



CITY of CLOVIS

AGENDA • CITY COUNCIL MEETING

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

February 16, 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 Ashbeck

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 February 8, 2021 Council Meeting.
2. Administration - Receive and File - Business Organization of Old Town (B.O.O.T.) Second Quarter Report, October through December 2020.
3. General Services – Approval – Claim Rejection of the General Liability Claim for George Beal.
4. Planning and Development Services - Approval – Final Acceptance for Final Map for Tract 6202, located at the southeast area of Alluvial and Fowler Avenues (Wilson Premier Homes, Inc.)
5. Planning and Development Services - Approval – Final Acceptance for Final Map for Tract 6127, located at the northeast area of Leonard Avenue and Barstow Avenues (Woodside Homes).
6. Planning and Development Services - Approval – Final Acceptance for Final Map for Tract 6197, located at the northeast area of Leonard Avenue and Barstow Avenue (Woodside Homes).
7. Public Utilities – Approval – Res. 21-____, A Resolution Initiating Proceedings for the Annual Levy of Assessments for Landscape Maintenance District No. 1.

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 Actions related to Annexation of Territory (Annexation #67, T6284-Southeast Corner of Sunnyside and Teague) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
 - a. Consider Approval - Res. 21-____, A Resolution annexing territory (Annexation #67) (T6284-Southeast Corner of Sunnyside and Teague) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #67) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
 - b. Consider Approval - Res. 21-____, A Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

Staff: Jay Schengel, Finance Director

Recommendation: Approve

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

9. Consider Approval - Res 21-____, Approving an Interfund Loan between the General Government Services Fund and the Water Service Fund to Finance the Construction of Fire Station 6.

Staff: Jay Schengel, Finance 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:

March 1, 2021 (Mon.)
March 8, 2021 (Mon.)
March 15, 2021 (Mon.)
April 5, 2021 (Mon.)
April 12, 2021 (Mon.)
April 19, 2021 (Mon.)

CLOVIS CITY COUNCIL MEETING

February 8, 2021

6:00 P.M.

Council Chamber

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

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

6:04 - Mayor Bessinger unveiled the new City of Clovis flag.

PRESENTATIONS/PROCLAMATIONS 6:06

PRESENTATION OF PROCLAMATION DECLARING FEBRUARY 14 - 20, 2021 NATIONAL SALUTE TO VETERAN PATIENTS WEEK.

Mayor Bessinger read a proclamation declaring February 14 – 20, 2021, as National Salute to Veteran Patients Week.

CONSENT CALENDAR 6:12

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, that the items on the Consent Calendar, except item 3, be approved. Motion carried by unanimous vote.

1. Administration - Approved - Minutes from the February 1, 2021 Council Meeting.
2. Administration - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, October – December 2020.
4. Planning and Development Services - Approved – **Res. 21-24**, Submittal of a Rubberized Pavement Grant for the maintenance of various City streets; and Authorizing the City Engineer to execute all related grant documents.

6:13 – **CONSENT CALENDAR ITEM 3 - ADMINISTRATION - APPROVED – 2021 STREET CLOSURE REQUESTS; AND APPROVAL - RES. 21-25, DECLARING CERTAIN EVENTS AS OLD TOWN SPECIAL EVENTS AND SETTING PRECISE BOUNDARIES FOR THOSE OLD TOWN SPECIAL EVENTS.**

City Clerk John Holt indicated that staff had revised the resolution for this item by adding two paragraphs to allow the city manager discretion to approve special events that may need to be rescheduled due to the pandemic. 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 resolution declaring certain events as Old Town special events and setting precise boundaries for those Old Town special events with the added provision to further amend the resolution to tie the resolution to the ordinance that governs street closure requirements.

ADMINISTRATIVE ITEMS

6:24 – ITEM 5 - APPROVED - **RES. 21-26**, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CLOVIS AND CALIFORNIA HEALTH SCIENCES UNIVERSITY (CHSU) ADDRESSING THE BUILDOUT OF THE CHSU CAMPUS. CHSU, APPLICANT.

Planning and Development Services Director Renee Mathis presented a report on a request to approve a resolution authorizing the City Manager to execute a Memorandum of Understanding between the City of Clovis and California Health Sciences University (CHSU) addressing the buildout of the CHSU Campus. Granville Homes and the Assemi Group, in their capacity as members of the CHSU Ownership Group (“CHSU Representatives”), are working with CHSU to update the vision and master plan for the CHSU campus, including campus affiliated housing in the area surrounding the University. At its November 9, 2020 meeting, the City Council considered information presented by staff and CHSU representatives, and provided direction for moving forward with the updated vision. Staff was directed to work with the CHSU representatives to further define the need and timing for campus housing, and the identification of appropriate mechanisms to tie campus housing to the University. In response to this direction, CHSU prepared a revised operational statement and worked with staff to develop the MOU which is currently under consideration. Christine Ligenfelter, Darius Assemi, and Florence Dunn, all spoke in support of the MOU and addressed questions of city council. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the council to approve a resolution authorizing the City Manager to execute a Memorandum of Understanding between the City of Clovis and California Health Sciences University (CHSU) addressing the buildout of the CHSU Campus.

WORKSHOP - 7:36

City Manager Luke Serpa presented city council an update on City of Clovis and Fresno County pandemic status and numbers.

COUNCIL COMMENTS – 7:48

Councilmember Whalen showed a picture of a tree in the city decorated for Valentines Day.

Councilmember Ashbeck reported out on a Measure C steering committee meeting regarding the 2022 ballot measure to renew. She also requested staff look into what the City of Davis has done which has led to a positivity rate of approximately 1%.

Councilmember Mouanoutoua thanked the mayor for the challenge coin and flag, thanked City Manager Luke Serpa for the COVID-19 graphs created last week, and provided some options for the city attorney to consider regarding making naming of city public facilities permanent.

Councilmember Flores commented on having staff consider rebranding the Research and Technology Park.

PRELIMINARY - SUBJECT TO APPROVAL

AGENDA ITEM NO. 1.

Mayor Bessinger adjourned the meeting of the Council to February 16, 2021

Meeting adjourned: 7:55 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: February 16, 2021

SUBJECT: Administration - Receive and File - Business Organization of Old Town (B.O.O.T.) Second Quarter Report, October through December 2020.

ATTACHMENTS: 1. Business Organization of Old Town (B.O.O.T.) Second Quarter Report, October through December 2020

CONFLICT OF INTEREST

None

RECOMMENDATION

That the City Council receive and file the Business Organization of Old Town (B.O.O.T.) Second Quarter Report, October through December 2020.

EXECUTIVE SUMMARY

According to the 2020–2021 agreement between the City of Clovis and B.O.O.T., 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 B.O.O.T., 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 Second Quarter Report, October through December 2020 activities. The amount to be funded is \$15,000.

FISCAL IMPACT

The amount to be funded is \$15,000, which is contained 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 B.O.O.T..

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 2 (October 1 - December 31st 2020)

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.
- Provide information to merchants of Old Town regarding activities conducted in and around Old Town through the BOOT social media accounts & email blasts.
- 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 2021 campaign started in November 2020. 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 2021 Board of Directors is as follows:
 - *Cora Shipley, President (through 2022)
 - * Tom Frost, Vice President (through 2021)
 - * Karen Chisum, Secretary (through 2022)
 - * Dave Shivers, Director at Large (through 2022)
 - * Julie Glenn, Director at Large (through 2021)
 - * Jeanna Parenti, Director at Large (through 2021)
 - * Ronnie Silva, Director a Large (through 2022)
- * 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 (extended this year through the end of October) and continued to hold our weekly Saturday Morning Farmer’s Market. In addition, we held our Fall Antiques Market in October with success, and promoted holiday shopping and dining through Christmas with our annual carriage rides and a socially distanced One Enchanted Evening kick off to the holidays.
- 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 year. 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, Antiques & Vintage Market, and One Enchanted Evening. 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, with plans to resume in January 2021.
- 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 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 Social Media 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 Insurance Services.

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.

2:57 PM
01/12/21
Cash Basis

Business Organization of Old Town
Profit & Loss
October through December 2020

| | <u>Oct - Dec 20</u> |
|-------------------------|------------------------|
| Ordinary Income/Expense | |
| Income | |
| Event Income | 8,283.78 |
| Farmer's Market | 6,422.45 |
| Sponsorships | 5,950.00 |
| Total Income | <u>20,656.23</u> |
| Gross Profit | 20,656.23 |
| Expense | |
| Accounting | 750.00 |
| Advertising - General | 862.50 |
| Bank Fees | 285.00 |
| Dues & Subscriptions | 832.30 |
| Equipment Rentals | 2,149.50 |
| Fee Refunds | 1,250.00 |
| Insurance | 1,294.46 |
| Interest Expense | 223.16 |
| Meetings | 500.00 |
| Merchant Fees | 229.80 |
| Office Supplies | 89.59 |
| Payroll Expenses | 6,203.09 |
| Payroll Taxes | 1,026.56 |
| Penalties | 592.55 |
| Printing | 698.09 |
| Rent | 975.00 |
| Supplies | 25.20 |
| Utilities | 952.02 |
| Total Expense | <u>18,938.82</u> |
| Net Ordinary Income | 1,717.41 |
| Other Income/Expense | |
| Other Income | |
| Other Income | 534.00 |
| Total Other Income | <u>534.00</u> |
| Net Other Income | 534.00 |
| Net Income | <u><u>2,251.41</u></u> |



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: February 16, 2021

SUBJECT: General Services – Approval – Claim Rejection of the General Liability Claim for George Beal.

ATTACHMENTS: None

CONFLICT OF INTEREST

None

RECOMMENDATION

Reject the General Liability Claim filed by George Beal.

EXECUTIVE SUMMARY

George Beal (claimant) filed a General Liability Claim against the City of Clovis on January 7, 2021, for loss of revenue for his business Johnny Quik. Mr. Beal claims that the construction of the roundabout and the traffic control methods used for the project near Temperance and Owens Parkway caused loss of sales and profit. The claim amount identified on the claim form is \$268,358.00. It is recommended that the claim is rejected at this time.

BACKGROUND

On January 7, 2021, a General Liability Claim was filed against the City of Clovis by George Beal. The claim was considered legally sufficient and timely. Mr. Beal alleged that during the period of April 2020 through October 2020, the City of Clovis construction and the traffic control methods used while building a roundabout near the location of Temperance and Owens Parkway caused loss of sales and profit to his business Johnny Quik.

Mr. Beal seeks reimbursement for loss of gasoline profit from April 2020 through October 2020. The claim has been filed for the amount of \$268,358.00.

FISCAL IMPACT

Rejection of the claim does not result in any fiscal impact.

REASON FOR RECOMMENDATION

It is recommended that the claim be rejected. The City is not liable for this claim. In addition, by rejecting this claim, the time in which lawsuits may be filed against the City will begin to run.

ACTIONS FOLLOWING APPROVAL

A letter will be sent to the claimant informing him that the claim has been rejected.

Prepared by: Charles W. Johnson, Management Analyst

Reviewed by: City Manager *[Signature]*



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: February 16, 2021

SUBJECT: Planning and Development Services - Approval – Final Acceptance for Final Map for Tract 6202, located at the southeast area of Alluvial and Fowler Avenues (Wilson Premier Homes, Inc.)

ATTACHMENTS: 1. Vicinity Map

CONFLICT OF INTEREST

None.

RECOMMENDATION

1. Accept the public improvements for Tract 6202; and authorize recording of the Notice of Completion; and
2. Authorize release of the Performance Surety immediately and then release of the Labor and Materials Surety ninety (90) days after the recordation of the Notice of Completion, provided no liens have been filed; and release of Public Improvements Maintenance Surety upon the expiration of the one-year warranty period, and provided any defective work has been repaired to the City's satisfaction.

EXECUTIVE SUMMARY

The owner, Wilson Premier Homes, Inc., has requested final acceptance of the public improvements constructed or installed in conjunction with this tract. The public improvements include all those shown on the subdivision improvement plans approved by the City Engineer. The construction or installation of the public improvements is complete. The owner has requested final acceptance. Staff is recommending approval of their request.

BACKGROUND

City Inspection staff, including those of the various affected departments, has certified that all the public improvements requested for acceptance have been constructed or installed in accordance with the approved plans, specifications and standards, and to the satisfaction of the City Engineer. The developer has furnished the required Maintenance Surety to

guarantee the accepted public improvements for a period of one year from the date of Council acceptance.

FISCAL IMPACT

The costs for periodic routine maintenance, as well as repairs needed as the improvements deteriorate with age and usage, will be incorporated into the annual maintenance budget of the Public Utilities Department as these costs are identified.

REASON FOR RECOMMENDATION

The Subdivision Map Act requires that once construction of the required improvements has been completed in compliance with all codes, plans and specifications, and all other required documents have been completed and submitted, final acceptance is required and the appropriate sureties are released.

ACTIONS FOLLOWING APPROVAL

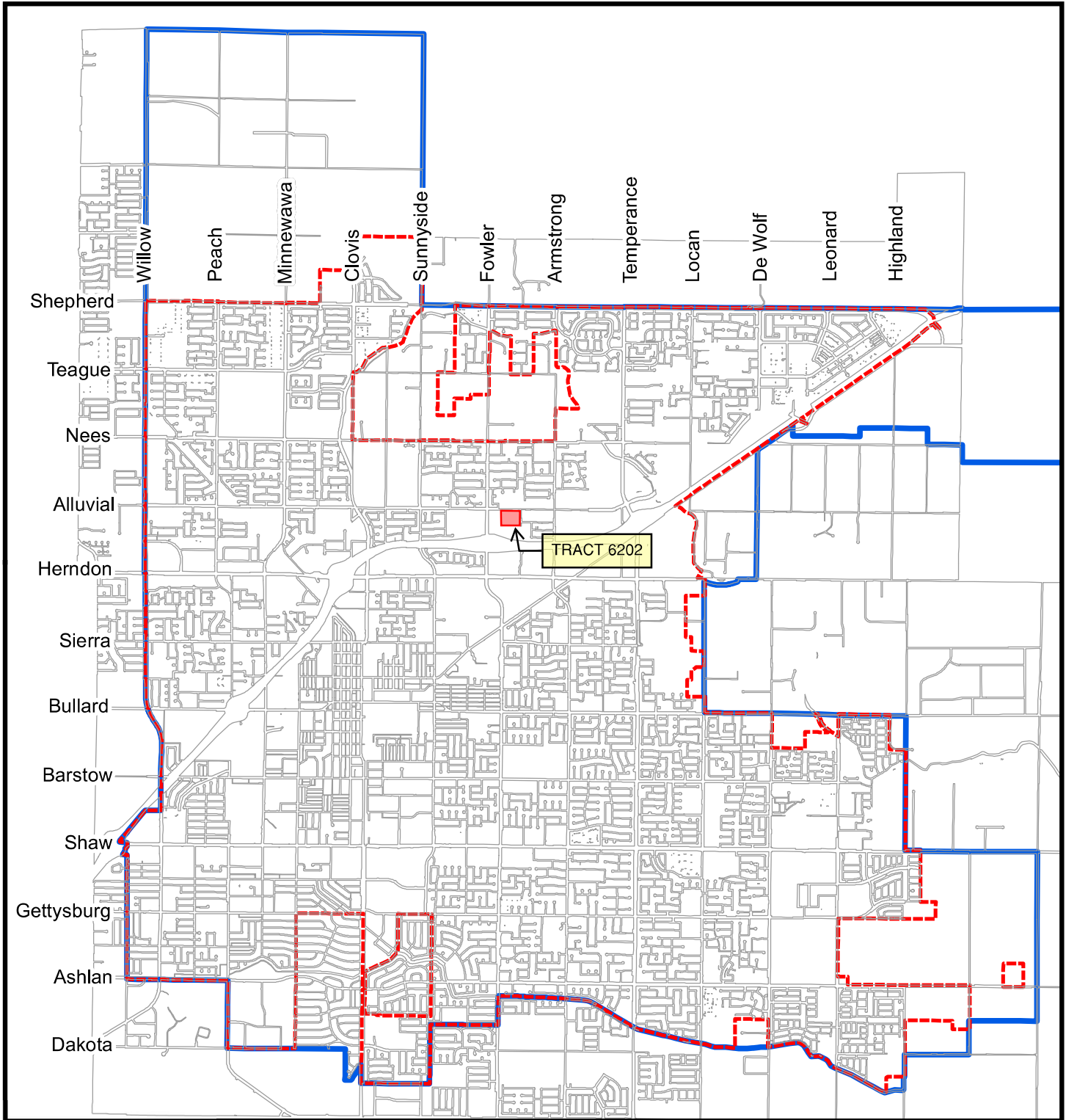
Record the Notice of Completion and release the Performance, Labor and Materials, and Maintenance Sureties as appropriate.

Prepared by: Jose Sandoval, Engineer II

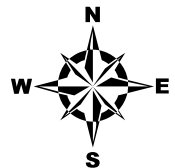
Reviewed by: City Manager *JH*

VICINITY MAP

Tract 6202 - Wilson Premier Homes, Inc.



ATTACHMENT 1





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: February 16, 2021

SUBJECT: Planning and Development Services - Approval – Final Acceptance for Final Map for Tract 6127, located at the northeast area of Leonard Avenue and Barstow Avenues (Woodside Homes).

ATTACHMENTS: 1. Vicinity Map

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to:

1. Accept the public improvements for Tract 6127; and authorize recording of the Notice of Completion; and
2. Authorize release of the Performance Surety immediately and then release of the Labor and Materials Surety ninety (90) days after the recordation of the Notice of Completion, provided no liens have been filed; and release of Public Improvements Maintenance Surety upon the expiration of the one-year warranty period, and provided any defective work has been repaired to the City's satisfaction.

EXECUTIVE SUMMARY

The owner, Woodside 06N, LP, has requested final acceptance of the public improvements constructed or installed in conjunction with this tract. The public improvements include all those shown on the subdivision improvement plans approved by the City Engineer. The construction or installation of the public improvements is complete. The owner has requested final acceptance. Staff is recommending approval of their request.

All landscaping, including sidewalk along the side yards of lots have been constructed. The construction or installation of the public improvements is complete. The owner has requested final acceptance. Staff is recommending approval of their request.

FISCAL IMPACT

The costs for periodic routine maintenance, as well as repairs needed as the improvements deteriorate with age and usage, will be incorporated into the annual maintenance budget of the Public Utilities Department as these costs are identified.

REASON FOR RECOMMENDATION

The Subdivision Map Act requires that once construction of the required improvements has been completed in compliance with all codes, plans and specifications, and all other required documents have been completed and submitted, final acceptance is required and the appropriate sureties are released.

ACTIONS FOLLOWING APPROVAL

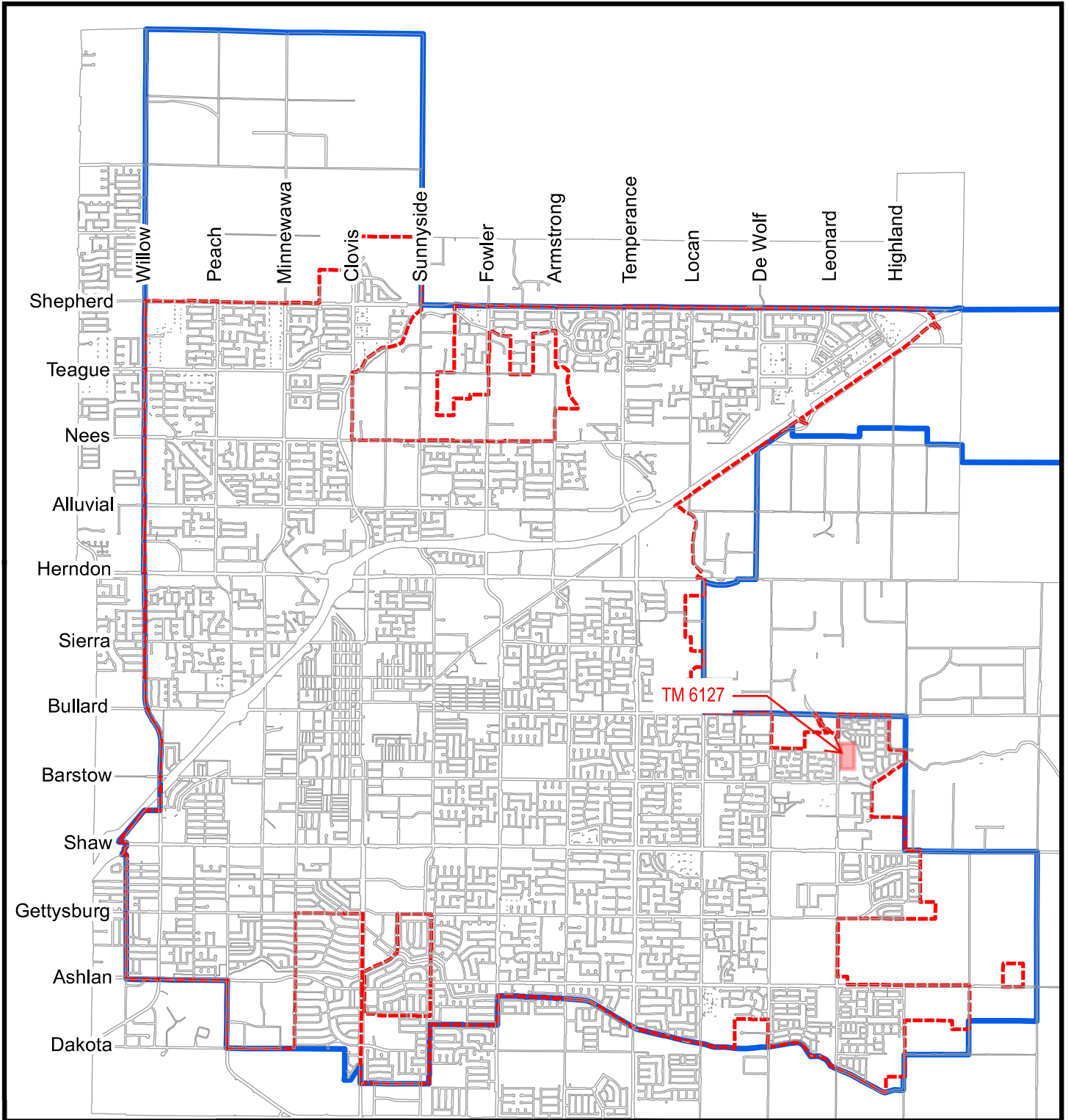
Record the Notice of Completion and release the Performance, Labor and Materials, and Maintenance Sureties as appropriate.

Prepared by: David Gonzalez, Civil Engineer

Reviewed by: City Manager 

VICINITY MAP

TM 6127



ATTACHMENT 1





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: February 16, 2021

SUBJECT: Planning and Development Services - Approval – Final Acceptance for Final Map for Tract 6197, located at the northeast area of Leonard Avenue and Barstow Avenue (Woodside Homes).

ATTACHMENTS: 1. Vicinity Map

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to:

1. Accept the public improvements for Tract 6197; and authorize recording of the Notice of Completion; and
2. Authorize release of the Performance Surety immediately and then release of the Labor and Materials Surety ninety (90) days after the recordation of the Notice of Completion, provided no liens have been filed; and release of Public Improvements Maintenance Surety upon the expiration of the one-year warranty period, and provided any defective work has been repaired to the City's satisfaction.

EXECUTIVE SUMMARY

The owner, Woodside 06N, LP, has requested final acceptance of the public improvements constructed or installed in conjunction with this tract. The public improvements include all those shown on the subdivision improvement plans approved by the City Engineer. The construction or installation of the public improvements is complete. The owner has requested final acceptance. Staff is recommending approval of their request.

All landscaping, including sidewalk along the side yards of lots have been constructed. The construction or installation of the public improvements is complete. The owner has requested final acceptance. Staff is recommending approval of their request.

FISCAL IMPACT

The costs for periodic routine maintenance, as well as repairs needed as the improvements deteriorate with age and usage, will be incorporated into the annual maintenance budget of the Public Utilities Department as these costs are identified.

REASON FOR RECOMMENDATION

The Subdivision Map Act requires that once construction of the required improvements has been completed in compliance with all codes, plans and specifications, and all other required documents have been completed and submitted, final acceptance is required and the appropriate sureties are released.

ACTIONS FOLLOWING APPROVAL

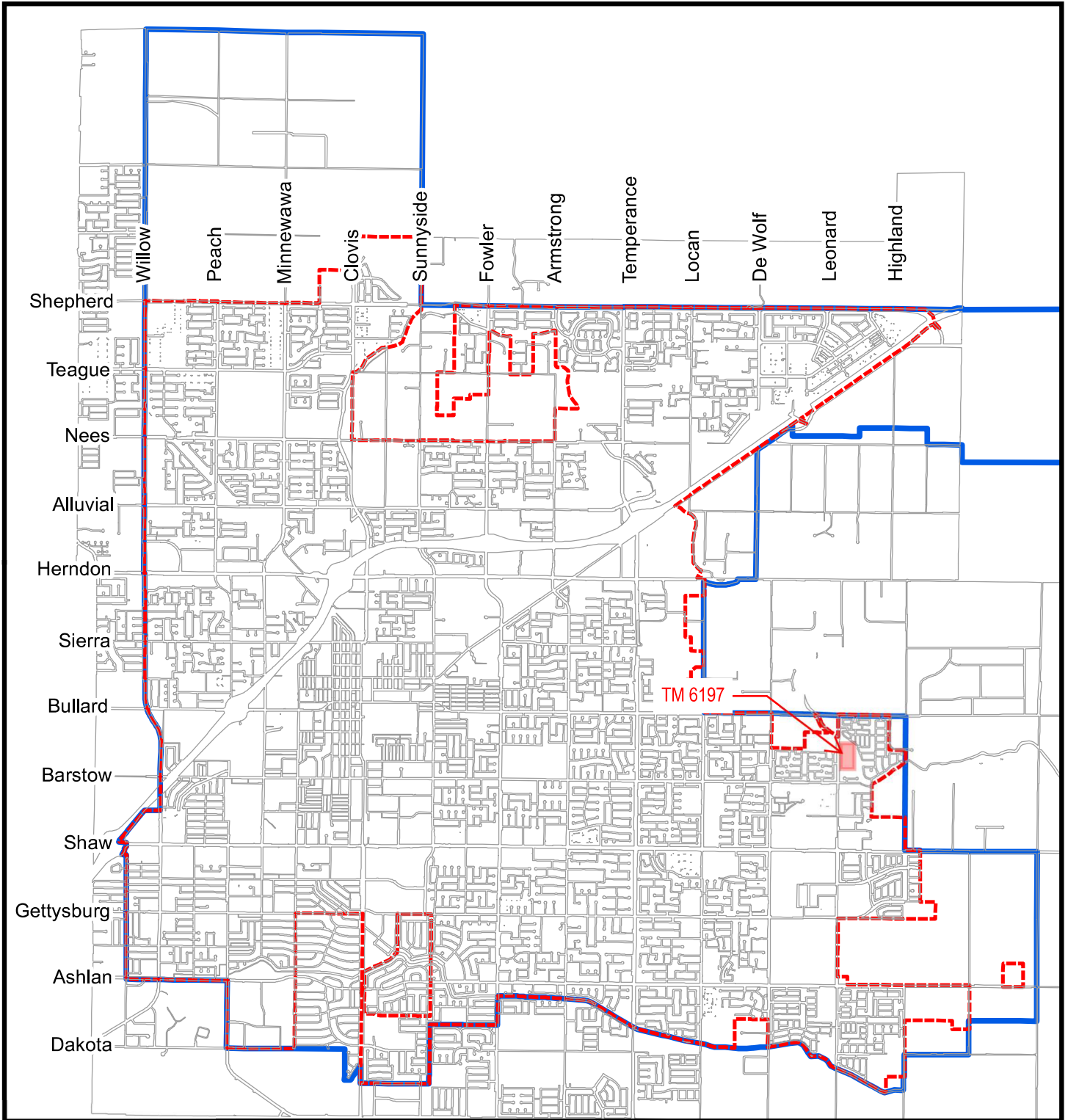
Record the Notice of Completion and release the Performance, Labor and Materials, and Maintenance Sureties as appropriate.

Prepared by: David Gonzalez, Civil Engineer

Reviewed by: City Manager 

VICINITY MAP

TM 6197



ATTACHMENT 1





CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: February 16, 2021

SUBJECT: Public Utilities – Approval – Res. 21-____, A Resolution Initiating Proceedings for the Annual Levy of Assessments for Landscape Maintenance District No. 1.

ATTACHMENTS: 1. Resolution

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve Res. No. 21-____, which will initiate proceedings for the annual levy of assessments for Landscape Maintenance District No. 1.

EXECUTIVE SUMMARY

This resolution is to initiate proceedings for the annual levy of assessments for the Landscape Maintenance District (LMD) No. 1 as required by the Landscape and Lighting Act of 1972. The assessments are necessary to fund the operations and maintenance of the benefit areas within the LMD. The Engineer's Report detailing the assessments will be compiled by the City's Consultant, Francisco and Associates, Inc. Upon City Council approval of the Engineer's Report on June 11, 2021, the assessments will be sent to Fresno County to be included in the property tax rolls.

BACKGROUND

On July 15, 1985, Council adopted Res. No. 85-78, forming the City of Clovis Landscape Maintenance District No. 1. The purpose of the District is to fund the operations and maintenance of landscaped areas and interior parks benefiting development throughout the City.

The yearly assessments established for all properties within the District provide funding for the City's cost for operation, maintenance, related services, and incidental expenses. The

required operation and maintenance includes mowing, edging, fertilizing, weed control, irrigation systems, pruning, plant replacement, lighting, and a depreciation fund to periodically replace landscape and park structures and associated equipment.

The Landscape and Lighting Act of 1972 (Section 22622) requires that a resolution be adopted which generally describes new improvements or substantial changes to existing improvements and orders that a report be prepared and filed regarding the assessment district. A listing of new improvements or substantial changes to the existing improvements is attached to the resolution as "Exhibit 1." Adoption of this resolution satisfies the requirement.

The final step in the process is to notify the Fresno County Auditor-Controller of the approved assessments so that they may be included on the property tax rolls. The tentative schedule for notification to the County is June 29, 2021.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

This resolution is required by the Landscaping and Lighting Act of 1972 in order to levy assessments to fund the cost of operations and maintenance for benefit areas within LMD No. 1.

ACTIONS FOLLOWING APPROVAL

1. The Engineer's Report will be prepared.
2. Staff will present the final assessment costs for consideration by the City Council at the public hearing.

Prepared by: Eric Aller, Parks Manager

Reviewed by: City Manager *EA*

RESOLUTION 21-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICT NO. 1 OF THE CITY OF CLOVIS

WHEREAS, the Council has approved thirty-three (33) annexations with new improvements to the Landscape Maintenance District No. 1 of the City of Clovis (herein known as LMD No. 1) since the Engineer’s Report dated May 4, 2020; and

WHEREAS, proceedings for the annual assessments for LMD No. 1 for the fiscal year 2021-2022 need to be initiated.

NOW, THEREFORE, BE IT RESOLVED that the City of Clovis is hereby found, determined, and ordered as follows:

1. The Council proposes to undertake proceedings for the levy of the annual assessments for LMD No. 1 under part 2 of Division 15 of the Streets and Highways Code of the State of California (Section 22500 et seq.), generally known as the Landscaping and Lighting Act of 1972 (herein the “Act”).
2. The new improvements being added by the above-referenced annexations to the existing maintained improvements are set forth in “Exhibit 1,” attached hereto and incorporated by reference herein.
3. The Public Utilities Director shall have a report prepared and filed in accordance with Article 4 (commencing with Section 22565) of the Act.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on February 16, 2021 by the following vote, to wit.

AYES:
NOES:
ABSENT:
ABSTAIN:

DATED:

Mayor

City Clerk

ATTACHMENT 1

EXHIBIT 1**THE NEW IMPROVEMENTS FOR THE LANDSCAPE MAINTENANCE
DISTRICT NO. 1 ARE DESCRIBED AS FOLLOWS:**

The proposed landscaping, irrigation, and lighting systems as described in the covenants appropriate to each of the following properties and other tracts to be annexed to the LMD prior to June 30, 2021.

Tract 6230
Parcel Map No. 2014-03
PM 2018-11
SPR 2018-005A
SPR 2018-009
SPR 2018-022A
SPR 2018-025
SPR 2018-027
SPR 2018-028
SPR 2019-001
SPR 2019-003
SPR 2019-008
SPR 2019-014
SPR 2019-015
Building Permit No. 6976-2019
Building Permit No. 6974-2019
SPR 2018-020
Tract 6239
Tract 6254
Tract 6262
Tract 6255
Tract 6263
Tract 6050
Tract 6328
Building Permit No. 6070-2019
Building Permit No. 6975-2019
Building Permit No. 1101-2020
Building Permit No. 1188-2020
PM 18-14
PM 2019-002
SPR 2002-002A
SPR 2018-007
SPR 2018-020



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: February 16, 2021

SUBJECT: Consider Actions related to Annexation of Territory (Annexation #67, T6284-Southeast Corner of Sunnyside and Teague) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

a. Consider Approval - Res. 21-____, A Resolution annexing territory (Annexation #67) (T6284-Southeast Corner of Sunnyside and Teague) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #67) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

b. Consider Approval - Res. 21-____, A Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

Staff: Jay Schengel, Finance Director

Recommendation: Approve

ATTACHMENTS:

1. Resolution of Annexation
2. Resolution Declaring Results
3. Map

CONFLICT OF INTEREST

None.

RECOMMENDATION

- That the Council hold a public hearing and approve actions related to the Annexation of Territory (Annexation #67) to Community Facilities District No. 2004-1.
- Consider Approval – Res. 21-____, A Resolution of annexation of territory (Annexation #67) to the Community Facilities District (City of Clovis Community Facilities District

No. 2004-1) and to authorize the levy of Special Taxes therein and submitting Levy of Special Taxes to Qualified Electors.

- Call for Special Election and have Clerk announce the vote.
- Consider Approval – Res. 21-____, A Resolution of the City Council of the City of Clovis Declaring the Results of the Special Annexation Election; Determining Validity of Prior Proceedings and Directing Recording of the Notice of Special Tax Lien (City of Clovis Community Facilities District No. 2004-1) (Police and Fire Services).

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. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property 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 approved a Resolution of Intention-Annexation #67 (ROI) to annex territory to the CFD on January 4, 2021. The ROI set a public hearing for February 16, 2021. The action today finalizes the annexation to the CFD.

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. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property 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 approved a Resolution of Intention-Annexation #67 (ROI) to annex territory to the CFD. The ROI set a public hearing for February 16, 2021. The Rate and Method of Apportionment (RMA) referred to in the ROI is the same as adopted by the Council with the Resolution of Formation adopted March 8, 2004. RMA provides, among other things, definitions, identifies what properties will be taxed, and the maximum special tax.

The conditions as provided in the Rate and Method of Apportionment will apply to territory annexed to the Community Facilities Districts to provide funding for public safety operations in new growth areas. The major conditions include:

1. The maximum annual tax will be \$260.08 for single family residential and \$224.55 for multi-family residential.
2. The maximum tax will be increased by the Escalator Factor, which is the greater of the change in CPI or percentage change in population.
3. There will be a review not later than five years of inception of the CFD.
4. The annual tax will not apply to commercially zoned property.

5. The tax will apply only to that property for which a building permit is issued after January 1, 2004.
6. The costs of salary and benefit increases funded by the CFD will be limited to the Escalator Factor.

The purpose of the hearing is to take public comment on the annexation of territory to the CFD and to accept protests from any interested person within the proposed boundaries. If no property owner protests are received, the Council may take the initial actions to annex the territory to the CFD by approving a resolution on the annexation to the CFD and calling a special property owner election. Once the election is called, the City Clerk tabulates the ballots. If the property owners of two-thirds (2/3) of the property within the proposed boundaries vote in favor of the CFD, then the Council can take action to direct the recording of Notice of Special Tax Lien. A unanimous vote is required to have the election the same night as approval of the resolution of annexation. The recording of the Tax Lien is contingent upon the property being annexed to the City. The property included within the CFD is being processed for annexation to the City and the Local Agency Formation Commission has approved the annexations.

After the annexation is complete and the Notice of Tax Lien has been recorded, any final maps within the CFD may be recorded and construction permits for homes can be issued. One of the conditions of the CFD is that the tax will only be collected on those properties where a building permit for a residence has been issued.

FISCAL IMPACT

If approved, residential units built within the boundaries of the CFD will be assessed annually according to the conditions of the CFD formation and those assessments will be utilized to fund police and fire services.

REASON FOR RECOMMENDATION

All requirements for the annexation of territory to the CFD have been completed and the Council may take action to annex territory to the CFD.

ACTIONS FOLLOWING APPROVAL

After approval of the resolution directing the recordation of the Notice of Tax Lien, the lien will be recorded.

Prepared by: Steve Nourian, Senior Accounting Systems Technician

Reviewed by: City Manager *SN*

RESOLUTION NO. 21-**A RESOLUTION OF ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN AND SUBMITTING LEVY OF SPECIAL TAXES TO QUALIFIED ELECTORS****CITY OF CLOVIS
Community Services District No. 2004-1
(Police and Fire Services)
Annexation No. 67**

RESOLVED by the City Council (the "Council") of the City of Clovis (the "City"), County of Fresno, State of California, that:

WHEREAS, this Council, on January 4, 2021, adopted A Resolution of Intention to Annex Territory to the Community Services District and to Authorize the Levy of Special Taxes Therein (the "Resolution of Intention") stating its intention to annex the territory to the City's Community Services District 2004-1 (the "District"), pursuant to Mello Roos Community Facilities Act of 1982, Sections 53311 and following of the California Government Code (the "Act"); and

WHEREAS, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory to be annexed to the District and stating the services to be provided and the rate and method of apportionment of the special tax to be levied within the District to pay for the services for the District, is on file with the Clerk of the Council and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on the date hereof, this Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the District; and

WHEREAS, at such hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to the District and the levy of said special taxes within the area proposed to be annexed were heard and a full and fair hearing was held; and

WHEREAS, prior to the time fixed for said hearing, written protests had not been filed against the proposed annexation of territory to the District by (i) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the existing District, or (ii) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be annexed to the District, or (iii) owners of one-half or more of the area of land in the territory proposed to be annexed to the District; and

WHEREAS, Annexation Map No. 67 to the District, has been filed with the City Clerk, which map shows the territory to be annexed in these proceedings, and a copy thereof is on file with the City Clerk.

ATTACHMENT 1

NOW, THEREFORE, IT IS HEREBY ORDERED,

1. All prior proceedings taken by this Council with respect to the District and the proposed annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act, and the District has been validly established pursuant to the Act.
2. The description and map of the boundaries of the territory to be annexed to District, as described in said Annexation Map No. 67 to the District on file with the Clerk are hereby finally approved, are incorporated herein by reference, and shall be included within the boundaries of the District, and said territory is hereby ordered annexed to the District, subject to voter approval of the levy of the special taxes therein as hereinafter provided.
3. The provisions of the Resolution of Intention and Resolution No. 21-01 adopted by this Council for the District on January 4, 2021 each as heretofore adopted by this Council are by this reference incorporated herein, as if fully set forth herein.
4. Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the District shall be submitted to the voters of the area to be annexed to the District at an election called therefore as hereinafter provided.
5. This Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the District for each of the 90 days preceding the close of the hearing heretofore conducted and concluded by this Council for the purposes of these annexation proceedings. Accordingly, and pursuant to the Act, this Council finds that for purposes of these proceedings the qualified electors are the landowners within the territory proposed to be annexed to the District and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the District.
6. Pursuant to the Act, the election shall be conducted by mail ballot under Section 4000 of the California Elections Code. This Council hereby determines that paragraphs (a), (b), (c)(1), and (c)(3) of said Section 4000 are applicable to this election.
7. The Council hereby calls a special election to consider the measure described in the ballot referred to below, which election shall be held on February 16, 2021, in the regular meeting place of this Council, City Council Chambers, City Hall, 1033 5th Street, Clovis, California. This Council hereby further finds that the provision of the Act requiring a minimum of 90 days to elapse before said election is for the protection of voters and that the voters have waived such requirement and the date for the election herein specified is established accordingly.
8. The City Clerk is hereby appointed as the election official to conduct the election and shall cause to be provided to each landowner in the territory to be annexed to the District. The City Clerk shall accept the ballots of the qualified electors received prior to 5:00 o'clock p.m. on February 16, 2021, whether received by mail or by personal delivery.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on February 16, 2021, by the following vote, to wit.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: February 16, 2021

Mayor

City Clerk

RESOLUTION NO. 21-**A RESOLUTION DECLARING RESULTS OF SPECIAL ANNEXATION ELECTION,
DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING
RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN****CITY OF CLOVIS
Community Facilities District No. 2004-1
(Police and Fire Services)
Annexation No. 67**

RESOLVED by the City Council (the "Council") of the City of Clovis (the "City"), County of Fresno, State of California, that:

WHEREAS, in proceedings heretofore conducted by the Council pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), this Council has heretofore adopted a resolution calling a special election of the qualified landowner electors in the territory of land proposed to be annexed to Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD"); and

WHEREAS, pursuant to the terms of the resolution which is hereby incorporated herein by this reference, the special election has been held and the City Clerk has filed a Canvass of Votes Cast in Special Election, a copy of which is attached hereto as Attachment A of Attachment 2; and

WHEREAS, this Council has reviewed the Canvass and hereby approves it.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The issue presented at the special election was the levy of a special tax within the territory annexed to the CFD, to be levied in accordance with the formula heretofore approved by this Council as described in Resolution No. 21-, a Resolution of Annexation of Territory to Community Facilities District, authorizing the Levy of a Special Tax and Submitting Levy of Tax to Qualified Electors, adopted February 16, 2021.
2. Pursuant to the Canvass on file with the City Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the CFD by more than two-thirds (2/3) of the landowners voting at the special election.
3. Pursuant to the voter approval, said annexed territory to the CFD is hereby declared to be fully annexed to and part of the CFD and this Council may levy special taxes therein as heretofore provided in these proceedings.

4. It is hereby found that all prior proceedings and actions taken by this Council pursuant to the CFD and the territory annexed thereto were valid and in conformity with the Act.

Within 15 days of the date hereof, the City Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of Fresno, an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on February 16, 2021 by the following vote, to wit.

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

DATED: February 16, 2021

Mayor

City Clerk

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

CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on this date, I canvassed the returns of the election held on this date, in the territory annexed to Community Facilities District No. 2004-1 (Police and Fire Services) of the City of Clovis which election is designated as the Special Tax Annexation Election, and the total number of ballots cast in the territory to be annexed and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

| Qualified Landowner Votes | Votes Cast | YES | NO |
|--|-----------------------|------------|-----------|
|--|-----------------------|------------|-----------|

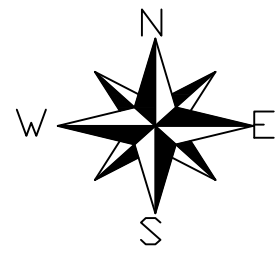
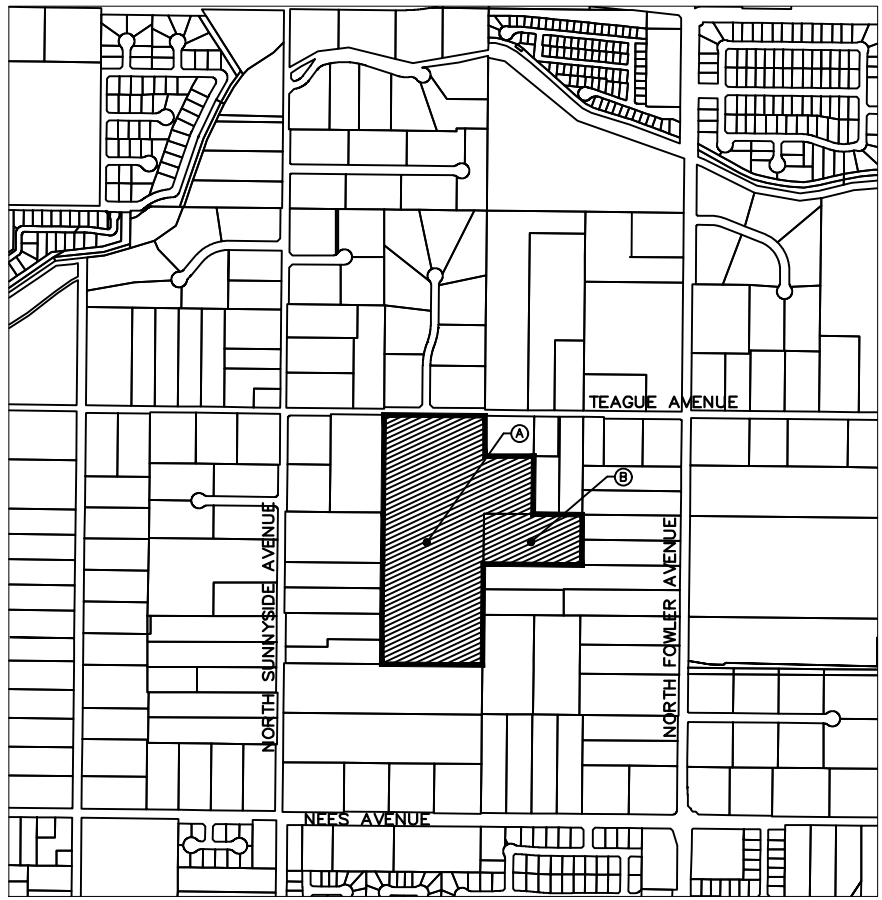
City of Clovis
Community Facilities District No. 2004-1
(Police and Fire Services), Annexation No. 67
Special Tax Annexation Election,
February 16, 2021.

BALLOT MEASURE: Shall the City of Clovis, by and for its Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in Resolution No. 21-___ of the City of Clovis, adopted by its Council on February 16, 2021?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this ____ day of _____ 2021.

CITY OF CLOVIS

By: _____
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. 21-_____.

 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

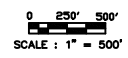
REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO 2004-1 (POLICE AND FIRE SERVICES) OF THE CITY OF CLOVIS RECORDED WITH THE FRESNO COUNTY RECORDER'S OFFICE ON FEBRUARY 19, 2004, IN BOOK 40 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 57.

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: Finance Department

DATE: February 16, 2021

SUBJECT: Consider Approval - Res 21-____, Approving an Interfund Loan between the General Government Services Fund and the Water Service Fund to Finance the Construction of Fire Station 6.

Staff: Jay Schengel, Finance Director

Recommendation: Approve

ATTACHMENTS:

1. Res. 21-____, An Interfund Loan to Finance the Construction of Fire Station 6.
2. Interfund Loan Agreement between the General Government Services Fund and the Water Service Fund.

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve Res 21-____ and the Interfund Loan Agreement between the General Government Services Fund and the Water Service Fund to finance the construction of Fire Station 6.

EXECUTIVE SUMMARY

On January 11, 2021, the City Council authorized staff to develop an agreement memorializing a \$5,000,000 Interfund loan from the Water Fund to the General Government Services Fund to finance the construction of Fire Station 6. At the January 11, 2021 meeting City Council approved in concept the loan amount of \$5,000,000 which was for the actual construction cost of Fire Station 6. Subsequent to January 11, 2021, staff has analyzed total costs of Fire Station 6 including the building construction as well as land cost, architectural, construction management, station equipment and furnishings, and project contingency costs. The total cost to construct Fire Station 6 is approximately \$7,900,000 when all costs are considered. There is approximately \$400,000 on hand to pay for project costs leaving the need to finance an increased amount of \$7,500,000 via an interfund loan. Annual payments will be approximately \$800,000 with the average annual Local Agency Investment Fund rate on a ten year term. Staff is recommending that City Council authorize the Public Utilities Director to execute the Loan Agreement on behalf of the Water Service Fund and the City Manager to execute the Loan Agreement on behalf of the General Services Fund.

BACKGROUND

On January 11, 2021, City Council awarded the Fire Station 6 construction contract to Seals Construction Inc. The project involves construction of a new fire station building including all associated site work and communications tower at the intersection of Loma Vista Parkway and Encino Avenue near the center of Loma Vista Community Center South. To finance the construction of Fire Station 6, City Council authorized staff to develop a \$5,000,000 interfund loan agreement from the Water Fund to the General Government Services Fund to finance the construction of the fire station. Staff evaluated and determined that the Water Fund had adequate fund balance to loan the General Government Services Fund the loan amount for a term not to exceed ten (10) years.

Subsequent to January 11, 2021, staff has analyzed all costs of Fire Station 6 including the building construction as well as land cost, architectural, construction management, station equipment and furnishings, and project contingency costs. The total cost to construct Fire Station 6 is approximately \$7,900,000 when all costs are considered. There is approximately \$400,000 on hand to pay for project costs leaving the need to finance an increased amount of \$7,500,000 via an interfund loan. Staff has evaluated and determined that the Water Fund had an adequate fund balance to loan the General Government Services Fund the loan amount for a term not to exceed ten (10) years.

Interest shall accrue annually on June 30 on the outstanding loan balance at the variable rates based on State of California's Local Agency Investment Fund ("LAIF") Pooled Money Investment Account average annual yield. The current LAIF average annual yield is 0.69%. The LAIF rate will be calculated annually for each payment date. Annual payment amounts will vary, but at the current LAIF rate, the annual payment would be approximately \$780,000 based on a 0.69% interest rate on a ten year term.

FISCAL IMPACT

This Fire Station 6 project was budgeted in the 2020-2021 fiscal year budget. The planned funding source for this project is Fire Department Development Impact Fees. Currently there are not sufficient fees to pay for the project outright and staff is recommending utilizing a loan from the Water Fund to finance the project, with future development impact fees paying down the loan. The borrowing will be paid back, along with interest based on the City's current LAIF average annual yield (currently 0.69%). Repayment of the interfund loan principal and calculated interest will be budgeted annually during the City's annual budget preparation and adoption process.

REASON FOR RECOMMENDATION

There are not sufficient funds currently available for the anticipated cost of this project. To keep the cost of the project as low as possible and provide the most flexibility for loan repayment, a loan from the Water Fund is recommended to fund the project.

ACTIONS FOLLOWING APPROVAL

After approval by City Council, the Public Utilities Director will execute the Interfund Loan Agreement on behalf of the Water Service Fund and the City Manager will execute the Loan Agreement on behalf of the General Services Fund.

Prepared by: Jay Schengel, Finance Director

Reviewed by: City Manager 

RESOLUTION 21-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AN INTERFUND LOAN TO FINANCE THE
CONSTRUCTION OF FIRE STATION 6**

WHEREAS, the City Council of the City of Clovis (the “City”) adopted the FY2020-2021 City budget on June 1, 2020; and

WHEREAS, the construction of Fire Station 6 (the “Project”) was included within the Community Investment Program budget; and

WHEREAS, the costs of the Project have been estimated to be \$5,308,040; and

WHEREAS, the City Council determines that this expenditure is necessary; and

WHEREAS, it has been determined that there are not sufficient fees available in the General Government Services Fund to finance the project outright; and

WHEREAS, the Water Services Fund has \$20 Million in working capital, in addition to \$15 Million in excess funds, received as a result of TCP legal settlements, and not due to user fees collected from customers; and

WHEREAS, it has been determined that the \$15 Million in excess funds available within the Water Service Fund are unencumbered and sufficient to cover a \$7,500,000 loan needed up front to fund the Project; and

WHEREAS, it has been determined that the loan will be repaid from Fire Department Development Impact Fees, or other revenue designated by the City through the budgetary process.

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

1. Approves a loan up to seven million, five hundred thousand dollars (\$7,500,000) from the City of Clovis Water Services Fund to the City of Clovis General Government Services Fund for a period not to exceed ten (10) years at an interest rate based upon the State of California’s Local Agency Investment Fund (“LAIF”) Pooled Money Investment Account Average Annual Yield (currently 0.69%) to be charged annually to construct Fire Station 6.
2. Approves the Loan Agreement attached as Attachment 2, memorializing the terms of the loan.
3. Authorizes the Public Utilities Director to execute the Loan Agreement on behalf of the Water Service Fund and the City Manager to execute the Loan Agreement on behalf of the General Services Fund.

* * * * *

The foregoing resolution was approved at the regularly scheduled meeting of the Clovis City Council on the 16th day of February, 2021, by the following vote to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dated: February 16, 2021

Mayor

City Clerk

**CITY OF CLOVIS INTERFUND LOAN AGREEMENT
FIRE STATION 6**

This Loan Agreement (“Agreement”) is entered into between the City of Clovis General Government Services Fund (Fund No. 604) (“Borrower”) and the City of Clovis Water Service Fund (Fund No. 507) (“Lender”). Lender agrees to lend to Borrower, and Borrower agrees to repay Lender the Principal Loan Amount, in accordance with the following:

1. Purpose of the Loan. To provide funds for use by the Borrower or its designee towards the construction of Fire Station 6 in the City of Clovis.
 2. Principal Amount. Not to exceed Seven Million Five Hundred Thousand and no/100 Dollars (\$7,500,000). The loan will be recorded as accounts receivable to the Lender and accounts payable to the Borrower.
 3. Term of the Loan. The term of the loan shall be ten (10) years, beginning on July 1, 2021 and ending June 30, 2031. The loan funds shall be made available to Borrower on July 1, 2021, or as otherwise mutually agreed upon. If all or a portion of the loan funds are made available prior to July 1, 2021 (“Advancement”), additional interest shall be calculated based upon the LAIF rate described below for the amount and term of the Advancement.
 4. Scheduled Payments. Borrower shall make payments annually against principal and interest. The first payment shall commence on June 30, 2022. At a minimum, each annual scheduled payment shall equal the amount of any accrued interest through the date of payment, plus a principal payment equal to one-tenth (1/10) of the original principal amount. Payments will be credited first to interest then due, and then to principal. Borrower may make partial or complete payment of principal and accrued interest at any time before its due date without any prepayment penalty.
- The Finance Department shall prepare an amortization schedule for the loan payments.
5. Interest Rate. Interest shall accrue annually on June 30 on the outstanding loan balance at the variable rates based on State of California’s Local Agency Investment Fund (“LAIF”) Pooled Money Investment Account Average Annual Yield. The current LAIF rate is 0.69%. The LAIF rate will be calculated annually for each payment date. Loan interest will be recorded as revenue to the Lender and expenditure to the Borrower.
 6. Source of Repayment. Repayment shall be paid from Fire Department Development Impact Fees, or other revenue designated by the City through the budgetary process. Missed scheduled payments shall be reported by the Finance Department to the City Council.
 7. General Provisions. This Agreement constitutes the full Agreement between the parties and no other representations have been made regarding the contents of this Agreement. This Agreement shall not be amended, modified, or altered in any respect unless such amendment, modification or alteration has been reduced to writing and executed by both parties.

LENDER:

Clovis Water Services, a municipal utility
Fund Name: Water Service Fund, No. 507

By: _____
Scott Redelfs, Director of Public Utilities

Date: _____

BORROWER:

City of Clovis, a municipal corporation and general law city
Fund Name: General Government Services Fund, No. 604

By: _____
Luke Serpa, City Manager

Date: _____