



CITY of CLOVIS

AGENDA • CITY COUNCIL MEETING

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

January 4, 2021

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.

SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19

Given the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the City is implementing the following changes to participate in Council meetings until notified otherwise. The Council chambers will be open to the public but we will be implementing social distancing policies and will limit the number of people who may be in the Council chambers. Face masks are required to attend. We are encouraging residents to participate virtually following the directions below. If you are sick, please do not attend the meeting. Any member of the City Council may participate from a remote location by teleconference.

- The meeting will be webcast and accessed at: <https://cityofclovis.com/government/city-council/city-council-agendas/>

Written Comments

- Members of the public are encouraged to submit written comments at: <https://cityofclovis.com/government/city-council/city-council-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.

Verbal Comments

- If you wish to speak to the Council on an item by telephone, you should contact the City Clerk at (559) 324-2060 no later than 4:00 p.m. the day of the meeting.
- You will be asked to provide your name, phone number, and your email. You will be emailed instructions to log into Webex to participate in the meeting. Staff recommends participants log into the Webex at 5:30 p.m. the day of the meeting to perform an audio check.
- All callers will be placed on mute, and at the appropriate time for your comment your microphone will be unmuted.
- You will be able to speak to the Council for up to three (3) minutes.

Webex Participation

- Reasonable efforts will be made to allow written and verbal comment from a participant communicating with the host of the virtual meeting. To do so, a participant will need to chat with the host and request to make a written or verbal comment. The host will make reasonable efforts to make written and verbal comments available to the City Council. Due to the new untested format of these meetings, the City cannot guarantee that these written and verbal comments initiated via chat will occur. Participants desiring to make a verbal comment via chat will need to ensure that they accessed the meeting with audio transmission capabilities.

CALL TO ORDER

FLAG SALUTE - Councilmember Whalen

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 5 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.

ORDINANCES AND RESOLUTIONS - With respect to the approval of resolutions and ordinances, the reading of the title shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.

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 from the December 14, 2020 Council Meeting.
2. Administration - Adopt - Ord. 20-18, OA2020-002, A request to amend the Clovis Development Code as a semi-annual cleanup to address changes, deletions, typographical, grammatical, and content errors as a result of the 2014 Development Code Update. City of Clovis, applicant. (Vote 5-0)
3. Administration - Receive and File – Business Organization of Old Town (BOOT) First Quarter Report, July through September 2020.
4. Finance - Approval - Res. 21-____, A Resolution of Intention (ROI) to Annex Territory (Annexation #67) (T6284-Southeast Corner of Sunnyside and Teague), to the Community Facilities District (CFD) 2004-1 and to Authorize the Levy of Special Taxes Therein and Setting the Public Hearing for February 16, 2021.
5. Planning and Development Services – Approval – Res. 21-____, Final Map Tract 6164, located at the southwest area of Dakota Avenue and Leonard Avenue (DYP 6164 LP, A California Limited Partnership).
6. Planning and Development Services – Approval – Res. 21-____, Annexation of Proposed Tract 6164, located at the southwest area of Dakota Avenue and Leonard Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (DYP 6164 LP, A California Limited Partnership).
7. Planning and Development Services – Approval - Res. 21-____, A request to adopt a resolution initiating amendments to the City of Clovis General Plan and Development Code to remove inconsistencies and allow development consistent with the R-T (Research and Technology) Park Zone District within the area planned for the City's Research and Technology Park.

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.

8. Consider Approval - Res. 21-____, GPA2020-003, A request to amend the text of the General Plan to incorporate language to ensure consistency between the General Plan and the Fresno County Airport Land Use Compatibility Plan. City of Clovis, applicant.

Staff: Dave Merchen, City Planner

Recommendation: Approve

9. Consider Approval – Res. 21-____, Adoption of a Resolution amending the 2019-2020 Community Development Block Grant Annual Action Plan; and Consider Approval – Res. 21-____, Amending the FY 2020-2021 Housing and Community Development Budget to Increase the Funds by \$100,000.

Staff: Andrew Haussler, Community and Economic Development Director

Recommendation: Approve

WORKSHOP - For the Clovis City Council to conduct a workshop to discuss the impact on ongoing City operations during the COVID-19 State of Emergency as declared by the Federal Government, State of California, County of Fresno, and City of Clovis; and to explore actions the City may take in response to the crisis.

CITY MANAGER COMMENTS

COUNCIL COMMENTS

ADJOURNMENT

MEETINGS AND KEY ISSUES

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

Jan. 11, 2021 (Mon.)

Jan. 19, 2021 (Tue.)

February 1, 2021 (Mon.)

February 8, 2021 (Mon.)

February 16, 2021 (Tue.)

CLOVIS CITY COUNCIL MEETING

December 14, 2020

6:00 P.M.

Council Chamber

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

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

PRESENTATION – 6:05 P.M.

ITEM 1 - PRESENTATION RECOGNIZING AND THANKING DEPUTY CITY PLANNER ORLANDO RAMIREZ FOR 30 YEARS OF SERVICE TO THE CITY OF CLOVIS.

City Council and staff made a presentation recognizing and thanking Deputy City Planner Orlando Ramirez for 30 years of service to the City of Clovis.

PUBLIC COMMENTS - 6:37

Matthew Grundy, Chief Executive Officer of Habitat for Humanity, commented on him leaving Habitat for his new position as Deputy City Mayor of Fresno in January, and introduced his replacement Danny Armenta.

Lauren Butler, Patrick Kelly, and David Rowell spoke in opposition to comments Mayor Bessinger made at a President Trump rally held in Clovis on Saturday.

CONSENT CALENDAR – 6:59

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

2. Administration - Approved - Minutes from the December 7, 2020 Council Meeting.
3. Administration - Approved – Waive normal purchasing process and authorize City Manager to enter into the CALNET agreement with Verizon Wireless for Cellular Phone and Wireless Data services.
4. Administration - Approved – First Amendment to Land Tenure Agreement with Fresno Wildlife Rehabilitation Service.
5. Administration – Approved – Authorize the City Manager to Execute an Agreement to Reassign Construction Loan to Affordable Housing Loans at 1403 Fourth Street, 1421 Fourth Street, and 1481 Bullard Avenue with Habitat for Humanity of Fresno County
6. Planning and Development Services – Approved – Final Acceptance for CIP 20-01, Rubberized Cape Seal 2020.
7. Planning and Development Services - Approved – Final Acceptance for CIP 10-06, Sierra Gateway Regional Trail.

PUBLIC HEARINGS

7:00 – ITEM 8A - APPROVED – BID AWARD FOR CIP 15-03, LANDMARK SQUARE, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY; AND ITEM 8B - APPROVED – AWARD OF A CONSTRUCTION MANAGEMENT SERVICES CONTRACT FOR CIP 15-03, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY; AND ITEM 8C - RECEIVED AND FILED – UPDATE OF FRESNO COUNTY LIBRARY PROJECT; AND ITEM 8D - RECEIVED AND FILED – UPDATE ON PROJECT FUND RAISING EFFORTS.

Councilmember Flores indicated that he had a conflict of interest with this project and left the dais at 7:00 p.m.

Engineering Supervisor Thad Avery, City Planner Dave Merchen, and General Services Director Shonna Halterman made a presentation on various items associated with Clovis Landmark Square, located on the north side of Third Street at Veterans Memorial Parkway. Staff is recommending that City Council authorize the City Manager to award and execute the construction contract to AMG & Associates who was the lowest responsible bidder from a bid opening that took place on November 13, 2020. Staff is also recommending that City Council authorize the City Manager to award and execute a construction management services contract to Kitchell CEM, Inc., who was selected through a competitive Request for Proposals process. This project includes the construction of a senior activity center building, transit station building, and all utilities and surface improvements onsite and offsite related to the Landmark Square project located at 735 & 785 Third Street in Clovis. The site work completed with this project will accommodate the future development of a new Clovis Branch of the Fresno County Library. Justin Bochmon, representing CIFAC, raised concerns about the bid process and recommended the project be rebid. Anthony Traverso, representing AMG, commented on and spoke in support of awarding the project to AMG. Discussion by the Council.

Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to authorize the City Manager to award and execute the construction contract to AMG & Associates. Motion carried 4-0-0-1 with Councilmember Flores abstaining.

Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to authorize the City Manager to award and execute a construction management services contract to Kitchell CEM, Inc. Motion carried 4-0-0-1 with Councilmember Flores abstaining.

Councilmember Flores returned to the dais at 7:56 p.m.

ITEM 11 - 7:57 - APPROVED – SUPPLEMENT TO THE LAND TENURE AGREEMENT WITH THE CLOVIS BOTANICAL GARDEN COMMITTEE TO ALLOW SPECIAL EVENTS ON THE PREMISES LOCATED AT THE NORTHEAST CORNER OF ALLUVIAL AND CLOVIS AVENUES INCLUSIVE OF LIVE ENTERTAINMENT, ALCOHOL SALES, AND FOOD TRUCKS SUBJECT TO AN APPROVED ADMINISTRATIVE USE PERMIT.

Mayor Bessinger indicated that he would abstain from consideration on this item due to the location of property he owns and the park site and left the dais at 7:57.

Deputy City Planner Orlando Ramirez presented a report on a request to approve a supplement to the Land Tenure Agreement with the Clovis Botanical Garden (CBG) Committee to allow special events on the premises located at the northeast corner of Alluvial and Clovis Avenues inclusive of live entertainment, alcohol sales, and food trucks subject to an approved Administrative Use Permit. Staff is in receipt of a request from the CBG Committee for Council to approve a supplemental agreement in support of allowing special events within the CBG grounds for the 2021 season. The proposed use will fall within the current footprint of the approved lease area and there is no anticipated expansion. Should the Council approve CBG's supplemental agreement, the CBG Committee will begin the required Administrative Use Permit and associated permitting process.

The CBG Committee is requesting approval of a supplemental agreement to allow for additional outdoor events. The existing site is developed with an informational/gift shop, and an approximate 1,600 square foot pavilion with a walking garden area that CBG intends to utilize for additional fundraising opportunities. Part of the CBG request is the inclusion of food trucks which are subject to an Administrative Use Permit (AUP), live music, and the sale of beer during scheduled events. The CBG Committee is aware that alcohol sales are subject to Alcoholic Beverage Control and Clovis Police Department review and approval and that currently ABC has issued a moratorium on outdoor beer permits due to COVID. The following details were highlighted:

- Dates for the event: Thursday evenings- April 8 through May 27, 2021
- Time: 5:00 pm to 9:00 pm;
- Food Trucks: Six trucks maximum;
- Live Music: 6:00 pm to 8:30 pm;
- Security: Private Security and CBG staff and volunteers.

Pat Wynne, representing the CBG Committee, spoke in support of the request. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Mouanoutoua, for the Council to approve a request for a supplement to the Land Tenure Agreement with the Clovis Botanical Garden (CBG) Committee to allow special events on the premises located at the northeast corner of Alluvial and Clovis Avenues inclusive of live entertainment, alcohol sales, and food trucks subject to an approved Administrative Use Permit. Motion carried 4-0-0-1 with Mayor Bessinger abstaining.

Mayor Bessinger returned to the dais at 8:20 p.m.

ITEM 9 – 8:21 - APPROVED INTRODUCTION - ORD. 20-18, OA2020-002, AMENDING THE CLOVIS DEVELOPMENT CODE AS A SEMI-ANNUAL CLEANUP TO ADDRESS CHANGES, DELETIONS, TYPOGRAPHICAL, GRAMMATICAL, AND CONTENT ERRORS AS A RESULT OF THE 2014 DEVELOPMENT CODE UPDATE. CITY OF CLOVIS, APPLICANT.

City Planner Dave Merchen presented a report on a request to amend the Clovis Development Code as a semi-annual cleanup to address changes, deletions, typographical,

grammatical, and content errors as a result of the 2014 Development Code Update. The City of Clovis is processing an ordinance amendment to address modifications, inadvertent omissions, typographical, grammatical, and content errors to the Development Code discovered after its adoption in October 2014. The proposed modifications include the addition of a new chapter to address timely public comments for Planning Commission and City Council hearings. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve the introduction of Ordinance 20-18 amending the Clovis Development Code as a semi-annual cleanup to address changes, deletions, typographical, grammatical, and content errors as a result of the 2014 Development Code Update. Motion carried by unanimous vote.

ITEM 10 – 8:32 – APPROVED – RES. 20-XX, ADOPTION OF A RESOLUTION AMENDING THE 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN. (TO BE CONTINUED)

Mayor Bessinger indicated that this item was being continued to a date uncertain. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Flores, for the Council to continue this item to a date uncertain.

ADMINISTRATIVE ITEMS

ITEM 12 – 8:33 - APPROVED - RES 20-177, FINAL AMENDMENTS TO THE 2019-20 BUDGET IN CONFORMANCE WITH THE BUDGET ORDINANCE, AND RECEIVE AND FILE - YEAR-END REPORT FOR ALL FUNDS AS OF JUNE 30, 2020.

Assistant Finance Director Gina Daniels presented a report on the final amendments to the 2019-20 Budget in conformance with the Budget Ordinance, and a request to receive and file the year-end report for all funds as of June 30, 2020. Each fiscal year, after the year end closing entries are completed, an analysis is prepared comparing actual fund balances against those projected during the budget process and presented to Council for adoption during the June 2020 budget hearings. Gina Daniels provided a summary of the actual results compared to estimates for the 2019-20 fiscal year end. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Flores, for the Council to approve the final amendments to the 2019-20 Budget in conformance with the budget ordinance, and receive and file the year-end report for all funds as of June 30, 2020. Motion carried by unanimous vote.

ITEM 13 – 8:50 - APPROVED - 2019-20 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Assistant Finance Director Gina Daniels presented a report on the 2019-20 Comprehensive Annual Financial Report. Financial reports are a primary objective source of information to most persons concerned about a government's financial condition. Taxpayers are interested in the amount of revenues and expenditures. Investors and bond-rating agencies are interested in the ability of a jurisdiction to meet its debt obligations. For the City Council, the financial reports provide an opportunity to determine compliance with budgetary

appropriations as well as the status of the government's assets and liabilities and the financial condition of the City. The City of Clovis' financial report was audited and received an unqualified opinion from The Pun Group LLP, a firm of independent, licensed certified public accountants, which means the financial statements for the fiscal year ending June 30, 2020 are free of material misstatement and are fairly presented in conformity with Generally Accepted Accounting Principles. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Flores, for the Council to approve the 2019-20 Comprehensive Annual Financial Report. Motion carried by unanimous vote.

ITEM 14 – 8:57 - RECEIVED AND FILED – FINANCIAL STATUS REPORT FIRST QUARTER 2020-2021

Assistant Finance Director Gina Daniels presented a report on the financial status report for the first quarter 2020-2021. Gina Daniels provided an overview of the fiscal year's first quarter performance for revenues and expenditures. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. It was the consensus of City Council to receive and file the financial status report for the first quarter 2020-2021.

COUNCIL ITEMS

ITEM 15 – 9:17 - APPROVED - A REQUEST TO APPROVE AN AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL LEGAL SERVICES AS CITY ATTORNEY, AND APPOINTING SCOTT CROSS AS CITY ATTORNEY EFFECTIVE JANUARY 1, 2021.

City Manager Luke Serpa presented a report on a request to approve an amendment to the agreement for professional legal services as City Attorney, and appointing Scott Cross as City Attorney effective January 1, 2021. David Wolfe, Scott Cross and their firm, Lozano Smith, have provided legal services as City Attorney under contract with the City of Clovis since August 1992. Mr. Wolfe is requesting an amendment to the current agreement between the City of Clovis and Lozano Smith appointing Scott Cross as City Attorney effective January 1, 2021. The current three-year Agreement for Professional Services as City Attorney will expire on December 31, 2021. David Wolfe has provided notice that he will be retiring from his position as City Attorney effective December 31, 2020. Mr. Wolfe has further indicated that he will continue to work for Lozano Smith in a support role through June 2021. Scott Cross has acted as Assistant City Attorney since 2009. Scott Cross has exhibited a high degree of skill and legal expertise and is well qualified to be the City Attorney. Staff is recommending the City Council appoint Scott Cross as City Attorney effective January 1, 2021. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to approve an amendment to the agreement for professional legal services as City Attorney, and appointing Scott Cross as City Attorney effective January 1, 2021. Motion carried by unanimous vote.

ITEM 16 – 9:32 - APPROVED – FOURTH AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

General Services Director Shonna Halterman presented a report on the fourth amendment to City Manager Employment Agreement. The City Council appointed Luke Serpa as the City Manager effective July 1, 2017, and approved an employment agreement which sets forth the terms and conditions of that appointment along with a three-year contract. The Council originally set the City Manager’s annual salary at Step 1 of the City Manager’s salary schedule that was in effect on July 1, 2017. In January 2019, the City Council approved a first amendment placing the City Manager at Step 2 of the salary schedule effective as of January 1, 2019. In December 2019, the City Council approved a second amendment placing the City Manager at Step 3 of the salary schedule effective as of January 1, 2020. In June 2020, the City Council approved a third amendment providing for a two-year extension of the City Manager agreement; effective July 1, 2020 through June 30, 2022. The City Council desires to place the City Manager at Step 4 of the salary schedule effective as of January 1, 2021. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve a fourth amendment to City Manager Employment Agreement. Motion carried by unanimous vote.

ITEM 17 – 9:33 - CONSIDERED – POSSIBLE APPOINTMENTS TO THE NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

Public Utilities Director Scott Redelfs presented a report on possible appointments to the North Kings Groundwater Sustainability Agency. Scott Redelfs provided an overview of the process and current appointments to the agency. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. No specific direction was provided for Councilmember Flores for the North Kings Groundwater Sustainability Agency meeting scheduled for December 17, 2020.

WORKSHOP

ITEM 18 – 9:45 - APPROVED – RES. 20-178, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS CONFIRMING AN ADDENDUM TO THE DIRECTOR OF EMERGENCY SERVICES' ORDER.

City Manager Luke Serpa presented a report on a request to approve a resolution confirming an addendum to the Director of Emergency Services' Order. Staff is bringing forth for Council to adopt by resolution Emergency Order 2020–4B, an addendum Emergency Order 2020-4, related to employee leave/pay during the emergency. The addendum provides paid administrative leave for employees who have exhausted their COVID-19 leave time and are required to quarantine due to a work-related COVID-19 exposure. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve by resolution Emergency Order 2020–4B, an addendum Emergency Order 2020-4, related to employee leave/pay during the emergency. Motion carried by unanimous vote.

City Manager Luke Serpa also presented an overview of the current COVID-19 data from the County of Fresno.

COUNCIL COMMENTS - 9:56

Councilmember Whalen share a photograph of the downtown trolley in service in Old Town Clovis.

Councilmember Ashbeck reported out of a recent Fresno County Transportation Authority meeting; commented on the smart city initiative; and requested feedback on a possible thank you letter to Senator Andreas Borgeas for recently proposed legislation.

Councilmember Mouanoutoua commented on the recent Habitat for Humanity ground breaking at the Flores homestead at Sunnyside and Fourth Street; thanked staff the COVID-19 testing offered by the city weekly; and proposed City Council consider donating a portion of their salary for a worthy cause such as the Salvation Army.

Mayor Bessinger commented on his involvement on providing support to a person who required transportation to a rehabilitation facility in Florida.

Mayor Bessinger adjourned the meeting of the Council to January 4, 2021.

Meeting adjourned: 10:09 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: January 4, 2021

SUBJECT: Administration - Adopt - Ord. 20-18, OA2020-002, A request to amend the Clovis Development Code as a semi-annual cleanup to address changes, deletions, typographical, grammatical, and content errors as a result of the 2014 Development Code Update. City of Clovis, applicant. (Vote 5-0)

ATTACHMENTS: None

This item was approved for introduction on December 14, 2020 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: January 4, 2021

SUBJECT: Administration - Receive and File – Business Organization of Old Town (BOOT) First Quarter Report, July through September 2020.

ATTACHMENTS: 1. Business Organization of Old Town (B.O.O.T.) First Quarter Report, July through September 2020

CONFLICT OF INTEREST

None

RECOMMENDATION

That the City Council receive and file the B.O.O.T. First Quarter Report, July through September 2020.

EXECUTIVE SUMMARY

According to the 2020–2021 agreement between the City of Clovis and the Business Organization of Old Town, B.O.O.T. is to submit quarterly reports to the City Manager and City Council. The amount to be funded is \$15,000.

BACKGROUND

According to the 2020-2021 agreement between the City of Clovis and the Business Organization of Old Town, B.O.O.T. is to submit quarterly reports to the City Manager and City Council detailing progress of B.O.O.T.'s promotional and marketing activity. Attached, as Attachment "1", is the First Quarter Report covering July through September 2020 activities. The amount to be funded is \$15,000.

FISCAL IMPACT

The amount to be funded is \$15,000, which is called out in the 2020-2021 Budget.

REASON FOR RECOMMENDATION

The attached report meets the requirement established in the 2020-2021 agreement between the City of Clovis and the Business Organization of Old Town.

ACTIONS FOLLOWING APPROVAL

Staff will process payment to B.O.O.T.

Prepared by: Shawn Miller, Business Development Manager

Reviewed by: City Manager *SM*

Boot Quarterly Report: Quarter 1 (July 1st - September 30th)

In accordance with the Agreement between City of Clovis/community & Economic Development Department and the Business Organization of Old Town Clovis for the fiscal year 2020-2021, the following items have been accomplished to date.

Goal #1:

Maintain a viable organization with membership reflective of the diversity of Old Town Clovis.

Objective:

- To maintain current level of membership and seek new members each year.
- To unite the merchants of Old Town as a group of businesses working together for the betterment of the whole downtown district.

Strategy:

- Provide information on the website about B.O.O.T., B.O.O.T. membership, benefits of membership and application forms year-round.
- Personal visits to businesses in the PBIA to recruit and retain memberships.
- Contact with businesses outside the PBIA to recruit and retain Associate Memberships, AKA "Friends of B.O.O.T."
- Allow members to pay dues monthly, quarterly or semi-annually based on their finances.
- Create a benefits package to attract both regular and associate members.
- Design benefits that will be exclusive to B.O.O.T. membership.
- Attract Members to a co-op advertising program that runs in the 4th quarter of the calendar
- Provide information to merchants of Old Town regarding activities conducted in and around Old Town through the B.O.O.T. newsletter. The newsletter is mailed to those who sign up for the electronic newsletter on B.O.O.T.'s website. It is mailed to all known businesses within the PBIA twice a year.
- Communicate information to merchants on activities at the monthly B.O.O.T. membership meetings and through E-Blasts. Post events for all organizations in Clovis on B.O.O.T. Website and insure that if someone searches for an event, B.O.O.T.'s website is in the top results.
- Plan and post meeting notices for monthly B.O.O.T. membership meetings.
- Advertise frequently to promote Old Town Clovis on behalf of all merchants.
- Enhance existing programs to draw more people to Old Town.

Results:

- A membership and organization characteristic of Old Town Clovis.
- Members are sought throughout the year and new businesses are invited to join.

- The 2020 campaign started in November 2019. Members meet at a local restaurant on the 4th Wednesday of each month, & during COVID-19 we offered Zoom as an alternative to attending in person.
- Board of Directors meet monthly at Noon, on the 4th Wednesday of each month to discuss issues pertinent to the organization, i.e. past and future events, review finances and other pertinent information to the organization.
- Board members represent our diverse merchant groups: office professional, property owners, restaurants, bars, antique, gift, and specialty stores. The 2019 Board of Directors is as follows:

- *Cora Shipley, President (through 2020)
- * Tom Frost, Vice President (through 2021)
- * Karen Chisum, Secretary (through 2020)
- * Sheryl Michael, Treasurer (through 2020)
- * Julie Glenn, Director at Large (through 2021)
- * Jeanna Parenti, Director at Large (through 2021)
- * Ronnie Silva, Director a Large (through 2020)

* The Marketing/Events Committee continue to improve existing events, create new events and activities specifically designed to bring customers directly into the businesses.

Goal #2

Maintain Old Town Clovis' promotional activities

Objective:

- Successfully manage, promote, and operate events in Old Town Clovis, as well as create new events on an ongoing basis that attract visitors to Old Town Clovis. Due to Covid-19, we were able to have a scaled down version of our Friday Night Farmer's Market, and continued to hold our weekly Saturday Morning Farmer's Market, in addition we are planning towards holding our Fall Antiques Market, and extending our Friday Night Farmer's Market through October 30th, 2020.
- To provide a quality event giving people a reason to visit the downtown district.
- To develop marketing strategies to keep Old Town competitive with malls and other shopping areas.
- To attract customers and visitors, both old and new, to the downtown district.
- To present Old Town Clovis as an attractive, appealing, friendly and inviting business community.

Strategy:

- Develop, operate, promote, maintain and pay for events that bring people to Old Town Clovis
- Establish and maintain events that highlight Old Town Clovis locally, nationally and internationally.
- Meet all requirements set by City, State and other agencies for activities, events and attractions.

- Develop new events and activities during Covid-19 to help bring visitors to Old Town Clovis while maintaining a safe and inviting atmosphere. We are working on One Enchanted Evening and additional Friday night activities through Christmas.
- Create and pay for multi-media advertising campaigns for general advertising such as generic “Shop Local in Old Town Clovis.”
- Continue to evolve events so they continue to attract new people.
- Staff changes have taken place this quarter. In August, we laid off our Director and Office Manger due to Covid-19 restrictions and lack of events. Our remaining employee is our Event/Membership Coordinator, Wendy Ulrich, who is also the Market Manager.

Results

- This quarters events included the Year-Round Saturday Morning Farmers Market, and the Friday Night Farmers Market. We are unable to move forward with the Fall Wine Walk due to Covid-19 restrictions.

Goal #3

Maintain marketing strategies, including safety and appearance and advertising techniques to position the Image of Clovis through Old Town Clovis’ unique character.

Objective:

- Create a broad awareness of Old Town Clovis.
- Establish Old Town Clovis as an immediate, intermediate and end destination.
- Retain the established customer base.
- Reach out to Central California so that more people become aware of what Clovis offers.
- Work with City Officials to maintain a safe, crime free area where people feel safe and like bringing their families to Old Town.

Strategy:

- Secure multi-media advertising campaigns to promote Old Town Clovis along with event generated promotions - This has been limited due to Covid-19.
- Submit calendar of events to community and online calendars - Limited due to Covid-19.
- Use Instagram, Pinterest, Facebook to promote Old Town Clovis in general, as well as merchant businesses and specific events.
- Contribute to the cost of the Clovis Appliance/General Electric ABC/30 Skycam at 5th and Pollasky when B.O.O.T. has sufficient funds (co-op advertising).
- Advertise antique events in focused publications that are regional and national in scope for our four annual antique events.
- Ongoing outreach to businesses to locate to Old Town Clovis.

- Work with City of Clovis Police Department to create a safe atmosphere in Old Town.
- Work with City of Clovis department heads to create a clean, well maintained streetscape in Old Town.

Results:

- We continued to work on traditional TV opportunities with “stories” that were carried by local TV and Radio and Print.
- Facilitated wide exposure for Old Town Clovis, it’s events, character and appeal
- Assured Old Town had a strong presence in local TV, especially during the news hours.
- The Clovis Appliance/General Electric Skycam with ABC/30 Action News reaches approximately 684,700 people every week and approximately 400,000 monthly unique visitors online at abc30.com. Old Town Clovis is mentioned a minimum of 3 to 4 times per day on the news program during weather reports and if we have anything special going on in Old Town, i.e. Farmers Market, the camera will show the activity. B.O.O.T. contributes co-op advertising dollars when available.
- Stimulated customer and visitor traffic in Old Town, as evidence by increase number of customers in town for all of our events.
- Promoted individual B.O.O.T. Member businesses, created event pages on Facebook for upcoming events in Old Town, thereby giving excellent exposure.
- Communicate information to sources essential for tourism opportunities, capturing disposable money from customers who have an option to spend it elsewhere.

Goal #4:

Provide information on activities to the Tourism Advisory Committee

Strategy:

- Participate as an active member of the Tourism Advisory Committee - limited activity due to Covid-19.
- Supply the Clovis Visitors Center with Information regarding events, activities and leads for tour groups.
- Publish names and dates of the tour groups through B.O.O.T. newsletter and email so businesses are prepared to sow Old Town Clovis’ hospitality.
- Provide event information for visitclovis.com
- Actively promote Old Town Clovis and Member Businesses on Facebook, Instagram, Pinterest and B.O.O.T.’s website.

Results:

- Ensured Old Town Clovis is recognized as a tourism destination.
- Businesses in Old Town showcased Old Town as a friendly and inviting throughout the spring and summer months.

- B.O.O.T. works directly with the Visitors Center to be sure they have current event information, including Event Cards with all street events listed.

Goal #5:

Obtain and maintain Workers Compensation, State Disability and Directors and Officers Policy as well as any other insurance coverage as required by law.

Objective:

- Qualify for Workers Compensation, State Disability coverage, General Liability and any and all required Insurances.

Strategy:

- To meet all requirements of renewal; indemnify, hold harmless and defend the City of Clovis, Community and Economic Development Department, its officers, agents or employees.
- Submit for renewal Directors and Officers Insurance Policy through Philadelphia Insurance.
- Complete and submit for renewal the State Fund Compensation Insurance Fund policy information update to Valley Regional Insurance Services, Agent Ron Petersen.
- Submit for approval General Liability Insurance through Charity First an “A” rated insurance company through Agent Ron Petersen, Valley Regional.

Results:

- Obtained General Liability Policy coverage period April 21, 2020 to April 21, 2021.
- State Fund Compensation Policy renewed for period April 1, 2020 to March 31, 2021.
- Directors and Officers Policy will renew for period August 4, 2020 to August 4, 2021.
- Certificates of Insurance with Endorsements provided to the City of Clovis.

Goal #6:

Annual Compliance Audit

Objective

- To successfully complete a compliance audit conducted by an independent auditor - This audit is under review, as we are working with a new local CPA who will be providing documents and audits for your review. Our new CPA is Krikorian & Company, 1715 N. Fine Avenue, Fresno, CA 93727.

Strategy:

- Efficiently maintain and preserve all records needed to demonstrate full compliance.

Results:

Financial Status:

- See Balance Sheet Attached

Summary:

Old Town Clovis plays a significant role in creating a favorable image for the City of Clovis. Growth within Old Town Clovis is one of the more important priorities to ensure the future and well-being of Clovis' Redevelopment Project Area. In order to continue the economic vitality of the central trading district, considerable time and effort has been invested in an effort to encourage new businesses to locate and expand in Old Town Clovis. Old Town Clovis has seen many new businesses come into the area in the past few years and many more that are looking for space.

Updates to the PBIA:

- The Business Organization of Old Town represents many business and property owners and operators, within the central business district, who will be affected directly or indirectly by future business promotion efforts and seeks to strengthen the promotion of Old Town Clovis thereby assuring its continued influence on economic growth in both Old Town Clovis and the City as a whole.
- Garbage and recycling needs have to be addressed as more people in Old Town equals more garbage and recycling. Inadequate garbage/recycling cans are having an impact on Old Town.
- There are always changes taking place in Old Town Clovis. The following details most of these changes:
 - **New Businesses within Old Town Clovis:**
 - No new businesses have opened during this time.
 - **Business Closures within the PBIA**
 - Due to state mandates during Covid-19, we do not have an accurate account at this time of businesses still in operation. Many are closed temporarily or have limited hours and/or capacity.
- **Properties that remain vacant:**
 - 311 Pollasky Avenue – La Posada remains vacant.
 - 339 Pollasky Avenue, the former Quilters Paradise is sitting still – no activity.

4:44 PM
12/21/20
Cash Basis

Business Organization of Old Town
Profit & Loss
August through September 2020

	Aug - Sep 20
Ordinary Income/Expense	
Income	
Event Income	2,536.01
Farmer's Market	8,508.76
FM Annual Membership	75.00
Interest Income	0.23
Membership	150.00
Merchandise Sales	23.97
Sponsorships	9,771.00
Total Income	21,064.97
Gross Profit	21,064.97
Expense	
A&H Advertising	343.94
Bank Fees	0.00
Donations	3,600.00
Equipment Rentals	1,148.05
Fee Refunds	777.00
Insurance	2,185.80
Interest Expense	599.62
Office Supplies	77.15
Payroll Expenses	8,448.12
Rent	1,020.00
Supplies	500.00
Telephone	177.55
Utilities	315.40
Total Expense	19,192.63
Net Ordinary Income	1,872.34
Other Income/Expense	
Other Income	
Other Income	4,455.93
Total Other Income	4,455.93
Net Other Income	4,455.93
Net Income	6,328.27



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: January 4, 2021

SUBJECT: Finance - Approval - Res. 21-____, A Resolution of Intention (ROI) to Annex Territory (Annexation #67) (T6284-Southeast Corner of Sunnyside and Teague), to the Community Facilities District (CFD) 2004-1 and to Authorize the Levy of Special Taxes Therein and Setting the Public Hearing for February 16, 2021.

ATTACHMENTS: 1. Res. 21-____, Intention to Annex Territory to CFD

CONFLICT OF INTEREST

None.

RECOMMENDATION

That the Council approve Res. 21-____, A Resolution of Intention to Annex Territory (Annexation #67) to Community Facilities District (CFD) 2004-1 and to Authorize the Levy of Special Taxes therein and setting the Public Hearing for February 16, 2021.

EXECUTIVE SUMMARY

Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004, must petition to be annexed to the existing CFD. This action is required to begin the process of annexation provided by the conditions of approval of the development entitlements.

BACKGROUND

Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004, must petition to be annexed to the existing CFD. Recently, a developer has submitted a petition to annex territory to the Community Facilities District 2004-1 and to include his subdivision within the District as provided by the conditions of approval of the development entitlements. To initiate the process for annexation of territory to a CFD, the Council must approve a Resolution of Intention (ROI) to annex territory to the CFD. The ROI included with this report includes various actions necessary for the annexation to the CFD. The Rate and Method of

Apportionment (RMA) referred to in the ROI is as adopted by the Council with the Resolution of Formation adopted March 8, 2004.

The area to be annexed, T6284-Southeast Corner of Sunnyside and Teague, is shown in the attached map.

FISCAL IMPACT

No fiscal impact by this action.

REASON FOR RECOMMENDATION

All requirements to begin the process for annexation of territory to the CFD have been completed, and the Council may take action on the ROI.

ACTIONS FOLLOWING APPROVAL

The Staff will take appropriate steps to schedule the Public Hearing on the Annexation of Territory to the CFD for February 16, 2021 and will provide the notices in accordance with the law.

Prepared by: Steve Nourian, Senior Accounting Systems Technician

Reviewed by: City Manager *JH*

RESOLUTION 21-____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING THE INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES
DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

**CITY OF CLOVIS
Community Facilities District No. 2004-1
(Police and Fire Services)
Annexation No. 67**

WHEREAS, this Council has conducted proceedings to establish Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code; and

WHEREAS, under the Act, this Council, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD, and now desires to undertake proceedings to annex territory to the CFD.

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

1. **Findings.** This Council hereby finds and determines that public convenience and necessity require that territory be added to the CFD.
2. **Territory Described.** The name of the existing CFD is "Community Facilities District No. 2004-1 (Police and Fire Services)". The territory included in the existing CFD is as shown on the map thereof filed in Book 40 of Maps of Assessment and Community Facilities Districts at Page 57, in the office of the County Recorder, County of Fresno, State of California, to which map reference is hereby made. The territory now proposed to be annexed to the CFD is as shown on the Annexation Map No. 67 to the CFD, on file with the Clerk, the boundaries of which territory are hereby preliminarily approved and to which map reference is hereby made for further particulars (Attachment A). The City Clerk is hereby directed to cause to be recorded said Annexation Map No. 67 to the CFD, showing the territory to be annexed, in the office of the County Recorder of the County of Fresno within fifteen days of the date of adoption of this resolution.
3. **The Services.** The types of public services financed by the CFD and pursuant to the Act consist of those of the police and fire services (the "Services") as described in Exhibit A to Resolution No. 04-33, adopted by the Council on March 8, 2004 (the "Resolution of Formation"). It is presently intended that the Facilities (and the Services) will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.

4. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached to the Resolution of Formation, by which this reference is incorporated herein.

5. Hearing. Tuesday, February 16, 2021 at 6:00 p.m. or as soon as possible thereafter, in the City Hall, Council Chambers, 1033 Fifth Street, Clovis, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the annexation of territory to the CFD and consider and finally determine whether the public interest, convenience and necessity require said annexation of territory to the CFD and the levy of such special tax therein.

6. Notice. The City Clerk is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD. The publication of said notice shall be completed at least seven (7) days before the date herein set for said hearing. The City Clerk shall also cause a copy of such notice and a copy of the Resolution of Formation to be mailed to each landowner (and to each registered voter, if any) within the territory proposed to be annexed, which notice and resolution shall be mailed at least fifteen (15) days before the date of said hearing. Such notice shall be substantially in the form specified in Section 53339.4 of the Act, with a summary form specifically authorized.

7. Annexation Contingency. Section 53316 of the Act shall apply to the proceedings of the Council for the CFD to the extent that the proceedings, if appropriate, include territory which on the date of adoption of this Resolution of Intention are not annexed to the City and which territory is proposed to be annexed to the City. This Council determines that the City has filed appropriate documents, including a "resolution of application", with the Fresno County Local Agency Formation Commission ("LAFCO") for the annexation of territory as therein described, which territory includes all or a portion of the lands proposed for inclusion in the boundaries of the CFD as herein described. A certificate of filing of such application has been issued by the official who is the executive officer of LAFCO, a copy of which certificate of filing is on file with the City Clerk. It is hereby specifically provided that these proceedings for the CFD, to the extent applicable to such territory subject to such LAFCO annexation to the City, shall be contingent upon and shall be completed only if the annexation of such territory to the City by LAFCO is completed. It is further provided that this Council shall not authorize the levy of the Special Tax nor cause any amended notice of special tax lien to be recorded for the territory to be annexed to the CFD unless and until such annexation proceedings through LAFCO are completed to the satisfaction of this Council.

8. Effective Date. This resolution shall take effect upon its adoption.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on January 4, 2021 by the following vote, to wit.

AYES:

NOES:

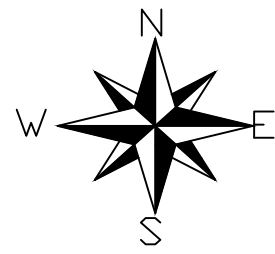
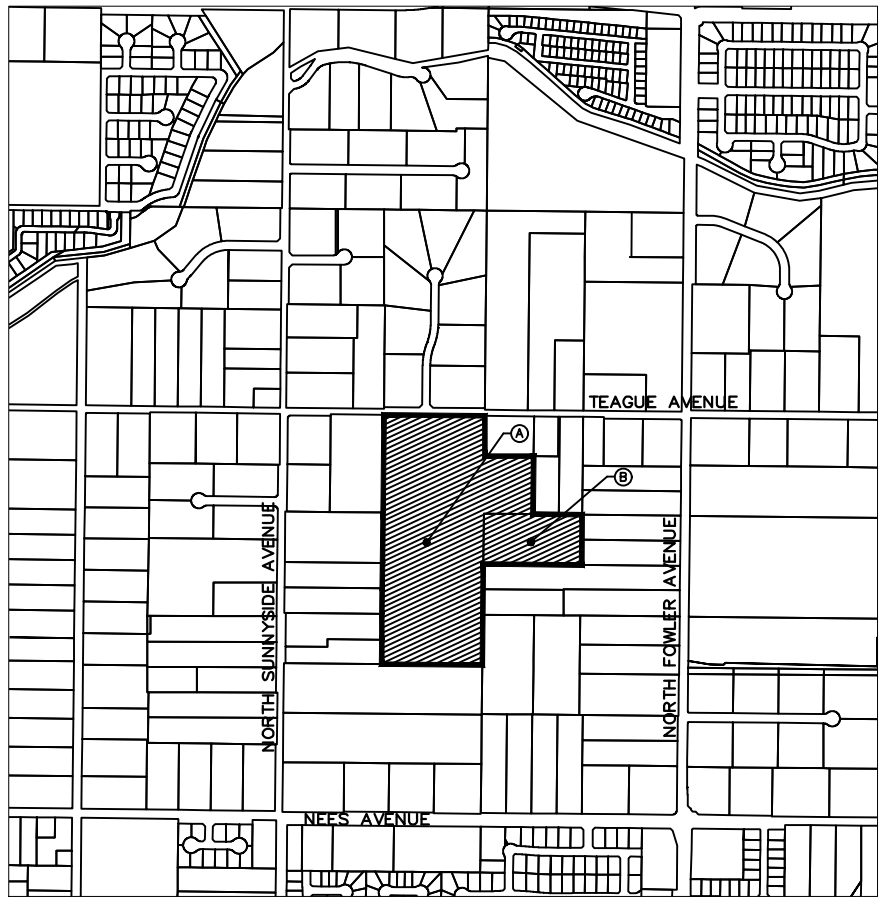
ABSENT:

ABSTAIN:

DATED: January 4, 2021

Mayor

City Clerk



- LEGEND**
- PARCEL
 - ANNEXATION BOUNDARY
 - (A) LOT LINE ADJUSTMENT: PME 2020-009 ADJUSTED PARCEL A CLOVIS, CA 93619 CURRENT APN's: [559-021-03S], [PORTION OF 559-021-04], [PORTION OF 559-021-69]
 - (B) APN 559-021-37

FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____ FEBRUARY, 2021. I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 67 TO COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES), CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLOVIS AT A REGULAR MEETING THEREOF, HELD ON THE 16TH DAY OF _____ FEBRUARY, 2021, BY ITS RESOLUTION NO. 20-_____

 JOHN HOLT
 CITY CLERK
 CITY OF CLOVIS

FILED THIS _____ DAY OF _____, 2021, AT THE HOUR OF _____ O'CLOCK _____ M. IN THE BOOK _____ PAGE _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

 PAUL A. DICTOS, C.P.A. BY: DEPUTY COUNTY RECORDER
 COUNTY ASSESSOR-RECORDER
 COUNTY OF FRESNO
 STATE OF CALIFORNIA

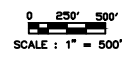
REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO 2004-1 (POLICE AND FIRE SERVICES) OF THE CITY OF CLOVIS RECORDED WITH THE FRESNO COUNTY RECORDER'S OFFICE ON FEBRUARY 19, 2004, IN BOOK 40 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 57.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSORS MAPS FOR THOSE PARCELS LISTED.

THE FRESNO COUNTY ASSESSORS MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OF PARCELS.

ANNEXATION MAP NO. 67

COMMUNITY FACILITIES DISTRICT NO. 2004-1
 (POLICE AND FIRE SERVICES)



CITY OF CLOVIS
 COUNTY OF FRESNO
 STATE OF CALIFORNIA



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: January 4, 2021

SUBJECT: Planning and Development Services – Approval – Res. 21-____, Final Map Tract 6164, located at the southwest area of Dakota Avenue and Leonard Avenue (DYP 6164 LP, A California Limited Partnership).

ATTACHMENTS: 1. Res. 21-____
2. Vicinity Map
3. Copy of Final Map

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve a Res. 21-____, which will:

1. Accept the offer of dedication of parcels and public utility easement within Tract 6164, and;
2. Authorize recording of the final map.

EXECUTIVE SUMMARY

The owner, DYP 6164 LP, 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, street lights, fire hydrants, street paving, sanitary sewer, water main and landscaping. The subject tract is located at the southwest area of Dakota Avenue and Leonard Avenue. It contains approximately 14.57 acres and consists of 45 units, zoned R-1.

FISCAL IMPACT

The subdivider will be installing curb, gutter, sidewalk, street paving, sanitary sewers, water mains, and trail improvements which will be perpetually maintained by the City of Clovis.

REASON FOR RECOMMENDATION

The subdivision agreement has been executed by the subdivider and all development fees paid or deferred in accordance with Municipal Code. The agreement provides for the developer to complete a technically correct map and improvement plans and to complete all 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.

Prepared by: David Gonzalez, Civil Engineer

Reviewed by: City Manager *DH*

RESOLUTION 21-____**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING FINAL SUBDIVISION MAP FOR TRACT NO. 6164**

WHEREAS, a final map has been presented to the City Council of the City of Clovis for Tract 6164, 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 6164, consisting of four (4) sheets, a copy of which is on file with the City Clerk, be and the same is hereby approved.
2. Approval of the Subdivision improvement plans for said tract are being completed by City Staff.
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 \$3,025,183.53.
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 \$3,025,000.00 for guaranteeing specific performance of said agreement and fifty percent (50%) of the remaining improvements or the sum of \$1,513,000.00 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 \$302,500.00 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

ATTACHMENT 1

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 January 4, 2021, by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

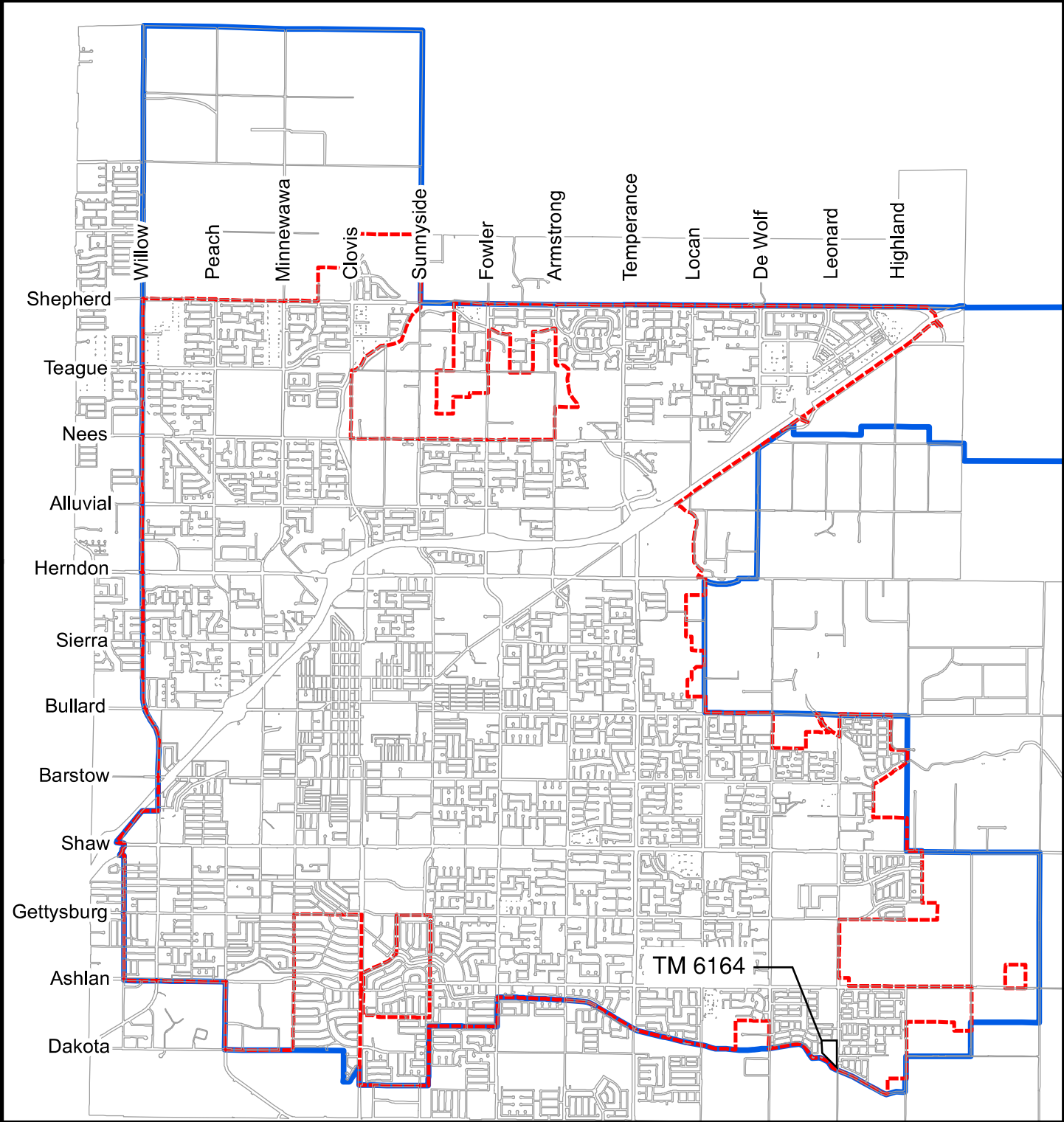
DATED: January 4, 2021

Mayor

City Clerk

VICINITY MAP

TM 6164



ATTACHMENT 2



OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE LEGAL OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY SHOWN ON THIS SUBDIVISION MAP, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY FOR THE MAKING AND FILING OF SAID SUBDIVISION MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER LINES HEREON, AND WE HEREBY OFFER FOR DEDICATION FOR PUBLIC USE ALL THE STREETS, PARCELS AND EASEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES SPECIFIED THEREIN.

DYP 6164 LP, A CALIFORNIA LIMITED PARTNERSHIP
BY: TEAM 3 PROPERTIES, INC. A CALIFORNIA CORPORATION
ITS GENERAL PARTNER

BY: JON RYAN DE YOUNG, PRESIDENT

BENEFICIARY

TRINALLEY DEVELOPMENT GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AS BENEFICIARY UNDER DEED OF TRUST RECORDED JUNE 30, 2016 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL NUMBER 2016-0084685.

BY: MANNY PENN, MANAGING PARTNER

FRESNO IRRIGATION DISTRICT, AN EASEMENT & FEE TITLE HOLDER

THE FRESNO IRRIGATION DISTRICT, A CALIFORNIA IRRIGATION DISTRICT

BY: RYAN JACOBSON, PRESIDENT; BILL STRETHCH, SECRETARY

NOTARY ACKNOWLEDGMENT

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
ON BEFORE ME, NOTARY PUBLIC,

PERSONALLY APPEARED WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/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
SIGNATURE
PRINT NAME
MY COMMISSION EXPIRES
MY COMMISSION NO

PRINCIPAL PLACE OF BUSINESS COUNTY

NOTARY ACKNOWLEDGMENT

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
ON BEFORE ME, NOTARY PUBLIC,

PERSONALLY APPEARED WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/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.

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WITNESS MY HAND
SIGNATURE
PRINT NAME
MY COMMISSION EXPIRES
MY COMMISSION NO

PRINCIPAL PLACE OF BUSINESS COUNTY

FINAL MAP OF TRACT NO. 6164

BEING A DIVISION OF A PORTION OF THE WEST HALF OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF; SURVEYED AND PLATED IN AUGUST 2016 BY QK

CONSISTING OF 4 SHEETS
SHEET 1 OF 4



601 POLLASKY AVE, SUITE 301 TEL: (559) 449-2400
CLOVIS, CA 93612 WWW.QKINC.COM

LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF FRESNO, CITY OF CLOVIS, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE: OUTLOT 1 OF TRACT No 6101, ACCORDING TO THE MAP THEREOF FILED FOR RECORD ON OCTOBER 25, 2017 IN BOOK 87 OF PLATS, AT PAGES 37 THROUGH 41, FRESNO COUNTY RECORDS

EXCEPT THEREFROM AN UNDIVIDED 1/2 INTEREST IN ALL OIL, GAS AND MINERALS, TOGETHER WITH THE RIGHT AT ALL TIMES TO ENTER UPON THE ABOVE DESCRIBED LANDS AND TAKE ALL THE USUAL, NECESSARY OR CONVENIENT MEAN TO BORE WELLS, MAKE EXCAVATIONS AND TO REMOVE ALL THE OIL, GAS AND MINERALS FOUND THEREON, AS EXPRESSLY RESERVED BY CALIFORNIA LANDS INC., A CORPORATION BY DEED RECORDED MARCH 3, 1934 IN BOOK 1135 OF OFFICIAL RECORDS OF FRESNO COUNTY, AT PAGE 235.

PARCEL TWO: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF; RUNNING THENCE WEST A DISTANCE OF 1,322.8 FEET; THENCE SOUTH A DISTANCE OF 984.7 FEET; THENCE SOUTH 61° 15' EAST 54.4 FEET; THENCE SOUTH 33° 20' EAST 535 FEET; THENCE NORTH 84° 55' EAST 330 FEET; THENCE SOUTH 64° 25' EAST 190 FEET; THENCE NORTH 40° 30' EAST 249 FEET; THENCE DUE EAST A DISTANCE OF 320.5 FEET; THENCE DUE NORTH A DISTANCE OF 1,321.9 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, WHICH BEARS SOUTH 89° 54' 45" EAST 661.00 FEET FROM THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 0° 00' 40" EAST, 657.59 FEET, PARALLEL TO AND 661.00 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 89° 54' 45" EAST 663.06 FEET, PARALLEL TO AND 657.59 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, THENCE NORTH 0° 01' 20" WEST, 657.59 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 89° 54' 45" WEST, 661.78 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TO THE POINT OF COMMENCEMENT.

ALSO EXCEPTING THEREFROM THE WESTERLY 661 FEET THEREOF.

AND ALSO EXCEPTING THE NORTHERLY 165.00 FEET OF THE EAST 364.00 FEET THEREOF.

PARCEL THREE: THE NORTHERLY 165.00 FEET OF THE EASTERLY 364.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST ONE-FOURTH OF THE NORTHWEST ONE-FOURTH OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF; RUNNING THENCE WEST A DISTANCE OF 1,322.8 FEET; THENCE SOUTH A DISTANCE OF 987.7 FEET; THENCE SOUTH 61° 15' EAST 54.4 FEET; THENCE SOUTH 33° 20' EAST 535 FEET; THENCE NORTH 84° 55' EAST 330 FEET; THENCE SOUTH 64° 25' EAST 190 FEET; THENCE NORTH 40° 30' EAST 249 FEET; THENCE DUE EAST A DISTANCE OF 320.5 FEET; THENCE DUE NORTH A DISTANCE OF 1,321.9 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, WHICH BEARS SOUTH 89 DEG. 54' 45" EAST 661.00 FEET FROM THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 0 DEG. 00' 40" EAST, 657.59 FEET, PARALLEL TO AND 661.00 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 89 DEG. 54' 45" EAST 663.06 FEET, PARALLEL TO AND 657.59 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TO A PORTION ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, THENCE NORTH 0 DEG. 01' 20" WEST, 657.59 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 89 DEG. 54' 45" WEST 661.78 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TO THE POINT OF COMMENCEMENT; ALSO EXCEPTING THEREFROM THE WESTERLY 661 FEET THEREOF.

ALSO EXCEPTING THEREFROM ANY PORTION THEREOF LYING SOUTHERLY OF THE GOULD CANAL.

SEE SHEET 4 FOR ENCUMBRANCES.

NOTARY ACKNOWLEDGMENT

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
ON BEFORE ME, NOTARY PUBLIC,

PERSONALLY APPEARED WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/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
SIGNATURE
PRINT NAME
MY COMMISSION EXPIRES
MY COMMISSION NO

PRINCIPAL PLACE OF BUSINESS COUNTY

NOTARY ACKNOWLEDGMENT

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
ON BEFORE ME, NOTARY PUBLIC,

PERSONALLY APPEARED WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/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
SIGNATURE
PRINT NAME
MY COMMISSION EXPIRES
MY COMMISSION NO

PRINCIPAL PLACE OF BUSINESS COUNTY



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 DYP 6164 LP, A CALIFORNIA LIMITED PARTNERSHIP, IN AUGUST 2016. I HEREBY STATE THAT ALL OF THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE ONE YEAR OF 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.

ANTONIO S. WESTERLUND, L.S. 9399 DATE

CITY ENGINEER'S STATEMENT

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

MICHAEL J. HARRISON, P.L.S. 8088 DATE
CITY ENGINEER

CITY CLERK'S CERTIFICATE

I, JOHN HOLT, DO HEREBY CERTIFY THAT THE COUNCIL OF THE CITY OF CLOVIS, BY RESOLUTION ADOPTED ON 20 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.

JOHN HOLT, CITY CLERK DATE

TRUSTEE'S STATEMENT

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE UNDER DEED OF TRUST RECORDED DECEMBER 6, 2019 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL NUMBER 2019-0147239.

BY: DONNA BROWN, VICE PRESIDENT

NOTARY ACKNOWLEDGMENT

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
ON BEFORE ME, NOTARY PUBLIC,

PERSONALLY APPEARED WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/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
SIGNATURE
PRINT NAME
MY COMMISSION EXPIRES
MY COMMISSION NO
PRINCIPAL PLACE OF BUSINESS COUNTY

RECORDER'S CERTIFICATE

DOCUMENT NO. FEE PAID
FILED THIS DAY OF 20 AT M.

IN VOLUME OF PLATS, AT PAGES THRU, FRESNO COUNTY RECORDS AT THE REQUEST OF QK.

PAUL A. DICTOS, CPA
FRESNO COUNTY ASSESSOR/RECORDER BY: DEPUTY

SEE SHEET 2 FOR ADDITIONAL BENEFICIARY AND ACKNOWLEDGEMENT

FINAL MAP OF TRACT NO. 6164

SHEET 2 OF 4

By: **QK**
 601 POLLASKY AVE, SUITE 301 TEL: (559) 449-2400
 CLOVIS, CA 93612 WWW.QKINC.COM

BENEFICIARY

UNITED SECURITY BANK, BENEFICIARY UNDER DEED OF TRUST RECORDED _____, 2020,
 UNDER RECORDER'S SERIAL NUMBER 2020-_____, IN OFFICIAL RECORDS OF FRESNO COUNTY,
 HEREBY CONSENTS TO THE FILING OF THIS MAP

BY: _____

NAME: _____
 TITLE: _____

NOTARY ACKNOWLEDGMENT

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 _____ }
 ON _____ BEFORE ME, _____, NOTARY PUBLIC,

PERSONALLY APPEARED _____, WHO
 PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE
 NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME
 THAT HE/SHE/THEY 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 _____

SIGNATURE _____

PRINT NAME _____

MY COMMISSION EXPIRES _____

MY COMMISSION NO _____

PRINCIPAL PLACE OF BUSINESS _____ COUNTY

LEGEND

- ▲ MONUMENT FOUND AND ACCEPTED AS DESCRIBED, UNLESS NOTED OTHERWISE.
- 5" WITNESS CORNER FOUND AND ACCEPTED 3/4" IRON PIPE, TAGGED DIXON
 LS 5277; PER TRACT NO. 6114, RECORDED IN VOLUME 86 OF PLATS, AT
 PAGES 1 THROUGH 4, F.C.R.
- () RECORD DATA PER RECORD OF SURVEY RECORDED IN BOOK 49 OF RECORD
 OF SURVEYS, AT PAGE 62, F.C.R.
- [] RECORD DATA PER TRACT NO. 5998 RECORDED IN VOLUME 85 OF PLATS, AT
 PAGES 48 THROUGH 50, F.C.R., OR CALCULATED THEREFROM.
- < > RECORD DATA PER TRACT NO. 6114 RECORDED IN VOLUME 86 OF PLATS, AT
 PAGES 1 THROUGH 4, F.C.R., OR CALCULATED THEREFROM.
- (()) RECORDED DATA PER TRACT 6089 RECORDED IN VOLUME 85 OF PLATS, AT
 PAGES 22 THROUGH 24, F.C.R.
- || INDICATES MEASURED AND RECORD DATA PER TRACT NO. 6101 RECORDED IN
 VOLUME 87 OF PLATS, AT PAGES 37 THROUGH 41, F.C.R., OR CALCULATED
 THEREFROM.
- F.C.R. FRESNO COUNTY RECORDS
- (R) RADIAL
- INDICATES SUBDIVISION BOUNDARY
- - - SECTION LINE
- ▨ FLOOD ZONE AO
- ▩ FLOOD ZONE AE

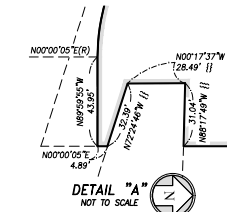
BASIS OF BEARINGS

THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 13
 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, WAS TAKEN AS
 N00°00'36"W, AS SHOWN ON SUBDIVISION MAP OF TRACT NO. 5998, RECORDED
 IN VOLUME 85 OF PLATS, AT PAGES 46, 49, AND 50, FRESNO COUNTY RECORDS.

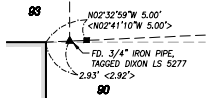


100' 0' 100'

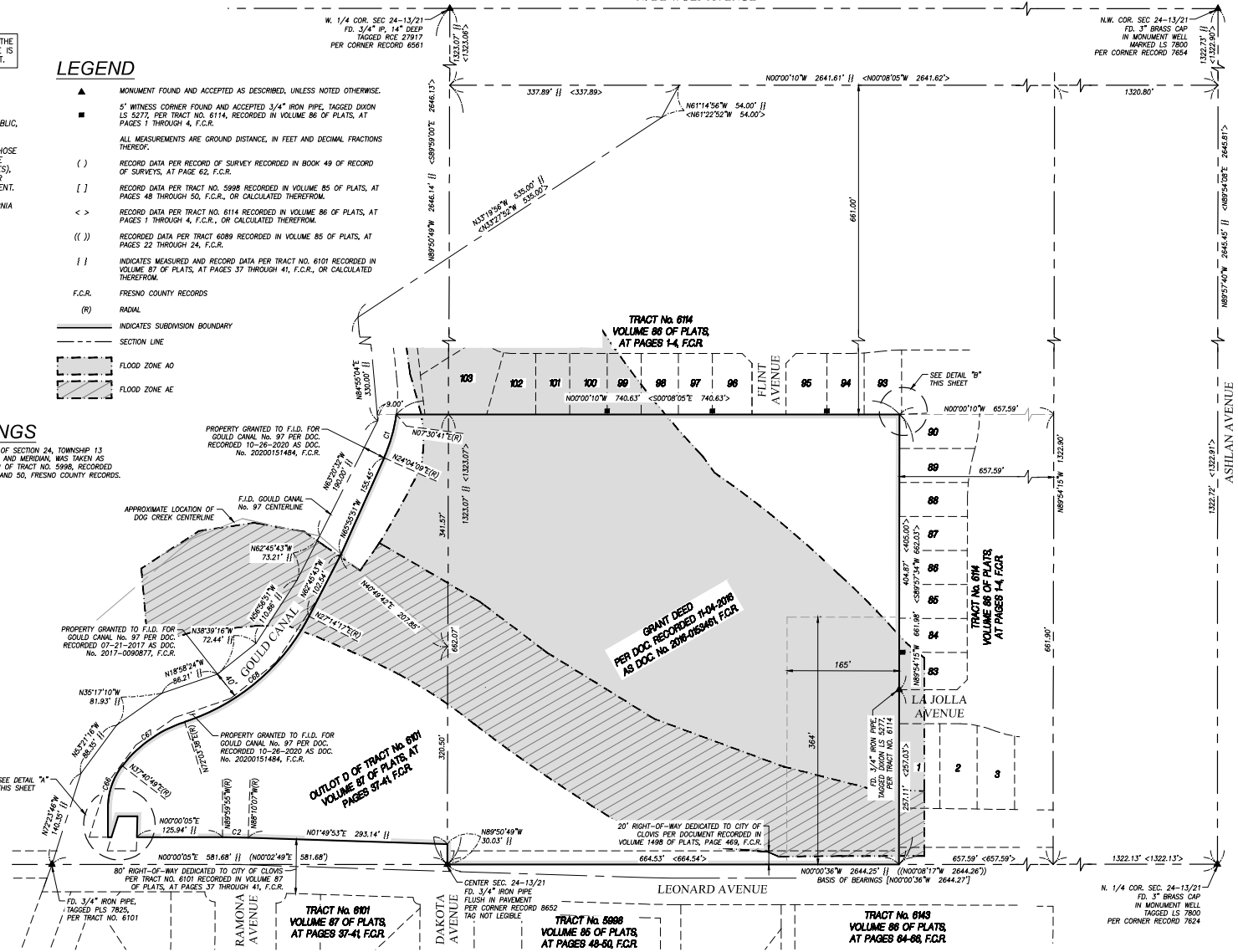
SCALE: 1" = 100'



DETAIL "A"
 NOT TO SCALE



DETAIL "B"
 NOT TO SCALE



FINAL MAP OF TRACT NO. 6164

SHEET 3 OF 4



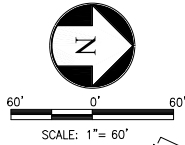
601 POLLASKY AVE, SUITE 301 TEL: (559) 449-2400
CLOVIS, CA 93612 WWW.QKINC.COM

BASIS OF BEARINGS

THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, WAS TAKEN AS N00°00'36"W, AS SHOWN ON SUBDIVISION MAP OF TRACT NO. 6164, RECORDED IN VOLUME 85 OF PLATS, AT PAGES 48, 49, AND 50, FRESNO COUNTY RECORDS.

LEGEND

- ▲ MONUMENT FOUND AND ACCEPTED AS DESCRIBED, UNLESS NOTED OTHERWISE.
 - 5" WITNESS CORNER FOUND AND ACCEPTED 3/4" IRON PIPE, TAGGED DIXON LS 5377, PER TRACT NO. 6114, RECORDED IN VOLUME 86 OF PLATS, AT PAGES 1 THROUGH 4, F.C.R.
 - SET 3/4" X 30" IRON PIPE TAGGED LS 9399, OR SET NAIL AND BRASS TAG, IN CONCRETE, STAMPED LS 9399.
 - ◆ SET WITNESS CORNER 3/4" X 30" IRON PIPE TAGGED LS 9399 6" DEEP ON LOT LINE AS SHOWN, 5.00' OFFSET FROM NEAREST LOT CORNER. (DISTANCES SHOWN ARE TO THE TRUE CORNER), UNLESS SHOWN OTHERWISE.
 - SET WITNESS CORNER 3/4" X 30" IRON PIPE TAGGED PLS 9399, 6" DEEP AT A 5.00' BY 5.00' OFFSET FROM NEAREST LOT CORNER (SAD OFFSET BEING THE INTERSECTION OF OFFSETTING LOT LINES 5.00'), OR AT A 5.00' OFFSET ALONG THE RADIAL BEARING FROM LOT CORNERS OF POINTS OF COMPOUND OR REVERSE CURVATURE.
- ALL MEASUREMENTS ARE GROUND DISTANCE, IN FEET AND DECIMAL FRACTIONS THEREOF.
- () RECORD DATA PER RECORD OF SURVEY IN BOOK 49 OF RECORD OF SURVEYS, AT PAGE 62, F.C.R.
 - [] RECORD DATA PER TRACT NO. 5998 RECORDED IN VOLUME 85 OF PLATS, AT PAGES 48 THROUGH 50, F.C.R., OR CALCULATED THEREFROM.
 - < > RECORD DATA PER TRACT NO. 6114 RECORDED IN VOLUME 86 OF PLATS, AT PAGES 1 THROUGH 4, F.C.R., OR CALCULATED THEREFROM.
 - (()) RECORD DATA PER TRACT 6089 RECORDED IN VOLUME 85 OF PLATS, AT PAGES 22 THROUGH 24, F.C.R.
 - { } INDICATES MEASURED AND RECORD DATA PER TRACT NO. 6101 RECORDED IN VOLUME 87 OF PLATS, AT PAGES 37 THROUGH 41, F.C.R., OR CALCULATED THEREFROM.
- F.C.R. FRESNO COUNTY RECORDS
- (R) RADIAL
- INDICATES SUBDIVISION BOUNDARY
- SECTION LINE
- WAVE OF DIRECT ACCESS RIGHTS PER THIS MAP
- OUTLAYS A-F FOR PUBLIC USE TO THE CITY OF CLOVIS
- FMFD STORM DRAINAGE CHANNEL EASEMENT AREA



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

- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION
- LE LANDSCAPE EASEMENT NOW OFFERED FOR DEDICATION

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE, TO THE CITY OF CLOVIS FOR PUBLIC PURPOSES:

- ▲ RIGHT-OF-WAY FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES
- OUTLAYS A,B,C,E,F INCLUSIVE FOR PUBLIC PURPOSES
- OUTLET D INCLUSIVE FOR PUBLIC UTILITY EASEMENT PURPOSES

SEE DETAIL "C" ON SHEET 4

SEE DETAIL "D" ON SHEET 4

SEE DETAIL "E" ON SHEET 4

SEE DETAIL "F" ON SHEET 4

FD. 3/4" IRON PIPE, TAGGED PLS 7825, PER TRACT NO. 6101

80' RIGHT-OF-WAY DEDICATED TO CITY OF CLOVIS PER TRACT NO. 6101 FINAL MAP RECORDED IN VOLUME 87 OF PLATS, AT PAGES 37 THROUGH 41, F.C.R.

CENTER SEC. 24-13/21 FD. 3/4" IRON PIPE FLAG IN PAVEMENT PER CORNER RECORD 8652 PER CORNER RECORD 8652 TAG NOT LEGIBLE

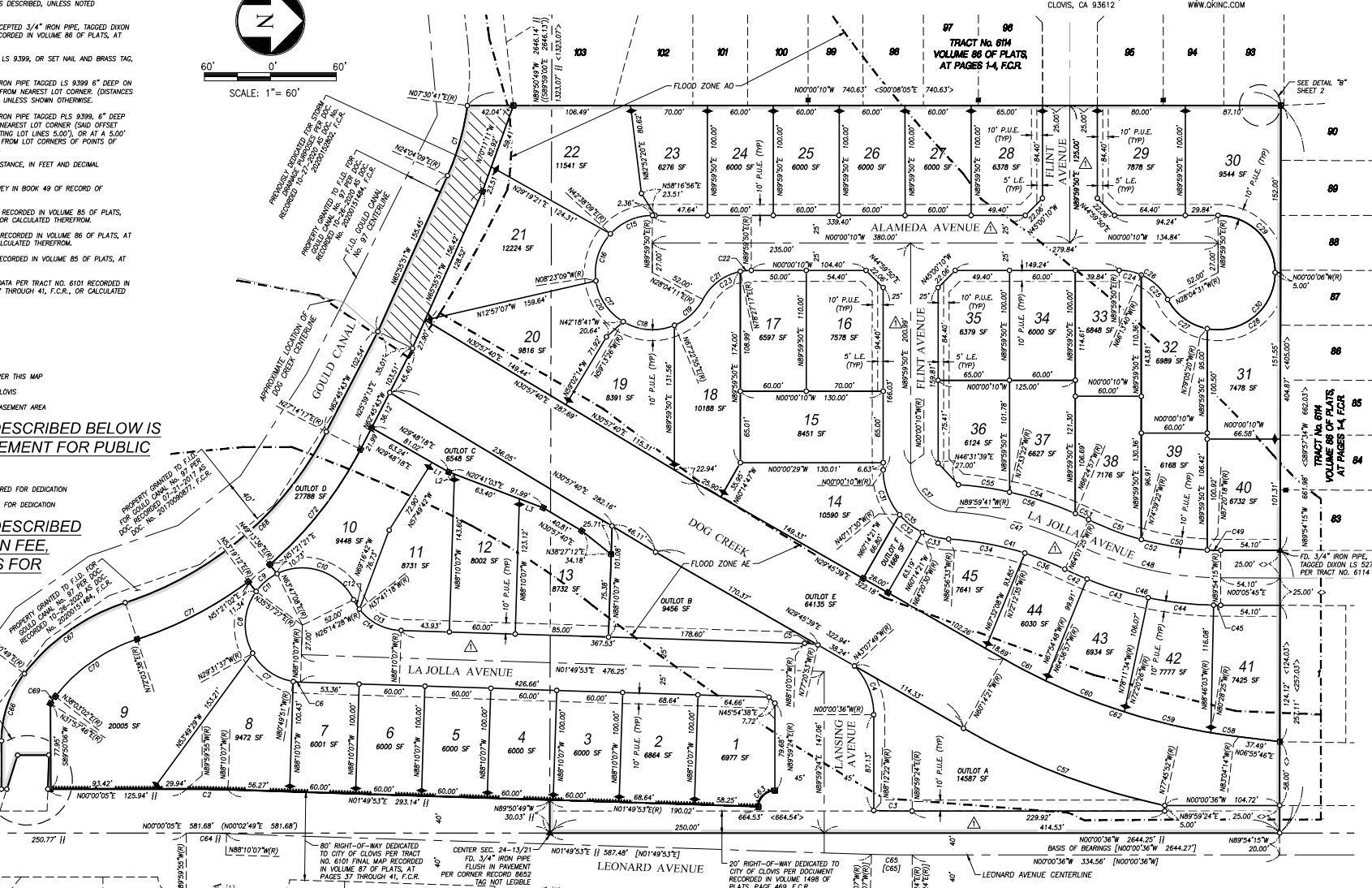
20' RIGHT-OF-WAY DEDICATED TO CITY OF CLOVIS PER DOCUMENT RECORDED IN VOLUME 1498 OF PLATS, PAGE 469, F.C.R.

80' RIGHT-OF-WAY DEDICATED TO CITY OF CLOVIS PER TRACT NO. 6114 RECORDED IN VOLUME 86 OF PLATS, AT PAGES 1 THROUGH 4, F.C.R.

80' RIGHT-OF-WAY DEDICATED TO CITY OF CLOVIS PER TRACT NO. 6114 RECORDED IN VOLUME 86 OF PLATS, AT PAGES 1 THROUGH 4, F.C.R.

80' RIGHT-OF-WAY DEDICATED TO CITY OF CLOVIS PER TRACT NO. 6114 RECORDED IN VOLUME 86 OF PLATS, AT PAGES 1 THROUGH 4, F.C.R.

80' RIGHT-OF-WAY DEDICATED TO CITY OF CLOVIS PER TRACT NO. 6114 RECORDED IN VOLUME 86 OF PLATS, AT PAGES 1 THROUGH 4, F.C.R.



TRACT No. 6101
VOLUME 87 OF PLATS
AT PAGES 37-41, F.C.R.

TRACT No. 6098
VOLUME 85 OF PLATS
AT PAGES 48-50, F.C.R.

TRACT No. 6114
VOLUME 86 OF PLATS
AT PAGES 64-68, F.C.R.

FINAL MAP OF
TRACT NO. 6164

SHEET 4 OF 4



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CLOVIS, CA 93612 WWW.QKINC.COM

CURVE TABLE				
CURVE #	RADIUS	LENGTH	TANGENT	DELTA
C1	230.00'	66.47'	33.47'	16°33'28"
C2	1190.00'	38.01'	19.01'	1°49'48"
C3	1110.00'	34.94'	17.47'	1°48'14"
C4	65.00'	48.92'	25.68'	43°07'13"
C5	65.00'	12.28'	6.16'	10°49'13"
C6	52.00'	6.66'	3.33'	7°20'16"
C7	52.00'	46.56'	24.97'	51°18'14"
C8	52.00'	59.43'	33.44'	65°29'04"
C9	52.00'	25.26'	12.88'	27°49'40"
C10	52.00'	81.66'	51.98'	89°58'25"
C11	52.00'	219.57'	86.67'	241°55'39"
C12	50.00'	9.99'	5.01'	11°26'50"
C13	50.00'	44.05'	23.57'	50°28'49"
C14	50.00'	54.04'	30.00'	61°55'39"
C15	52.00'	42.98'	22.81'	47°21'42"
C16	52.00'	46.31'	24.81'	51°01'17"
C17	52.00'	46.14'	24.71'	50°50'18"
C18	52.00'	48.46'	26.15'	53°23'38"
C19	52.00'	35.68'	18.57'	39°18'45"
C20	52.00'	219.57'	86.67'	241°55'40"
C21	50.00'	43.97'	23.52'	50°23'06"
C22	50.00'	10.07'	5.05'	11°32'33"
C23	50.00'	54.04'	30.00'	61°55'39"
C24	50.00'	20.75'	10.53'	23°46'30"
C25	50.00'	33.29'	17.29'	38°09'09"
C26	50.00'	54.04'	30.00'	61°55'39"
C27	52.00'	46.30'	24.81'	51°00'49"
C28	52.00'	91.59'	62.98'	100°54'46"

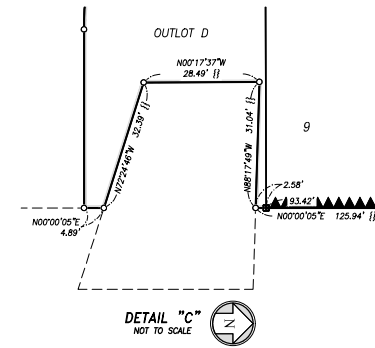
CURVE TABLE				
CURVE #	RADIUS	LENGTH	TANGENT	DELTA
C29	52.00'	81.68'	52.00'	90°00'05"
C30	52.00'	219.57'	86.67'	241°55'40"
C31	63.00'	44.30'	23.11'	40°17'20"
C32	63.00'	26.44'	13.42'	24°03'00"
C33	63.00'	24.85'	12.59'	22°36'03"
C34	275.00'	70.71'	35.55'	14°43'58"
C35	63.00'	95.60'	59.72'	86°56'23"
C36	275.00'	39.29'	19.68'	8°11'10"
C37	44.00'	66.04'	41.02'	85°59'31"
C38				
C39			NOT USED	
C40				
C41	275.00'	110.00'	55.75'	22°55'08"
C42	325.00'	22.06'	11.04'	3°53'24"
C43	325.00'	58.31'	29.23'	10°16'45"
C44	325.00'	59.98'	30.08'	10°34'29"
C45	325.00'	6.45'	3.22'	1°08'12"
C46	325.00'	146.80'	74.68'	25°52'50"
C47	300.00'	115.04'	58.24'	21°58'16"
C48	300.00'	135.51'	68.93'	25°52'50"
C49	275.00'	12.32'	6.16'	2°33'57"
C50	275.00'	60.87'	30.56'	12°40'56"
C51	275.00'	51.03'	25.59'	10°37'57"
C52	275.00'	124.22'	63.19'	25°52'50"
C53	325.00'	13.57'	6.79'	2°23'33"
C54	325.00'	63.19'	31.69'	11°08'24"
C55	325.00'	46.96'	23.52'	8°16'44"
C56	325.00'	123.72'	62.62'	21°48'41"

CURVE TABLE				
CURVE #	RADIUS	LENGTH	TANGENT	DELTA
C57	644.00'	196.98'	99.27'	17°31'31"
C58	571.00'	25.88'	12.94'	2°35'49"
C59	571.00'	81.05'	40.60'	8°08'00"
C60	571.00'	76.98'	38.55'	7°43'29"
C61	571.00'	43.62'	21.82'	4°22'35"
C62	571.00'	227.53'	115.30'	22°49'53"
C63	15.00'	23.08'	14.53'	88°09'31"
C64	1150.00'	36.73'	18.37'	1°49'48"
C65	1150.00'	36.96'	18.48'	1°50'29"
[C65]	[1150.00']	[36.96']	[18.48']	[1°50'29"]
C66	100.00'	65.76'	34.12'	37°40'44"
C67	190.00'	114.01'	58.78'	34°22'48"
C68	315.00'	246.42'	129.91'	44°49'21"
C69	75.00'	7.97'	3.99'	6°05'17"
C70	155.00'	92.01'	47.40'	34°00'35"
C71	350.00'	114.48'	57.76'	18°44'26"
C72	350.00'	134.32'	68.00'	21°59'18"

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	17.78'	N29°48'18"E
L2	5.43'	N20°41'03"E
L3	23.16'	N20°41'03"E

ENCUMBRANCES

1. ANY SPECIAL TAX WHICH IS NOW A LIEN AND THAT MAY BE LEVIED WITHIN THE COMMUNITY FACILITIES DISTRICT No. 2004-1, A NOTICE OF WHICH WAS RECORDED MAY 5, 2017 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL No. 2017-0055780.
2. 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, RECORDED JULY 31, 1995 AS SERIES No. 95091258.
3. ANY EASEMENT FOR WATER COURSE OVER THAT PORTION OF SAID LAND LYING WITHIN THE BANKS OF DOG CREEK AND ANY CHANGES IN THE BOUNDARY LINES OF SAID LAND THAT HAVE OCCURRED OR MAY HEREAFTER OCCUR FROM NATURAL CAUSES.
4. AN EASEMENT RESERVED BY CALIFORNIA LANDS INC., A CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS FOR THE RIGHT TO ENTER UPON THE LANDS AND TAKE ALL THE USUAL, NECESSARY OR CONVENIENT MEANS TO BORE WELLS, MAKE EXCAVATIONS AND TO REMOVE ALL THE OIL, GAS AND MINERALS FOUND THEREON PER INDENTURE RECORDED MARCH 31, 1934 IN BOOK 1335 OF OFFICIAL RECORDS, PAGE 235.
5. A NOTICE OF INTENT TO PRESERVE MINERAL INTEREST BY TRANSAMERICA MINERALS COMPANY RECORDED MARCH 2, 2010 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL No. 2010-0027957.
6. AN EASEMENT DEED GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY, FOR PUBLIC UTILITIES RECORDED APRIL 13, 1943 IN BOOK 2163 OF OFFICIAL RECORDS, PAGE 21 UNDER RECORDER'S SERIAL No. 14492.
7. A DOCUMENT SHOWING THE INTENT TO GRANT AN EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY, SAID DOCUMENT HAVING A PG&E FILE NUMBER 2213-21-0019, NO SUCH EASEMENT WAS DISCOVERED AS RECORDED IN THE OFFICIAL RECORDS DURING RECORD RESEARCH FOR THIS PROJECT, NOR WAS ONE IDENTIFIED IN THE TITLE REPORTS.
8. A DOCUMENT SHOWING THE INTENT TO GRANT AN EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY, SAID DOCUMENT HAVING A PG&E FILE NUMBER 2213-21-0020, NO SUCH EASEMENT WAS DISCOVERED AS RECORDED IN THE OFFICIAL RECORDS DURING RECORD RESEARCH FOR THIS PROJECT, NOR WAS ONE IDENTIFIED IN THE TITLE REPORTS.
9. A DOCUMENT SHOWING THE INTENT TO GRANT AN EASEMENT TO SAN JOAQUIN LIGHT AND POWER CORPORATION A CALIFORNIA CORPORATION, SAID DOCUMENT HAVING A SAN JOAQUIN LIGHT AND POWER CORPORATION FILE NUMBER 2213-21-0042, NO SUCH EASEMENT WAS DISCOVERED AS RECORDED IN THE OFFICIAL RECORDS DURING RECORD RESEARCH FOR THIS PROJECT, NOR WAS ONE IDENTIFIED IN THE TITLE REPORTS.





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: January 4, 2021

SUBJECT: Planning and Development Services – Approval – Res. 21-____, Annexation of Proposed Tract 6164, located at the southwest area of Dakota Avenue and Leonard Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (DYP 6164 LP, A California Limited Partnership).

ATTACHMENTS: 1. Res. 21-____

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve Res. 21-____, that will annex proposed Tract 6164, located at the southwest area of Dakota Avenue and Leonard Avenue to the Landscape Maintenance District No. 1 of the City of Clovis.

EXECUTIVE SUMMARY

The owner, DYP 6164 LP, acting as the subdivider, has requested to be annexed to the Landscape Maintenance District No. 1 of the City of Clovis as set forth by the Conditions of Approval for Tentative Tract Map 6164.

FISCAL IMPACT

DYP 6164 LP, the developer of Tract 6164, 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

This project will add landscaping to the Landscape Maintenance District No. 1 of the City of Clovis shown as follows:

	<u>Tract 6164</u>	<u>Year to Date</u>
LMD Landscaping added:	0.98 acres	6.554 acres
Resource needs added:	0.098 person	0.537 person

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 6164 shall become a part of City of Clovis LMD No. 1 and will be assessed next year for maintenance costs.

Prepared by: David Gonzalez, Civil Engineer

Reviewed by: City Manager *DH*

RESOLUTION 21-____

RESOLUTION OF THE COUNCIL OF THE CITY OF CLOVIS, CALIFORNIA,
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. 6164, 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, IT IS RESOLVED AND ORDERED, 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 January 4, 2021, by the following vote, to wit:

AYES:
NOES:
ABSENT
ABSTAIN:

DATED: January 4, 2021

Mayor

City Clerk

ATTACHMENT A

Legal Description

Lots 1 through 45, inclusive, of Tract Map 6164 recorded in Volume _____ of Plats at Pages _____ through _____, Fresno County Records.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: January 4, 2021

SUBJECT: Planning and Development Services – Approval - Res. 21-____, A request to adopt a resolution initiating amendments to the City of Clovis General Plan and Development Code to remove inconsistencies and allow development consistent with the R-T (Research and Technology) Park Zone District within the area planned for the City’s Research and Technology Park.

ATTACHMENTS: 1. Resolution
2. R-T Park Boundary Map

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Council adopt a resolution initiating amendments to the City of Clovis General Plan and Development Code to remove inconsistencies within the area planned for the City’s Research and Technology Park.

EXECUTIVE SUMMARY

The City’s Research and Technology (R-T) Park was originally established in the late 1990’s in an effort to attract high quality employment opportunities to the Clovis community and greater region. With the adoption of the current General Plan in 2014, some of the original elements of the R-T Park were erroneously left out. Additionally, much of the area planned for the R-T Park is not actually zoned R-T, it retains the old R-A (Single Family-Very Low Density) zoning from when the area was first annexed into the City. These inconsistencies have created uncertainty as to what development is intended to occur within the R-T Park area and what standards should be applied. Staff recommends that the Council initiate General Plan and Development Code amendments to remove the inconsistencies and clarify the intent of the R-T Park.

BACKGROUND

The R-T Park was originally established in the late 1990's with the goal of promoting economic development and fiscal vitality and creating a stronger employment base. The first and second phases of the R-T Park were incorporated into the 1993 General Plan as "Mixed Use Area 36". The third and final phase of the R-T Park was added as "Mixed Use Area 40". Together, the three phases total approximately 340 acres.

2014 General Plan

With the adoption of the 2014 General Plan, the Mixed Use areas from the 1993 General Plan were eliminated. While the 2014 General Plan identified the R-T Park as being within a newly defined "Focus Area 6", the boundaries of Focus Area 6 were drawn to include only Phase 3 of the RT Park, leaving out much of the original area. Therefore, when considering zoning consistency and development standards for prospective projects in the area, only those projects within Phase 3 (the easterly most component) are technically subject to the intended criteria intended for the entire R-T Park area.

Zoning Characteristics

The R-T Park concept was intended to be implemented through the R-T Zone District. However, much of the undeveloped property within the overall boundaries retains the old R-A (Single Family-Very Low Density) zoning from when the area was first annexed into the City. At a minimum, this creates the need for development applicants to undergo a 2-4 month rezoning process before they can proceed with projects that otherwise conform to the R-T zone standards and requirements. Additionally, for the reasons described above, the 2014 General Plan does not specifically require that properties be rezoned to R-T, creating uncertainty as to whether alternate zone districts (Industrial, Manufacturing, Office) are acceptable means of implementing the General Plan for these properties.

The inconsistencies described above have affected recent projects, including the proposed office development at the southwest corner of Temperance and Nees, and the consideration of ancillary uses related to the California Health Science University (CHSU). Staff recommends that the Council initiate amendments to the General Plan and Development Code to reduce the need for individual projects to undertake cleanup actions prior to development. If the Council concurs, Staff will comprehensively review the General Plan and Development Code to identify conflicts and recommend changes to reconcile the policies and standards to be consistent with the City's intent in establishing the R-T Park.

FISCAL IMPACT

If initiated, work to prepare the proposed amendments would be completed by Staff and no fiscal impact would occur. The recommended amendments are expected to encourage and facilitate further development within the R-T Park, which would have an overall positive fiscal impact.

REASON FOR RECOMMENDATION

Initiation of amendments to the General Plan and Development Code will remove conflicts and inconsistencies relative to the City's R-T Park and allow development to move forward more efficiently.

ACTIONS FOLLOWING APPROVAL

Staff will prepare amendments to the General Plan and Development Code for consideration by the Planning Commission and City Council.

Prepared by: Dave Merchen, City Planner

Reviewed by: City Manager *DM*

RESOLUTION 21-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
AUTHORIZING INITIATION OF AMENDMENTS TO THE GENERAL PLAN AND
DEVELOPMENT CODE RELATIVE TO THE CLOVIS RESEARCH AND TECHNOLOGY
PARK**

WHEREAS, the City of Clovis Planning and Development Services requests the City of Clovis City Council to direct staff to initiate amendments to the City of Clovis General Plan and Development Code; and

WHEREAS, the purpose of said amendments is to remove inconsistencies in the General Plan and Development Code and allow development consistent with the R-T (Research and Technology) Park Zone District within the area planned for the City’s Research and Technology Park; and

WHEREAS, the City Council finds merit in considering amendments to the General Plan and Development Code relative to the Research and Technology Park.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis Council authorizes and grants the initiation of amendments to the General Plan and Development Code relative to the Research and Technology Park.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on January 4, 2021, by the following vote, to wit.

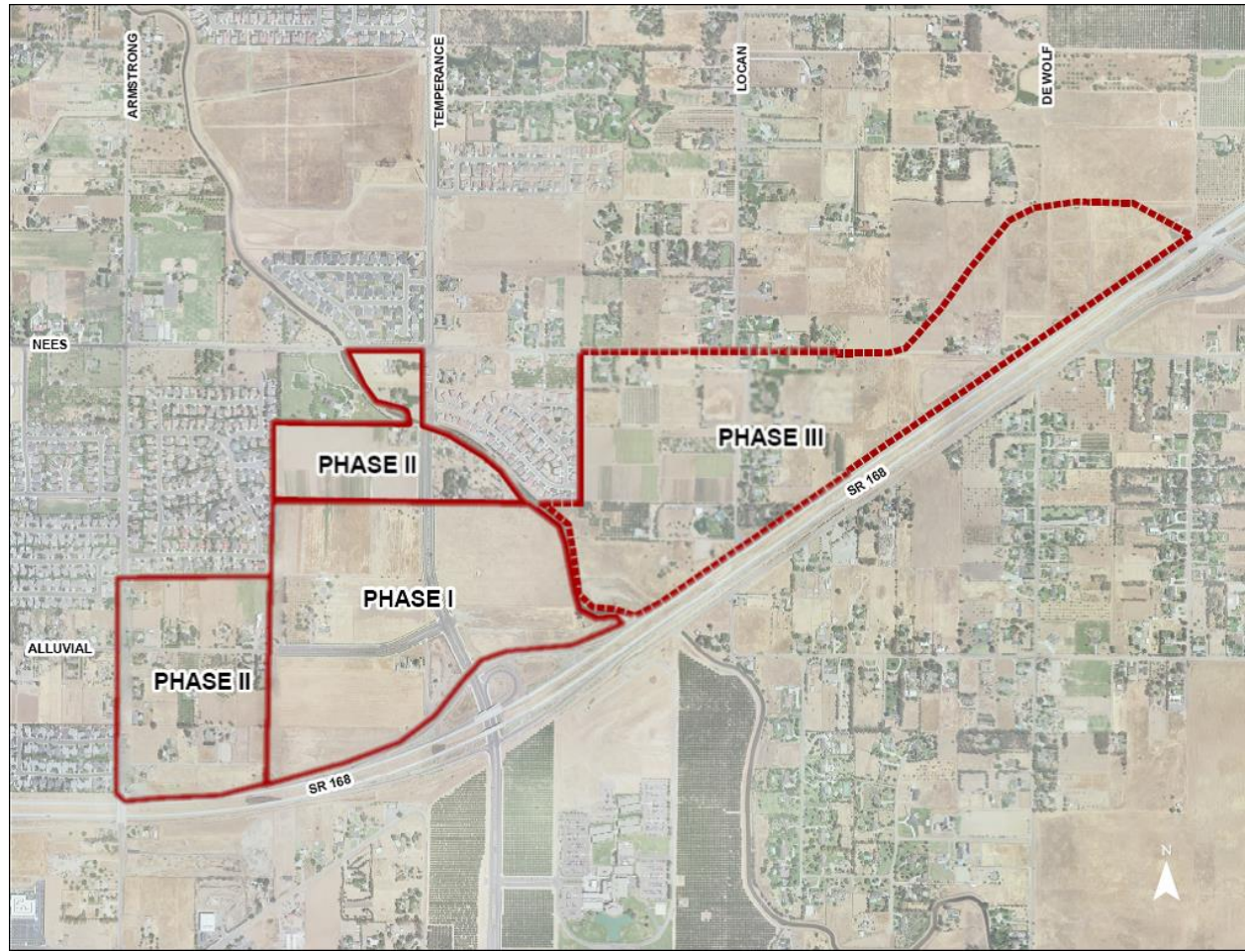
- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

DATED: January 4, 2021

Mayor

City Clerk

R-T Park Phasing & Boundary Map



Phases	1993 GP Mixed Use Area	2014 GP Focus Area
Phases I and 2:	Mixed Use Area 36	Not Shown as a Focus Area
Phase 3	Mixed Use Area 40	Focus Area 6



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: January 4, 2021

SUBJECT: Consider Approval - Res. 21-____, GPA2020-003, A request to amend the text of the General Plan to incorporate language to ensure consistency between the General Plan and the Fresno County Airport Land Use Compatibility Plan. City of Clovis, applicant.

Staff: Dave Merchen, City Planner

Recommendation: Approve

ATTACHMENTS:

1. Resolution
2. Proposed Amendment to General Plan Policy 3.1
3. Airport Land Use Compatibility Plan Consistency Analysis
4. Planning Commission Minutes

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends the adoption of a resolution approving General Plan Amendment 2020-003 as presented.

EXECUTIVE SUMMARY

The Fresno Yosemite International (FYI) Airport is located in the City of Fresno, immediately southwest of the city limits for the City of Clovis. A portion of the planning area for the Clovis General Plan overlaps the Airport Influence Area (AIA) for the FYI Airport, as designated by the Fresno County Airport Land Use Compatibility Plan (ALUCP). The area within the City's General Plan is further defined as being within the FYI Airport's Traffic Pattern Zone (TPZ), also referred to as "Safety Zone 6". State Law and the ALUCP require that that City's General Plan be reviewed for consistency with ALUCP, and that revisions or amendments to the General Plan be adopted, if necessary, to eliminate any conflicts.

BACKGROUND

The Fresno County ALUCP was prepared by the Fresno County Airport Land Use Commission (ALUC), under the authority of the California State Aeronautics Act, California Public Utilities Code Section 21001 et seq. The ALUCP is a land use compatibility plan that is intended to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, to protect the public from adverse effects of aircraft noise, and to ensure that no structures or activities adversely affect navigable space. The ALUCP identifies standards for development in the airport's planning area based on noise contours, safety zones, and building heights. Primary areas of concern for ALUC are noise, safety hazards, and airport operational integrity (2014 Clovis General Plan EIR, Page 5.10-3).

Local agencies are required to conduct a review of their land use plans and regulations for consistency with the ALUCP within 180 calendar days of the adoption or amendment of an ALUCP which overlaps the agency's boundaries. These plans and regulations must be amended to eliminate any conflicts that are identified, unless the local agency goes through an "over rule" process. If the ALUC finds that a local agency has not revised its general plan or specific plan or overruled the commission in accordance with State law, the ALUC may require that the local agency submit all subsequent actions, regulations, and permits to the ALUC for review until the local agency's general plan or specific plan is revised or the specific findings are made (Public Utilities Code Section 21676.5).

The Fresno County ALUC adopted a comprehensive update to the ALUCP in December of 2018. The update included adjustment to the interface between the ALUCP and the City's General Plan. The City of Clovis did not perform a consistency analysis and revise its General Plan to be consistent with the ALUCP within 180 days, nor did it take steps to overrule the ALUCP. Though no formal action on the part of the Fresno County ALUC has occurred to require follow up action on the part of the City, the City has been submitting individual projects to the ALUC for review until a General Plan consistency determination can be made.

PROPOSAL AND ANALYSIS

The 2014 General Plan represents the long term development plan for the City of Clovis. While the City has also adopted several specific plans, each with a defined and smaller geographic scope than the General Plan, none are geographically relevant to the AIA. Prior to its adoption in 2014, the City's General Plan was determined to be consistent with the ALUCP that was in effect at that time. However, because the ALUCP was revised in 2018, including changes to the safety zones and noise contours that affect the City of Clovis, a new consistency analysis is required.

A consistency analysis was undertaken to determine whether there are any conflicts between the 2014 General Plan and the 2018 ALUCP (see Attachment 3). Key elements of the analysis are summarized below:

- Existing General Plan Policy 3.11 requires that land uses be approved in a manner that is consistent with the Fresno Yosemite International Airport Land Use Compatibility Plan.

- The entirety of the Clovis Planning Area that overlaps the FYI's Airport Influence Area is within Safety Zone 6, the Traffic Pattern Zone (TPZ).
- The aircraft accident risk level is considered to be low within the Zone 6 and the relevant compatibility criteria are the least restrictive of all safety zones within the AIA.
- Within Safety Zone 6, there is no limit on residential density. The criteria for non-residential uses (i.e. commercial, industrial, institutional) allow up to 300 persons per acre.
- Prohibited uses with Safety Zone 6 include outdoor stadiums and similar uses. Any other uses which are deemed hazardous to flight are also prohibited, a standard which applies in all safety zones.
- Within Safety Zone 6, generally, there is no concern with regard to any object up to 100 feet above ground level unless it is located on high ground or is a solitary object (such as antenna) more than 35 feet above ground level. Communication towers presented the most likely source of potential concerns.
- Buyer awareness measures, in the form of real estate disclosure notices, are recommended within Safety Zone 6 to notify residential buyers and lessees of airport proximity and the presence of overflights.

The consistency analysis concludes that although no direct conflicts have been identified between the 2014 General Plan and the ALUCP, there are several compatibility criteria which are not clearly referenced in the 2014 General Plan. It is possible that the lack of clear policy requirements in the General Plan could lead to incompatible uses being developed, or to a lack of compliance with ALUCP policies as new projects within the AIA are proposed and approved. For this reason, Staff recommends that existing General Plan Policy 3.11 be amended to clearly reference the applicable compatibility criteria in the ALUCP. The recommended language is included as Attachment 2.

California Environmental Quality Act (CEQA)

The City has determined that General Plan Amendment 2020-003 is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the "common sense exemption," which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment. GPA 2020-003 is proposed to modify the existing General Plan to ensure consistency between the General Plan and the ALUCP. This will also ensure that future projects are developed in accordance with the compatibility criteria in the ALUCP. As such, the proposed GPA does not have the potential to result in environmental effects.

Planning Commission Consideration

The Planning Commission considered the proposed project and supporting consistency analysis at its October 22, 2020 meeting. No substantive issues or concerns were identified and no public testimony was offered for or against the project. The Commission voted 4-0 in support of the project, with Commissioner Antuna absent.

The City published notice of this public hearing in *The Business Journal* on Monday, December 21, 2020.

Fresno County Airport Land Use Commission Consideration

The Fresno County Airport Land Use Commission (ALUC) considered the City's General Plan Consistency Analysis at its December 7, 2020 meeting. No substantive issues or concerns were identified and no public testimony was offered for or against the project. The ALUC voted unanimously to find the City's General Plan, with the modifications proposed through GPA 2020-003, consistent with the Fresno County Airport Land Use Compatibility Plan.

FISCAL IMPACT

No fiscal impacts have been identified with respect to the proposed general plan amendment.

REASON FOR RECOMMENDATION

Local agencies are required to conduct a review of their land use plans and regulations for consistency with the ALUCP. These plans and regulations must be amended to eliminate any conflicts that are identified, unless the local agency goes through an "over rule" process. A consistency analysis for the City's 2014 General Plan suggests that amendments to Policy 3.11 are necessary to achieve full consistency with the ALUCP. After the proposed amendments have been adopted, individual projects within the AIA will no longer be required to be submitted to the ALUC for review.

ACTIONS FOLLOWING APPROVAL

None.

Prepared by: Dave Merchen, City Planner

Reviewed by: City Manager *JH*

RESOLUTION 21-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING
GENERAL PLAN AMENDMENT GPA2020-003 AMENDING GENERAL PLAN POLICY 3.11
TO ENSURE CONSISTENCY BETWEEN THE GENERAL PLAN AND THE FRESNO
COUNTY AIRPORT LAND USE COMPATIBILITY PLAN AND FINDING THE PROJECT IS
EXEMPT FROM CEQA PURSUANT CEQA GUIDELINES SECTION 15061(B)(3) - THE
“COMMON SENSE EXEMPTION”**

WHEREAS, the 2018 Fresno County Airport Land Use Compatibility Plan (ALUCP) was adopted by the Fresno County Airport Land Use Commission (ALUC), under the authority of the California State Aeronautics Act, California Public Utilities Code Section 21001 et seq; and

WHEREAS, local agencies are required to conduct a review of their land use plans and regulations for consistency with the ALUCP and the plans and regulations must be amended to eliminate any conflicts that are identified, unless the local agency goes through an “over rule” process; and

WHEREAS, a consistency analysis was undertaken to determine whether there are any conflicts between the 2014 General Plan and the ALUCP; and

WHEREAS, the consistency analysis concluded that although no direct conflicts were identified between the 2014 General Plan and the ALUCP, there are several ALUCP compatibility criteria which are not clearly referenced in the 2014 General Plan; and

WHEREAS, a general plan amendment is proposed to amend existing General Plan Policy 3.11 to clearly reference the applicable compatibility criteria in the ALUCP; and

WHEREAS, after a duly noticed public hearing on October 22, 2020, the Planning Commission considered proposed General Plan Amendment 2020-003 and adopted a resolution recommending its approval to the City Council; and

WHEREAS, the Fresno County ALUC reviewed the City’s General Plan Consistency Analysis and determined that, with the amendments proposed in conjunction with GPA 2020-003, the City’s General Plan is consistent with the Fresno County ALUCP; and

WHEREAS, a duly noticed public hearing was held by the City Council on January 4, 2021 to allow for the final consideration of the proposed general plan amendment; and

WHEREAS, the City has determined that the general plan amendment is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061(b)(3), the “common sense exemption,” which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE CITY COUNCIL RESOLVES AND FINDS AS FOLLOWS:

1. The proposed amendment is internally consistent with the goals, policies, and actions of the General Plan.
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
3. There is a compelling reason for the amendment.
4. The City Council does find the project exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), the “common sense exemption”.
5. The basis for the findings is detailed in the January 4, 2021 staff report, which is hereby incorporated by reference the entire Administrative Record, as well as the evidence and comments presented during the Public Hearing.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City of Clovis Council approves General Plan Amendment GPA2020-003.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on January 4, 2021 by the following vote, to wit.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: January 4, 2021

Mayor

City Clerk

GPA2020-003: GENERAL PLAN CONSISTENCY WITH AIRPORT LAND USE COMPATIBILITY PLAN

Recommended Amendments to General Plan Policy 3.11

Policy 3.11 - Airport land use compatibility. Review and Approve land uses in a manner that is consistent with the Fresno County Yosemite International Airport Land Use Compatibility Plan (ALUCP) as it relates to the Airport Influence Area for the Fresno Yosemite International Airport, as follows:

- a. Non-residential projects within the Airport Influence Area shall be reviewed for consistency with the intensity limitations applicable to the Traffic Pattern Zone (Safety Zone 6) pursuant to the ALUCP's Guidance for Calculating Land Use Intensity. Projects determined to be in excess of the intensity limits (300 persons per acre) shall be prohibited.
- b. Outdoor stadiums and similar uses with very high intensity uses are prohibited within the Airport Influence Area.
- c. Projects proposed within the Airport Influence Area shall be reviewed to determine the potential for "hazards to flight" to exist. Each project found to include such hazards shall be modified to remove the hazards or be denied. Specific hazards to be considered include the following:
 - Glare or distracting lights which could be mistaken for airport lights;
 - Sources of dust, steam, or smoke which may impair pilot visibility;
 - Sources of electrical interference with aircraft communications or navigation; and
 - Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds.
- d. Modification of existing nonconforming land uses, as determined by their consistency with the compatibility criteria in Table 3A of the ALUCP, shall be permissible, provided the modification does not increase the magnitude of the non-conformity when compared with the compatible criteria specified in ALUCP Table 3A. The magnitude of nonconformity shall be measured as follows:
 - For residential land uses, the number of dwelling units and size of the structure on the lot;
 - For nonresidential land uses, the size of the nonconforming use in terms of lot area and building floor area.
- e. Projects exceeding 100' in height shall be submitted for review to the ALUC and an FAA Form 7460 be filed to obtain a Determination of No Hazard prior to City approval.
- f. Airport disclosure notices shall be required within the Airport Influence Area utilizing the recommended notice language, and following the disclosure guidance, outlined in the ALUCP.

- g. City shall comply with Section of 21676 of the Public Utility Code with regard to the mandatory submittal of land use plans or regulations to the Fresno County Airport Land Use Commission.
- h. Notwithstanding the ALUCP implementation criteria stated above, City shall implement the most recently adopted version of the Fresno County Airport Land Use Compatibility Plan.

CITY OF CLOVIS GENERAL PLAN - AIRPORT LAND USE COMPATIBILITY PLAN CONSISTENCY ANALYSIS

October 2020

City of Clovis Planning Division

ATTACHMENT 3

**CITY OF CLOVIS GENERAL PLAN
AIRPORT LAND USE COMPATIBILITY PLAN CONSISTENCY ANALYSIS**

SECTION 1: INTRODUCTION

The Fresno Yosemite International (FYI) Airport is located in the City of Fresno, immediately southwest of city limits for the City of Clovis. A portion of the planning area for the Clovis General Plan overlaps the Airport Influence Area (AIA) for the FYI Airport, as designated by the Fresno County Airport Land Use Compatibility Plan (ALUCP). The area with the City's General Plan is further defined as being within the FYI Airport's Traffic Pattern Zone (TPZ). State Law and the ALUCP require that that City's General Plan be reviewed for consistency with ALUCP, and that revisions or amendments to the General Plan be adopted, if necessary, to eliminate any conflicts.

1.1 ALUCP – Authority

The Fresno County ALUCP was prepared by the Fresno County Airport Land Use Commission (ALUC), under the authority of the California State Aeronautics Act, California Public Utilities Code Section 21001 et seq. The ALUCP has also been prepared with reference to, and is consistent with, the guidance provided by the California Department of Transportation, Division of Aeronautics in the 2011 version of the California Airport Land Use Planning Handbook pursuant to California Public Utility Code Sections 21674.5 and 21674.7.

1.2 ALUCP - Purpose

The ALUCP is a land use compatibility plan that is intended to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, to protect the public from adverse effects of aircraft noise, and to ensure that no structures or activities adversely affect navigable space. The ALUCP identifies standards for development in each airport's planning area based on noise contours, safety zones, and building heights. Primary areas of concern for ALUC are noise, safety hazards, and airport operational integrity (2014 Clovis General Plan EIR, Page 5.10-3).

The geographic scope for the ALUCP is defined by an AIA boundary for each public use airport within the plan boundary. The AIA is "the area in which current and projected future airport-related noise, safety, airspace protection, or overflight factors/layers may significantly affect land use or necessitate restrictions on uses by an airport land use commission" (ALUCP, Page 1-7).

1.3 Fresno County Airport Land Use Commission

The establishment of an airport land use commission (ALUC) is required for any county with an airport that is operated for the benefit of the public. The role of the ALUC is to "formulate a comprehensive plan that will provide for the orderly growth at each public use airport and the area surrounding the airport within the jurisdiction of the commission" (State of California, Public Utilities Code Section 21675).

The Airport Land Use Commission has two primary functions:

- To prepare and adopt an ALUCP with a 20-year planning horizon for each airport within its jurisdiction.
- To review local agency land use actions and airport plans for consistency with the land use compatibility policies and criteria in the ALUCP.

In Fresno County, membership of the ALUC is comprised of seven commissioners. Two members are appointed by a City Selection Committee to represent Fresno County cities. The Fresno County Board of Supervisors appoints two members to represent the County. Two aviation experts are appointed by a selection committee comprised of the airport managers of public use airports within Fresno County. The final member of the Commission is appointed by the other six members to represent the general public. A 2008 memorandum of understanding between the County of Fresno and Fresno Council of Governments¹ (COG) was established to transfer staffing and administrative support from the Fresno County Department of Public Works and Planning to the Fresno COG (ALUCP, Page 1-7).

**Fresno County ALUC
Membership (Oct 2020)**

- Ron Duarte, Chairman (Expert)
- Daniel Yrigollen, Vice Chair (Expert)
- Ray Remy, Commissioner (City)
- Robert Beck, Commissioner (City)
- Mary Fast, Proxy (City)
- Mark Davis, Vice Chair (Expert-Proxy)
- Bill Darnell, Commissioner (Public)
- John Krikorian, Proxy (Public)
- Sal Quintero, Commissioner (County)
- Vacant, Proxy (County)
- Nathan Magsig, Commissioner (County)
- Dwight Kroll, Proxy (County)

1.4. General Plan Consistency Determination

Local agencies must submit an application for a consistency determination to the ALUC for proposed land use plans, regulations, and projects as required by the ALUCP. With the adoption or amendment to the ALUCP, local agencies are specifically required to conduct a review of their land use plans and regulations for consistency with the ALUCP within 180 calendar days of the ALUC's adoption or amendment. Each local agency affected by the ALUCP must:

1. Amend its land use plans and regulations to be consistent with this ALUCP, if needed; or
2. Overrule this ALUCP by a two-thirds vote of its governing body after adopting findings that justify the overrule and providing notice, as required by law.

If the ALUC finds that a local agency has not revised its general plan or specific plan or overruled the commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes of the Aeronautics Act, as stated in Public Utilities Code Section 21670, the ALUC may require that the local agency submit all subsequent actions, regulations, and permits to the ALUC for review until the local agency's general plan or specific plan is revised or the specific findings are made, pursuant to Public Utilities Code Section 21676.5.

The Fresno County ALUC adopted a comprehensive update to the ALUCP in December of 2018. The update included adjustment to the interface between the ALUCP and the City of Clovis General Plan. The City did not perform a consistency analysis and revise its general plan to be consistent with the ALUCP within 180 days, nor did it take steps to overrule the ALUCP. Though no formal action on the part of the Fresno County ALUC has occurred to require follow up action on the part of the City, the City has been voluntarily submitting individual projects to the ALUC for review until a general plan consistency determination can be made.

SECTION 2 - EXISTING CLOVIS GENERAL PLAN

The General Plan represents the long term development plan for the City of Clovis. While the City has also adopted several specific plans, each with a defined and smaller geographic scope than the General Plan, none are geographically relevant to the AIA. Clovis adopted a comprehensive update to its General Plan in 2014 in conjunction with the certification of a Program Environmental Impact Report (SCH # 2012061069). The General Plan includes the following elements:

▪ Air Quality	▪ Economic Development	▪ Environmental Safety
▪ Circulation	▪ Land Use	▪ Open Space And Conservation Element
▪ Public Facilities and Services	▪ Housing	

The relationship between the Clovis General Plan and the FYI Airport is acknowledged in the City’s General Plan. The FYI Airport is just outside the General Plan Area’s southwestern boundary. Based on the ALUCP then in effect, a small portion of the southwestern boundary was identified as being within the AIA of the Airport. Portions of the southwestern boundary also fell within the traffic pattern zone of the Airport and its’ associated safety-compatibility and noise contours.

Noise and land use compatibility issues associated with the FYI Airport are discussed in the Environmental Safety Element of the General Plan. Airport Noise Contours are mapped as Exhibit ES-5 under the General Plan and Airport Safety Compatibility Zones are mapped as Exhibit ES-6. The following General Plan policies address the FYI Airport and the topics of noise and land use compatibility:

- Policy 3.2 - Land use and traffic patterns. Discourage land use and traffic patterns that would expose sensitive land uses or noise-sensitive areas to unacceptable noise levels.
- Policy 3.4 - Acoustical study. Require an acoustical study for proposed projects that have the potential to exceed acceptable noise thresholds or are exposed to existing or future noise levels in excess of the thresholds in the city’s noise ordinance.
- Policy 3.10 - Airport changes. Coordinate with the Fresno Yosemite International Airport to minimize noise impacts on properties in Clovis due to changes in flight patterns or airport expansion.
- Policy 3.11 - Airport land use compatibility. Approve land uses in a manner that is consistent with the Fresno Yosemite International Airport Land Use Compatibility Plan.

- Policy 3.13 - Small aircraft and helicopters. Minimize the noise impact of small aircraft and helicopters on residential neighborhoods.
- Policy 3.14 - Control sound at the source. Prioritize using noise mitigation measures to control sound at the source before buffers, sound walls, and other perimeter measures.

The 2014 General Plan's consistency with the ALUCP for the FYI Airport was analyzed in Section 5.10 (Land Use) of the General Plan EIR. Additional analysis was included in Sections 5.8 (Hazards and Hazardous Materials) and 5.12 (Noise). The EIR concluded that no conflicts existed between the General Plan and the ALUCP and, with the implementation of the policies in the General Plan, no potentially significant environmental effects would be generated.

SECTION 3 – GENERAL PLAN CONSISTENCY EVALUATION

3.1 Consistency Criteria

The City of Clovis is responsible for evaluating the consistency of its General Plan with the ALUCP. To establish consistency of land use plans and regulations with the ALUCP, local agencies must demonstrate the following:

- Land Use Conflicts. There are no direct conflicts between proposed new land uses indicated on a general plan land use map and the land use criteria in the ALUCP.
 - Residential densities (units/acre) should not exceed the set limits.
 - Non-residential density must adhere to applicable intensity limits.
 - Uses listed as prohibited in the compatibility criteria should not be allowed.
- Noise Criteria. The standards in the General Plan indicating the maximum noise exposure for which residential development is normally acceptable must be made consistent with the equivalent ALUCP criteria.
- Zoning or Other Policy Documents. Policies and criteria addressing intensity limitations on non-residential uses, identification of prohibited uses, open land requirements, and infill development need to be reflected either in the general plan or in a separate policy document.

3.2 Consistency Analysis - Land Use Conflicts

3.2.1 Safety Zones

The ALUCP incorporates guidance from the 2011 California Airport Land Use Planning Handbook (Handbook) relative to the delineation of safety zones and the application of land use policies in those zones. The safety zones within the AIA for the FYI Airport are based on the Handbook guidance, with adjustments to reflect the specific operating characteristics of the Airport (type of aircraft activity, runway length, traffic pattern, etc.).

The safety compatibility policy framework is also based on Handbook guidance. Safety zones are numbered 1 through 7. Accident risks are highest with Zones 1 and 2, and lowest with Zones 6 and 7. Compatibility criteria and land use restrictions follow a similar pattern, with the most restrictive criteria applied to Zones 1 and 2, and the least restrictive criteria applied to Zone 6. No compatibility criteria are set for Zone 7.

SAFETY ZONES
Zone 1 – Runway Protection
Zone 2 – Inner Approach/Departure
Zone 3 – Inner Turning
Zone 4 – Outer Approach/Departure
Zone 5 – Sideline Zone
Zone 6 – Traffic Pattern
Zone 7 - Precision Approach

3.2.2 Traffic Pattern Zone – Safety Zone 6

The entirety of the Clovis Planning Area that overlaps the FYI’s Airport Influence Area is within Safety Zone 6, the Traffic Pattern Zone (TPZ). The aircraft accident risk level is considered to be low within the Zone 6 and the compatibility criteria, shown below in Table 3.1, are the least restrictive of all safety zones within the AIA (ALUCP, Page 3-3).

Table 3.1: Traffic Pattern Zone 6 - Safety Criteria*	
Criteria	Standard
Max Dwelling Units Per Acre	No Limit
Maximum Non-residential Intensity	300 persons per acre
Required Open Land	10%
Prohibited Uses	Hazards to flight; Outdoor stadiums and similar uses with very high intensity uses.
Other Development Conditions	Airport disclosure notice required; Airspace review required for objects >100feet tall; New structures are prohibited on existing terrain that penetrates 14 CFR Part 77 surfaces; New structures require additional airspace analysis required within the 50-foot terrain penetration buffer.

Source: ALUCP – Table 3A, Page 3-5

The compatibility criteria established for safety zones are intended to restrict the development of land uses that could pose particular hazards to the public or to vulnerable populations in case of an aircraft accident. Residential density and the intensity of non-residential development, measured in persons per acre, are key criteria for determining potentially incompatible uses within each safety zone. For Safety Zone 6, there is no limit on residential density. The criteria for non-residential uses (i.e. commercial, industrial, institutional) allow up to 300 persons per acre.

Prohibited uses with Safety Zone 6 include outdoor stadiums and similar uses. Any other uses which are deemed hazards to flight are also prohibited, a standard which applies in all safety zones. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development, such as golf courses and certain types of crops, as outlined in FAA’s Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, that may cause the attraction of birds to increase is also prohibited.

3.2.3 Clovis General Plan Land Use Designations Within Safety Zone 6

The 2014 Clovis General Plan designates property within its respective portion of the FYI Airport Influence Area for a combination of residential, commercial, and institutional uses. A summary of the land use designations found within the Clovis portion of the Airport Influence Area are included in Tables 3.2, 3.3 and 3.4.

Table 3.2: Clovis GP - Residential Designations Within the AIA			
Designation	Description	Density	Max Height
Low Density (L)	Conventional single family detached houses.	2.1-4.0	35'
Medium Density (M)	Detached and attached single family homes, patio homes, or zero lot line homes.	4.1-7.0	35'
Medium High Density (MH)	Small lot single family detached homes, town houses, duplexes, and apartments.	7.1-15.0	35'

Table 3.3: Clovis GP - Commercial and Industrial Designations			
Designation	Description	Max FAR	Max Height
Office (O)	Professional offices, corporate headquarters, research and development, medical facilities, hotels, and limited related retail uses.	3.0	40'
General Commercial (GC)	Community- or regional-scale centers that may be anchored by large format stores as well as a variety of retail outlets and restaurant and entertainment uses. Hotels and motels are also appropriate.	1.5	50'
Neighborhood Commercial (NC)	Neighborhood-scale shopping facilities conveniently located near residential areas. These developments are typically anchored by supermarkets and drugstores. A wide range of other uses including banks, restaurants, service businesses and other related activities are generally found in these planned centers.	0.5	20
Mixed Use Village - MU-V	Vertical or horizontal mix of commercial, office, and/or residential uses on the same parcel. Retail is preferred on the ground floor. Office uses and attached single family and multiple family housing should be above the ground floor when in a mixed-use building.	4.0 FAR 15.1-25.0 du/ac	35'-75'
Industrial (I)	Light/heavy industrial, business park, and research and development uses.	2.0	75'

Table 3.4: Clovis GP - Public and Institutional Designations			
Designation	Description	Max FAR	Max Height
School (S)	Existing or proposed school sites. Public and private schools are a permitted use in all single family residential areas. More specific sites may be identified through the master planning of each Urban Center.	N/A	N/A
Park (PK)	Existing and proposed park sites.	N/A	N/A
Water (W)	Existing and planned water retention and other flood control facilities.	N/A	N/A
Public/Quasi-Public Facility (P)	Public and quasi-public uses such as city hall facilities, maintenance yards, cemeteries, churches, meeting halls and the rodeo grounds.	1.0	40'

3.2.4 Determination Regarding General Plan Land Use Consistency

A. Residential Designations

The majority of the City of Clovis that is located within the AIA for the FYI Airport is designated for residential development at varying densities. There are no limitations on residential density with Safety Zone 6. Therefore, no conflicts have been identified.

Recommended Action: None

B. Non-Residential Designations

Non-residential development with Safety Zone 6 must be limited to an intensity of 300 persons per acre. Appendix L to the ALUCP provides guidance on calculating intensity for proposed land uses. The non-residential land use designations in the City’s General Plan could potentially allow for the development of commercial and industrial uses which could exceed 300 persons per acre in occupancy. However, based on allowable floor area ratios for buildings, and parking requirements for commercial and industrial uses which further limit the portions of a site that can be developed with buildings, it is not likely that the 300 persons per acre standard will be exceeded.

Recommended Action: While the potential for projects to exceed an intensity level of 300 persons per acre is low, it cannot be ruled out. Therefore, an addition to General Plan Policy 3.11 to prohibit such occupancies, based on the ALUCP guidance on calculating intensity, is recommended. The specific language amending Policy 3.11 is included in Section 4.

C. Prohibited Uses

Uses that are specifically prohibited within Safety Zone 6 include outdoor stadiums and similar facilities with very high intensity uses. The inventory of available undeveloped land with the City of Clovis portion of the AIA is very low, and not conducive to the development of stadiums or arenas. Therefore, the potential that such a use would be proposed is very low, but not impossible.

A second category of uses, “hazards to flight,” is also prohibited in all safety zones. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development, such as golf courses and certain types of crops, as outlined in FAA’s Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, that may cause the attraction of birds to increase is also prohibited. While the potential for uses constituting hazards to flight is very low, these hazards are not specifically addressed in the City’s General Plan or Development Code.

Recommended Action: While the likelihood that prohibited uses will be proposed within the City is very low, the possibility cannot be ruled out. Therefore, an addition to General Plan Policy 3.11 to identify prohibited uses as specified in the ALUCP is recommended. The specific language amending Policy 3.11 is included in Section 4.

3.3 Consistency Analysis – Noise Criteria

The City’s General Plan includes criteria indicating the maximum noise exposure for which residential development is normally acceptable. The ALUCP also includes a noise compatibility criteria matrix specifying maximum acceptable airport noise levels for various land uses, including residential uses. As part of its consistency evaluation, the City must ensure that the maximum residential noise exposure in its General Plan is equivalent with the criteria for residential noise exposure in the ALUCP.

Noise standards and compatibility criteria in the Clovis General Plan are included in the Environmental Safety Element. Table ES-1 provides interior and exterior noise standards for several land use types. Exterior standards for all residential uses specify 65 CNEL (Community Noise Equivalent Level – In “A-Weighted” Decibels) as the maximum compatible exterior noise exposure. The ALUCP similarly indicates that residential uses are not considered compatible above 65 CNEL (ALUCP, 3-13). Both documents also specify 45 CNEL as the maximum indoor noise exposure (with windows closed). Therefore, both the Clovis General Plan and the ALUCP are consistent in identifying exterior and interior maximum compatible exposure level for residential uses and no modification is required.

Recommended Action: None

3.4 Miscellaneous Compatibility Criteria and Policy Documents

In addition to specifying General Plan consistency criteria based on land use and noise, the ALUCP requires that several additional compatibility-related criteria be reflected in either the General Plan or in a separate policy document such as a combining zone ordinance. The following topics must be included: intensity limitations on non-residential uses; identification of prohibited uses; open land requirements; infill development; buyer awareness measures; non-conforming uses and reconstruction; and, review procedures.

3.4.1 Intensity Limitations on Non-residential Uses

The criteria addressing intensity limitations for non-residential uses is addressed in Section 3.2.4.B. With the recommended action discussed in that section, no further changes are required.

Recommended Action: None.

3.4.2 Identification of Prohibited Uses

The criteria addressing prohibited uses is addressed in Section 3.2.4.C. With the recommended action discussed in that section, no further changes are required.

Recommended Action: None

3.4.3 Open Land Requirements

Open land within the AIA is intended to support the concept that, in the event a small aircraft is forced to land somewhere other than at an airport, the risks can best be minimized by providing as much open land as possible in the vicinity of the airport (Airport Land Use Handbook). Open land criteria should be reflected in local policies.

The ALUCP specifies that 10% of land area within Safety Zone 6 should be preserved as open land. However, in its discussion of open land criteria, the ALUCP notes that open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large development projects of 10 acres or more. Consultation with Fresno County ALUC staff confirmed that the preferred approach to providing open space within airport environs was at the community plan level, and that providing effective open land in conjunction with individual projects was impractical in most cases. Considering the degree to which the Clovis portion of the AIA for the FYI Airport has already been developed, ALUC staff provided guidance indicating that further evaluation was unnecessary.

Recommended Action: None.

3.4.4 Infill Development

The ALUCP includes a policy allowing non-conforming infill development to move forward when similar non-conforming uses have already been developed on the surrounding properties. Several limitations are included with this policy that establish infill eligibility, define density and intensity limits, set the maximum size of the infill development, etc. If local agencies wish to take advantage of the infill policy, the lands that meet the qualifications must be shown on a map.

Based on the parameters adopted for infill development as part of the ALUCP, no apparent opportunities to take advantage of the infill development policy have been identified. Within Safety Zone 6, proposed uses exceeding the intensity limit of 300 persons per acre would need to be located next to existing uses that already exceed this level. These circumstances have not been identified.

Recommended Action: None

3.4.5 Height Limitations and Other Hazards to Flight

A. Height Restrictions.

To protect the airport airspace, limitations must be set on the height of structures and other objects near airports. Within Safety Zone 6, generally, there is no concern with regard to any object up to 100 feet above ground level unless it is located on high ground or is a solitary object (such as antenna) more than 35 feet above ground level (ALUCP, Page 3-17). Other height-based criteria that focus on variations in terrain are not applicable due to the virtually flat topography which characterizes the Clovis Planning Area. Based on the height allowances in the City's Development Code, heights of buildings within the Airport Influence Area will not extend above 100'. However, it is possible that communication towers exceeding 100' in height may be proposed.

Recommended Action: Because communication towers exceeding the assumed maximum height criteria (100') may be proposed within Safety Zone 6, General Plan Policy 3.11 should be amended to require that projects exceeding 100' in height be submitted for review to the ALUC and an FAA Form 7460 be filed to obtain a Determination of No Hazard. The specific language amending Policy 3.11 is included in Section 4.

B. Other Hazards to Flight

In addition to height limits, local agencies must also establish restrictions on other land use characteristics which can cause hazards to flight. The ALUCP identifies the following specific characteristics to be considered:

- Glare or distracting lights which could be mistaken for airport lights;
- Sources of dust, steam, or smoke which may impair pilot visibility;
- Sources of electrical interference with aircraft communications or navigation; and
- Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds.

Recommended Action: Neither the General Plan nor the Development code prohibit the potential hazards identified by the ALUCP. For this reason, General Plan Policy 3.11 should be amended to require that projects within the AIA be reviewed for the potential to exhibit these characteristics and be modified or denied accordingly. The specific language amending Policy 3.11 is included in Section 4.

3.4.6 Buyer Awareness Measures

The ALUCP includes provisions which require public notice in the form of avigation easements and real estate disclosure notices regarding the potential for airport impacts within the AIA. Avigation easements are recorded instruments which effectively provide rights and allowances for airport and associated aircraft operations, and limit or prohibit actions on the part of property owners which would conflict with airport operations. Avigation easements are not required within Safety Zone 6 and no action on the part of City is required.

Real estate disclosure notices are intended to notify potential buyers and lessees regarding the proximity of properties to the airport and the presence of overflights above those properties. Disclosure notices are required within Safety Zone 6, with the following language recommended:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

The ALUCP provides guidance indicating that each land use jurisdiction affected by the compatibility plan should adopt a policy designating the AIA as the area wherein disclosure of airport influence is required in conjunction with the transfer of residential real estate. Furthermore, such policy should require signs providing the above notice be prominently posted in the real estate sales office and/or other key locations at any new project within the AIA.

Recommended Action: General Plan Policy 3.11 should be amended to incorporate airport disclosure notice requirements following the guidance in the ALUCP. The specific language amending Policy 3.11 is included in Section 4.

3.4.7 Nonconforming Uses and Reconstruction

Local agency policies regarding nonconforming uses and reconstruction must be equivalent to or more restrictive than those in the ALUCP. The ALUCP indicates that repair and maintenance of existing buildings are deemed compatible with the ALUCP and are not subject to consistency review. Modification of existing nonconforming land uses is permissible, provided that the modification does not increase the magnitude of the nonconformity when compared to the compatibility criteria specified for each safety zone (See Table 3.1 of this report). The magnitude of nonconformity shall be measured by:

- For residential land uses, the number of dwelling units and size of the structure on the lot;
- For nonresidential land uses, the size of the nonconforming use in terms of lot area and building floor area.

The City's Development Code addresses non-conforming uses and structures in Chapter 9.84. These existing provisions do not address conformity relative to the compatibility criteria in the ALUCP.

Recommended Action: General Plan Policy 3.11 should be amended to incorporate the ALUCP Policies regarding non-conforming uses. The specific language amending Policy 3.11 is included in Section 4.

3.4.8 Review Procedures

In addition to incorporation of ALUCP compatibility criteria, local agency implementing documents must specify the manner in which development proposals will be revised for consistency with the compatibility criteria as outlined below.

- **Actions Always Required To Be Submitted For Airport Land Use Commission Review.** Public Utility Code Section 21676 identifies the types of actions that must be submitted for ALUC. Local policies should either list these actions or at a minimum, note the local agency's intent to comply with the state statute.
- **Other and Use Actions Potentially Subject to Airport Land Use Commission Review.** In addition to the above actions, ALUCPs may identify certain major land use actions for which referral to the Airport Land use Commission is dependent upon agreement between the local agency and Airport Land Use Commission. If the local agency fully complies with all of required criteria in the general plan consistency evaluation, or has taken the necessary steps to overrule the Airport Land Use Commission, then referral of the additional actions is voluntary. On the other hand, a local agency may elect not to incorporate all of the necessary compatibility criteria and review procedures into its own policies. In this case, referral of major land use actions to the Airport Land Use Commission is mandatory. Local policies should indicate the local agency's intentions in this regard.

With regard to the first bullet point, Public Utility Code 21676 specifies that actions including the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the AIA must be submitted to the ALUC for review. The City intends to comply with this requirement and should confirm this intention in its General Plan. With regard to the second bullet point, the City intends to address all of required consistency criteria. Except as otherwise stated in the recommended amendments to General Plan Policy 3.11, all submittals to the ALUC will become voluntary.

Recommended Action: General Plan Policy 3.11 should be amended to confirm the City's intent to refer projects to the ALUC pursuant to Section 21676 of the Public Utility Code. The specific language amending Policy 3.11 is included in Section 4.

SECTION 4: RECOMMENDED AMENDMENTS TO GENERAL PLAN POLICY 3.11

General Plan Policy 3.11 is recommended to be amended to incorporate the criteria and consistency language described in this report, as follows:

Policy 3.11 - Airport land use compatibility. Review and Approve land uses in a manner that is consistent with the Fresno County Yosemite International Airport Land Use Compatibility Plan (ALUCP) as it relates to the Airport Influence Area for the Fresno Yosemite International Airport, as follows:

- a. Non-residential projects within the Airport Influence Area shall be reviewed for consistency with the intensity limitations applicable to the Traffic Pattern Zone (Safety Zone 6) pursuant to the ALUCP's Guidance for Calculating Land Use Intensity. Projects determined to be in excess of the intensity limits (300 persons per acre) shall be prohibited.
- b. Outdoor stadiums and similar uses with very high intensity uses are prohibited within the Airport Influence Area.
- c. Projects proposed within the Airport Influence Area shall be reviewed to determine the potential for "hazards to flight" to exist. Each project found to include such hazards shall be modified to remove the hazards or be denied. Specific hazards to be considered include the following:
 - Glare or distracting lights which could be mistaken for airport lights;
 - Sources of dust, steam, or smoke which may impair pilot visibility;
 - Sources of electrical interference with aircraft communications or navigation; and
 - Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds.
- d. Modification of existing nonconforming land uses, as determined by their consistency with the compatibility criteria in Table 3A of the ALUCP, shall be permissible, provided the modification does not increase the magnitude of the non-conformity when compared with the compatible criteria specified in ALUCP Table 3A. The magnitude of nonconformity shall be measured as follows:
 - For residential land uses, the number of dwelling units and size of the structure on the lot;
 - For nonresidential land uses, the size of the nonconforming use in terms of lot area and building floor area.
- e. Projects exceeding 100' in height shall be submitted for review to the ALUC and an FAA Form 7460 be filed to obtain a Determination of No Hazard prior to City approval.
- f. Airport disclosure notices shall be required within the Airport Influence Area utilizing the recommended notice language, and following the disclosure guidance, outlined in the ALUCP.

- g. City shall comply with Section of 21676 of the Public Utility Code with regard to the mandatory submittal of land use plans or regulations to the Fresno County Airport Land Use Commission.
- h. Notwithstanding the ALUCP implementation criteria stated above, City shall implement the most recently adopted version of the Fresno County Airport Land Use Compatibility Plan.

CLOVIS PLANNING COMMISSION MINUTES
October 22, 2020

5. Consider Approval - **Res. 20-44, GPA2020-003**, A request to amend the text of the General Plan to incorporate language to ensure consistency between the General Plan and the Fresno County Airport Land Use Compatibility Plan. City of Clovis, applicant.

City Planner Dave Merchen presented the staff report.

Commissioner Cunningham sought clarification regarding the sound levels within the airport influence area and across the City. City Planner Merchen provided the information.

Commissioner Cunningham expressed concern for public safety within the airport influence area due to high noise levels and inquired as to whether there is any recourse available to the City, as this document appears one-sided to him. City Planner Merchen explained that the plan is a public process up to a certain point, then followed up by informing that the General Plan itself includes noise exposure criteria.

Commissioner Cunningham inquired as to the criteria of decibel ratings for the influence area contours and who generates them. City Planner Merchen provided an explanation.

At this point, the Chair opened the floor to those in favor.

There being none, the Chair opened the floor to those in opposition.

There being none, the Chair closed the public portion.

At this point, a motion was made by Commissioner Cunningham and seconded by Commissioner Hatcher to approve GPA2020-003. The motion was approved by a vote of 4-0-1.



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: January 4, 2021

SUBJECT: Consider Approval – Res. 21-____, Adoption of a Resolution amending the 2019-2020 Community Development Block Grant Annual Action Plan; and Consider Approval – Res. 21-____, Amending the FY 2020-2021 Housing and Community Development Budget to Increase the Funds by \$100,000.

Staff: Andrew Haussler, Community and Economic Development Director

Recommendation: Approve

ATTACHMENTS: 1. Resolution Amending 2019-2020 Annual Action Plan
2. Resolution Amending 2020-2021 HCD Budget

CONFLICT OF INTEREST

None.

RECOMMENDATION

Consider amending the 2019-2020 Community Development Block Grant (CDBG) Annual Action Plan to eliminate the Dennis/Beverly Alley Project and increase funds in the Emergency Housing Payments Program by \$100,000, and amend the FY 2020-2021 Housing and Community Development Budget to increase the funds by \$100,000.

EXECUTIVE SUMMARY

Demand for the Emergency Housing Payments Program has been greater than funding previously made available. Staff is recommending utilizing savings from previously completed projects, in the amount of \$100,000, to further fund the Emergency Housing Payments Program. In order to achieve this, a project must be moved between program years requiring the cancellation of a current year project (Dennis/Beverly Alley) and amending the 2019-2020 CDBG Action Plan. Staff will return to allocate funds to this project in the near future. This also requires a budget amendment.

BACKGROUND

The Federal Government authorized the CARES Act which provides funding in response to the COVID-19 pandemic. As a part of the CARES Act, Clovis received a CDBG-CV allocation of \$1,043,748; \$700,000 of which Council approved for an Emergency Housing Payment Program and \$343,748 to the Senior Meals Program.

The Emergency Housing Payments Program was designed to assist low-income households who have suffered a COVID-related income loss with their mortgage or rent payments. The program officially launched on July 15, 2020, and to date, 195 households have been assisted with the \$700,000 in CARES Act funds. The small amount of funds remaining in the program will very quickly be exhausted as qualified applications on hand are further processed. The demand for assistance has been tremendous and staff has continued to receive applications from eligible households. Currently there are approximately 40 eligible applications on file in case additional funding becomes available, with new applications being submitted on a daily basis.

Staff is recommending utilizing savings from previously completed projects, in the amount of \$100,000, to further fund the Emergency Housing Payments Program. This will allow approximately 30 more households to be served. Staff is also monitoring any other aid that may be made available to assist Clovis residents who have been impacted by the COVID-19 pandemic and will adjust as necessary to make the best use of the funds available to the City of Clovis.

In order to achieve this, a project must be moved between program years requiring the cancellation of a current year project (Dennis/Beverly Alley) and amending the 2019-2020 CDBG Action Plan. Staff will return to allocate funds back to this project in the near future. This also requires a budget amendment.

The U.S. Department of Housing and Urban Development (HUD) requires that grantees follow their adopted Citizen Participation Plan when a substantial change is proposed to the allocation priorities or a substantial change in the method of distribution of funds for activities funded in the City's Annual Action Plan. This includes notification to the public of the proposed amendment with a period of review and comment. On December 30, 2020, the proposed amendment notice was published for public review and comment on the City of Clovis website and social media where it remained for the mandatory five-day period. HUD has provided a waiver for newspaper publication of the notice and a waiver allowing a five-day comment period (instead of the mandated 30 days) for funds being used to prevent, prepare for and respond to COVID-19. In order to expend these funds, a budget amendment is also being requested to increase the FY 2020-2021 Housing and Community Development Budget by \$100,000.

FISCAL IMPACT

A total of \$100,000 in CDBG funds would be made available for use in the City's Emergency Housing Payment Program. With adoption of the proposed HCD budget amendment, all funds would be available for use in the 2020-2021 City of Clovis budget. HUD distributes the funds on a reimbursement basis. There would be no impact to the General Fund Budget.

REASON FOR RECOMMENDATION

To provide an additional \$100,000 for the Emergency Housing Payment Program so that the City can continue to provide assistance to low-income households who have suffered a COVID-related income loss.

ACTIONS FOLLOWING APPROVAL

Staff will submit the amendment to the 2019-2020 Annual Action Plan to HUD, and resume providing assistance to eligible households through the Emergency Housing Payment Program.

Prepared by: Andrew Haussler, Community and Economic Development Director

Reviewed by: City Manager *AH*

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
AMENDING THE 2019-20 CDBG ANNUAL ACTION 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 funds; and

WHEREAS, HUD requires the City of Clovis to amend its 2019-20 Annual Action Plan to identify projects to be completed using CDBG-CV funds including the addition of \$100,000 for the Emergency Housing Payments Program.

NOW, THEREFORE, BE IT RESOLVED that the Clovis City Council and approve the amendment of the 2019-20 Annual Action Plan, as follows:

- Cancel the Dennis/Beverly Alley Reconstruction Project in the amount of \$140,000.
- Further fund the Emergency Housing Payment Program in the amount of \$100,000.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on the 4th day of January, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: January 4, 2021

Mayor

City Clerk

RESOLUTION 21-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AN AMENDMENT TO THE FY 2020-2021
HOUSING AND COMMUNITY DEVELOPMENT BUDGET**

WHEREAS, the City Council adopted the FY2020-2021 City budget on June 1, 2020; and

WHEREAS, the City of Clovis is cancelling the Dennis/Beverly Alley Project in the amount of \$140,000 and redirecting \$100,000 of those funds to the Emergency Housing Payment Program; and

WHEREAS, these revenues and expenditures were not included in the original adopted budget; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of The City of Clovis hereby approves the budget amendment as shown in the "Summary of Expenditures/Revenues by Department" and "Summary of Expenditures/Revenues by Fund" as attached as Exhibit A.

* * * * *

The foregoing resolution was approved at the regularly scheduled meeting of the Clovis City Council on the 4th day of January, 2021, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated:

Mayor

City Clerk

EXHIBIT A

SUMMARY OF EXPENDITURES BY DEPARTMENT

HOUSING AND COMMUNITY DEVELOPMENT

CDBG-CV	<u>\$100,000.00</u>
TOTAL DEPARTMENT	\$100,000.00
TOTAL ALL DEPARTMENTS	\$100,000.00

SUMMARY OF EXPENDITURES BY FUND

Housing and Community Development	<u>\$100,000.00</u>
TOTAL DEPARTMENT	\$100,000.00

SUMMARY OF REVENUES BY DEPARTMENT

HOUSING AND COMMUNITY DEVELOPMENT

Housing and Community Development	<u>\$100,000.00</u>
TOTAL DEPARTMENT	\$100,000.00

SUMMARY OF REVENUES BY FUND

Housing and Community Development	<u>\$100,000.00</u>
TOTAL DEPARTMENT	\$100,000.00