREST

None.

Prepared by: Jesse Velez, I.T. Deputy Director

Reviewed by: City Manager AA



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: December 2, 2024

SUBJECT: General Services – Approval – Res. 24-____, Authorizing Amendments to the City's Classification and Compensation Plans to Adopt the Parks Supervisor Classification with a Salary Range of \$8,773 to \$10,665 per month.

ATTACHMENTS: 1. Res. 24-____ Classification and Compensation Plans

RECOMMENDATION

For City Council to approve a resolution authorizing amendments to the City's Classification and Compensation Plans by adopting the Parks Supervisor Classification with a Salary Range of \$8,773 to \$10,665 per month.

EXECUTIVE SUMMARY

The City has a need to add a Parks Supervisor classification. The proposed Parks Supervisor classification will be assigned to the Public Utilities Department and support the Parks Manager in supervising the office and field operations for the division. Adequate funds were included in the adopted FY 24-25 budget for the new classification. Modification of the City's Classification and Compensation Plans require the City Council's approval.

BACKGROUND

During the FY 24-25 budget process, the Public Utilities Department determined the need to create a Parks Supervisor classification. This position was added to the Public Utilities Department FY 24-25 Position Allocation Plan but now requires the classification to recruit for and fill the position.

The Parks Division has seen a rise in the number of employees, driven by the growing population of the City and the expansion of parks. This growth has created a need for a dedicated supervisor to oversee Parks Division employees. The proposed Parks Supervisor would oversee, monitor, and participate in the daily maintenance and operations of the Parks Division. In support of the Parks Manager, the Parks Supervisor would manage both office and field activities within the division. This role would include assisting with overall operations, developing and implementing preventive maintenance plans, as well as help with hiring, discipline, and task assignment for subordinate staff.

The recommended salary range for the Park Supervisor will be \$8,773 to \$10,665. The Parks Supervisor will be assigned to the Management Group. The new classification and salary range reflect the current needs of the City.

FISCAL IMPACT

The fiscal impact of salary and benefits for the remainder of FY 24-25 is approximately an additional \$71,000. There are adequate funds in the Public Utilities Department budget to cover the costs of this position.

REASON FOR RECOMMENDATION

Creation and addition of the Parks Supervisor classification to the City's Classification and Compensation Plans provides a detailed classification description and allows for the recruitment of the new position.

ACTIONS FOLLOWING APPROVAL

Personnel staff will add the new Parks Supervisor classification to the City's Classification and Compensation Plans.

CONFLICT OF INTEREST

None.

Prepared by: Lori Shively, Deputy General Services Director

Reviewed by: City Manager AK

RESOLUTION 24-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING AMENDMENTS TO THE CITY'S CLASSIFICATION AND COMPENSATION PLANS BY ADOPTING A PARKS SUPERVISOR CLASSIFICATION IN THE PUBLIC UTILITIES DEPARTMENT

WHEREAS, it has been determined that the City has a need for a Parks Supervisor classification to provide the necessary support to the parks operations; and

WHEREAS, it has been determined that the appropriate salary range for the Parks Supervisor classification is \$8,773 to \$10,665 per month; and

WHEREAS, it has been determined that it is appropriate to assign the Parks Supervisor classification to the Management Group.

NOW THEREFORE, BE IT RESOLVED, that the City of Clovis will modify the City's FY 24-25 Classification and Compensation Plans to include the Parks Supervisor classification (Attachment A) with a monthly salary of \$8,773 to \$10,665 per month.

* * * * *

The foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on December 2, 2024, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: December 2, 2024

Mayor

City Clerk

ATTACHMENT 1

City of Clovis
PARKS SUPERVISOR
Monthly Salary: \$8,773 to \$10,665

DEFINITION

Under general direction, to plan, supervise, coordinate, assign, monitor, and participate in the daily maintenance and operations of the Parks Division in support of the Public Utilities Department and perform related work as required.

CLASS CHARACTERISTICS

Reporting to the Parks Manager, the position serves as a supervisor in the Parks Division and will perform a variety of duties essential to the maintenance and operations of the City's public landscape areas including parks, restrooms, landscaping, irrigation, trails, City campuses, Old Town, and Landscape Maintenance Districts (LMD). The incumbent acts with a high degree of independence for action in the assigned areas of responsibility. The direction provided to the incumbent consists of the assignment of responsibility for attaining department objectives according to management direction and policy guidelines. The incumbent is expected to develop methods and procedures for solving problems encountered. Most of the work is not reviewed directly by a supervisor except where it involves a deviation in policy, an inconsistency in application with department procedures, and/or the implementation of new methods and procedures. When work is reviewed, the review is directed toward the final outcome and results. This position responds to emergency calls during or after normal duty hours; and performs related work as required. Incumbents may be assigned to work outside their regular shift and may be required to work weekends and holidays.

EXAMPLES OF DUTIES

In support of the Parks Manager, supervise office and fieldwork of the Parks Division and personnel as assigned. Work as part of the Public Utilities management team and coordinate tasks and assignments with other Public Utilities managers, supervisors and staff while maintaining close working relationships with other City Departments. Work with private contractors and consultants. Assist the Parks Manager with Parks operations, including irrigation, mowing, pruning, planting, weeding, cleaning, and maintenance of barbeques, public restrooms, picnic benches, removal of trash, spraying of insecticides, and herbicides and fertilizing; prepare and submit requisitions for park supplies, tools, and equipment; assists with coordination and scheduling activities of volunteer groups. Assist with developing and implementing a preventative maintenance program for Parks equipment and evaluate and recommend repair or purchase of equipment. Evaluate procedures, operations, and services, for effectiveness and efficiency, and recommend modifications, improvements, and solutions to problems. Assist with and conduct employee performance evaluations; maintain timecards and other division records; conduct safety meetings; advise on hiring recommendations; recommend and assist in the discipline of subordinate employees; may serve as acting manager; distribute assigned work to subordinate

personnel; train and instruct assigned staff in work methods; advise immediate supervisor of employee performance problems, report to manager problems encountered in the assigned work and progress in completing work assignments. Assist in the preparation of a variety of technical research and reports including organizing, planning, and implementing environmental projects with compliance to state regulations, compile data, prepare reports, and complete special projects and assist in the administration of the parks budget including administration of the LMD. Investigate complaints and assist in resolving citizen and property owner problems and complaints. Research and provide technical assistance and instruction concerning technical landscape maintenance issues such as tree-risk assessments. Conducts safety training and assists with safety awareness and pesticide use programs to reduce incidents and accidents in the Parks Division; and perform related work as required.

TYPICAL QUALIFICATIONS

LICENSE AND CERTIFICATES REQUIRED

- Possession of a valid class A or B California Driver's license with a good driving record with appropriate endorsements.
- Possession of a State of California, Department of Pesticide Regulation "Qualified Applicator Certificate" (QAC) with category (B) and (C) endorsements within 1 year of appointment.
- Possession of an Arborist certification issued by the International Society of Arboriculture (ISA) within 1 year of appointment.

EDUCATION AND EXPERIENCE

Education:

- Graduation with a bachelor's degree from an accredited college or university with major study in horticulture, public or business administration, construction management or a related field.
- Experience over and above the six years' experience requirement stated below may be substituted for up to two years of education in the following manner:
 1. An additional three years of experience in Park operations may be substituted for one year of education equivalent to 30-semester units (a total of nine years experience).
 2. An Additional six years experience in Park operations may be substituted for two years of education equivalent to 60-semester units (a total of twelve years experience).

And

Experience:

- Six (6) years of full-time work experience in Park and Landscape maintenance operations.
- Minimum of two (2) years' work experience must be in a lead or supervisory/management capacity.

QUALIFICATIONS

Knowledge of:

- Applicable laws, codes and regulations pertaining to Park operations;
- State and local laws pertaining to operation of motorized equipment on public right of way.
- Planting, cultivating, fertilizing, and watering of lawns, flowers, shrubs, and trees;
- Methods and procedures for preparing soils for planting;
- Common plant diseases and pests of the area and means of eradication and control;
- Basic math;
- Record keeping;
- Proper methods, materials, tools and equipment used in Park operations ;
- General principles of supervision and training;
- Appropriate safety precautions and procedures;
- Industry accepted techniques in Landscape irrigation design and Park operations.

Ability to:

- Supervise, train, organize and review the work of staff;
- Understand and use standard office equipment such as computers, associated software, printers, and landlines.
- Identify and assess safety concerns for personnel and the public;
- Understand and implement work practices and regulations as they pertain to park operations;
- Operate and train others in the operation of Parks equipment;
- Prepare oral and written reports;
- Review and understand site plans, blueprints relating to City park, landscape and irrigation design and construction;
- Read, write, and perform mathematical calculations at the level required for successful job performance;
- Inspect equipment for safety purposes and ensure that it is operated in a safe and efficient manner;
- Interpret and enforce safety standards;
- Maintain moderately complex records;
- Understand pertinent procedures and functions quickly and apply them without immediate supervision;
- Plan, assign, and monitor the work of subordinates;
- Operate a vehicle, observing legal and defensive driving practices;
- Understand and carry out oral and written instructions;
- Establish and maintain effective relationships with all organizational levels as well as with the public;
- Adhere to, administer, and promote City regulations, policies, and programs.

SUPPLEMENTAL INFORMATION

PHYSICAL DEMANDS AND WORKING CONDITIONS

- Strength: Heavy work – frequent lifting and/or carrying of objects weighing up to 50 pounds, with occasional lifting and/or carrying and/or pushing up to 100 pounds.
- May be required to: work in inclement weather, including sun, cold and rain; wear protective apparel, including goggles, face protectors, noise insulator, apron and steel bottom shoes; work around potentially hazardous material and substances. Some assigned areas are exposed to extreme heat, humidity, noise, traffic and mechanical

hazards of machinery, fumes, odors and dust from construction and maintenance equipment.

- Frequent walking, standing, sitting, downward, upward and side-to-side flexion of the neck. Bending, stooping, squatting, reaching above and at the shoulder height, kneeling, balancing, above ground, pushing pulling twisting at the waist, strength to grasp hand and power tools.
- Occasional manual dexterity to operate computer keyboard and grasp other typical office equipment.
- Incumbent may be required to attend periodic evening meetings.
- Incumbent is required to travel within and out of City to attend meetings.
- The position is designated as confidential under the Meyers-Millas Brown Act and is an exempt employee under the Fair Labor Standards Act.



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services

DATE: December 2, 2024

SUBJECT: General Services – Approval - Waive the City's Usual Purchasing Requirements and Authorize the Purchase of One (1) Ram Promaster Transit Vehicle for \$170,610.05 Utilizing the California Association for Cooperative Transportation (CalACT) Competitive Bid Award.

ATTACHMENTS: 1. Vehicle Quote

RECOMMENDATION

For the City Council to waive the usual purchasing requirements and authorize the City Manager to approve the purchase of one (1) Ram Promaster transit vehicle for \$170,610.05 utilizing the California Association for Coordinated Transportation (CalACT) competitive bid award.

EXECUTIVE SUMMARY

Staff recommends the purchase of one (1) Ram Promaster transit vehicle to be used for Round Up transit service. The purchase will support the delivery of transportation services to passengers utilizing paratransit service. The cost of the Ram Promaster is \$170,610.05. There will be an additional nominal cost for installation of a two-way radio. The cost for the Promaster and associated expenses will be paid through a combination of a Fresno Council of Governments (FCOG) Access for All Grant and State Transit Assistance (STA) funds.

BACKGROUND

In June of 2024, the City of Clovis was awarded a Fresno Council of Governments (FCOG) Access for All Grant, which provides agencies funding for projects that provide on-demand transportation service for people with disabilities. Clovis Transit proposed to increase the availability of paratransit service through the purchase of a Ram Promaster vehicle with wheelchair access. This additional vehicle will support and increase the availability of wheelchair accessible vehicles on our paratransit service (Round Up), reducing wait times for passengers. The FCOG Access for All Grant will fund \$91,916 towards the purchase cost of one Ram Promaster. The remaining cost of \$78,694.05 will be funded with State Transit Assistance (STA) funds.

The Ram Promaster will be purchased through the California Association for Coordinated Transportation (CalACT) competitive bid award. The CalACT purchasing cooperative awards

bid positions in accordance with the Federal Transit Administration and California Department of Transportation regulations and has been audited by both agencies with no findings. The purchasing cooperative is also compliant with Buy America requirements. The purchase of transit vehicles requires technical expertise and a broad scope of knowledge of bus manufacturing concepts. More than 250 transit agencies, including Caltrans, have purchased vehicles through the CalACT purchasing cooperative. Similar to Caltrans before the cooperative was formed, CalACT charges a 1.5% procurement fee.

By utilizing the cooperative, Clovis Transit can purchase the vehicles our operation needs at a competitive cost. Vehicle specifications and options were listed in the CalACT request for proposal and the vendor's proposals. These specifications meet or exceed the transit operation's desired vehicle design and capacity. The Ram Promaster is designed to hold up to seven (7) passengers and two (2) passengers using mobility devices.

FISCAL IMPACT

FCOG Access for All Grant will partially fund the purchase of the Ram Promaster with \$91,916. The remaining balance of \$78,694.05 will be subsidized by State Transit Assistance (STA) funds that have been identified in the FY 2024-25 budget.

Details regarding the pricing are available in the quote attached from RO Bus Sales.

REASON FOR RECOMMENDATION

The purchase of a Ram Promaster will fulfill the FCOG Access for All project requirements by providing the community access to paratransit services. Availability of vehicles for Round Up service will increase and improve service efficiency as well as support Clovis Transit's mission to improve the quality of life in our community.

ACTIONS FOLLOWING APPROVAL

Following approval, transit staff will prepare a purchase order for the City Manager's approval and the vehicle will be ordered. Vehicle is expected to be delivered within 180 days.

CONFLICT OF INTEREST

None.

Prepared by: Susanna Herrera, Management Analyst

Reviewed by: City Manager *97*



RO Bus Sales
2701 Westwood Dr, Las Vegas NV, 89109
Phone/Fax: (702) 798-0029 / (702) 835-1434

AGENDA ITEM NO. 5.
Invoice: TBD
Stock Number: TBD
Date: 11/22/2024

CalACT RFP 20-01 - Quote Form

Agency:	City of Clovis	Vehicle Type:	Class P - Ram Promaster (159)	
Contact:	Nick Chin	Year:	2024	
Address:	1033 5th St	Manufacturer:	Ram	
City/ST/Zip:	Clovis, CA 93612	Model:	Promaster 159	
Phone/Fax:	(559) 324-2130	Type:	159	
Email:	nickc@ci.clovis.ca.us	Passenger:	8 Passenger / (2) Wheelchair Positions	
P.O. #	TBD	Lift Manufacturer:	MPower	
Sales Person:	Joe Machin	Lift Type:	32" Manual Swing Ramp	
Ford GPC	N/A	Seat Type:	GO-ES Seats	
Quantity:	Vehicle Description	Price	Ext. Price	ADA
1	Sunset Vans - Class P - Ram Promaster 159" Lowfloor Step in Side Wheelchair Position, (2) Wheelchair Positions, Interior Dome Lights, Door Entrance LED Lighting, ABS Interior, Driver Heavy Duty Running Board, Rear A/C System, *Grey Docket 90, 8 19" GO-ES Seats, Manual Swing 32" Ramp, Interlock for Ramp, Back Up Alarm, Entrance Grab Bar, Safety Kit, Window Tint, MorRyde Suspension, 46" Plug Door, Rear 10 Inch Step Riser (From Flat Floor to Back Row). (6) Dual USB Charging Ports	\$150,515.00	\$150,515.00	\$76,810.00
Published Options				
1	Front Passenger Seat Delete and Storage Area	\$1,213.00	\$1,213.00	
2	Additional programmed key fobs	\$165.00	\$330.00	
Non-Published Options				
1	Upgrade Storage Pod to Technology Cabinet: Storage Box, Slide-Out Shelves, Electronics In Co-Pilot Seat Area (Requires Co-Pilot Seat Removal), AngelTrax Camera System + Install, (2) Power Block Prewire	\$4,560.88	\$4,560.88	
1	Horizontal Wall Grabrail at Wheelchair position - Stainless Steel	\$560.00	\$560.00	\$560.00
1	Mpower Assist Grab Handle	\$750.00	\$750.00	\$750.00
1	L-Track floor anchors and restraints.	\$1,240.00	\$1,240.00	\$1,240.00
1	Full Graphics & Wrap Installation	\$1,500.00	\$1,500.00	
Subtotal				
<div>Quote Valid For 30 Days</div> <div><div>DISCLAIMER OF WARRANTIES</div><p>The Seller, RO BUS SALES, Hereby Expressly Disclaims All Warranties, Either Expressed or Implied, Including Any Implied Warranty Merchantability of Fitness For A Particular Purpose, and RO BUS SALES Neither Assumes Nor Authorizes Any Other Person To Assume For It Any Liability In</p><div><div>Joe Machin</div><div>Sales Representative</div><div></div><div>Sales Representative's Signature</div></div><div>11/22/2024</div><div>Date</div></div> <div><div>DISCLAIMER OF DELIVERY</div><p>Delivery is expected within 200 days. Delivery may occur sooner than expected.</p><p>Delivery time may be extended if OEM supply chains are extended.</p><div><div>Nick Chin</div><div>Purchaser Name</div><div></div><div>Purchaser's Signature</div></div><div></div><div>Date</div></div>		Class P - Base Price	\$150,515.00	
		Published Options	\$1,543.00	
		Non-Published Options	\$8,610.88	
		Total	\$160,668.88	\$79,360.00
		Doc Prep Fee	\$470.75	
		Non-Taxable	\$79,360.00	
		Taxable Amount	\$81,308.88	
		Tax Total	\$6,484.38	7.975%
		Subtotal	\$167,624.01	
		Calact Fee	\$2,410.03	1.5%
		DMV Fee	\$80.00	
		Tire Fee	\$7.00	
		Delivery Fee	\$489.00	Zone 3
Total	\$170,610.05			
Number of Units	1			
Final Total	\$170,610.05			
<div><div></div><div>RO Limited Warranty (30 Days)</div><div>(Check Box)</div></div> <div><div>x</div><div>Factory Certified Warranty</div><div>(Check Box)</div></div> <div><div></div><div>As Is, No Warranty</div><div></div></div> <div>Make Check Payable to: R O Bus Sales</div>				

ATTACHMENT 1



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: December 2, 2024

SUBJECT: Planning and Development Services – Approval – Final Acceptance for CIP 24-01, Rubberized Cape Seal 2024.

ATTACHMENTS: 1. Vicinity Map

RECOMMENDATION

For the City Council to accept the work performed as complete and to authorize the recording of the Notice of Completion.

EXECUTIVE SUMMARY

The project consisted of the installation of approximately 185,887 square yards of rubberized cape seal and approximately 222,249 square yards of Type II slurry seal in various local streets in the City of Clovis. Locations are shown on the vicinity map in Attachment 1.

The work included removal of all existing traffic striping, markings, and markers, furnishing and installation/application of asphalt rubber chip seal, Type II slurry seal, traffic control, street sweeping, cleanup, reinstallation of traffic striping and all other items or details required as described in the Contract Documents.

BACKGROUND

Bids were received on March 26, 2024, and the project was awarded by the City Council to the low bidder, VSS International, Inc. on April 8th, 2024. The project was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

FISCAL IMPACT

1.	Award	\$2,050,120.00
2.	Cost increases/decreases resulting from differences between estimated quantities used for award and actual quantities installed.	(\$0.00)
3.	Contract Change Orders	\$0.00
	Final Contract Cost	\$2,050,120.00

The Project was supported by Measure C pass through funding through the City Community Investment Program.

REASON FOR RECOMMENDATION

The Public Utilities Department, the City Engineer, the Engineering Inspector, and the Project Engineer agree that the work performed by the contractor is in accordance with the project plans and specifications and has been deemed acceptable. The contractor, VSS International, Inc. requested final acceptance from the City Council.

ACTIONS FOLLOWING APPROVAL

1. The Notice of Completion will be recorded; and
2. All remaining retention funds will be released no later than 35 calendar days following recordation of the notice of completion, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

CONFLICT OF INTEREST

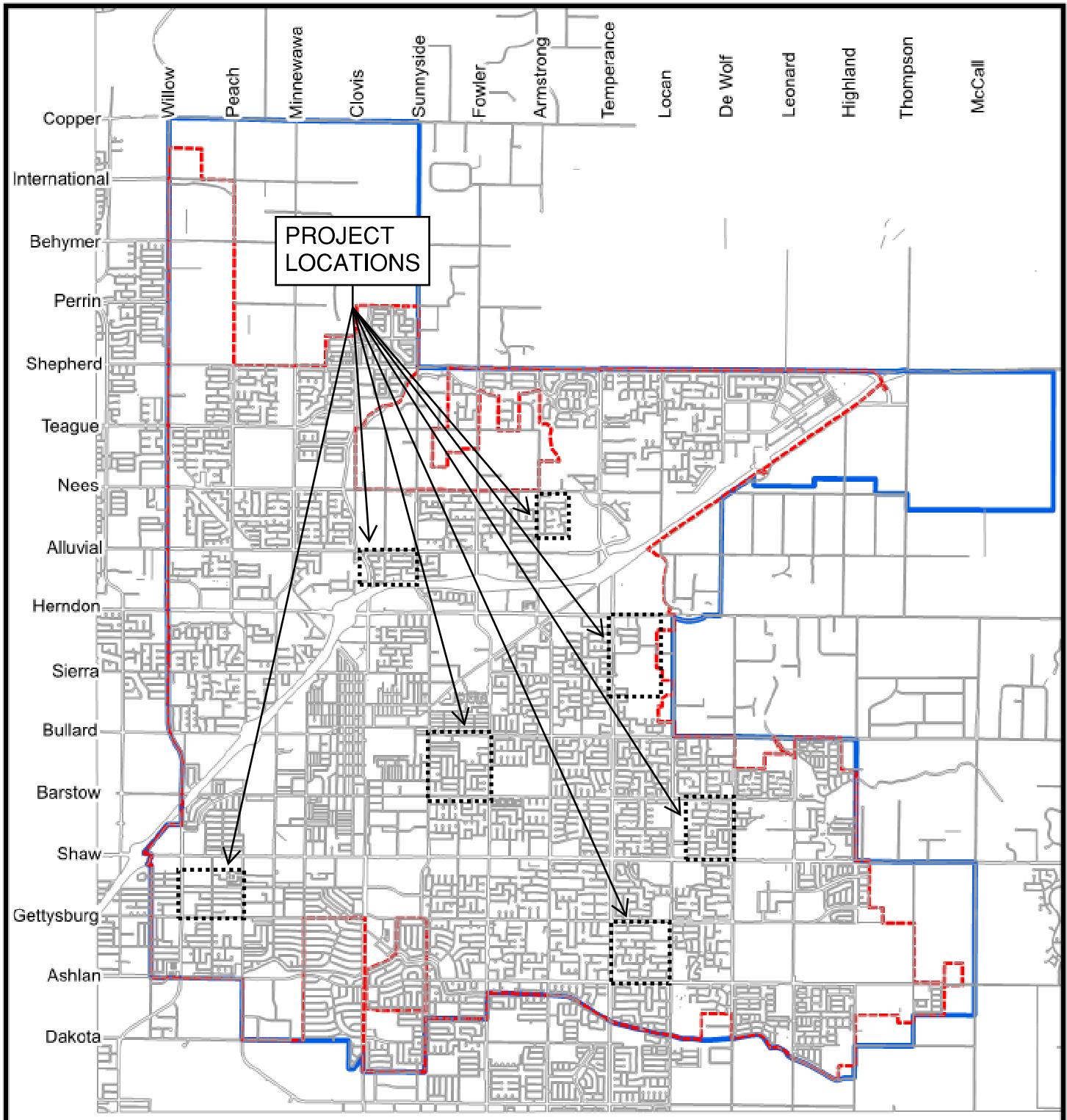
None.

Prepared by: Nav Chahal, Engineer I

Reviewed by: City Manager *JH*

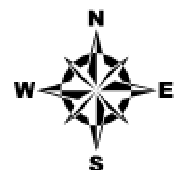
VICINITY MAP

CIP 24-01 Rubberized Cape Seal 2024



Attachment 1

 CITY LIMITS SPHERE OF INFLUENCE





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: December 2, 2024

SUBJECT: Planning and Development Services – Approval – Bid Award for CIP 24-06, New Bus Stops: B2 to Cervantes Landscape Services, Inc., in the amount of \$167,172.00; and authorize the City Manager to execute the contract on behalf of the City.

ATTACHMENTS: 1. Vicinity Map

RECOMMENDATION

1. For the City Council to award a contract for CIP 24-06 New Bus Stops: B2 to Cervantes Landscape Services, Inc., in the amount of \$167,172.00; and
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

EXECUTIVE SUMMARY

Staff is recommending that City Council authorizes the City Manager to award and execute the contract to Cervantes Landscape Services, Inc., who was the lowest responsible bidder from a bid opening that took place on November 19, 2024.

The project consists of the constructing of new bus stops in various locations within the city limits and the City of Fresno. The purpose of the project is to provide ADA compliant bus stops as part of the new bus routes. The construction involves the demolition of landscape and sidewalks in the proposed locations and the pouring of new concrete pads and retaining curbs, sidewalks, and restoration of landscape, as necessary.

BACKGROUND

The following is a summary of the bids received on November 19, 2024:

BIDDERS	BASE BID
Cervantes Landscape Services, Inc.	\$167,172.00
Clean Cut Landscape Incorporated	\$178,495.00
Dave Christian Construction Co., Inc.	\$196,256.00
Garcia Paving, Inc.	\$346,124.86

ENGINEER'S ESTIMATE **\$175,700.00**

All bids were examined, and the bidder's submittal were found to be in order. Cervantes Landscape Services, Inc., is the lowest responsible bidder. Staff has validated the lowest bidder contractor's license status and bond.

FISCAL IMPACT

This project was budgeted in the 2024-2025 Community Investment Program. The project is supported by Low Carbon Transit Operations Program (LCTOP) through the City Community Investment Program.

REASON FOR RECOMMENDATION

Cervantes Landscape Services, Inc. is the lowest responsible bidder. There are sufficient funds available for the anticipated cost of this project.

ACTIONS FOLLOWING APPROVAL

1. The contract will be prepared and executed, subject to the Contractor providing performance security that is satisfactory to the City.
2. Construction will begin approximately two (2) weeks after contract execution and be completed in forty (40) working days thereafter.

CONFLICT OF INTEREST

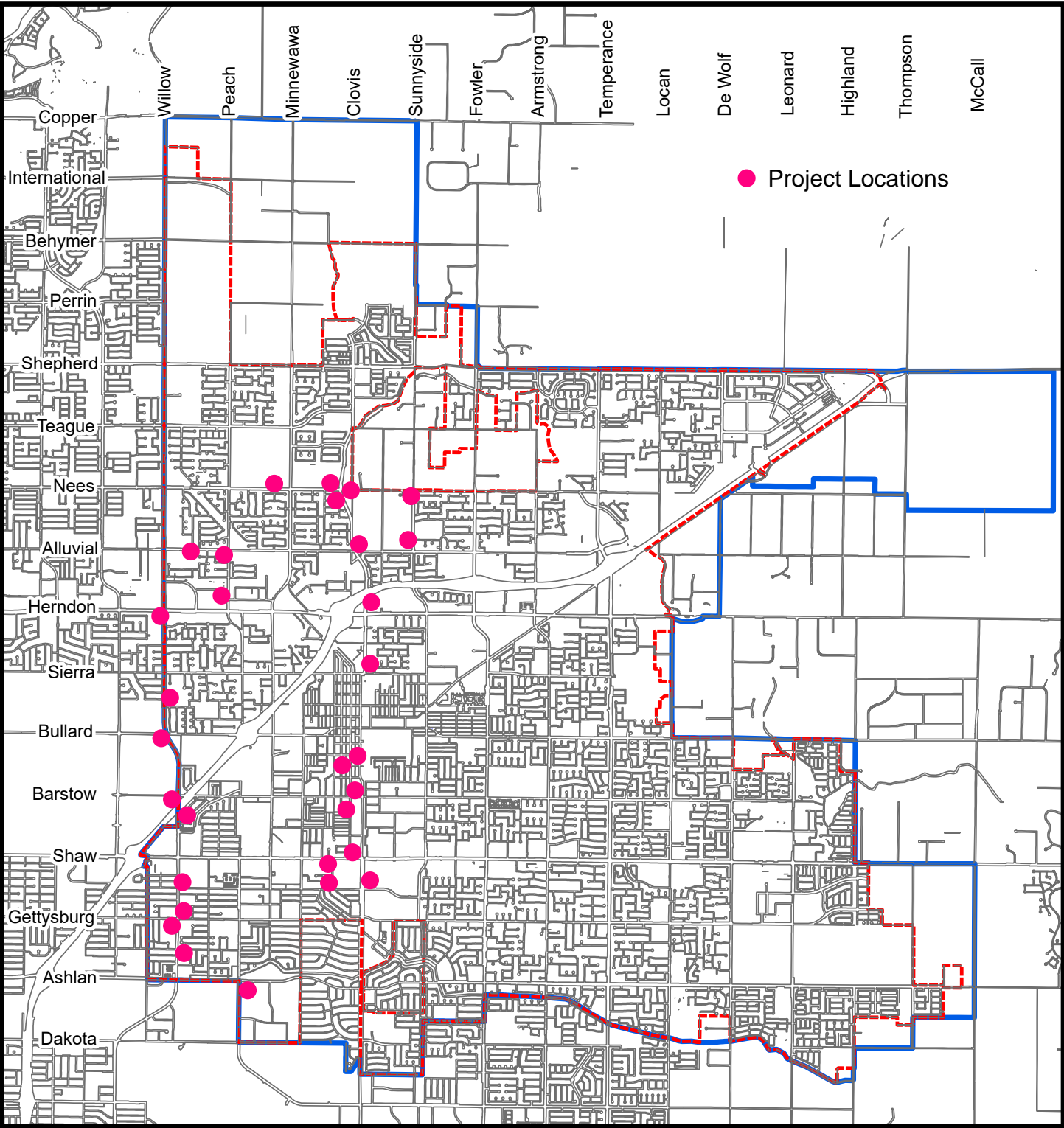
None.

Prepared by: Benjamin Little, Project Engineer

Reviewed by: City Manager *JA*

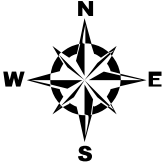
VICINITY MAP

CIP 24-06 New Bus Stops: B2



ATTACHMENT 1

 CITY LIMITS  SPHERE OF INFLUENCE





CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: December 2, 2024

SUBJECT: Planning and Development Services – Approval – Bid Award for CIP 24-24, Santa Ana Sidewalk Improvements to Platinum Dirt Worx, LLC, in the amount of \$74,594.02; and authorize the City Manager to execute the contract on behalf of the City.

ATTACHMENTS: 1. Vicinity Map

RECOMMENDATION

1. For the City Council to award a contract for CIP 24-24 Santa Ana Sidewalk Improvements to Platinum Dirt Worx, LLC, in the amount of \$74,594.02; and
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

EXECUTIVE SUMMARY

Staff is recommending that City Council authorizes the City Manager to award and execute the contract to Platinum Dirt Worx, LLC, who was the lowest responsible bidder from a bid opening that took place on November 12, 2024.

This project involves ±0.25 miles of sidewalk improvements. Improvements include clearing & grubbing, concrete sidewalks and ADA Curb Return ramps.

BACKGROUND

The following is a summary of the bids received on November 12, 2024:

BIDDERS	BASE BID
Platinum Dirt Worx, LLC	\$74,594.02
Dave Christian Construction Co., Inc.	\$78,322.00
Tosted Asphalt, Inc.	\$78,999.34
Truxell & Valentino Landscape Development, Inc.	\$82,157.00
Witbro Inc dba Seal Rite Paving & Grading	\$85,335.50
Ares Eng., LLC	\$86,466.00
JT2 Inc DBA Todd Companies	\$123,749.48

Alliance Construction Solutions, Inc.
VisionBuild Construction, LLC.

\$182,580.00
Non-responsive

ENGINEER'S ESTIMATE

\$79,030.00

All bids were examined, and the bid from VisionBuild Construction, LLC, was found to be non-responsive due to insufficient documentation. All other bids were found to be in order, except for a few arithmetic and clerical errors that did not affect the order of the bid results. For this reason, Platinum Dirt Worx, LLC, is the lowest responsible bidder. Staff has validated the lowest bidder contractor's license status and bid bond.

FISCAL IMPACT

This project was budgeted in the 2024-2025 Community Investment Program. The project is supported by Community Development Block Grant (CDBG) through the City Community Investment Program.

REASON FOR RECOMMENDATION

Platinum Dirt Worx, LLC, is the lowest responsible bidder. There are sufficient funds available for the anticipated cost of this project.

ACTIONS FOLLOWING APPROVAL

1. The contract will be prepared and executed, subject to the Contractor providing performance security that is satisfactory to the City.
2. Construction will begin approximately two (2) weeks after contract execution and be completed in twenty (20) working days thereafter.

CONFLICT OF INTEREST

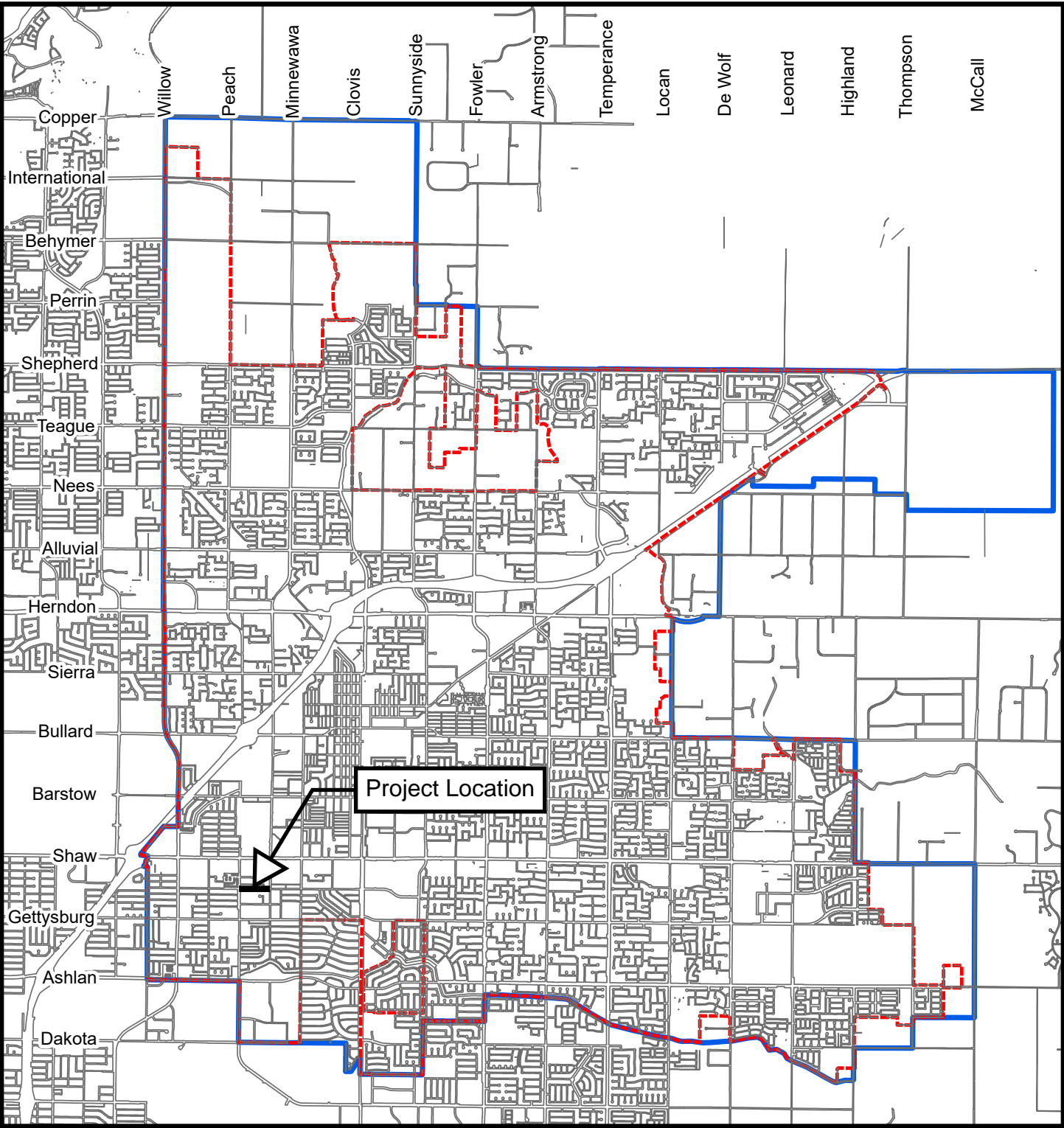
None.

Prepared by: Benjamin Little, Project Engineer

Reviewed by: City Manager *JA*

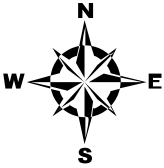
VICINITY MAP

CIP 24-24 Santa Ana Sidewalk Improvements



Attachment 1

 CITY LIMITS SPHERE OF INFLUENCE





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: December 2, 2024

SUBJECT: Planning and Development Services - Approval – Res. 24-____, Final Map Tract 6205 located on northeast corner of Shepherd Avenue and Sunnyside Avenue (Great Bigland, Inc., a California Corporation).

ATTACHMENTS: 1. Res. 24-____
2. Vicinity Map
3. Final Map Copy

RECOMMENDATION

For the City Council to approve Res. 24-____, which will:

1. Accept the offer of dedication of parcels and public utility easements within Tract 6205, and
2. Authorize the recording of the final map.

EXECUTIVE SUMMARY

The owner, Great Bigland, Inc., a California Corporation, acting as the subdivider, has submitted a final map. The improvement plans are being processed by City staff. The improvements to be installed include curb, gutter, sidewalk, streetlights, fire hydrants, street paving, sanitary sewer, water mains, and landscaping. The subject tract is located on northeast corner of Shepherd Avenue and Sunnyside Avenue. It contains approximately 30 acres and consists of 303 residential units, zoned R-1.

BACKGROUND

None.

FISCAL IMPACT

The subdivider will be installing curb, gutter, sidewalk, fire hydrants, street paving, sanitary sewer, water mains, and landscaping, which will be perpetually maintained by the City of Clovis. For the streetlights, the City will pay for the power and PG&E will provide the maintenance.

REASON FOR RECOMMENDATION

The subdivision agreement has been executed by the subdivider and all development fees paid or deferred in accordance with the Municipal Code. The agreement provides for the developer to complete a technically correct map and improvement plans, and to complete all the required improvements in compliance with the conditions of approval. The improvements are adequately secured.

ACTIONS FOLLOWING APPROVAL

The final map will be filed with the Fresno County Recorder's office for recording.

CONFLICT OF INTEREST

None.

Prepared by: Ruben Amavizca. Engineer II

Reviewed by: City Manager *JA*

RESOLUTION 24-__**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING FINAL
SUBDIVISION MAP FOR TRACT NO. 6205**

WHEREAS, a final map has been presented to the City Council of the City of Clovis for Tract 6205, by The City of Clovis, a Municipal Corporation; and

WHEREAS, said final tract conforms to the requirements of Chapter 2, Part 2, of Division 4 of the Business and Professions Code and to local ordinances.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Clovis as follows:

1. The final map of Tract 6205, consisting of six (6) sheets, a copy of which is on file with the City Clerk, be and the same is hereby approved.
2. The subdivision improvement plans for said tract are being processed by City staff for approval.
3. The preliminary Engineer's Cost Estimate of development cost of said tract, a copy of which is on file with the City Clerk, be and the same is hereby approved and adopted as the estimated cost of improvements for said subdivision in the sum of \$13,078,760.09.
4. The offer and dedication for public use of the parcels and easements specified on said map are accepted by the City of Clovis and the City Clerk is authorized and directed to execute said subdivision map.
5. This Council finds that the proposed subdivision, together with the provisions for its design and improvement, are consistent with applicable general and specific plans of the City of Clovis.
6. Improvement Security, as provided hereunder and in said Subdivision Agreement, is fixed at one hundred percent (100%) of the remaining improvements to be constructed or the sum of \$13,937,000.00 for guaranteeing specific performance of said agreement and fifty percent (50%) of the remaining improvements or the sum of \$6,968,500.00 for payment of labor and materials furnished by contractors, subcontractors, laborers and materialmen in connection with the improvements required to be made or constructed by said subdivider in conformity with said subdivision map or said agreement.
7. Subdivider shall furnish a bond in the sum of \$1,393,700.00 being the amount determined by the City Council of the City as necessary for the guarantee and warranty of the work for a period of one year following the completion and acceptance of the tract against any defective work or labor done, or defective materials furnished.

Said bond is required to be furnished prior to acceptance of the tract by the City Council.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on December 2, 2024, by the following vote, to wit.

AYES:

NOES:

ABSENT:

ABSTAIN:

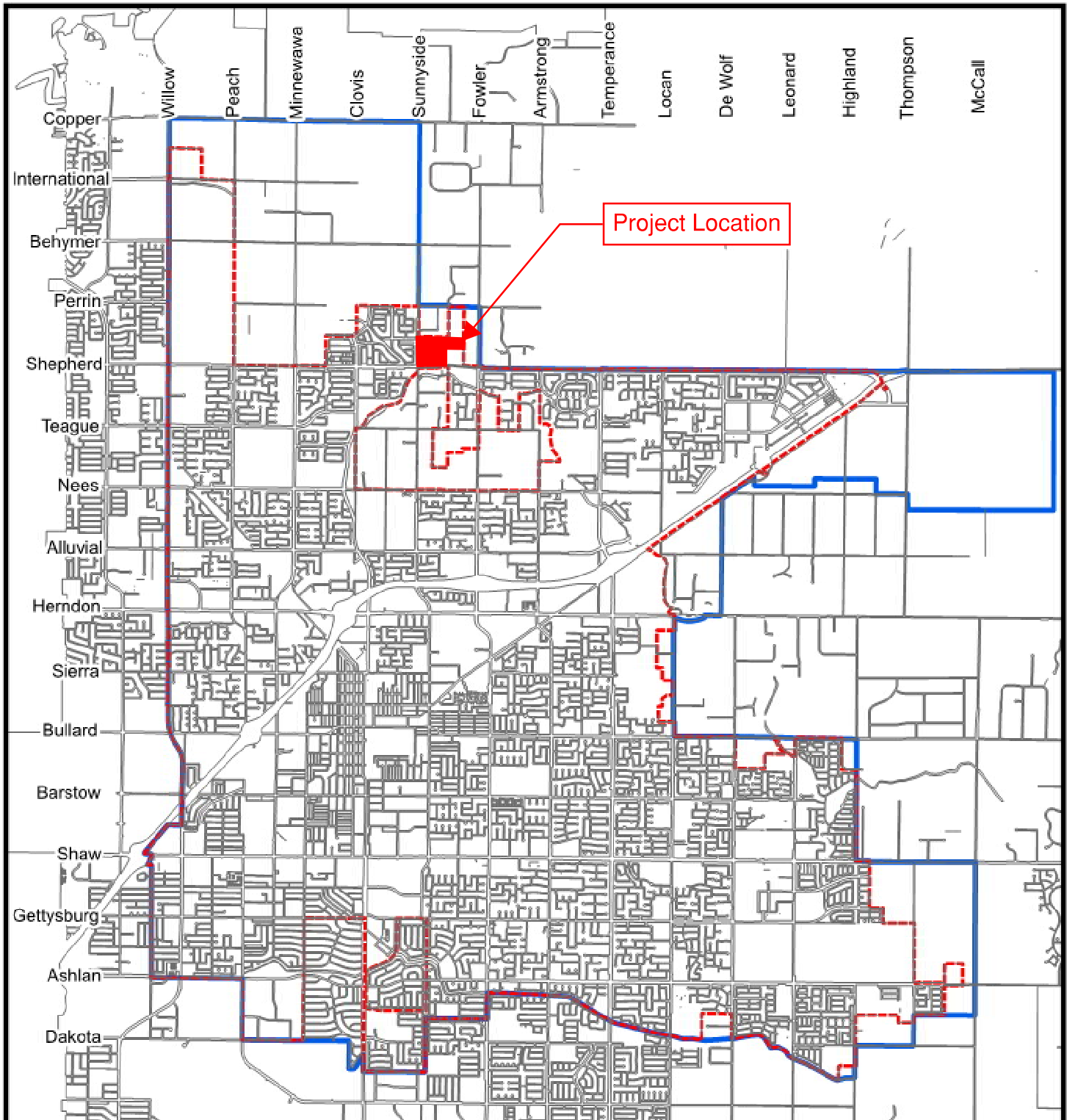
DATED: December 2, 2024

Mayor

City Clerk

VICINITY MAP

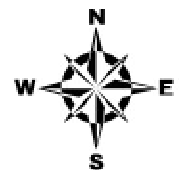
TM 6205 - Great Bigland, Inc., a California Corporation



Attachment 2



 CITY LIMITS SPHERE OF INFLUENCE



SUBDIVISION MAP OF

TRACT NO. 6205

IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA,
SURVEYED AND PLATTED IN MAY, 2023 BY HARBOUR & ASSOCIATES
CONSISTING OF 5 SHEETS
SHEET 1 OF 6

RECORD TITLE INTEREST STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE PARCELS AND EASEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES SPECIFIED THEREIN.

GREAT BIGLAND, LP, A CALIFORNIA LIMITED PARTNERSHIP

BY: GREAT BIGLAND, INC., A CALIFORNIA CORPORATION

BY: TWD
TODD A. WILSON, SECRETARY

U.S. BANK NATIONAL ASSOCIATION, A NATIONAL BANKING ASSOCIATION
FORMERLY KNOWN AS US BANK NATIONAL ASSOCIATION, d/b/a/
HOUSING CAPITAL COMPANY, AS BENEFICIARY

BY: Jenny D. Saubert
JENNY D. SAUBERT
SENIOR VICE-PRESIDENT

NOTARY ACKNOWLEDGEMENTS

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF FRESNO

ON November 18, 2024, BEFORE ME Wendy Marie Smith, NOTARY PUBLIC, PERSONALLY APPEARED TODD A. WILSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
WITNESS MY HAND.

NAME Wendy Marie Smith SIGNATURE Wendy Marie Smith
MY COMMISSION EXPIRES 12-22-2025 COUNTY OF FRESNO
COMMISSION NUMBER 238 7807

NOTARY ACKNOWLEDGEMENTS

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF FRESNO

ON November 18, 2024, BEFORE ME Wendy Marie Smith, NOTARY PUBLIC, PERSONALLY APPEARED JENNY D. SAUBERT, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
WITNESS MY HAND.

NAME Wendy Marie Smith SIGNATURE Wendy Marie Smith
MY COMMISSION EXPIRES 12-22-2025 COUNTY OF FRESNO
COMMISSION NUMBER 238 7807

LEGAL DESCRIPTION

PARCEL ONE:

THE SOUTH HALF OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL TWO:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21; THENCE NORTH 89° 49' 50" WEST, 567.24 FEET, ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TO A POINT IN THE CENTERLINE OF SHEPARD AVENUE, WHICH IS SOUTH 89° 49' 50" EAST, 752.46 FEET FROM THE SOUTHWEST CORNER OF SECTION 21; THENCE EASTERLY ALONG THE CENTERLINE OF SHEPARD AVENUE AS FOLLOWS: ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 850 FEET, THROUGH A CENTER ANGLE OF 11° 39' 10", AN ARC DISTANCE OF 173.00 FEET, NORTH 78° 31' 00" EAST, 334.79 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 940 FEET THROUGH A CENTRAL ANGLE OF 3° 33' 20", AN ARC DISTANCE OF 58.33 FEET TO A POINT ON THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21; THENCE LEAVING THE CENTERLINE OF SHEPARD AVENUE, SOUTH 01° 02' 20" EAST, 97.6 FEET ALONG THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TO THE POINT OF COMMENCEMENT.

EXCEPTING THEREFROM THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21 GRANTED TO THE CITY OF CLOVIS PER GRANT DEED RECORDED SEPTEMBER 8, 2022 AS DOCUMENT NO. 2022-0112539, OFFICIAL RECORDS OF FRESNO COUNTY.

PARCEL THREE:

THE NORTH HALF OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THIS LAND IS SUBJECT TO THE FOLLOWING:

1. SAID LAND LIES WITHIN THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT AND IS SUBJECT TO DRAINAGE FEES AND/OR REQUIREMENTS TO CONSTRUCT PLANNED LOCAL DRAINAGE FACILITIES, AS DISCLOSED BY RESOLUTION NO. 1816 - THE BOARD OF DIRECTORS OF THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT, RECORDED JULY 31, 1995 AS SERIES NUMBER 95092128, O.R.C.
2. MATTERS AS DISCLOSED BY THAT CERTAIN MAP OF "OFFICIAL PLAN LINE SHEPHERD AVENUE" FILED FOR RECORD OCTOBER 22, 2014 IN BOOK 8 OF OFFICIAL PLAN LINES AT PAGE 90, FRESNO COUNTY RECORDS.

SURVEYOR'S STATEMENT

THE SURVEY FOR THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS TRUE AND COMPLETE AS SHOWN.

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF GREAT BIGLAND, LP. ON MAY 1, 2023, I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE ONE YEAR AFTER THE DATE THIS MAP IS RECORDED, OR ANY TIME EXTENSION APPROVED BY THE CITY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.



Aaron D. Spray
AARON D. SPRAY, PLS 9484
DATE 11-14-24

CITY ENGINEER'S STATEMENT

I, THAD AVERY, CITY ENGINEER OF THE CITY OF CLOVIS, HEREBY STATE THAT I HAVE CAREFULLY EXAMINED THIS MAP, THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.



Thad Avery
THAD AVERY, R.C.E. 62251
CITY ENGINEER

CITY SURVEYOR'S STATEMENT

I, JEFFREY S. LAND, CITY SURVEYOR OF THE CITY OF CLOVIS, HEREBY STATE THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT, PURSUANT TO THE PROVISIONS OF THE SUBDIVISION MAP ACT.



Jeffrey S. Land
JEFFREY S. LAND, P.L.S. 8634
CITY SURVEYOR

CITY CLERK'S STATEMENT

I, BRIANA PARRA, HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF CLOVIS, BY RESOLUTION ADOPTED APPROVED THE WITHIN MAP AND ACCEPTED, SUBJECT TO IMPROVEMENT, ON BEHALF OF THE PUBLIC, ANY REAL PROPERTY AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

DATED 11-14-24
BRIANA PARRA, CITY CLERK

RECORDER'S CERTIFICATE

DOCUMENT NO. _____ FEE PAID \$ _____
FILED THIS _____ DAY OF _____, 20____, AT _____ M. IN VOLUME _____
OF PLATS, AT PAGE(S) _____, FRESNO COUNTY RECORDS, AT THE REQUEST
OF OLD REPUBLIC TITLE COMPANY.

PAUL A. DICTOS, CPA
FRESNO COUNTY ASSESSOR-RECORDER

BY: _____
DEPUTY



Harbour & Associates
Civil Engineers
389 Clovis Avenue, Suite 300 • Clovis, California 93612
(559) 325-7676 • Fax (559) 325-7699

TRACT NO. 6203

NOTE
ALL PUE POP-OUTS ARE
EVENLY SPACED ON EITHER
SIDE OF THE LOT LINE.

SEE SHEET 2 OF 6

CURVE DATA:				
CURVE	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH
C1	89.4023	40.00	63.61	57.90
C2	90.0000	17.40	27.33	24.61
C3	48.5038	19.40	15.89	15.95
C4	21.4000	21.40	10.99	10.99
C5	90.0000	14.40	24.62	20.00
C6	48.5038	19.40	15.89	15.95
C7	90.0000	17.40	27.33	24.61
C8	48.5038	19.40	15.89	15.95
C9	42.2177	56.40	41.68	40.75
C10	42.2177	56.40	41.68	40.75
C11	54.2210	40.00	30.84	37.37
C12	54.2210	40.00	30.84	37.37
C13	89.4023	9.40	14.73	13.52
C14	90.1357	9.40	14.80	13.55
C15	130.9143	130.91	130.91	130.91
C16	107.4432	85.00	15.94	15.91
C17	48.5038	19.40	15.89	15.95
C18	45.5032	22.70	22.12	22.11
C19	45.5032	22.70	22.12	22.11
C20	152.156	228.00	7.84	7.84
C21	152.156	228.00	7.84	7.84
C22	90.1357	50.00	78.73	70.50
C23	90.1357	50.00	78.73	70.50
C24	31.7193	298.00	17.15	17.15
C25	31.7193	298.00	17.15	17.15
C26	31.7193	298.00	14.27	14.27
C27	31.7193	298.00	14.27	14.27
C28	42.2924	335.00	26.16	26.15
C29	42.2924	335.00	26.16	26.15
C30	68.4839	40.00	48.70	45.00
C31	68.4839	40.00	48.70	45.00
C32	41.4814	40.00	14.85	14.78
C33	41.4814	40.00	14.85	14.78
C34	115.7970	541.50	112.94	112.73
C35	115.7970	541.50	112.94	112.73
C36	49.1764	40.00	34.93	33.00
C37	49.1764	40.00	34.93	33.00
C38	46.5033	40.00	29.01	28.38
C39	46.5033	40.00	29.01	28.38
C40	48.4848	40.00	31.66	30.04
C41	48.4848	40.00	31.66	30.04
C42	18.4606	25.00	6.63	6.58
C43	18.4606	25.00	6.63	6.58
C44	42.5521	11.45	36.51	35.54
C45	42.5521	11.45	36.51	35.54
C46	31.3636	56.40	31.45	31.34
C47	31.3636	56.40	31.45	31.34
C48	31.3636	56.40	26.72	26.50
C49	36.3419	20.00	18.89	18.67
C50	36.3419	20.00	18.89	18.67
C49	16.0336	50.00	15.76	15.70
C50	16.0336	50.00	15.76	15.70
C51	33.3270	50.00	29.34	28.92
C52	33.3270	50.00	29.34	28.92
C53	41.1124	50.00	35.96	35.15
C54	41.1124	50.00	35.96	35.15
C55	31.7193	253.00	14.56	14.56
C56	31.7193	273.00	15.14	15.14
C57	27.8129	27.81	17.81	17.81
C58	28.3626	40.00	22.79	22.56
C59	28.3626	40.00	22.79	22.56



Harbour & Associates
Civil Engineers
389 CLOVIS AVENUE # 300 • Clovis, California 93612
(559) 325-7676 • Fax (559) 325-7699 • e-mail: ha_ca@att.net

SEE SHEET 2 OF 6 FOR OVERALL BOUNDARY, FOUND MONUMENTS AND RECORD DATA

ATTACHEMENT 3

AGENDA ITEM NO. 9.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

PUE, OUTLOTS A, C THROUGH I, PUBLIC UTILITY EASEMENT PURPOSES.
K THROUGH V, X AND Y.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN PER FOR PUBLIC PURPOSES:

▲ PUBLIC STREET AND UTILITY PURPOSES.

OUTLOT BB FOR PUBLIC USE.

OUTLOT B FOR PUBLIC LANDSCAPING AND PUBLIC TRAIL PURPOSES.

OUTLOT W FOR PUBLIC PARK PURPOSES.

OUTLOT SCHEDULE:

OUTLOTS A.C.Y AND X: FOR PRIVATE STREET AND PUBLIC UTILITY PURPOSES.
OUTLOT B: FOR PUBLIC LANDSCAPING AND PUBLIC TRAIL PURPOSES.
OUTLOTS D.V AND T: FOR PUBLIC LANDSCAPING, PRIVATE PEDESTRIAN ACCESS AND PUBLIC UTILITY PURPOSES.
OUTLOTS E AND U: FOR PRIVATE LANDSCAPING AND PUBLIC UTILITY PURPOSES.
OUTLOTS F.G.H.I.K.L.M.N.O.P.Q.R & S: FOR PRIVATE PARKING, PRIVATE LANDSCAPING AND PUBLIC UTILITY PURPOSES.
OUTLOT J: FOR PRIVATE LANDSCAPING, PRIVATE RECREATION AND POOL PURPOSES.
OUTLOT W: FOR PUBLIC PARK PURPOSES.
OUTLOTS Z AND AA: FOR FUTURE DEVELOPMENT.
OUTLOT BB: TO BE DEEDED TO THE CITY OF CLOVIS FOR PUBLIC USE.

NOTE

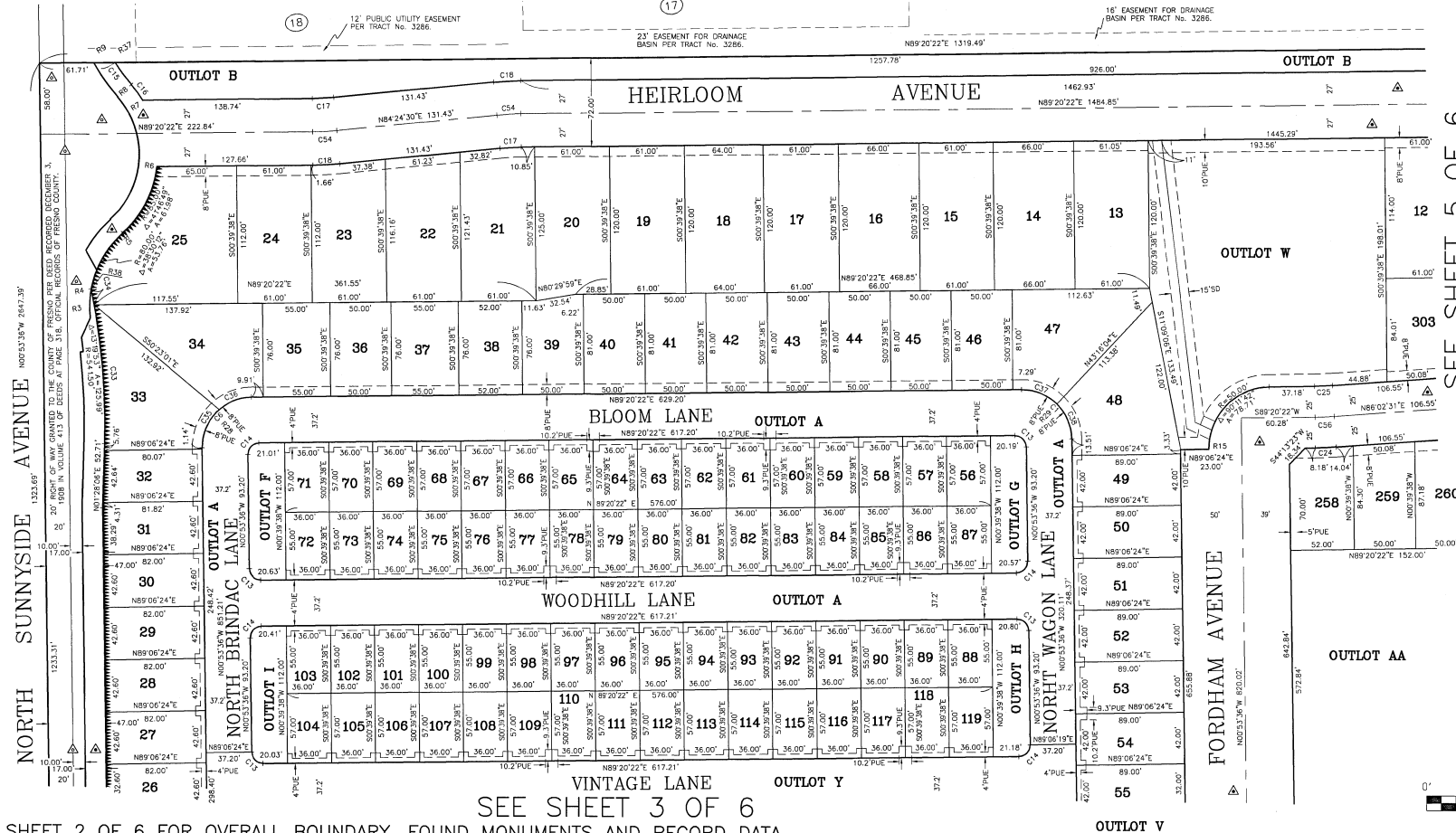
ALL PUE POP-OUTS ARE EVENLY SPACED ON EITHER SIDE OF THE LOT LINE.

LEGEND:

PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION.
BLUE BORDER INDICATES THE LIMITS OF THIS SUBDIVISION.
SD STORM DRAIN EASEMENT RECORDED AS DOCUMENT No. _____ OFFICIAL RECORDS OF FRESNO COUNTY.
LE LANDSCAPE EASEMENT.
▲ AREA GRANTED TO THE CITY OF CLOVIS PER GRANT DEED RECORDED SEPTEMBER 8, 2022 AS DOCUMENT No. 2022-0112539, OFFICIAL RECORDS OF FRESNO COUNTY.
■■■■■ INDICATES RELINQUISHMENT OF DIRECT VEHICULAR ACCESS RIGHTS.

TRACT NO. 6205

IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN MAY, 2023 BY HARBOUR & ASSOCIATES
CONSISTING OF 6 SHEETS
SHEET 4 OF 6



SEE SHEET 2 OF 6 FOR OVERALL BOUNDARY, FOUND MONUMENTS AND RECORD DATA.
SEE SHEET 3 OF 6 FOR ALL CURVE AND RADIAL DATA TABLES.

TRACT NO. 0203

IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN MAY, 2023 BY HARBOUR & ASSOCIATES
CONSISTING OF 6 SHEETS
SHEET 5 OF 6

**THE REAL PROPERTY DESCRIBED
BELOW IS DEDICATED AS AN
EASEMENT FOR PUBLIC PURPOSES:**

PUE, OUTLOTS A,
C THROUGH I,
K THROUGH V, X AND Y.

**THE REAL PROPERTY DESCRIBED BELOW IS
DEDICATED IN FEE FOR PUBLIC PURPOSES:**

▲ PUBLIC STREET AND UTILITY PURPOSES.

OUTLOT BB FOR PUBLIC USE.

OUTLOT B FOR PUBLIC LANDSCAPING AND PUBLIC TRAIL PURPOSES.

OUTLOT W FOR PUBLIC PARK PURPOSES.

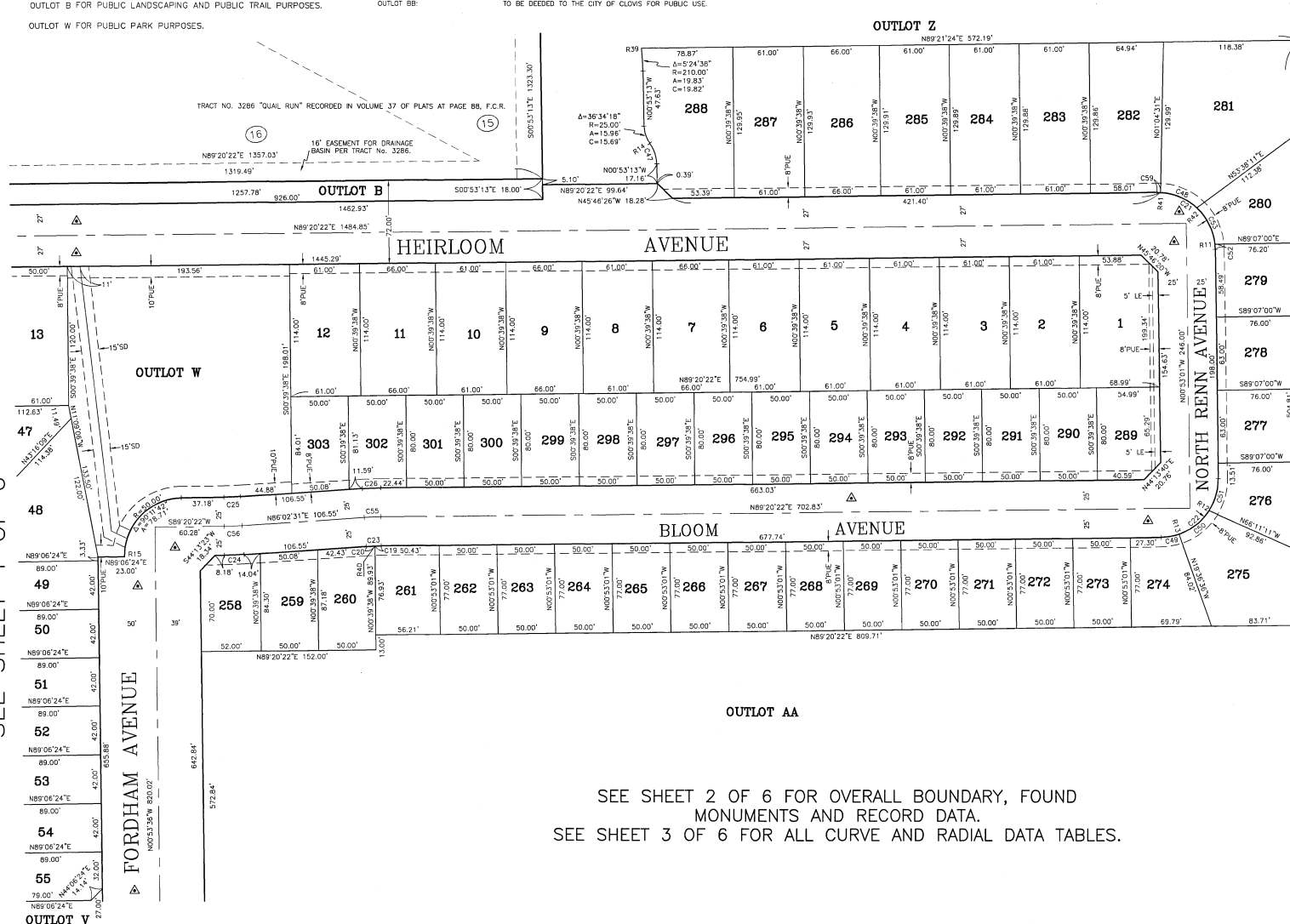
OUTLOT SCHEDULE:

OUTLOTS A,C,T AND X: FOR PRIVATE STREET AND PUBLIC UTILITY PURPOSES.
OUTLOT B: FOR PUBLIC LANDSCAPING AND PUBLIC TRAIL PURPOSES.
OUTLOTS D,V AND T: FOR PRIVATE LANDSCAPING, PRIVATE PEDESTRIAN ACCESS AND PUBLIC UTILITY PURPOSES.
OUTLOTS E AND U: FOR PRIVATE LANDSCAPING AND PUBLIC UTILITY PURPOSES.
OUTLOTS F,G,H,I,K,L,M,N,O,P,Q,R & S: FOR PRIVATE PARKING, PRIVATE LANDSCAPING AND PUBLIC UTILITY PURPOSES.
OUTLOT J: FOR PRIVATE LANDSCAPING, PRIVATE RECREATION AND POOL PURPOSES.
OUTLOT W: FOR PUBLIC PARK PURPOSES.
OUTLOTS Z AND AA: FOR FUTURE DEVELOPMENT.
OUTLOT BB: TO BE DECEDED TO THE CITY OF CLOVIS FOR PUBLIC USE.

LEGEND:

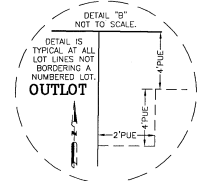
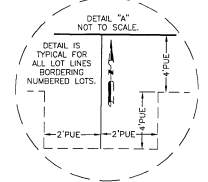
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▲ AREA GRANTED TO THE CITY OF CLOVIS PER GRANT DEED RECORDED SEPTEMBER 8, 2022 AS DOCUMENT NO. 2022-0112539, OFFICIAL RECORDS OF FRESNO COUNTY.
■■■■■ INDICATES RELINQUISHMENT OF DIRECT VEHICULAR ACCESS RIGHTS.

OUTLOT Z



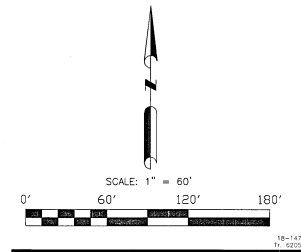
NOTE

ALL PUE POP-OUTS ARE
EVENLY SPACED ON EITHER
SIDE OF THE LOT LINE.



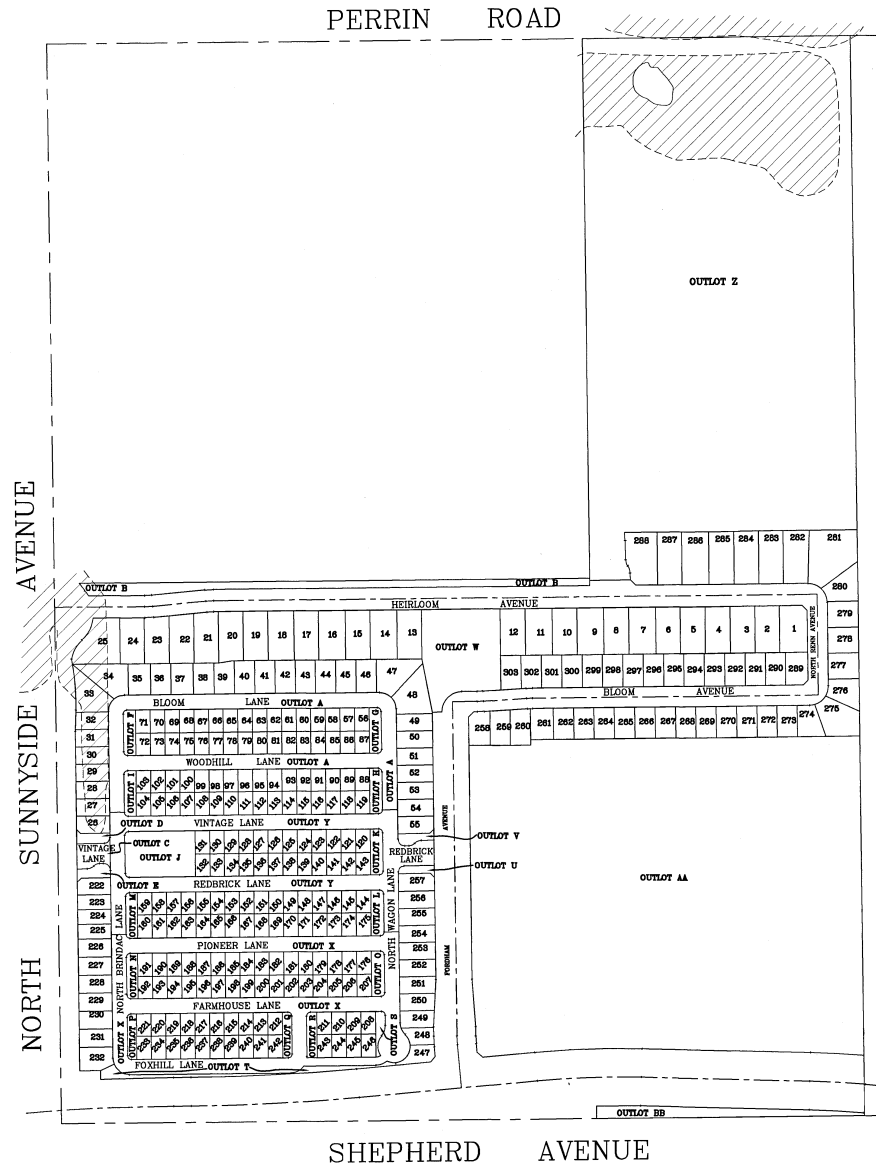
SEE SHEET 4 OF 6

SEE SHEET 2 OF 6 FOR OVERALL BOUNDARY, FOUND
MONUMENTS AND RECORD DATA.
SEE SHEET 3 OF 6 FOR ALL CURVE AND RADIAL DATA TABLES.

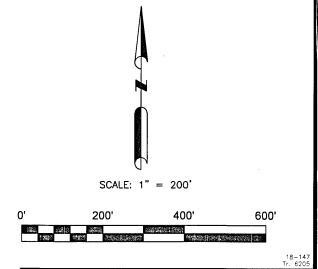


TRACT NO. 0200

IN THE CITY OF CLOVIS, COUNTY OF FRESNO,
STATE OF CALIFORNIA
SURVEYED AND PLATTED IN MAY, 2023 BY
HARBOUR & ASSOCIATES
CONSISTING OF 6 SHEETS
SHEET 6 OF 6



LEGEND:
[Hatched Box] INDICATES FLOOD ZONE "AH" PER FEMA MAP NO. 06019C1580H, EFFECTIVE DATE FEBRUARY 18, 2009.





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: December 2, 2024

SUBJECT: Planning and Development Services - Approval – Res. 24-____, Annexation of Proposed Tract 6205 located on northeast corner of Shepherd Avenue and Sunnyside Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (Great Bigland, Inc., a California Corporation).

ATTACHMENTS: 1. Res. 24-____

RECOMMENDATION

For the City Council to approve Res. 24-____, which will annex proposed Tract 6205, located on northeast corner of Shepherd Avenue and Sunnyside Avenue to the Landscape Maintenance District (LMD) No. 1 of the City of Clovis.

EXECUTIVE SUMMARY

The owner, Great Bigland, Inc., a California Corporation, acting as the subdivider, has requested to be annexed to the LMD No. 1 of the City of Clovis as set forth by the Conditions of Approval for Tentative Tract 6205.

BACKGROUND

Great Bigland, Inc., a California Corporation, the developer of Tract 6205, has executed a covenant that this development be annexed to the City of Clovis, LMD No. 1. An executed copy can be provided on request. Council formed the original District on July 15, 1985, for the purpose of funding the maintenance of landscaped areas and parks.

Under the provisions of the Landscaping and Lighting Act of 1972 and in accordance with Article XIII C and Article XIII D of Proposition 218, all the owners of property proposed for annexation have provided a written request and consent to annexation and have executed a covenant (petition) indicating acceptance of the annual assessment.

FISCAL IMPACT

	<u>Tract 6205</u>	<u>Year to Date</u>
LMD Landscaping added:	2.087 acres	4.007 acres
Resource needs added:	0.209 persons	0.401 persons

The resource needs estimate is based on 1 person per 10 acres of landscaped area.

REASON FOR RECOMMENDATION

The property owners for the subject tract have requested annexation into the City of Clovis LMD No. 1.

ACTIONS FOLLOWING APPROVAL

Tract 6205 shall become a part of City of Clovis LMD No. 1 and will be assessed next year for maintenance costs.

CONFLICT OF INTEREST

None.

Prepared by: Ruben Amavizca, Engineer II

Reviewed by: City Manager *JA*

RESOLUTION 24-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING ANNEXATION TO LANDSCAPING MAINTENANCE DISTRICT NO. 1 OF
THE CITY OF CLOVIS**

WHEREAS, City of Clovis Landscape Maintenance District No. 1 ("District") was formed by Resolution No. 85-78, adopted July 15, 1985, pursuant to Part 2 of Division 15 of the Streets and Highways Code (Landscape and Lighting Act of 1972), herein the "Act"; and

WHEREAS, all of the owners of property proposed to be annexed to the District consisting of proposed Tract No. 6205, as described in **Attachment A** attached hereto and incorporated herein by reference, have consented to said annexation and such annexation may be ordered without notice and hearing or filing of engineer's report, or both.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis as follows:

1. That the public interest and convenience require that certain property described in **Attachment A** attached hereto and by reference incorporated herein be annexed into Landscape Maintenance District No. 1 of the City of Clovis for the maintenance and servicing of landscaping facilities.
2. The City Clerk shall receive and file the maps showing the boundaries of the areas annexed as set forth in **Attachment A** which boundaries shall be used for assessment proceedings until and unless a change of organization is approved pursuant to the Act.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on December 2, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

Mayor

City Clerk

ATTACHMENT A

Legal Description

REAL PROPERTY IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 303, INCLUSIVE, OF TRACT MAP 6205, RECORDED IN VOLUME _____, PAGES _____ THROUGH _____ OF PLATS, FRESNO COUNTY RECORDS.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: December 2, 2024

SUBJECT: Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of One Case 521G XT Wheel Loader Tractor from Sequoia Equipment Company Using the Sourcewell Cooperative Purchasing Contract in the Amount of \$204,892.59.

ATTACHMENTS: None.

RECOMMENDATION

For the City Council to waive formal bidding requirements and authorize the purchase of a Case 521G XT wheel loader tractor from Sequoia Equipment Company in the amount of \$204,892.59, including tax and freight.

EXECUTIVE SUMMARY

There are funds in this fiscal year's Fleet Renewal budget to purchase a Case 521G XT wheel loader tractor for the Public Utilities Department Solid Waste Division. The existing equipment is scheduled to be replaced due to its age. The competitively bid contract price of \$204,892.59 is from Sequoia Equipment Company using the Sourcewell Purchasing Contract. The new vehicle will meet all emissions requirements.

The Sourcewell Purchasing Contract – formerly the National Joint Powers Alliance (NJPA) contract – is a nationwide public procurement service that makes the governmental procurement process more efficient. All contracts available to participating members have been awarded by virtue of a public competitive procurement process compliant with state statutes.

BACKGROUND

The recommended equipment is available through the Sourcewell Cooperative Purchasing Contract, formerly the NJPA contract. Sourcewell is a cooperative purchasing contract that allows a manufacturer like Case to respond to a Request for Proposals (RFP) that covers a large group of government buyers, and it allows a large group of government buyers with similar interests to leverage their buying power to obtain government-only discounts on products.

The Fleet Fund includes a vehicle and equipment replacement program where the different divisions within City departments budget for and contribute a set amount of money annually for

the future scheduled replacement of a vehicle or piece of equipment. This allows each department, and the divisions within each department, to financially plan for the large capital expense of purchasing new vehicles and equipment that need to be replaced due to age, wear and tear, or to meet regulatory requirements. Depending on the condition and need of the vehicle or equipment being replaced, it will be moved from front-line operation and may be kept as a back-up, or it will be auctioned off in the City's vehicle and equipment surplus program.

FISCAL IMPACT

Funds were included in the 2024-2025 Fleet Capital Acquisition budget, often referred to as the Fleet Renewal or Fleet Replacement budget. The Solid Waste Division has provided the necessary funds for purchase of the equipment.

REASON FOR RECOMMENDATION

The existing Case wheel loader tractor has been in service for over 10 years and is scheduled for replacement. Sufficient funds have been collected for replacement equipment. Staff has evaluated the available equipment and have determined that it meets the needs of the Public Utilities Department Solid Waste Division. The proposed method of purchasing the equipment is cost-effective and funds are available

ACTIONS FOLLOWING APPROVAL

Purchase orders will be prepared for the City Manager's approval and sent to the vendor.

CONFLICT OF INTEREST

None.

Prepared by: Jim Stringfield, Fleet Manager

Reviewed by: City Manager *AA*



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: December 2, 2024

SUBJECT: Public Utilities – Approval – Final Acceptance for CIP 23-17, Sierra Bicentennial Dog Park Improvements, with a Final Contract Cost of \$66,196.86.

ATTACHMENTS: 1. Vicinity Map

RECOMMENDATION

For the City Council to accept the work performed as complete and authorize the recording of the notice of completion for this project.

EXECUTIVE SUMMARY

Staff is recommending that City Council accept the work performed by Dynamic Underground Services and authorize the recording of the notice of completion.

This project involved the expansion and improvement of the existing dog park at Sierra Bicentennial Park, located at 84 N. Sunnyside Avenue. The work consisted of the installation and relocation of fences and gates, additional concrete sidewalk, benches, and a shade structure.

BACKGROUND

This project is intended to enhance the existing dog park amenities for the residents to enjoy in accordance with the City Dog Park Master Plan adopted in 2018 by City Council. The development of dog parks within the City of Clovis was found to be a high priority during the Parks Master Plan development process.

The project was awarded by City Council to Dynamic Underground Services on June 10, 2024. The project was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

FISCAL IMPACT

1. Award	\$65,639.75
2. Contract Change Order	\$557.11
3. Liquidated Damages	\$0.00

Final Contract Cost**\$66,196.86**

This project was included in the fiscal year 2023-2024 Park Capital Improvements budget. The 2018 Parks Bond Act Per Capita Grant Program funded all but \$196.86 of the total project costs.

REASON FOR RECOMMENDATION

The Public Utilities Department, the City Engineer, the Engineering Inspector, and the Project Engineer all agree that the work performed by the contractor is in accordance with the project plans and specifications and has been deemed acceptable. The contractor, Dynamic Underground Services, has requested final acceptance from City Council.

ACTIONS FOLLOWING APPROVAL

1. The Notice of Completion will be recorded; and
2. All remaining retention funds will be released no later than 35 calendar days following recordation of the notice of completion, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either: (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

CONFLICT OF INTEREST

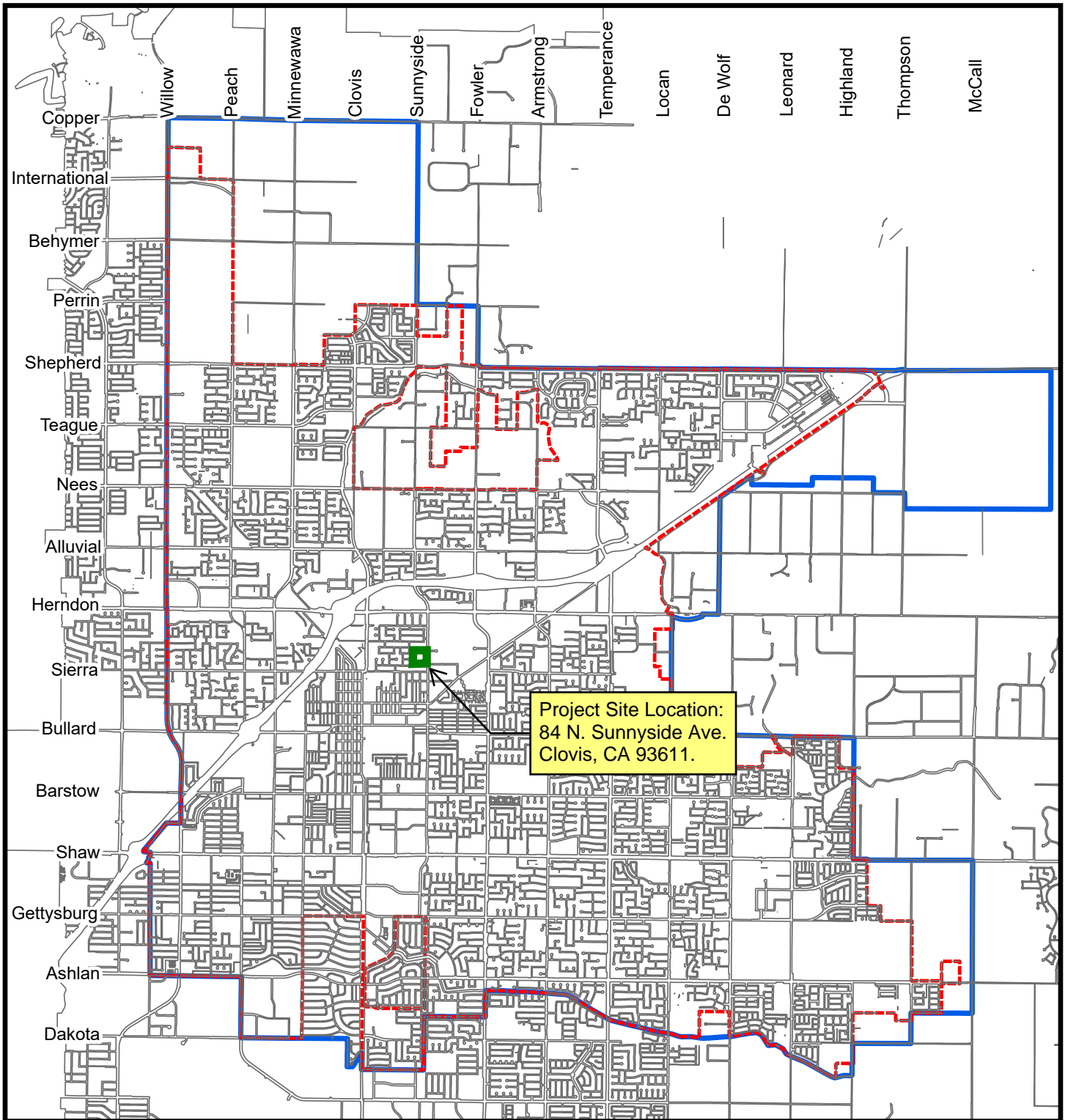
None.

Prepared by: Dan Lumeya, Engineer

Reviewed by: City Manager *DL*

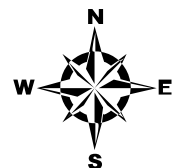
VICINITY MAP

CIP 23-17 Sierra Bicentennial Park Dog Park Improvements



ATTACHMENT 1

 CITY LIMITS SPHERE OF INFLUENCE





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: December 2, 2024

SUBJECT: Consider Approval - Re-appointment to Consolidated Mosquito Abatement District for a term ending December 31, 2026.

Staff: John Holt, City Manager

Recommendation: Approve

ATTACHMENTS: 1. Letter from the Consolidated Mosquito Abatement District

RECOMMENDATION

On recommendation of the Mayor, subject to approval by the City Council, make reappointment of the current representative, Jennifer Willems, to the Consolidated Mosquito Abatement District for a 2-year term through December 31, 2026)

EXECUTIVE SUMMARY

The term of appointment of Jennifer Willems as representative of the City of Clovis to the Consolidated Mosquito Abatement District expires on December 31, 2024. Ms. Willems has served in this capacity since September 2021 and is requesting reappointment for a two-year term through December 31, 2026.

BACKGROUND

The term of appointment for the City's representative, Jennifer Willems, expires on December 31, 2024. Ms. Willems has served well as a representative of the City of Clovis to the Consolidated Mosquito Abatement District and regularly reports to the City Council on matters acted upon by the Board. She is now requesting reappointment to that Board. Mayor Ashbeck has recommended her reappointment which needs to be acted upon by the City Council.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

Appointments to the Consolidated Mosquito Abatement District shall be acted upon by the City Council. The City's current representative has served this position well and has requested

reappointment. If the City Council does not concur with the reappointment, the position would need to be advertised.

ACTIONS FOLLOWING APPROVAL

Staff will inform Ms. Willems of the City Council's action in this matter and will take whatever further actions are needed to complete the notification for this appointment.

CONFLICT OF INTEREST

None.

Prepared by: Rebecca Simonian, Executive Assistant

Reviewed by: City Manager *JS*



Consolidated Mosquito Abatement District

13151 E Ind **AGENDA ITEM NO. 13.**
Parlier, CA 93646
Phone: 559-896-1085
Fax: 559-896-6425
www.mosquitobuzz.net
info@mosquitobuzz.net

Received

November 4, 2024

NOV 14 2024

ADMN/CITYMGR

John Holt, City Manager
City of Clovis
1033 Fifth St
Clovis, CA 93612

Dear Mr. Holt:

The current appointed term of Ms. Willems as the trustee from the City of Clovis on the Consolidated Mosquito Abatement District Board of Trustees will expire on December 31, 2024. The City Council is responsible for appointing a trustee to represent the City of Clovis as a member of the District's Board.

The California Health and Safety Code §§ 2022 and 2024 describe the qualifications and terms of office for board members: Each person appointed by a city council to be a member of a board of trustees shall be a voter in that city and a resident of that portion of the city that is within the district. It is the intent of the Legislature that persons appointed to boards of trustees have experience, training, and education in fields that will assist in the governance of the district. The trustees shall represent the interests of the public as a whole and not solely the interest of the city council that appointed them. The term of office for a member of the board of trustees shall be for a term of two or four years at the discretion of the appointing authority. Terms of office commence at noon on the first Monday in January.

The Board of Trustees of the Consolidated Mosquito Abatement District meets regularly on the third Monday of each month at 1:00 p.m.

Ms. Willems has expressed her willingness to continue to represent the City of Clovis and to serve another two-year term as a trustee.

The District's Board of Trustees respectfully requests a certified copy of the City Council's action on this matter.

Sincerely,



Jodi Holeman
District Manager

cc: Jennifer Willems

Attachment 1

Community health, comfort and prosperity are promoted by effective, continuous mosquito abatement measures.

CITY of CLOVIS

Proclamation

Honoring Shonna Halterman for nearly 30 Years of Service to the City of Clovis

WHEREAS, Shonna Halterman has devoted nearly 30 years of exceptional service to the City of Clovis, demonstrating unwavering dedication and leadership throughout her career; and

WHEREAS, Shonna began her tenure with the City in 1995 as an Administrative Aide at the Clovis Senior Center and quickly advanced, serving as Transit Supervisor, General Services Manager, and ultimately being appointed Director of General Services in 2017; and

WHEREAS, Shonna has been instrumental in overseeing critical city divisions, including Personnel, Risk Management, Facilities Maintenance, Purchasing, Public Transit, Recreation, and Senior Services, ensuring their continued success and impeccable service to the community; and

WHEREAS, after graduating from Fresno State with a degree in communications, Shonna earned her master's degree in public administration in 2006, and has gone on to earn several professional certificates exemplifying her commitment to both personal and professional growth; and

WHEREAS, Shonna played a key role in the development of Landmark Square, a transformative project that will serve the Clovis community for generations to come, showcasing her vision and dedication to progress; and

WHEREAS, Shonna's leadership, professionalism, and passion for the Clovis way of life have left an enduring legacy, enriching the lives of countless residents and setting a high standard of excellence for city service; and

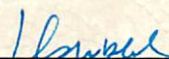
WHEREAS, Shonna will enjoy her retirement with her husband Lee, her dog and hiking partner, Haru, and her three adult sons, Scott, Brett, and Garrett.

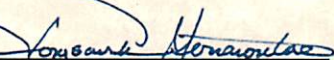
NOW, THEREFORE, BE IT RESOLVED, that the Clovis City Council, on behalf of the citizens of Clovis, does recognize and honor

Shonna Halterman

for her nearly three decades of dedicated service and leadership, expressing sincere appreciation for her numerous contributions to the City and its residents. The City of Clovis extends its warmest wishes to Shonna Halterman for a happy, fulfilling, and well-earned retirement.

IN WITNESS THEREFORE, I hereunto set my hand and cause the official seal of the City of Clovis to be affixed the 2nd day of December, 2024


Mayor


Mayor Pro Tem


Councilmember


Councilmember


Councilmember



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: December 2, 2024

SUBJECT: Consider Approval – Res. 24-____, Adoption of a Resolution Amending the 2019-2020 Community Development Block Grant (CDBG) Action Plan and the 2016-2020 Consolidated Plan to change the use of Community Development Block Grant – Coronavirus (CDBG-CV) funds from the Utilities Assistance Program and Program Administration to the Water Tower I Trail Expansion for the prevention of the spread of Coronavirus by increasing the capacity for social distancing; and Consider Approval – Res. 24-____, Amend the 2024-2025 Community Investment Program Budget for Parks Improvements, to include Water Tower 1 Trail Plaza Improvements in the amount of \$155,876.

Staff: Claudia Cazares, Housing Program Manager
Recommendation: Approve

ATTACHMENTS: 1. Resolution – Substantial Amendment to the 2019-2020 Community Development Block Grant (CDBG) Action Plan and the 2016-2020 Consolidated Plan
 2. Resolution – Budget Amendment

RECOMMENDATION

Consider adopting the substantial amendment to the 2019-2020 Community Development Block Grant (CDBG) Action Plan and the 2016-2020 Consolidated Plan; and amending the FY 2024-2025 Community Investment Program Budget for Street Improvements Fund, for CIP 22-11 Water Tower 1 Trail Plaza Improvements, to approve the expenditure and revenue of CDBG-CV funds, in the amount of \$155,876, and authorize the City Manager, or designee, to execute any necessary forms or agreements.

EXECUTIVE SUMMARY

The U.S. Department of Housing and Urban Development (HUD) provided an allocation of Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding through the Community Development Block Grant – Coronavirus (CDBG-CV) funds to the City of Clovis in

2022, in the amount of \$201,848. Funds were used for the Emergency Utility Payments Program and Program Administration. To date, only \$45,972 in CDBG-CV funds has been expended. Staff recommends re-allocating the remaining \$155,876 in funds to the Water Tower 1 Trail Plaza Improvements Project, which will meet the requirements of the CDBG-CV program to prevent the spread of the Coronavirus by increasing the capacity for social distancing, while ensuring the funds are spent within the expenditure deadline.

BACKGROUND

The CARES Act funding was enacted nationally on March 27, 2020, by Public Law 116-136, to respond to the growing effects of the public health crisis caused by the coronavirus. In 2022, HUD provided additional allocations of unspent national funds to those jurisdictions that had proven the ability to utilize CDBG-CV funds expeditiously.

On July 5, 2022, after being awarded an additional allocation of \$201,848, the Clovis City Council approved the use of CDBG-CV funds for the Emergency Utility Payments Program. The Program provided funding on behalf of City of Clovis Utilities Customers to help them become current on water/sewer/refuse/street sweeping utilities accounts. A total of 32 individual customers were assisted, with \$45,972 in CDBG-CV funds. Unfortunately, CDBG-CV Utilities assistance can only be provided if the customer was affected by the Coronavirus, and they couldn't pay their utility bills because of the illness. Due to this requirement and the slowing effect of the coronavirus in Clovis, the City was only able to assist one household during the last 12 months. Applications are not being submitted for this program even though it is provided as a resource to lower income customers who may be behind on their payments.

Therefore, to ensure the prompt use of CDBG-CV funds, and to avoid returning federal funds to HUD, staff worked with the City's HUD Appointed Representative to identify other eligible uses of the program funds. The proposed project, CIP 22-11 Water Tower 1 Trail Plaza Improvements, will expand the footprint of the Old Town Trail by removing the existing fence, and adding additional open space. This project will meet the Coronavirus tie-back requirement of the Program by adding space in the trail expansion area that will assist the City in preparing for and mitigating potential future impacts of the Coronavirus pandemic by preventing close contact of persons. The project will also assist low-income residents as it is located in a low-moderate income census tract.

CDBG-CV funds are proposed to be re-allocated as follows:

- Utilities Payment Assistance Program (reduction): (\$130,876)
- CDBG-CV Administration (reduction): (\$25,000)
- Water Tower 1 Plaza at Old Town Trail Improvements (addition): \$155,876

Several actions were taken to encourage public participation in this Substantial Amendment Process. A public notice was published in local print media, on City social media, and on the City's website, in English, Spanish and Hmong on November 1, 2024. The same notice was made available at local public places such as the Clovis Branch Library, Senior Center, and the Transit Center. Additionally, local non-profit service providers who provide outreach to low-income populations were also provided notice. The Substantial Amendment process provides

for a 30-day public review and comment process. No public comments or questions have been submitted as of the drafting of this report.

As part of the recommended action, staff is requesting approval of a Budget Amendment to allow for the expenditure of the additional funds in the CIP Budget, in the amount of \$155,876 for Water Tower 1 Trail Plaza Improvements Project.

FISCAL IMPACT

There is no impact to the General Fund. The recommended funding is available in the CDBG Program.

REASON FOR RECOMMENDATION

The recommended action will allocate funding to an eligible activity and ensure the federal funds are expended locally and expeditiously on a much needed project.

ACTIONS FOLLOWING APPROVAL

Staff will submit the Substantial Amendment to HUD for review and approval, and subsequently commence the CIP project.

CONFLICT OF INTEREST

None.

Prepared by: Claudia Cazares, Housing Program Manager

Reviewed by: City Manager *JA*

RESOLUTION 24-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING THE SUBSTANTIAL AMENDMENT TO THE 2019-2020 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN AND 2016-2020
CONSOLIDATED PLAN**

WHEREAS, the City Council of the City of Clovis is a U. S. Department of Housing and Urban Development (HUD) entitlement city for the purpose of receiving Community Development Block Grant (CDBG) Program funds; and

WHEREAS, HUD had previously provided the City of Clovis a re-allocation of Community Development Block Grant – Coronavirus (CDBG-CV) funds to assist in alleviating the effects of the coronavirus; and

WHEREAS, on July 5, 2022, the Clovis City Council approved utilizing CDBG-CV funds for the Emergency Utilities Payment Program; and

WHEREAS, to date, the Emergency Utilities Payment Program has assisted thirty-two households pay for overdue utility bills, yet demand for the program has declined in 2024; and

WHEREAS, the Program currently has \$155,876 in unspent CDBG-CV funds, which can be re-allocated to an alternate CDBG-CV Eligible Project; and

WHEREAS, the City proposes to re-allocate CDBG-CV funds as follows:

- Utilities Payment Assistance Program (reduction): (\$130,876)
- CDBG-CV Administration (reduction): (\$25,000)
- Water Tower 1 Plaza at Old Town Trail Improvements (addition): \$155,876

WHEREAS, HUD requires the City of Clovis to Substantially Amend its CDBG Action Plan when changes to previously approved CDBG projects includes modifications of 25% in CDBG and/or CDBG-CV funding, as is the case with the changes identified above.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis approves and adopts the Substantial Amendment to the 2019-2020 Annual Action Plan and the 2016-2020 Consolidated Plan and authorizes the City Manager, or designee, to execute any necessary forms or agreements.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on December 2, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

Mayor

City Clerk

RESOLUTION 24-____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AN AMENDMENT TO THE ANNUAL BUDGET FOR
FISCAL YEAR 2024-2025**

WHEREAS, the City Council adopted the FY 2024-2025 budget on June 10, 2024; and

WHEREAS, through the federal Community Development Block Grant – Coronavirus (CDBG-CV) Program, the City of Clovis has an identified \$155,900 in underutilized funding available to re-allocate to an eligible activity; and

WHEREAS, the eligible activity selected is the CIP 22-11 Water Tower 2 Trail Plaza Improvements project within the CIP Program; and

WHEREAS, revenues and expenditures for the CIP 22-11 Project in the amount of \$155,900 were not included in the original adopted budget.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis approves the budget amendment as shown in the “Summary of Expenditures/Revenues by Department” and “Summary of Expenditures/Revenues by Fund” as attached as Attachment A.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on December 2, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

Mayor

City Clerk

SUMMARY OF EXPENDITURES BY DEPARTMENT
2024-2025

Department

Planning & Development Services - CIP	\$	155,900
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Total Department	\$	<u>155,900</u>
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SUMMARY OF EXPENDITURES BY FUND
2024-2025

Fund

Park & Recreation Acquisition (93000-75593)	\$	155,900
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Total Fund	\$	<u>155,900</u>
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SUMMARY OF REVENUES BY DEPARTMENT
2024-2025

Department

Planning & Development Services - CIP	\$	155,900
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Total Department	\$	<u>155,900</u>
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SUMMARY OF REVENUES BY FUND
2024-2025

Fund

Park & Recreation Acquisition (93000-45039)	\$	155,900
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Total Fund	\$	<u>155,900</u>
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CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: December 2, 2024

SUBJECT: Conduct a Proposition 218 Public Hearing and Majority Protest Vote to Implement a Water Meter Installation Fee to Unmetered Parcels in Tarpey Village; and Consider Approval – Res. 24 - __, A Resolution of the City Council of the City of Clovis Authorizing a Water Meter Installation Fee.

Staff: Paul Armendariz, Deputy Public Utilities Director

Recommendation: Approve

ATTACHMENTS:

1. Resolution 24 - ____
2. Proposition 218 Notice

RECOMMENDATION

For the City Council to conduct a Proposition 218 public hearing and a majority protest vote to implement a Water Meter Installation Fee to unmetered parcels in Tarpey Village. At the conclusion of the public hearing, direct the City Clerk to report the number of written protests received to determine if a majority protest of the proposed Water Meter Installation Fee has been made by the affected customers and property owners. If no majority protest has been made, staff recommends Council approve the Resolution authorizing the Water Meter Installation Fee.

EXECUTIVE SUMMARY

Water Code section 527, added through Assembly Bill 2572 in 2004, requires the City, as an urban water provider, to install water meters on all municipal and industrial service connections located within its water service area on or before January 1, 2025.

Tarpey Village, which is in unincorporated Fresno County but is served by the City of Clovis water system, currently has 334 remaining unmetered water connections out of a total of 1,354. A total of 323 unmetered water connections will be affected by the Water Meter Installation Fee, as 11 unmetered accounts are already in the process of transitioning to metered service. All other water service connections within the City's water service area are metered.

In order for the City to recover its costs for the installation of water meters on the remaining unmetered parcels in Tarpey Village, staff received Council approval on August 19, 2024 to conduct a Proposition 218 hearing. Additionally, on September 3, 2024, Council awarded a contract to a contractor to complete the installation of water meters on remaining unmetered services. The installation of water meters is currently underway and is scheduled to be completed prior to the January 1, 2025, deadline. Public hearing notices were mailed to the affected parcel owners and water customers on October 16, 2024, more than 45 days prior to tonight's Proposition 218 public hearing and in accordance with the requirements of California Constitution Article XIID section 6 and Government Code section 53755.

If there is not a majority protest, the City Council is authorized to approve the proposed Water Meter Installation Fee, which would be charged to the affected customers over a two- to three-year period beginning in January 2025.

BACKGROUND

In 2004, the State Legislature adopted Assembly Bill 2572, which added section 527 of the Water Code. Water Code section 527 requires all urban water suppliers to install water meters on all municipal and industrial service connections located within their service areas on or before January 1, 2025. Water Code section 527(b) provides that urban water suppliers may recover the cost of providing the services related to the purchase, installation, and operation of water meters from rates, fees, or charges.

Tarpey Village, which is in unincorporated Fresno County but is served by the City of Clovis water system, has a total of 334 unmetered water service connections, of which 297 require plumbing retrofits to be completed by a contractor to meet City standards, and an additional 26 unmetered water service connections that have been pre-plumbed and still require a meter to be installed. Staff conducted a public meeting with Tarpey residents before initiation of the Proposition 218 process and before the award of the contract for water meter installation to allow residents to voluntarily sign up under the previous installation fee of \$980. Eleven (11) customers committed to installing a meter and were removed from the list of those to receive the Proposition 218 public hearing notice. As a result, a total of 323 service accounts received the Proposition 218 public hearing notice.

For the remaining parcels without installed water meters, and based on the Contractor's bid results, the City proposed two separate fee structures as part of the Proposition 218 hearing:

- Customers who had been previously re-plumbed would pay \$980 with a two-year no-interest loan offered (total of 26 services).
- Customers who had no previous work completed would pay \$1,490 over 3 years with no interest to recover the Contractor's cost of installing a meter (total of 297 services).

Per the requirements of Proposition 218, the City provided a written notice of the Water Meter Installation Fee to all affected customers and owners of record (Attachment 2). Staff prepared a notice that included information about the date, time, and location of the public hearing. The notice also included information about the fee amount and the basis of the fee.

To recover the cost of retrofitting the plumbing and installing water meters, City staff is recommending Council conduct the Proposition 218 hearing and, if approved, consider adoption of the Resolution implementing the Water Meter Installation Fee. Staff is recommending the installation fee go into effect beginning in January 2025.

Provided that the number of valid written protests received by the close of the public hearing does not exceed 50% of the total number of parcels affected by the proposed Water Meter Installation Fee, Council may approve the proposed increase. The City Clerk will tabulate the number of written protests and verify their validity at the close of the public hearing. Only one written protest per parcel will be counted.

FISCAL IMPACT

This project is included in the 2024-2025 fiscal year budget and will be initially paid for by the Water Enterprise Fund. The Water Meter Installation Fee would allow the City to recover most of its costs associated with the contractor-installed water service and meters. The Water Meter Installation Fee will be charged through a payment plan over 24 or 36 months with no interest, depending on the fee they will be assessed. If the Water Meter Installation Fee is not approved or is rejected by a majority protest by affected fee payers following the public hearing, the City will still proceed with the work to comply with the State mandate and be burdened with all costs.

REASON FOR RECOMMENDATION

The City is required to comply with State law and transition all of its remaining water customers in Tarpey Village to metered service before January 1, 2025. Water Code section 527(b) allows the City to recover the costs associated with the contractor-installed water meter installation through the Proposition 218 process. The proposed Water Meter Installation Fee will allow the City to comply with the Water Code section 527 mandate while allowing the Water Enterprise Fund to recover its costs from installing water meters on the remaining unmetered parcels.

ACTIONS FOLLOWING APPROVAL

The Water Meter Installation Fee will begin being charged to the affected customers starting in January 2025.

CONFLICT OF INTEREST

None.

Prepared by: Kevin Tuttle, Supervising Civil Engineer

Reviewed by: City Manager *KT*

RESOLUTION NO. 24-____**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
AUTHORIZING A WATER METER INSTALLATION FEE**

WHEREAS, Water Code section 527 requires the City, as an urban water provider, to install water meters on all municipal and industrial service connections located within its water service area on or before January 1, 2025; and

WHEREAS, nearly all City water customers have metered accounts; and

WHEREAS, City Public Utilities staff has identified and noticed 323 remaining unmetered water accounts that must be converted to metered water service before January 1, 2025; and

WHEREAS, since the adoption of Assembly Bill 2572 in 2004 (which added Water Code section 527), City Public Utilities staff has informed its water customers via letters about the community benefits of having a water meter installed and of the impending January 1, 2025 deadline; and

WHEREAS, the City must comply with the requirements of Water Code section 527 and must install water meters on all remaining unmetered accounts; and

WHEREAS, due to the upcoming State law deadline and the number of remaining unmetered parcels, City Public Utilities staff has solicited bids for contractors to install water meters on all remaining unmetered parcels; and

WHEREAS, certain remaining parcels – identified as a total of 26 services – have had a previous plumbing retrofit completed by City staff and require only a water meter installation, determined to be \$980 per remaining unmetered parcel; and

WHEREAS, certain remaining parcels – identified as a total of 297 services – require both a plumbing retrofit and a meter installation to be completed by a contractor, determined to be \$1,490 per remaining unmetered parcel; and

WHEREAS, on September 3, 2024, this City Council awarded a contract to a contractor to complete the installation of water meters on the remaining unmetered parcels; and

WHEREAS, the installation of water meters on the remaining unmetered parcels is currently underway and is scheduled to be completed prior to the January 1, 2025 deadline; and

WHEREAS, Water Code section 527(b) provides that the City may recover the cost of providing the services related to the purchase, installation, and operation of water meters from rates, fees, or charges; and

WHEREAS, Government Code Section 54344 authorizes the City Council to establish and fix rates and charges for its water utility; and

WHEREAS, Clovis Municipal Code sections 6.5.104 and 6.5.105 provide for the establishment of water service rates and charges by resolution of the City Council; and

WHEREAS, the City intends to recover its costs for the purchase and installation of the water meters on all remaining unmetered parcels through the use of a fee charged to each remaining unmetered parcel (the “Water Meter Installation Fee”); and

WHEREAS, notice of the proposed Water Meter Installation Fee was mailed to the record owners and water customers of each remaining unmetered parcel in the City’s water service area in accordance with the requirements of California Constitution Article XIID section 6 and Government Code section 53755; and

WHEREAS, a public hearing to consider the proposed Water Meter Installation Fee and any protests to such rates was duly held and conducted at the City Council meeting on December 2nd, 2024, which meeting and hearing was more than 45 days after the required written notice was mailed to property owners and water customers in accordance with the requirements of California Constitution Article XIID section 6 and Government Code section 53755; and

WHEREAS, a majority of the record owners and tenants of the identified parcels did not submit written protests to the proposed Water Meter Installation Fee before the close of the public hearing; and

WHEREAS, in the absence of a majority protest, the City Council is authorized to approve the proposed Water Meter Installation Fee; and

WHEREAS, the amount of the Water Meter Installation Fee shall be \$1,490 for each unmetered parcel also requiring a plumbing retrofit and \$980 for each parcel requiring only a meter installation; and

WHEREAS, under State law, the revenues derived from the Water Meter Installation Fee may not exceed the funds required to provide the water meter installations and the revenues derived from the Water Meter Installation Fee may not be used for any other purpose.

NOW, THEREFORE, BE IT RESOLVED by the City of Clovis as follows:

1. That the above recitals are true and correct.
2. That the Water Meter Installation Fee of \$1,490 for customers requiring a plumbing retrofit and meter installation, and \$980 for customers requiring a meter installation only, is hereby approved and adopted to recover the City’s costs of providing services related to the purchase, installation, and operation of water meters for the remaining unmetered parcels.

3. That this resolution will become effective immediately upon adoption.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on December 2, 2024, by the following vote, to wit.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

Mayor

City Clerk



CITY *of* CLOVIS

WATER METER INSTALLATION FEE

NOTICE OF PUBLIC HEARING

DECEMBER 2, 2024
AT 6:00P

HOW MAY I PARTICIPATE?

Members of the public are welcome to attend the public hearing regarding the proposed Water Meter Installation Fee. The public hearing will take place on December 2, 2024, at 6:00 p.m. at Clovis' City Council Chambers, 1033 Fifth Street, Clovis, CA 93612. At the public hearing, all members of the public will have an opportunity to speak, provide comments, and submit written protests regarding the proposed Water Meter Installation Fee. Only written protests will count towards determining if a majority protest exists to prevent the proposed Water Meter Installation Fee.

If, at the close of the public hearing, there is no majority protest as described above, the City Council may approve the proposed Water Meter Installation Fee.

NEED ADDITIONAL INFORMATION?



City of Clovis
City Council Chambers
1033 Fifth Street
Clovis, CA 93612



Public Utilities Department
559-324-2600

The City of Clovis
1033 Fifth Street
Clovis, CA 93612

WHY HAVE I RECEIVED THIS NOTICE?



In 2004 the State Legislature adopted Assembly Bill 2572 which added section 527 of the Water Code. Water Code section 527 requires all urban water suppliers to install water meters on all municipal and industrial service connections located within their service areas on or before January 1, 2025. Water Code section 527(b) provides that urban water suppliers may recover the cost of providing the services related to the purchase, installation, and operation of a water meter from rates, fees, or charges.

Our records indicate that your property is located within the City of Clovis (the “City”) water service area and does not yet have a water meter. Water Code section 527 requires the City to install water meters on all remaining unmetered parcels within the City’s water service area. The January 1, 2025 deadline to transition to 100% metered-water service is approaching, and the City must comply with the State law mandate. There is no option to elect to continue to receive unmetered water service. If you have a water meter installed on your property and you believe you have received this notice in error, please contact the City’s Public Utilities Department at (559) 324-2600 as soon as possible.

You are receiving this notice in compliance with Proposition 218, which requires the City to inform affected property owners and customers of record that the City is proposing to charge a fee pursuant to Water Code section 527(b) to recover the costs of the purchase and installation of a water meter on your property (the “Water Meter Installation Fee”). This notice is provided to inform you of the amount of the Water Meter Installation Fee; the basis for the amount of the Water Meter Installation Fee, the reason for the Water Meter Installation Fee, and the date, time and location of a scheduled public hearing.

In compliance with Article XIIID of the California State Constitution, the Proposition 218 Omnibus Implementation Act, and the City of Clovis Municipal Code, the City is hereby notifying all affected property owners and customers of record of the Water Meter Installation Fee.

A public hearing will be held on December 2, 2024 at 6:00 p.m., or as soon thereafter as the public hearing may occur, in City Council Chambers at 1033 Fifth Street, Clovis CA, 93612. All members of the public are invited to attend.

WHAT IS THE AMOUNT OF THE WATER METER INSTALLATION FEE AND HOW WAS IT CALCULATED?

Section 527 of the Water Code requires all urban water suppliers to install water meters on all municipal and industrial service connections located within their service areas on or before January 1, 2025. Our records indicate that your property is within the City’s Water service area but does not yet have a water meter.

The City will charge a Water Meter Installation Fee to the owner of each unmetered parcel within the City’s water service area. There are two different rates for the Water Meter Installation Fee dependent on the conditions of the existing water service line.

The City will charge a Water Meter Installation Fee of \$980 to parcels that have had work previously completed by City staff on the water service line but still require the installation of a water meter and a meter transceiver unit. The work previously completed by City staff included the installation of an angle stop, a water meter box and lid, and other miscellaneous parts. The Water Meter Installation Fee of \$980 covers the costs of material, labor and other associated costs with the installation of a water meter and a meter transceiver unit, and may be paid one time in full or through a payment plan over 24-months with no interest.

The City will charge a Water Meter Installation Fee of \$1,490 to parcels where no work has previously been completed on the water service line for the installation of a meter. The Water Meter Installation Fee of \$1,490 covers the costs of material, labor and other associated costs with the installation of a water meter box, water meter and a meter transceiver unit, is based on a contractor’s competitive bid, and may be paid one time in full or through a payment plan over 36-months with no interest.

According to City records, your parcel has been identified to fall under the Water Meter Installation Fee of \$1,490. You may contact the Public Utilities Department at (559) 324-2600 if you have any questions.

Under State law the revenues derived from the Water Meter Installation Fee may not exceed the funds required to provide the water meter installations, and the revenues derived from the Water Meter Installation Fee may not be used for any purpose other than the installation of water meters on the remaining unmetered parcels in the City’s water service area.

HOW DO I PROTEST THE WATER METER INSTALLATION FEE?

AGENDA ITEM NO. 16.

Proposition 218 requires that certain fees, such as the Water Meter Installation Fee, be subject to a “majority protest” process prior to implementing any increases. If a majority of the property owners and customers affected by the Water Meter Installation Fee submit a written protest to the proposed Water Meter Installation Fee, the City cannot levy the Water Meter Installation Fee.

Both property owners and tenants of parcels that will be affected by the proposed Water Meter Installation Fee may submit a written protest opposing the Water Meter Installation Fee, however, only one written protest per parcel will be counted in calculating whether a majority protest exists. Written protests may be mailed or delivered in person to the City Clerk’s Office at the City of Clovis, 1033 Fifth Street, Clovis, CA 93612, or hand delivered at the public hearing. Written protests must include the following information: the proposed charge or fee being protested, your name, parcel number and/or service address, and your signature. All written protests mailed or otherwise delivered to the City Clerk, should identify on the front of the envelope that the enclosed contains a protest on the proposed Water Meter Installation Fee. All written protests must be received prior to the conclusion of the public input portion of the public hearing to be considered by the Clovis City Council.

Protests will not be accepted by email, fax, or other electronic means, and protests not meeting the requirements described in the paragraph above will not be counted as written protests. Only one protest will be counted per parcel as provided by Government Code section 53755(b). Once a protest is submitted to the City it becomes a disclosable public record as required by state law and will be maintained in City files for at least two years. Any person who submits a protest may withdraw it before the conclusion of the public input portion of the public hearing by submitting to the City Clerk a written request that the protest be withdrawn.

There is a 120-day statute of limitations for challenging any new, increased, or extended fee or charge for water service.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: December 2, 2024

SUBJECT: Consider Various Requests from Wilson Homes regarding Tract Map 6205, a 580-lot subdivision located at the northeast corner of Sunnyside and Shepherd Avenues.

- a. Allow for a deviation from city policy regarding reimbursements within Street Area 1 as requested by Wilson Homes.
- b. Deny the request to deviate from city policy regarding reimbursements of Sewer Major Facility improvements as requested by Wilson Homes.
- c. Deny the request to deviate from city policy regarding reimbursements of Water Major Facility improvements as requested by Wilson Homes.
- d. Deny the request to deviate from the City's Municipal Code and allow for the deferment of the Water Supply Fee as requested by Wilson Homes.

Staff: Thad Avery, City Engineer

Recommendation: Approve

ATTACHMENTS:

1. Vicinity Map
2. Draft of the Master Development Agreement as Recommended by Staff
3. Correspondence and Request from Wilson Homes dated October 24, 2024
4. Correspondence and Request from Wilson Homes dated October 28, 2024
5. Correspondence from Various Developers

RECOMMENDATION

For the City Council to consider various requests from Wilson Homes that deviate from City policy or City Municipal Code and to consider authorizing the City Engineer to execute a Master Development Agreement with Wilson Homes for the construction of improvements in Shepherd and Sunnyside Avenues. The requests from Wilson Homes are listed below with Staff's recommendations following in parenthesis:

- a. Deviation from City policy regarding reimbursements for the construction of improvements that are part of the Area 1 Street fees (Approval)
- b. Deviation from City policy regarding reimbursement for the construction of improvements that are part of the Sewer Major Facilities fee (Denial)
- c. Deviation from City policy regarding reimbursement for the construction of improvements that are part of the Water Major Facilities fee (Denial)
- d. Deviation from City Municipal Code regarding the timing of payments for the Water Supply fee (Denial)

Staff will make modifications to the following documents in accordance with City Council direction:

- a. Master Development Agreement
- b. Subdivision Agreement
- c. Fee Deferment Agreement

EXECUTIVE SUMMARY

On May 6, 2024, Council approved Resolution 24-54 for Tract 6205 by Wilson Homes. The Conditions of Approval for the project include public infrastructure improvements to the sewer system, water system and street system that will be completed with the project. Wilson Homes has submitted written requests for Council's consideration to deviate from existing policies regarding reimbursements (**Attachment 4**), to deviate from current policy regarding construction credits for Sewer and Water Major Facility facilities (**Attachment 3**) and to deviate from the Municipal Code regarding the timing of payments for the Water Supply Fee (**Attachment 4**).

Staff supports the request by Wilson Homes for the deviation from city policy for reimbursements of the Area 1 Street work. The work will improve safety by softening the curves and providing additional lanes in Shepherd Avenue between Sunnyside and Fowler Avenues.

Staff does not support the request by Wilson Homes for the reimbursement of the sewer and water work by means of taking construction credits against the Major Facility Fee obligations of Tract Map 6205. The recommendation is for Council to consider and deny the request as it conflicts with current Council direction and negatively impacts the City's ability to fund existing annual debts payments.

Staff does not support the request by Wilson Homes for the deferment of the Water Supply Fee which deviates from Municipal Code. The recommendation is for Council to consider and deny the request as it conflicts with current Council direction and negatively impacts the City's ability to fund existing annual debts payments.

Staff contacted seven (7) Developers, including Wilson Homes, by email on Friday, November 8, to make them aware of the requests. The contacted Developers all have funds on the waiting list for Area 1 Street fees and may be impacted by Council's decision. The original email and following conversations are included as **Attachment 5**.

Council's decisions may result in Staff revising the draft Master Development Agreement, the Subdivision Agreement and the Fee Deferment Agreement for Vesting Tentative Tract Map 6205 ("Tract 6205").

BACKGROUND

Shepherd Avenue Improvements

Shepherd Avenue between Fowler and Sunnyside Avenues is a heavily traveled section of roadway that has regional significance to the City of Clovis, the City of Fresno and the County of Fresno. This segment is identified as an expressway with the current City of Clovis General Plan that provides connectivity to the City of Fresno to the west and the County of Fresno to the east. Currently, the section is a narrow and curvy roadway with one lane in each direction. The completed section will soften the curve, provide two (2) lanes in each direction and include a median island. The softened curve will provide safety improvements, and the additional lanes will relieve congestion within this section.

The street improvements to Shepherd Avenue are within two (2) separate fee areas, Area 1 (south of the Shepherd centerline) and Area 5 (north of the Shepherd centerline). The project is in and will pay the applicable Development Impact Fees for Area 5, thereby allowing the Area 5 improvements north of the centerline to be used as credits in accordance with the current City policies. However, there are improvements that will be located within Area 1 and south of the centerline that, according to current City policies, will be eligible for reimbursement following completion and acceptance of the work. Wilson Homes has requested the following special consideration for Area 1 fees:

- a. Available funds to be set aside for immediate reimbursement; and
- b. Invoicing and payment of the available funds be made monthly; and
- c. That reimbursements be placed at the top of the priority list if funds are not immediately available.

The requests to be granted the first priority for reimbursement and the monthly progress payments are supported by staff due to the regional significance of this section, the safety improvements that this completed work provides, and the lessened congestion that will result.

The work will be applicable to four (4) of the Area 1 fees: Traffic Signal, Center Travel Lane, Outside Travel Lane and Undergrounding of Overhead Utilities. Only the Center Travel Lane currently has a waiting list for reimbursements and the other three have a balance. Approval of this request has little impact to the three fees with a balance as the project would be given first priority in payments according to city policy. An approval will guarantee the availability of funds even if another project were to be completed and file for reimbursements. An approval will also provide for monthly progress payments in a manner much like a Capital project. The timing of reimbursements for Center Travel Lane will be affected by an approval as this project would

receive priority over the six (6) developers currently in the waiting list, one of which is Wilson Homes. The other developers are, in alphabetical order, Clovis Village LLC, Sunrise Pavilion, The Well Community Church, Wathen-Castanos, and Woodside Homes. An approval will guarantee the availability of funds in three of the Area 1 fees and provide the project with first priority in reimbursements from the Area 1 Center Travel Lane Fee.

Staff contacted the above mentioned seven (7) Developers by email on Friday, November 8, to make them aware of the requests. The original email and following conversations are included as **Attachment 5**.

Council's decision regarding the reimbursement of the Shepherd Avenue improvements within Street Area 1 will be documented within the Master Development Agreement for Tract 6205. Revisions, if necessary, will be made to the document before execution by Wilson Homes and the City Engineer.

Sewer Major Facilities

The Project is conditioned and required to install a half mile each of an 8" and a 16" sewer force main in Shepherd Avenue between Sunnyside and Fowler Avenues. These pipes are part of the City's current Sewer Master Plan that will provide permanent sewer service to Tract Map 6205, and they are part of the Sewer Major Facilities Fee of the City's Development Impact Fee program. Additional facilities are necessary to complete the permanent service, such as a sewer lift station near the intersection of Willow and Shepherd Avenues, the remaining portions of the 8" and 16" sewer force mains in Shepherd Avenue that total roughly 3.5 miles each between Willow and DeWolf Avenues, and roughly 2 miles of a 36" sewer gravity pipe in DeWolf Avenue from Owens Mountain Parkway to Bullard. Tract 6205 and other projects in the Heritage Grove area are being served temporarily through the pipe in Willow Avenue between Shepherd and Herndon Avenues. There are also several other prior projects south of Shepherd Avenue that have been previously allowed to utilize the same temporary capacity of the Willow pipes. All of them will be converted in the future to their permanent service once it is complete and functional. It is estimated that the completion of the permanent facilities is approximately 10 years away and is largely dependent on the City's ability to issue new bonds. Providing the ability for projects to use the temporary service allows projects to move forward at the cost of effectively limiting the ability to further develop in the area roughly between Shepherd, Willow, Bullard, and Fowler.

The ability to receive a reimbursement for the force mains is dependent upon available funds which is typical of all other Development Impact Fees (DIFs). All DIFs include a share of construction costs based on a project's impact, where the Sewer Major Facilities Fee also includes a share of the City's annual debt payments. The other fees that do not have an annual debt payment have the ability for Developers to receive construction credits against their project's fee obligations.

Granting construction credits against a project's Sewer Major Facilities Fee obligation would effectively grant priority to the reimbursement of that project over the City's annual debt payments. This would deviate from Council's June 14, 2021, direction to staff regarding the priority of reimbursements, hinder the City's ability to collect the funds necessary to cover the

required annual debt payments and would require the funds to come from another source in periods of low permit activity and low volume of DIF payments. The development community is currently in such a period of low permit activity and low volume of DIF payments, creating an extended timeframe for Developers to be reimbursed when they install facilities within the Sewer Major Facilities Fee.

Staff does not agree with the request from Wilson Homes for the reimbursement of Sewer Major Facilities Fees by means of taking construction credits and recommends that Council deny the request given the fiscal impacts it would have to the City's ability to collect the funds necessary to cover the annual debt payments. This request is also inconsistent with City policy that what established by council at the June 14, 2021, Council meeting regarding reimbursement priorities and would establish a new precedence.

Council's decision regarding the reimbursement of the Sewer Major Facility improvements will be documented within the Master Development Agreement, the Subdivision Agreement and the Fee Deferment Agreement for Tract 6205. Revisions, if necessary, will be made to the documents for execution by Wilson Homes and the City Engineer.

Water Major Facilities

The Project is required to install a quarter mile of 12" and a half mile of 16" water pipe in Sunnyside between Nees and Shepherd Avenues. These pipes are part of the City's current Water Master Plan that will provide a redundant water service to Tract 6205 and they are part of the Water Major Facilities Fee of the City's Development Impact Fee program. The Project will also install roughly 500 feet of 24" pipe in Sunnyside south of Perrin. The 24" pipe is also part of the City's current Water Master Plan and is part of the Water Major Facilities Fee of the City's Development Impact Fee program.

The ability to receive a reimbursement for the water pipes is dependent upon available funds which is typical of all other Development Impact Fees (DIFs). All DIFs include a share of construction costs based on a project's impact, where the Water Major Facilities Fee also includes a share of the City's annual debt payments. The other fees that do not have an annual debt payment have the ability for Developers to receive construction credits against their projects fee obligations.

Granting construction credits against a project's Water Major Facilities Fee obligation would effectively grant priority to the reimbursement of that project over the City's annual debt payments. This would deviate from Council's June 14, 2021, direction to staff regarding the priority of reimbursements, hinder the City's ability to collect the funds necessary to cover the required annual debt payments and would require the funds to come from another source in periods of low permit activity and low volume of DIF payments. The development community is currently in such a period of low permit activity and low volume of DIF payments, creating an extended timeframe for Developers to be reimbursed when they install facilities within the Water Major Facilities Fee.

Staff does not agree with the request from Wilson Homes for the reimbursement of Water Major Facilities Fees by means of taking construction credits and recommends that Council deny the request given the fiscal impacts it would have to the City's ability to collect the funds necessary to cover the annual debt payments. This request is also inconsistent with City policy that what established by council at the June 14, 2021, Council meeting regarding reimbursement priorities and would establish a new precedence.

Council's decision regarding the reimbursement of the Water Major Facility improvements will be documented within Master Development Agreement, the Subdivision Agreement and the Fee Deferment Agreement for Tract 6205. Revisions, if necessary, will be made to the documents for execution by Wilson Homes and the City Engineer.

Water Supply Fee

The Project is located outside of the Fresno Irrigation District (FID) and does not have a water allocation to transfer to the City. It is instead required by the Municipal Code to pay its obligation of the Water Supply Fee so that the City can purchase water entitlements to provide service to the project. This fee is not among the list of deferrable fees according to Municipal Code 3.6.05. The fee is established to allow the City to not only purchase water entitlements but to also allow the City to participate in regional water banking.

The City has a programmed annual payment that should be funded by the collection of DIFs although this has not been the case historically. Granting the ability to defer the payment of this obligation would further widen the gap between payments and collections.

Staff does not agree with the request for the deferred payments of the Water Supply Fee from Wilson Homes and recommends that Council deny the request given the fiscal impacts it would have to the City's ability to collect the funds necessary to cover the annual debt payments and the precedence it would establish.

Council's decision regarding the deferment of the Water Supply Fee will be documented within the Subdivision Agreement and the Fee Deferment Agreement for Tract 6205. Revisions, if necessary, will be made to both documents for execution by Wilson Homes and the City Engineer.

FISCAL IMPACT

The timing of reimbursements within Street Area 1 will be affected by the approval.

REASON FOR RECOMMENDATION

Staff recommends approval of the requested deviation from the reimbursement process for work in Shepherd Avenue within Street Area 1. The deviation will contribute to the timely completion of regionally significant improvements.

Staff recommends denial of the requested deviation in city council policy for the reimbursement of Sewer and Water Major Facility Fees by means of construction credits. There are significant fiscal impacts to the City's ability to fund the annual bond debt.

Staff recommends denial of the requested deviation from the Municipal Code for the deferred payments of the Water Supply Fee. There are significant fiscal impacts to the City's ability to fund the annual payments.

ACTIONS FOLLOWING APPROVAL

1. The Master Development Agreement will be modified as needed to follow Council's direction.
2. The Subdivision Agreement related to the project will be revised as needed to follow Council's direction.
3. The Fee Deferment Agreement related to the project will be revised as needed to follow Council's direction.

CONFLICT OF INTEREST

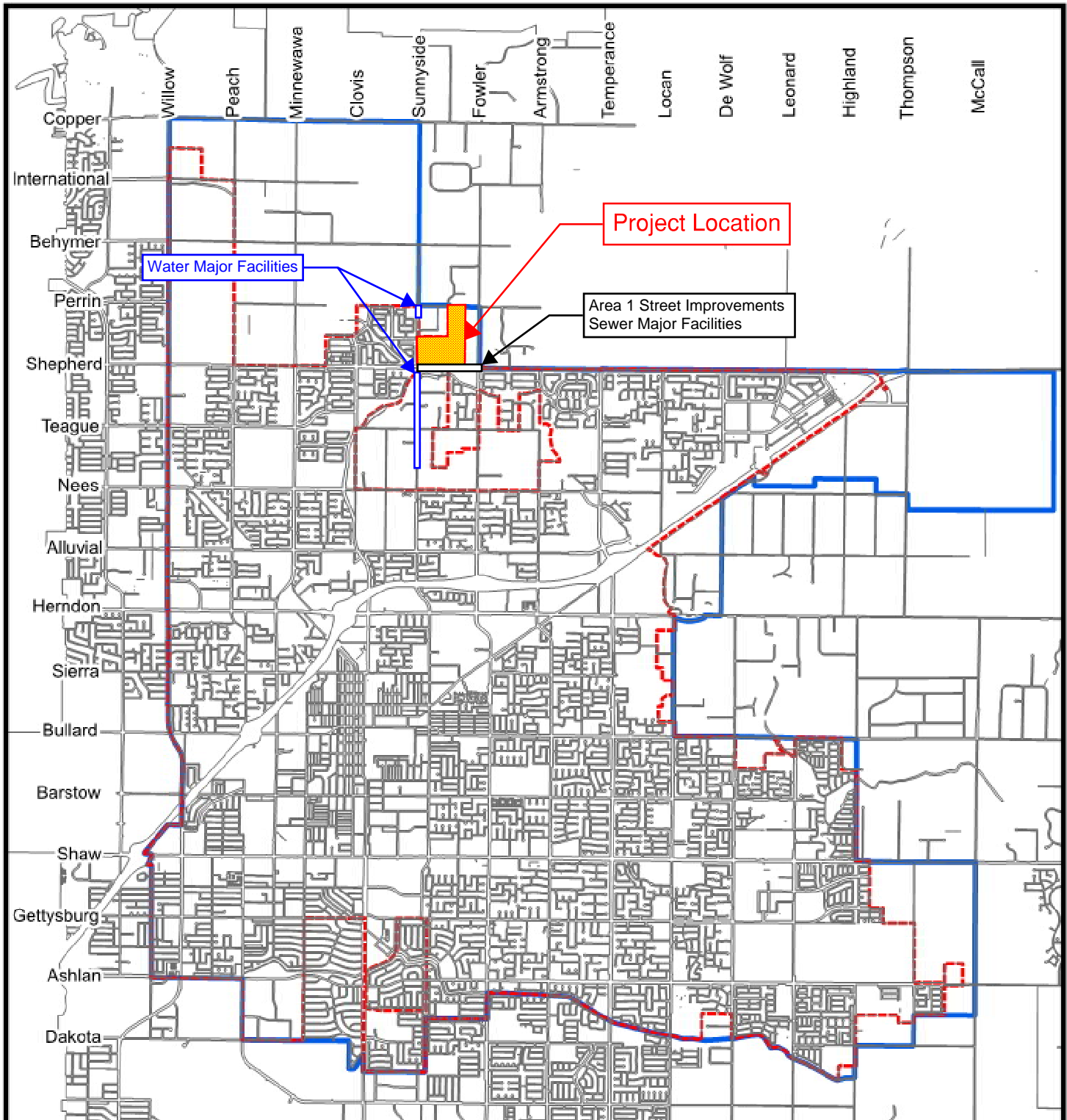
None.

Prepared by: Sean Smith, Supervising Civil Engineer

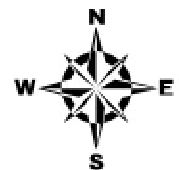
Reviewed by: City Manager *JS*

VICINITY MAP

TM 6205 - Great Bigland, Inc., a California Corporation



Attachment 1



 CITY LIMITS SPHERE OF INFLUENCE



**MASTER DEVELOPMENT AGREEMENT
TENTATIVE TRACT No. 6205**

This Master Development Agreement (“Agreement”) is entered into on _____, 2024, (“Effective Date”), by and between the CITY OF CLOVIS, a Municipal Corporation, hereinafter designated and called “City,” and Great Bigland, LP, a California Limited Partnership, hereinafter designated and called “Subdivider” without regard for number or gender.

RECITALS

WHEREAS, the City and the Subdivider desire to enter into an agreement that will:

- a. Set forth the methods to be employed for the assignment of development fees, reimbursements, and credits related to Off-Site construction and Shepherd Avenue improvements for the multiple phases of Tentative Tract Map No. 6205, hereinafter referred to as “the Project”, and
- b. Establish that Phase I shall be Tract 6205, Phase II shall be Tract 6457, and Phase III shall be Tract 6458, and
- c. Establish a desired schedule for the construction of Off-Site improvements necessary to serve the Project, and
- d. Formalize the various agreements reached between the City and the Subdivider related to the construction and timing of the public facilities and improvements serving the Project, and
- e. Serve as the master document to govern the orderly development of the Project in multiple phases.

AGREEMENT

NOW, therefore, it is mutually agreed and understood by and between the Subdivider and the City as follows:

1. Off-Site improvements necessary to serve the Project to be constructed by the Subdivider are as follows:

- a. **8" Sewer Force Main (Major Facilities)** – Installation of an 8" diameter sanitary sewer force main, generally in the Shepherd Avenue alignment between Sunnyside Avenue and Fowler Avenue. The construction of the said main from Sunnyside Avenue to Fordham Avenue must be completed and deemed acceptable by the City Engineer prior to City Council acceptance of Phase I (Tract 6205) of the Project. The construction of the said work from Fordham Avenue to Fowler Avenue must be completed and deemed acceptable by the City Engineer prior to City Council acceptance of Phase III (Tract 6458) of the Project.
- b. **16" Sewer Force Main (Major Facilities)** – Installation of a 16" diameter sanitary sewer force main, generally in the Shepherd Avenue alignment between Sunnyside Avenue and Fowler Avenue. The construction of the said main from Sunnyside Avenue to Fordham Avenue must be completed and deemed acceptable by the City Engineer prior to City Council acceptance of Phase I (Tract 6205) of the Project. The construction of the said work from Fordham Avenue to Fowler Avenue must be completed and deemed acceptable by the City Engineer prior to City Council acceptance of Phase III (Tract 6458) of the Project.
- c. **Shepherd Sewer (oversize)** – Installation of a master planned 15" sewer main generally in the Shepherd Avenue alignment between Sunnyside Avenue and Fowler Avenue. The construction of the said main from Sunnyside Avenue to Fordham Avenue must be completed and acceptable by the City Engineer prior to the first occupancy of any dwelling units in the Project. The construction of the said main from Fordham Avenue to Fowler Avenue must be completed and

deemed acceptable by the City Engineer prior to City Council acceptance of Phase III (Tract 6458) of the Project.

- d. **Sunnyside Water (Major Facilities)** - Installation of master planned 24" water mains generally in the Sunnyside Avenue alignment between Heirloom Avenue and Perrin Avenue. The construction of said main must be complete and deemed acceptable by the City Engineer prior to City Council acceptance of Phase II (Tract 6457) of the Project.
- e. **Sunnyside Water (Major Facilities)** - Installation of master planned 12" and 16" water mains generally in the Sunnyside Avenue alignment between Omaha Avenue and Shepherd Avenue. The construction of said main must be complete and deemed acceptable by the City Engineer prior to City Council acceptance of Phase III (Tract 6458) of the Project.
- f. **Perrin Water** - Installation of master planned 8" water mains generally in the Perrin Avenue alignment between Sunnyside Avenue and the Project. The construction of said main must be complete and deemed acceptable by the City Engineer prior to City Council acceptance of Phase II (Tract 6457) of the Project.
- g. **Shepherd Water (oversize)** - Installation of master planned 16" water mains generally in the Shepherd Avenue alignment between Sunnyside Avenue and Fowler Avenue. The construction of said main must be complete and deemed acceptable by the City Engineer prior to City Council acceptance of Phase III (Tract 6458) of the Project.
- h. **Shepherd Avenue (CTL)** – Construction of center travel lane (CTL) in Shepherd Avenue alignment between Sunnyside Avenue and Fowler Avenue. The construction of the said work must be completed and deemed acceptable

by the City Engineer prior to City Council acceptance of Phase III (Tract 6458) of the Project.

- i. **Shepherd Avenue (OTL)** - Construction of outside travel lane (OTL) in Shepherd Avenue alignment between Sunnyside Avenue and Fowler Avenue. The construction of the said work must be completed and deemed acceptable by the City Engineer prior to City Council acceptance of Phase III (Tract 6458) of the Project.
- j. **Right-of-Way and Temporary Improvements** – The Subdivider is required to acquire additional right-of-way for Shepherd Avenue between Sunnyside and Fowler on behalf of the City for the OTL and trail improvements adjacent to the Project. Temporary improvements and multiple mobilizations may be required for the Shepherd Avenue improvements depending on the timing of the right-of-way acquisition.

- 2. Reimbursement and/or credits from construction of Offsite improvements installed by the Subdivider are as follows:

- a. **Street Area 5**

- i. The engineer's estimates for these improvements (Exhibit "A") will be the basis for granting credits on individual phases of the project. The Subdivider will be allowed to apply the total cost of eligible improvements in each fee category as indicated in the estimates toward the fee obligation of the phase being considered. These fee credits can be carried forward from one phase to the next until the cumulative fee obligation of all phases approved to date is equal to the total estimated cost for that category. The City Engineer will be responsible for keeping an accounting of the fee credits granted for the Project.

b. OTL Area 1

- i. The engineer's estimates for these improvements (Exhibit "A") are typically used as the basis for granting credits on individual phases of the Project. The Project has been approved by Council to deviate from the typical process for credits and reimbursements.
- ii. The Subdivider shall submit construction bids for the work for the City Engineer to review and approve. Upon approval of the bids, the City Engineer shall set aside the reimbursement amount for the Subdivider based on available funds from OTL Area 1. Monthly progress payments shall be made to the Subdivider based on submitted invoices. In the event that funds are not available at the time of this Agreement, the Subdivider's payments will be placed at the top of the waiting list.
- iii. Change orders must be reviewed and approved by the City Engineer prior to providing additional funds.

c. CTL Area 1

- i. The engineer's estimates for these improvements (Exhibit "A") are typically used as the basis for granting credits on individual phases of the Project. The Project has been approved by Council to deviate from the typical process for credits and reimbursements.
- ii. The Subdivider shall submit construction bids for the work for the City Engineer to review and approve. Upon approval of the bids, the City Engineer shall set aside the reimbursement amount for the Subdivider based on available funds from CTL Area 1. Monthly progress payments shall be made to the Subdivider based on submitted invoices. In the

event that funds are not available at the time of this Agreement, the Subdivider's payments will be placed at the top of the waiting list.

- iii. Change orders must be reviewed and approved by the City Engineer prior to providing additional funds.

d. Traffic Signal Area 1

- i. The engineer's estimates for these improvements (Exhibit "A") are typically used as the basis for granting credits on individual phases of the Project. The Project has been approved by Council to deviate from the typical process for credits and reimbursements.
- ii. The Subdivider shall submit construction bids for the work for the City Engineer to review and approve. Upon approval of the bids, the City Engineer shall set aside the reimbursement amount for the Subdivider based on available funds from Traffic Area 1. Monthly progress payments shall be made to the Subdivider based on submitted invoices. In the event that funds are not available at the time of this Agreement, the Subdivider's payments will be placed at the top of the waiting list.
- iii. Change orders shall be reviewed and approved by the City Engineer prior to providing additional funds.

e. Underground of Overhead Utilities (UGOH) Area 1

- i. The engineer's estimates for these improvements (Exhibit "A") are typically used as the basis for granting credits on individual phases of the Project. The Project has been approved by Council to deviate from the typical process for credits and reimbursements.
- ii. The Subdivider shall submit construction bids for the work for the City Engineer to review and approve. Upon approval of the bids, the City

Engineer shall set aside the reimbursement amount for the Subdivider based on available funds from UGOH Area 1. Monthly progress payments shall be made to the Subdivider based on submitted invoices. In the event that funds are not available at the time of this Agreement, the Subdivider's payments will be placed at the top of the waiting list.

- iii. Change orders shall be reviewed and approved by the City Engineer prior to providing additional funds.

f. Sewer (Major Facilities)

- i. The engineer's estimates for these improvements (Exhibit "A") are typically used as the basis for granting future reimbursements on individual phases of the Project. The Project shall follow the City's reimbursement process on the Effective Date of this Agreement unless later modified.
- ii. The Subdivider shall submit construction bids for the work for the City Engineer to review and approve. Upon approval of the bids, the City Engineer shall allow the agreed upon amount to be used for future reimbursements in accordance with the City's applicable reimbursement process.
- iii. Change orders shall be reviewed and approved by the City Engineer prior to providing additional credits.

g. Water (Major Facilities)

- i. The engineer's estimates for these improvements (Exhibit "A") are typically used as the basis for granting future reimbursements on individual phases of the Project. The Project shall follow the City's

applicable reimbursement process on the Effective Date of this Agreement unless later modified.

- ii. The Subdivider shall submit construction bids for the work for the City Engineer to review and approve. Upon approval of the bids, the City Engineer shall allow the agreed upon amount to be used for future reimbursements in accordance with the City's applicable reimbursement process.
- iii. Change orders shall be reviewed and approved by the City Engineer prior to providing additional credits.

- 3. This Agreement may not be modified or amended except in writing signed by both parties.

Time is of the essence of this Agreement and the same shall bind and inure to the benefit of the parties hereto, their successors and assigns. The parties have executed this Agreement to be effective on the Effective Date.

CITY OF CLOVIS,
A Municipal Corporation

Great Bigland, LP,
A California Limited Partnership

By: Great Bigland, Inc.,
A California Corporation

By _____
Thad Avery, City Engineer

By _____
Todd A. Wilson, Secretary

COVENANTOR SHALL ATTACH NOTARY ACKNOWLEDGMENT

CITY SHALL ATTACH CERTIFICATE OF ACKNOWLEDGMENT

**MASTER DEVELOPMENT AGREEMENT
TENTATIVE TRACT No. 6205**

**Exhibit A
Engineer's Estimate**

EXHIBIT "A"

Page 1 of 1

Construction Credit

GREAT BIGLAND INC.

TM 6205 - Master Development Agreement

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>
AREA 1 - Center Travel Lane (Shepherd Avenue)				
Agg. Base	1,196	TN	\$ 50.00	\$ 59,800.00
A.C. Pavement	983	TN	\$ 92.00	\$ 90,436.00
8" Median Curb	2,608	LF	\$ 22.50	\$ 58,680.00
Median Landscaping & Irrigation	10,074	SF	\$ 13.00	\$ 130,962.00
Median Stamped Concrete Cap	2,485	SF	\$ 15.00	\$ 37,275.00
Striping & Signage	1	LS	\$ 2,500.00	\$ 2,500.00
			Subtotal:	\$ 379,653.00
AREA 1 - Outside Travel Lane (Shepherd Avenue)				
Agg. Base	1,478	TN	\$ 50.00	\$ 73,900.00
A.C. Pavement	1,215	TN	\$ 92.00	\$ 111,780.00
6" Concrete Curb & Gutter	1,841	LF	\$ 14.75	\$ 27,154.75
Streetlights	16	EA	\$ 9,500.00	\$ 152,000.00
Concrete Sidewalk	515	SF	\$ 5.75	\$ 2,961.25
			Subtotal:	\$ 367,796.00
AREA 5 - Center Travel Lane (Shepherd Avenue)				
Agg. Base	1,605	TN	\$ 50.00	\$ 80,250.00
A.C. Pavement	1,319	TN	\$ 92.00	\$ 121,348.00
8" Median Curb	2,243	LF	\$ 22.50	\$ 50,467.50
Median Landscaping & Irrigation	10,189	SF	\$ 13.00	\$ 132,457.00
Median Stamped Concrete Cap	3,775	SF	\$ 15.00	\$ 56,625.00
Striping & Signage	1	LS	\$ 2,500.00	\$ 2,500.00
			Subtotal:	\$ 443,647.50
AREA 5 - Outside Travel Lane (Shepherd Avenue)				
Agg. Base	2,129	TN	\$ 50.00	\$ 106,450.00
A.C. Pavement	1,750	TN	\$ 92.00	\$ 161,000.00
6" Concrete Curb & Gutter	2,491	LF	\$ 14.75	\$ 36,742.25
Wheelchair Ramp	2	EA	\$ 4,200.00	\$ 8,400.00
Concrete Sidewalk	1,035	SF	\$ 5.75	\$ 5,951.25
Right of Way Deposit	1	EA	\$ 301,320.00	\$ 301,320.00
Streetlights	16	EA	\$ 9,500.00	\$ 152,000.00
			Subtotal:	\$ 771,863.50
Sewer Major Facilities				
16" Force Main	2,663	LF	\$ 215.00	\$ 572,545.00
8" Force Main	2,663	LF	\$ 65.00	\$ 173,095.00
Connection to Existing	1	LS	\$ 4,000.00	\$ 4,000.00
			Subtotal:	\$ 749,640.00
Sewer Oversize				
15" Sewer Main (Oversize)	1,819	LF	\$ 57.51	\$ 104,610.69
15" Sewer Main (Overdepth)	1,819	LF	\$ 33.39	\$ 60,736.41
			Subtotal:	\$ 165,347.10
Water Oversize				
16" Water Main	351	LF	\$59.02	\$ 20,716.02
16" Water Valve	1	EA	\$2,081.00	\$ 2,081.00
			Subtotal:	\$ 22,797.02

Water Major Facilities

Sawcut Pavement	7,650	LF	\$3.25	\$	24,862.50
A.C. Pavement Removal	15,288	SF	\$300.00	\$	4,586,400.00
Remove Temporary Blow Off	1	EA	\$3,250.00	\$	3,250.00
16" Water Main	2,305	LF	\$250.00	\$	576,250.00
16" Water Main (w/ casing)	170	LF	\$800.00	\$	136,000.00
12" Water Main	1,347	LF	\$150.00	\$	202,050.00
16" Gate Valve	2	EA	\$7,250.00	\$	14,500.00
12" Gate Valve	2	EA	\$5,000.00	\$	10,000.00
Fire Hydrant Assembly	2	EA	\$11,000.00	\$	22,000.00
Wet Tie	2	EA	\$7,500.00	\$	15,000.00
A.C. Trench Patching	3,822	LF	\$48.00	\$	183,456.00
Striping Repairs	1	LS	\$2,000.00	\$	2,000.00
Subtotal:				\$	5,190,762.50

Non-Potable Water

24" Non-Potable Water Main	2,051	LF	\$485.00	\$	994,735.00
Remove Existing 24" Cap	1	EA	\$250.00	\$	250.00
8" Blowoff Assembly	1	EA	\$6,900.00	\$	6,900.00
Subtotal:				\$	1,001,885.00

Underground Area 1

Underground Overhead Utilities (Rule 20)	1	LS	\$1,000,000.00	\$	1,000,000.00
Subtotal:				\$	1,000,000.00

Traffic Signal Area 1

Traffic Signal	1	LS	\$50,000.00	\$	50,000.00
Subtotal:				\$	50,000.00

Traffic Signal Area 5

Traffic Signal	1	LS	\$50,000.00	\$	50,000.00
Subtotal:				\$	50,000.00

Note: Construction credits only shows only shows credits confirmed by the City. All other work preformed by the project shall be reviewed with a different document.



7550 N. Palm Ave.
 Fresno, CA 93711
 Phone (559) 224-7550 Fax (559) 224-6625

October 24, 2024

Mayor Lynne Ashbeck
 City of Clovis
 1033 5th Street
 Clovis, CA 93712

Dear Mayor Ashbeck,

SUBJECT: Master Development Agreement – Tentative Tract No. 6205 – Section 2 (f) Sewer (Major Facilities) and (g) Water (Major Facilities) – Request for Fee Credits

The Development Agreement associated with Tract No 6205 was prepared by City Staff to memorialize conditions related to construction requirements, timelines and payments. A Development Agreement is commonly utilized when offsite construction activities are unusually extensive or complex. Typically, a development project located next to an existing street would be conditioned to install an additional outside travel lane or other features necessary to complete the adjacent street. In this case, in agreement with City Staff, Wilson Homes agreed to completely rehabilitate Shepherd Avenue from Sunnyside to Fowler to remedy a prominent public safety issue. To facilitate the project, we have already prepared plans for Shepherd Avenue, installed a portion of sewer and water facilities in Shepherd Avenue, facilitated preparation and approval of PG &E plans, obtained and paid for the PG & E contract, provided Right-of-way deposit, deeds, appraisals and made initial contact with all adjacent property owners and are working cooperatively with City Staff to facilitate right-of-way acquisitions.

It should be noted, Tract 6205 will be making improvements that are significantly above and beyond typical project conditions, this requires Wilson Homes to obtain financing and performance bonds for the Shepherd Avenue work and the offsite Sunnyside Water Main. These additional financing and bond costs are not reimbursable from the City.

To facilitate the offsite municipal improvements in recognition of the atypical conditions, Wilson Homes is requesting a deviation from standard City Policy to allow the use of Fee Credits for the installation of Sewer Major Facilities including a half mile of 8" and half mile of 16" sewer force main and a 16" water Main in Sunnyside Avenue through the Dry Creek Preserve. The use of credits prevents a disproportionate cost burden resulting from requiring both the payment of fees and the construction of facilities. While not typical a development agreement of this nature has been used before for projects that involve extensive offsite improvements in the City of Clovis, such as Harlan Ranch.

Staff has been great to work with in preparing this agreement, but appropriately do not want to implement a change in policy without Council direction. Respectfully, we are requesting your consideration of this request and direction to Staff to include these provisions in the Development Agreement to allow the use of Fee Credits for Shepherd and Sunnyside Avenue Sewer and Water Major Facilities improvements.

Sincerely,



Todd A Wilson
Vice President
Wilson Premier Homes Inc

cc: Mayor Lynne Ashbeck
Mayor Pro Tem Vong Mouanoutoua
Council Member Matt Basgall
Council Member Drew Bessinger
Council Member Diane Pearce

WILSON HOMES

Over 55 Years Building the Valley

7550 N. Palm Ave.

Fresno, CA 93711

Phone (559) 224-7550 Fax (559) 224-6625

October 28, 2024

Sean Smith, Supervising Engineer

City of Clovis

1033 5th Street

Clovis, CA 93712

Dear Sean,

SUBJECT: Tentative Tract No. 6205

Pursuant to our recent discussions, this letter will memorialize our request for Area 1 progress payments for the work proposed along the south side of Shepherd Avenue (Area 1) between Fowler and Sunnyside. The development will construct street and undergrounding improvements along the south side of Shepherd Avenue. The construction of Shepherd Avenue to its full width from Sunnyside to Fowler, will improve a much-needed road section in this area and increase safety within this roadway segment. The subject work is reimbursable; however, Shepherd Avenue south of the center line is part of Area 1 Street and Undergrounding Fees. These Developer Trust Funds particularly OTL and Undergrounding have a healthy fund balance. As a reminder, typically projects on the south side of Shepherd would pay for these improvements, however Wilson Homes has agreed along with the City to construct a full replacement of said roadway segment. Therefore, we are proposing that the construction of these improvements be subject to immediate reimbursements/progress payments. Our recommendation would be monthly progress payments. We are therefore requesting that these provisions be included in the Master Development Agreement.

In addition, we are also requesting the ability to defer the Water Supply Fee until occupancy, this is appropriate since Water is actually needed at the time of occupancy.

Your consideration of these requests is appreciated and do not hesitate to reach out if you have any questions.

Sincerely,



Todd A. Wilson

Vice President

Wilson Premier Homes Inc

Sean Smith

From: Sean Smith
Sent: Friday, November 8, 2024 1:26 PM
Cc: John Holt; Renee Mathis; Thad Avery
Subject: Clovis Council Item to consider reimbursements

Request to Deviate from Current City Policy on the Order of Reimbursement for Roadway Construction

The City of Clovis is in receipt of a request from Wilson Homes to be placed at the top of the list for reimbursement for future roadway construction work along Shepherd Avenue, between Sunnyside and Fowler Avenues, associated with Tract Map 6205.

You are being notified because your organization is currently in line for reimbursement from the City's streets account, and should this request be approved by our City Council the timing of your reimbursement could be delayed.

The Clovis City Council will consider this request at its regularly scheduled meeting on **Monday, November 18, 2024, starting at 6:00pm.** There is a portion of the meeting that will be devoted to this item and there will be an opportunity for the members of the public to address the City Council on this item. Written comments are also acceptable for consideration by the Council. The full text of the Council packet covering this item will be available after 3:00 p.m. on Thursday November 14, 2024, at <https://cityofclovis.com/government/city-council/city-council-agendas/>.

Staff will be recommending approval of the request to City Council.

Organizations contacted by this email (in alphabetical order):

1. Clovis Village LLC
2. Lennar Fresno
3. Sunrise Pavilion
4. The Well Community Church
5. Wathen-Castanos
6. Wilson Homes
7. Woodside Homes

Please note that City offices will be closed Monday, Nov. 11, in observance of Veteran's Day.

If you have any further questions, please feel free to reach out to me directly.

The front counter is open 8am to 4:30pm; staff is otherwise available by appointment, email or phone.



Sean K. Smith PE QSD | Supervising Civil Engineer

City of Clovis | Engineering Division

Development Review

1033 Fifth Street, Clovis, CA 93612

p. 559.324.2363 | f. 559-324-2843 | m. 559-765-7505

seans@clovisca.gov

cc: project file

Sean Smith

From: Matt Smith <MattS@woodsidehomes.com>
Sent: Friday, November 8, 2024 2:37 PM
To: Renee Mathis
Cc: Sean Smith; John Holt; Thad Avery
Subject: RE: [External] RE: Clovis Council Item to consider reimbursements

Categories: Important

Thanks Renee-

Can you briefly explain Wilson's rationale for why they would believe jumping the line makes sense?

Thanks- Matt

From: Renee Mathis <ReneeM@clovisca.gov>
Sent: Friday, November 8, 2024 2:32 PM
To: Matt Smith <MattS@woodsidehomes.com>
Cc: Sean Smith <SeanS@clovisca.gov>; John Holt <johnh@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>
Subject: RE: [External] RE: Clovis Council Item to consider reimbursements

You don't often get email from reneem@clovisca.gov. [Learn why this is important](#)

Hi Matt,

We will convey your message below to Council. You are also encouraged to attend the meeting and speak during public comment.



Renee Mathis | Director
 City of Clovis | **Planning & Development Services**
 p. 559.324.2351 | f. 559.324.2844
reneem@cityofclovis.com

From: Matt Smith <MattS@woodsidehomes.com>
Sent: Friday, November 8, 2024 2:11 PM
To: Sean Smith <SeanS@clovisca.gov>; Andrew Phelps <Andrew.Phelps@woodsidehomes.com>
Cc: John Holt <johnh@clovisca.gov>; Renee Mathis <ReneeM@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>
Subject: [External] RE: Clovis Council Item to consider reimbursements

Sean,

Woodside would request that the City not allow any builder to jump to the front of any of the developer construction/reimbursement funds being administered by the City. Woodside is waiting our turn in line, and it would break with the city precedent, and fair-minded thinking, to allow another builder to step in front of us.

Please reach out directly to me with any questions.

Best- Matt

From: Sean Smith <SeanS@clovisca.gov>

Sent: Friday, November 8, 2024 1:26 PM

Cc: John Holt <johnh@clovisca.gov>; Renee Mathis <ReneeM@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>

Subject: Clovis Council Item to consider reimbursements

Request to Deviate from Current City Policy on the Order of Reimbursement for Roadway Construction

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Staff will be recommending approval of the request to City Council.

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Sean K. Smith PE QSD | Supervising Civil Engineer

City of Clovis | Engineering Division

Development Review

1033 Fifth Street, Clovis, CA 93612

p. 559.324.2363 | f. 559-324-2843 | m. 559-765-7505

seans@clovisca.gov

cc: project file

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AGENDA ITEM NO. 17.

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Sean Smith

From: Kevin Tweed <kevin@pavilionp.com>
Sent: Friday, November 8, 2024 2:44 PM
To: Sean Smith
Cc: John Holt; Renee Mathis; Thad Avery
Subject: [External] RE: Clovis Council Item to consider reimbursements

Categories: Important

Hello Sean,

Why would the staff recommend approval of this request which obviously favors one developer over everyone else and clearly deviates from City policy?

Kevin



Kevin Tweed
 12073 N. Warren Street, Hayden, ID 83835
 Cell: 208-889-9965
 kevin@pavilionp.com

From: Sean Smith <SeanS@clovisca.gov>
Sent: Friday, November 8, 2024 1:26 PM
Cc: John Holt <johnh@clovisca.gov>; Renee Mathis <ReneeM@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>
Subject: Clovis Council Item to consider reimbursements

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Request to Deviate from Current City Policy on the Order of Reimbursement for Roadway Construction

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You are being notified because your organization is currently in line for reimbursement from the City's streets account, and should this request be approved by our City Council the timing of your reimbursement could be delayed.

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Staff will be recommending approval of the request to City Council.

Organizations contacted by this email (in alphabetical order):

1. Clovis Village LLC
2. Lennar Fresno
3. Sunrise Pavilion
4. The Well Community Church
5. Wathen-Castanos
6. Wilson Homes
7. Woodside Homes

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If you have any further questions, please feel free to reach out to me directly.

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**Sean K. Smith PE QSD | Supervising Civil Engineer**

City of Clovis | Engineering Division

Development Review

1033 Fifth Street, Clovis, CA 93612

p. 559.324.2363 | f. 559-324-2843 | m. 559-765-7505

seans@clovisca.gov

cc: project file

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Sean Smith

From: Sean Smith
Sent: Tuesday, November 12, 2024 1:05 PM
To: 'Joshua Peterson'
Cc: John Holt; Renee Mathis; Thad Avery; Adrienne Burns
Subject: RE: [External] RE: Clovis Council Item to consider reimbursements

Categories: Important

Josh,

Thank you, and I have left a message for Adrienne in case she would like some more details before the full staff report is published online this Thursday.



Sean K. Smith PE QSD | Supervising Civil Engineer

City of Clovis | Engineering Division

Development Review

1033 Fifth Street, Clovis, CA 93612

p. 559.324.2363 | f. 559-324-2843 | m. 559-765-7505

seans@clovisca.gov

cc: project file

From: Joshua Peterson <josh@wcpdev.com>
Sent: Tuesday, November 12, 2024 9:03 AM
To: Sean Smith <SeanS@clovisca.gov>
Cc: John Holt <johnh@clovisca.gov>; Renee Mathis <ReneeM@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>; Adrienne Burns <adrienneb@wcpdev.com>
Subject: RE: [External] RE: Clovis Council Item to consider reimbursements

Sean,

Adrienne will be in attendance to express our opposition to this request. Additionally, staff and council should be aware of legal challenges that may arise from the approval of special favors for certain developers over others.

Thank you,



Joshua Peterson

Owner / President

WCP Developers, LLC

CA DRE Lic #01918001

Phone: 559.432.8181 ext. 139

2505 Alluvial Avenue, Clovis, 93611

From: Sean Smith <SeanS@clovisca.gov>
Sent: Monday, November 11, 2024 12:35 PM
To: Joshua Peterson <josh@wcpdev.com>
Cc: John Holt <johnh@clovisca.gov>; Renee Mathis <ReneeM@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>
Subject: RE: [External] RE: Clovis Council Item to consider reimbursements

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Josh,
 Noted, we will share this with Council. You are also encouraged to attend the meeting and speak during the public comment period of this item.



Sean K. Smith PE QSD | Supervising Civil Engineer

City of Clovis | Engineering Division
Development Review
 1033 Fifth Street, Clovis, CA 93612
 p. 559.324.2363 | f. 559-324-2843 | m. 559-765-7505
seans@clovisca.gov

cc: project file

From: Joshua Peterson <josh@wcpdev.com>
Sent: Monday, November 11, 2024 8:45 AM
To: Sean Smith <SeanS@clovisca.gov>
Cc: John Holt <johnh@clovisca.gov>; Renee Mathis <ReneeM@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>
Subject: [External] RE: Clovis Council Item to consider reimbursements

Thank you Sean. We are NOT in agreement with Wilson Homes. Every builder understands the reimbursement process and the timing of those payments.



Joshua Peterson

Owner / President
 WCP Developers, LLC
 CA DRE Lic #01918001
 Phone: 559.432.8181 ext. 139
 2505 Alluvial Avenue, Clovis, 93611

From: Sean Smith <SeanS@clovisca.gov>

Sent: Friday, November 8, 2024 1:26 PM

Cc: John Holt <johnh@clovisca.gov>; Renee Mathis <ReneeM@clovisca.gov>; Thad Avery <ThadA@clovisca.gov>

Subject: Clovis Council Item to consider reimbursements

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Staff will be recommending approval of the request to City Council.

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