



CITY of CLOVIS

AGENDA • CITY COUNCIL MEETING

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

November 9, 2020

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 November 2, 2020 Council Meeting.
2. Administration - Adopt - **Ord. 20-16**, Campaign Contribution Limits, A request to add Chapter 1.9 to Title 1 of the Clovis Municipal Code relating to campaign contribution limits. (Vote 5-0)
3. Administration - Receive and File – Economic Development Corporation Serving Fresno County Quarterly Report, July–September 2020.
4. General Services – Approval – Claim Rejection of General Liability Claim submitted by Rory K. Pendergast on behalf of Beatrice Julia Santellan.
5. General Services – Approval – Claim Rejection of General Liability Claim submitted by Stuart R. Chandler on behalf of Max Spohn.

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.

6. Consider Approval – Res. 20-____, a Resolution of Necessity to determine that the public interest and necessity require acquisition of a portion of property for public purposes, and authorizing proceedings in eminent domain for said property located on the west side of Sunnyside Avenue, north of Herndon Avenue (APN: 562-142-81).

Staff: Ryan Burnett, Engineering Program Supervisor
Recommendation: Approve

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

7. Consider – Update on California Health Science University (CHSU) and request for the City Council to provide policy direction regarding establishment of student and/or faculty housing within the area surrounding the CHSU Campus. Granville Homes and the Assemi Group, applicant.

Staff: Dave Merchen, City Planner
Recommendation: Provide policy direction regarding the request by Granville Homes and the Assemi Group.

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:

Nov. 16, 2020 (Mon.)

Dec. 7, 2020 (Mon.)

Dec. 14, 2020 (Mon.)

Dec. 21, 2020 (Mon.) (To be Cancelled)

CLOVIS CITY COUNCIL MEETING

November 2, 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

PUBLIC COMMENTS – 6:04

Representatives of United Health Centers commented on a new office located in the City of Clovis.

Daren Tharp, representing Center Stage Clovis, commented on and invited City Council to participate in a virtual event to be held on November 30 in Old Town.

CONSENT CALENDAR – 6:20

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, that the items on the Consent Calendar be approved, including the waiver of the reading of the ordinance. Motion carried by unanimous vote.

1. Administration - Approved - Minutes from the October 19, 2020 Council Meeting.
2. Administration - Adopted - **Ord. 20-14**, R2020-003, A request to rezone approximately 30 acres from the C-2 (Community Commercial), M-1 (Light Industrial), M-2 (Heavy Industrial), and R-2 (Multifamily Medium-High Density Residential) Zone Districts to the C-M (Commercial and Light Manufacturing) Zone District. (Vote: 5-0)
3. Administration - Adopted - **Ord. 20-15**, OA2020-003, A request to amend the Clovis Municipal Code to clarify and refine Section 9.18.050 – Regional Housing Needs (RHN) Overlay District and to establish a ministerial process to subdivide parcels that qualify for development pursuant to the RHN Overlay District. City of Clovis, applicant. (Vote: 5-0)
4. Finance - Received and Filed – Treasurer’s Report for the Month of June 2020.
5. Finance - Received and Filed – Treasurer’s Report for the Month of July 2020.
6. Finance – Received and Filed – Investment Report for the Month of June 2020.
7. Finance - Received and Filed – Investment Report for the Month of July 2020.
8. Finance - Approved - **Res. 20-153**, A Resolution of Intention (ROI) to Annex Territory (Annexation #65) (T6050-Northwest Corner of Clovis and Shepherd), to the Community Facilities District (CFD) 2004-1 and to Authorize the Levy of Special Taxes Therein and Setting the Public Hearing for December 7, 2020.
9. Fire - Approved – **Res. 20-154**, Amending the Fire Department Budget to reflect \$32,695 in 2019 State Homeland Security Grant Program (SHSGP) award to fund Fire Department equipment.
10. Public Utilities - Approved – Waive formal bidding requirements and authorize the purchase of a replacement Tree Trimming Truck from Altec Industries, Inc. off the Sourcewell Purchasing Contract.

11. Public Utilities - Approved – Waive formal bidding requirements and authorize the purchase of a replacement TORO Field Mower from Turf Star Western off the National Intergovernmental Purchasing Alliance Contract Purchasing Alliance Contract.

PUBLIC HEARINGS

12. 6:22 P.M. - APPROVED - **RES. 20-155**, A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CLOVIS DECLARING ITS INTENT TO: (1) REVIEW AND EVALUATE THE 2020 CENSUS DATA AND MARCH 2, 2021 ELECTION DATA, AND CONSIDER A CONVERSION TO DISTRICT-BASED ELECTIONS IF FOUND TO BE IN THE PUBLIC INTEREST; AND (2) ESTABLISH A SCHEDULE FOR CONVERTING TO DISTRICT-BASED ELECTIONS IF DETERMINED NECESSARY AND APPROPRIATE

Assistant City Manager John Holt presented a report on a request for the council to approve a resolution declaring its intent to: (1) review and evaluate the 2020 census data and March 2, 2021 election data, and consider a conversion to district-based elections if found to be in the public interest; and (2) establish a schedule for converting to district-based elections if determined necessary and appropriate.

The Clovis City Council members are currently elected in at-large elections where each of the five Council Members are elected by the registered voters of the entire City. Under the California Voting Rights Act (“CVRA”), at-large elections are not impermissible unless such elections result in racially polarized voting.

Based upon the most recent data available, there is no evidence of racially polarized voting in the City’s elections dating back to 2010, and further, the data shows that the current demographic makeup of the City Council reasonably reflects the demographics of the City. However, in anticipation of the availability of the 2020 census data and additional election data from the upcoming March 2, 2021 election, the City, by this resolution, is committing to a meaningful, public, evaluation of the census and election data to ensure the public interest continues to be served by an at-large election method, or if it is necessary and appropriate to convert to district-based elections. In a district-based method of election, council members would only be elected by the voters residing within the election district in which the candidate resides. If a conversion to district-based election is deemed necessary and appropriate following the City’s evaluation of the 2020 census and March 2, 2021 data, this resolution establishes a tentative timeline for the formation of the election districts assuming the availability of the 2020 census data in or about July 2021.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to approve a resolution declaring its intent to: (1) review and evaluate the 2020 census data and March 2, 2021 election data, and consider a conversion to district-based elections if found to be in the public interest; and (2) establish a schedule for converting to district-based elections if determined necessary and appropriate. Motion carried by unanimous vote.

13. 6:43 - APPROVED INTRODUCTION - **ORD. 20-16**, CAMPAIGN CONTRIBUTION LIMITS, A REQUEST TO ADD CHAPTER 1.9 TO TITLE 1 OF THE CLOVIS MUNICIPAL CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS

Deputy City Clerk Karey Cha presented a report on a request to approve the introduction of an ordinance adding Chapter 1.9 to Title 1 of the Clovis Municipal Code regarding campaign contribution limits due to the new Assembly Bill 571. On October 12, 2020, staff presented various actions for Council consideration regarding campaign contribution limits due to Assembly Bill 571, which becomes effective on January 1, 2021. AB 571 creates identical campaign contribution limits for candidates for city office as the limits imposed on certain elective state office candidates. It also authorizes a county or city to establish its own contribution limits and to administer and enforce those limits. Council's decision to take formal action to set no limit on local campaign contributions with the exception of a voluntary expenditure limit requires an ordinance to amend Title 1 of the Clovis Municipal Code. The proposed ordinance will add Chapter 1.9 to Title 1 of Clovis Municipal Code to formally set no limitation on campaign contributions from an individual, entity, or committee to a candidate.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve the introduction of an ordinance adding Chapter 1.9 to Title 1 of the Clovis Municipal Code regarding campaign contribution limits due to the new Assembly Bill 571. Motion carried by unanimous vote.

14. 6:50 - APPROVED – RES. 20-156, ADOPTION OF A RESOLUTION AMENDING THE 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

Community and Economic Development Director Andy Haussler presented a report for council to consider amending the 2019-2020 Annual Action Plan to add recently received Community Development Block Grant (CDBG)-CV3 funds in the amount of \$102,534 to the plan, and to direct the use of those funds for the Senior Meals Program. The City of Clovis received notification from the U.S. Department of Housing and Urban Development (HUD) that the City has received an allocation of CDBG-CV3 funds in the amount of \$602,534. On October 12, 2020, Council approved \$500,000 of those funds for use for the Emergency Housing Payment Program. The remaining \$102,534 was put on hold for a future use. In order to now utilize those funds, City Council must adopt an amendment to its CDBG Annual Action Plan to establish use of the funds.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve a request to amend the 2019-2020 Annual Action Plan to add recently received Community Development Block Grant (CDBG)-CV3 funds in the amount of \$102,534 to the plan, and to direct the use of those funds for the Senior Meals Program. Motion carried by unanimous vote.

COUNCIL ITEMS

15. 6:53 - APPROVED – CONSIDERATION OF DESIGN OF CITY OF CLOVIS FLAG.

Mayor Bessinger presented a report on proposals for a city flag design. Council provided direction to staff on options for the flag and requested staff return to evaluate the three options selected.

WORKSHOP - 7:20

City Manager Luke Serpa provided council an update on Fresno County COVID-19 related numbers.

COUNCIL COMMENTS – 7:25

Councilmember Ashbeck reported out on a recent Fresno County Transportation Authority meeting she attended last week.

Councilmember Mouanoutoua commented on visiting the downtown business of Just My Essentials and noted that the business owner was planning on reopening on November 14. He also commented on joint meetings with Clovis Unified. He also congratulated Councilmember Whalen for his selection as chair of the Public Safety Committee for the League of California Cities.

Councilmember Flores reported out on a Fresno County Council of Governments meeting held last week.

CLOSED SESSION – 7:35

16. Government Code Section 54957
Public Employee Performance Evaluation
Title: City Attorney

Mayor Bessinger adjourned the meeting of the Council to November 9, 2020

Meeting adjourned: 7:50 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: November 9, 2020

SUBJECT: Administration - Adopt - **Ord. 20-16**, Campaign Contribution Limits, A request to add Chapter 1.9 to Title 1 of the Clovis Municipal Code relating to campaign contribution limits. (Vote 5-0)

ATTACHMENTS: None

This item was approved for introduction on November 2, 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: November 9, 2020

SUBJECT: Administration - Receive and File – Economic Development Corporation Serving Fresno County Quarterly Report, July–September 2020.

ATTACHMENTS: 1. EDC First Quarter Report, July – September 2020

CONFLICT OF INTEREST

None

RECOMMENDATION

That the City of Clovis receive and file the Quarterly Report July – September 2020 (first quarter 2020-2021 contract), from the Economic Development Corporation Serving Fresno County.

EXECUTIVE SUMMARY

The Economic Development Corporation serving Fresno County (EDC) has submitted their first quarter report of activities for the City Council to receive and file, as required per the 2020-2021 Agreement with the City.

BACKGROUND

In the summer of 2020, the City of Clovis and the EDC entered into a contract for the 2020-2021 fiscal year to provide regional marketing and business services to Clovis businesses. The contract provides for \$40,000 in baseline funding and provides \$10,000 for a medical attraction study to be completed. This allows Clovis to be part of a regional effort in attracting commercial and industrial businesses to Clovis. Attached is a report detailing the progress of their activities to provide information to industrial/commercial representatives not currently located in Clovis for recruiting purposes, and continue to assist existing Clovis businesses with informational and/or technical assistance to access statewide business support programs.

Highlights of the EDC quarterly report include:

- Ten qualified business attraction leads were achieved during the quarter.
- The City’s economic profile and the incentive brochure were completed.
- For business retention, 48 businesses were contacted and 91 referrals were made to assist those businesses.

	Q1 2020-2021
Businesses Contacted	48
Business Referrals	91

Type	Goal	Q1	FY20-21	Completion
Virtual Retention and Recovery Resource Event*	2	0	0	0%
Economic Profile	1	1	1	100%
Incentive Brochure	1	1	1	100%
New Business Leads	40	10	10	25%
Comparative Healthcare Analysis**	1	0	0	0%
Targeted Healthcare Engagements	20	0	0	0%
Top 50 Business List	1	0	0	0%

*Staff is preparing first event for Q2.

**Healthcare Analysis is underway.

FISCAL IMPACT

The City will forward the first quarter installment payment to EDC. The funds were budgeted in the 2020-2021 fiscal year budget.

REASON FOR RECOMMENDATION

The attached report meets the requirements established in the 2020-2021 Agreement between the EDC and the City of Clovis.

ACTIONS FOLLOWING APPROVAL

Staff will file the report.

Prepared by: Andy Haussler, Community and Economic Development Director

Approved by: City Manager LS



City of Clovis

Quarterly Activity Report

Quarter 1
Fiscal Year 2020-2021
July 1, 2020 – September 30, 2020

Lee Ann Eager	President/CEO
Sherry Neil	Chief Operating Officer
Paul Thorn	Controller
Andrea Reyes	VP of Business Development
Will Oliver	VP of Business Services
Amanda Bosland	Client Services Manager
Charlene Holguin	Economic Development Specialist
Raymond Jin	Data Administrator - Analyst
Mandip Johal	Business Expansion Retention Coordinator
Marcella Lara	Economic Support Specialist
Robin Montgomery	Business Attraction Specialist
Julian Ramos	Economic Development Coordinator
Merritt Pacini	Executive Assistant to the CEO
Chris Palacios	Business Retention Specialist
Curtis Williamson	Business Development Specialist
Chris Zeitz	Research Analyst

City of Clovis Quarterly Activity Report

This report summarizes the agreement requirements between the City of Clovis and the Fresno County Economic Development Corporation (EDC).

Division Mission

To market Fresno County as the premier location for business prosperity.

Fresno County EDC Services

The Economic Development Corporation serving Fresno County is a nonprofit organization established to market Fresno County as the premier location for business prosperity. We facilitate site selection for new businesses within Fresno County, and assist in the retention and expansion of businesses through our alliance with collaborative partners and resources.

The EDC agrees to the following services:

1. Provide information to the industrial and office representatives not located in the City of Clovis for recruiting new businesses and industries;
2. Assist in the development of marketing materials to attract new investments, commercial and industrial brokers, developers, and site selectors. Assist in utilizing online marketing to advance economic and community development efforts;
3. Assist existing businesses and industries that contact the EDC with information and technical assistance through the BEAR Action Network;
4. Work to foster a closer working relationship with local business associations to enhance the EDC services provided to Clovis area employers;
5. Continue acting in a leadership role in promotion of high-speed rail and promote the Clovis area for related development;
6. Inform Clovis of legislation important to the economic and community development of the region and act on their behalf;
7. Assist in identifying economic development projects on the City's behalf for the inclusion in the County of Fresno's Comprehensive Economic Development Strategy (CEDS) for possible grant funding; and
8. Provide administrative staffing at all Executive Committee, Board, and related events.

Q1 Snapshot

The EDC team conducts outreach marketing business expansion and retention services by:

- Providing an operational analysis to evaluate the health of the business. This tool offers us a thorough understanding of the appropriate referrals or resources needed for business growth or retention;
- Connecting businesses to labor subsidy programs;
- Providing education on federal/state/local tax Incentives; and
- Providing referrals and information on financing assistance.

Stemming from direct outreach, workshops, one-on-one meetings, and marketing efforts, the areas of interest and number of referrals generated are reflected below:

	Q1 2020-2021			
Businesses Contacted	48			
Business Referrals	91			

Type	Goal	Q1	FY20-21	Completion
Virtual Retention and Recovery Resource Event*	2	0	0	0%
Economic Profile	1	1	1	100%
Incentive Brochure	1	1	1	100%
New Business Leads	40	10	10	25%
Comparative Healthcare Analysis**	1	0	0	0%
Targeted Healthcare Engagements	20	0	0	0%
Top 50 Business List	1	0	0	0%

*Staff is preparing first event for Q2.

**Healthcare Analysis is underway.

Clients and Businesses Contacted

A Mind Above, A Professional Psychology Corporation	CSA General	Hy4Auto
A1 Lock & Key	Cathy's Cleaning	IDLS Sierra Avenue, LLC dba
AK Beauty Bar	Central Valley Community Bank	Magnolia Crossing, LLC
Accounting America	Circle Automotive	Koji Hiura Tax Business Services
All Valley Automotive, Inc	Citibank	Law Office of Mike Chappars
All that and more Limousine	Clovis Donuts	Le Nail Spa
Ambitious Concepts dba Best Party Rentals	Clovis Floral & Cafe	MS Trucking
Anlin Industries	Cost Cutters Family Hair Salon	Mi-Rancho Tortilla
BBVA - Clovis Branch	D. W. Ewing Movers	Niacc-Avitech Technologies, Inc.
Bank of the Sierra	Generation Homes, Inc.	OMG Nailspa
Bank of the West	Green Planet Cleaning Pros	Organacure
Billa Transport	Habitat Hair Studio	Outdoor Environment -
CALBEC Group	Healing Massage by Erin	Underground Boring Systems, Inc.
	High Performance Academy, LLC	

Pampered Pups & Pals
 Price Paige & Company
 Ravinderpal buttar dba buttar
 logistics
 Rushour

Sequoia Companion Care
 Sequoia Home Health
 Temple Training
 Two Sisters Vintage Home &
 Garden

Valley Community Sma
 Business Development Center
 (SBDC)
 Westamerica Bank

City of Clovis Economic Snapshot

Quarter 1, FY 20-21

Industrial, Office, and Retail Vacancy

This quarter in the City of Clovis, the industrial vacancy rate increased from 0.4% to 0.5%, the office vacancy rate increased from 6.3% to 6.8%, and the retail vacancy rate increased from 5.6% to 7.3%.

Q1 FY20-21	Industrial	Office	Retail
Fresno County	3.7%	7.3%	5.6%
City of Clovis	0.5%	6.8%	7.3%

Source: CoStar.com

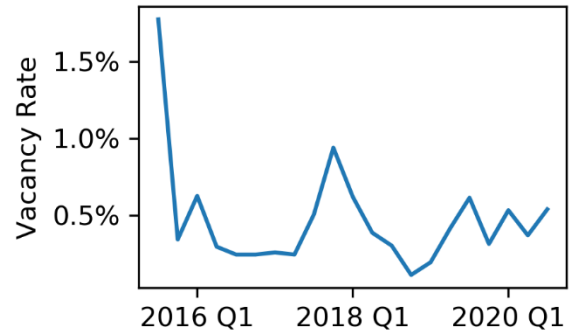
September 2020 Unemployment Rates

The unemployment rate in Clovis was 9.3% in September 2020, up from a revised 12.9% in June 2020. This compares with an unadjusted unemployment rate of 11.6% for California and 8.5% for the nation during the same period.

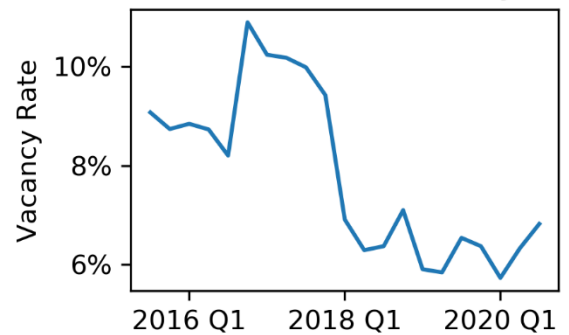
Area	Labor Force	Unemployment Rate
Fresno County	444,200	10.9%
City of Clovis	54,900	9.3%

Source: State of California Employment Development Department

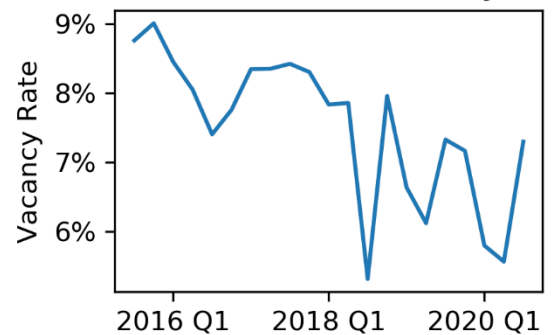
Clovis Industrial Vacancy



Clovis Office Vacancy



Clovis Retail Vacancy



Business Expansion and Attraction Leads

The EDC generated **10** new business attraction and expansion leads and responded to **6** requests for information in the first quarter. EDC staff also remains involved with additional prospective leads that may match Clovis' land and building inventory. See information below:

	Client Number	Source	Industry	Jobs	Site Requirements	Regions
July	Project Grand	GO-Biz Lead	Amusement and Theme Parks; Accommodation and Food Services	5,808	243 acres	Sanger
	CCVEDC 2039	CCVEDC Lead	Refrigerated Warehousing and Storage	TBD	40,000 sq. ft.	Fowler; Parlier; Orange Cove; Mendota; Selma
	200717A1	SelectUSA 2018	Carbon Dioxide Recycling	12	0.5 acres	TBD
	200722A1	Direct Lead	Candle Manufacturing	TBD	TBD	Fresno; Clovis
	Project Battery Moonshot	GO-Biz Lead	Battery Manufacturing	400	110,000 sq. ft.	Fresno
	200731A1	Direct Lead	Bread and Bakery Product Manufacturing	45	10,000 sq. ft.	TBD
August	Project Potential Food	GO-Biz Lead	Food Manufacturing	450	150 acres	No qualified sites
	Project Lion Electric	GO-Biz Lead	Motor Vehicle Body Manufacturing	747	750,000 sq. ft. 65 acres	Fresno; Selma
	Project Golden State Compost	GO-Biz Lead	Other Nonhazardous Waste Treatment and Disposal	100	1,500 sq. ft. 60 acres	West - Unincorporated; Metro - Unincorporated
September	CCVEDC 2052	CCVEDC Lead	Medical Equipment and Supplies Manufacturing	200	70,000 sq. ft.	Fresno

Requests for Information

Month	Client Number	Source	Industry	Requirement
July	RFI 200702 (CCVEDC 2038)	CCVEDC Lead	Plastics Packaging Film and Sheet (including Laminated) Manufacturing	Site selector was seeking a location for a plastics packaging company.
	RFI 200714	Direct Lead	Offices of Real Estate Agents & Brokers	Local broker requested information related to construction of the new Central High campus
	RFI 200721	Direct Lead	Offices of Real Estate Agents & Brokers	Local realtor requested quality of life information to help business relocate employees from previous location to Fresno.
August	RFI 200803	Direct Lead	Offices of Real Estate Agents & Brokers	Two local brokers interested in Fresno as a distribution hub. They will use the information provided for marketing a specific property they are showcasing. EDC staff provided information on transit times of local shipping companies.
	RFI 200805	CCVEDC Lead	Offices of Real Estate Agents & Brokers	SoCal broker closing on a property in Fresno and interested in any benefits including whether the site fell in an Opportunity Zone. Staff determined it was in an OZ and advised the client to work with a CPA that is familiar with OZ requirements.
	RFI 200817	GO-Biz Lead	Water Supply and Irrigation Systems	UK company interested in entering the market. Provided an overview of starting a business in Fresno County, information packets related to ag, and introductions to local water pump distributors and ag consultants, as well as the Fresno State WET Center.

Partnership with Department of Social Services

The EDC has been contracted to assist the Fresno County Department of Social Services in marketing the New Employment Opportunities (NEO) program, and Ready2Hire, and identify prospective employers to hire from the pool of eligible NEO job seekers.

NEW EMPLOYMENT OPPORTUNITIES (NEO) 2019-2020

To be completed by 9/30/2020

METRIC	Actual	Contract Goal
PARTICIPATING BUSINESSES	153	150
JOB PLACEMENTS	222	200
JOB POSTINGS	526	500
JOB FAIRS*	3	4
EMPLOYER TRAINING *	1	4

*Completion of metrics impacted due to COVID-19

Customized Workforce Trainings

Realizing the current labor demands among our local businesses, the EDC, Department of Social Services and educational partners have worked with industry stakeholders to develop customized trainings to fulfill today's workforce needs. Utilizing input from various industry practitioners, each training curriculum is developed to create career pathways to meet tomorrow's industry needs, help businesses grow, and put individuals back to work. Below is a list of customized training programs underway:

Valley Apprenticeship Connections

Pre-Apprenticeship Program. The partnership between Fresno County EDC, the Department of Social Services, and Fresno EOC is continuing to provide a 12-week program comprised of classroom and construction-based training.

Truck Driving

Class A Truck Driving Class. The 10-week training is a partnership between Fresno County EDC, the Department of Social Services, Fresno City College, and Lawson Rock and Oil.

Central Valley Training Center

Pre-Apprenticeship Program. The partnership between Fresno County EDC, the City of Selma, and High-Speed Rail Authority will provide a 16-week program comprised of classroom and construction-based training.

High-Speed Rail

Since the program inception in 2013, the EDC has assisted 332 property owners throughout the City and County of Fresno. During this quarter our Business Development Specialist assisted 53 businesses and property owners, making contact 122 times.

Client Status	
Relocated	145
Reconfiguring	41
Relocation Pending	9
Closed	38
Existing	99
Total	332

Highlights

Freshippo Introductory Meeting | All

EDC staff held a video conference meeting with Freshippo, a 200+ chain grocery store based in China that blends in-person shopping with eCommerce fulfillment. Freshippo is a subsidiary of the world's largest retailer and eCommerce companies. Approximately 40% of Freshippo's products are imported from around the world, including the U.S. Freshippo is seeking partnerships with U.S. food manufacturers like Sun Maid to include their products in their catalogue.

Client Highlight: Alvatech Water | All

EDC staff met with GoBiz referral, Alvatech, a UK-based water technology company that produces irrigation systems with technology that reduces water salinity and can be powered by solar energy. Alvatech has successfully deployed their systems across the world and are researching market entry into the Central Valley. Alvatech was provided an information packet including Fresno County Ag industry stats, industry-specific incentives and an overview of registering a business for operation in California and Fresno County. EDC staff is also coordinating meetings between the Water, Technology and Energy Assistant Director and Alvatech, and other Ag-industry stakeholders.

CCVEDC Virtual Broker Meetings | All

EDC staff participated in the August CCVEDC Virtual Broker meetings. Five Zoom meetings were held with the following companies and representatives: Deane Foote - Foote Consulting Group, Paige Webster - Webster Global Site Selectors, Brain Lenahan - Premier Development Partners, Jay Garner - Garner Economics, Dennis Donovan - Wadley Donovan Gutshaw Consulting. Site selectors were excited to hear that the Central Valley has continued to be busy with development of industrial properties and lead interest. Information presented by CCVEDC was well received and site selectors gave suggestions on how to catch more attention; focus on affordable cost of living and consistent string of projects developing. Suggestion by Jay Garner for CCVEDC to present to the Site Selectors Guild as a whole in a panel style interview. Jennifer Faughn will follow up to arrange if possible.

PPE Distribution | All

EDC Staff participated in a call with GO-Biz in which they discussed an opportunity to supply the EDC and/or its partners with a large quantity of face masks and hand sanitizer for free distribution to local businesses. The Fresno County EDC will be coordinating with the Fresno Chamber of Commerce to acquire and distribute these resources.

Client Highlight: Project Golden State Compost | All

Project Golden State Compost is a GoBiz lead that plans to create multiple large-scale municipal composting facilities at 50,000-100,000 tons of annual processing capacity. The company would like to work in partnership with community-based composters to support urban health, equity, and climate change resilience, and provide public education on the benefits of composting and healthy soil. Operation of the first facility is planned for Q4 2021. Fresno County submitted six sites for consideration and is currently in talks with the company and Fresno County Planning department to confirm permitting and operating regulations.

CCVEDC Virtual Broker Meetings | All

Five meetings were held with brokers and corporate site selectors from across the U.S. From these series of meetings, an update on lead CCVEDC 1822 (commercial baking facility) was provided. The company is still seeking sites in Central California. EDC staff will reactivate this lead and conduct a new site search. The brokers that participated were happy to learn that our region has ongoing projects, and they encouraged CCVEDC to continue conducting virtual missions to publicize the Central Valley.

ATIP Partnership/Letter of Support | All

The EDC joined the ATIP Foundation’s monthly meeting to discuss the work with educational and workforce development entities in the San Joaquin Valley. ATIP is currently working with West Hills College in Lemoore to establish a Pilot Project as a demonstration model of the training and curriculum needed to support the local bioeconomy. The EDC was happy to provide a letter of support on behalf of ATIP for the National Institute of Food and Agriculture’s Agricultural Workforce Training Grant. The training grant would allow ATIP to meet the following objectives; (1) develop curriculum to support career awareness programs for use by public education, (2) create faculty externships at Community Colleges and K-12, (3) develop non-credit curriculum to place adult learners in the talent pipeline in partnership with local workforce boards, (4) create the nation’s first bioeconomy registered apprenticeship program with the US Dept of Labor, and (5) develop a Bioeconomy Training Center for regional employers to upskill the existing workforce.

Small Business Majority Webcast | All

EDC Staff participated on a webcast panel alongside Workforce Connection and hosted by the Small Business Majority (SBM). SBM requested the EDC participate in a special edition of their business resource webcast after learning about the EDC’s involvement in revivefresnocounty.com, the COVID-19 Emergency hotline and email, and the HUB Grant. EDC staff provided an overview of those and the resources available to businesses during the Pandemic.

FDI/Export Activity Update | All

- Alvatech Water - UK
- Manda Fermentation USA - Japan
- Chenguang Biotech USA - China
- ReMatch Turf Recycling- Denmark

Other Activities

July

- | | |
|---|---|
| <ul style="list-style-type: none"> Veterans Employment Committee All City of Clovis Monthly Meeting Clovis Exporting 101: Pathways to Developing International Markets All | <ul style="list-style-type: none"> Forecasting the Impact of the CARES Act All Impact: Reshaping Capitalism to Drive Real Change All Supply Chain Optimization Webinar All |
|---|---|

August

- | | |
|--|--|
| <ul style="list-style-type: none"> ATIP Monthly Meeting All Central Valley Business Federation Meeting All CCVEDC Board Meeting All CTIN Monthly Call All Race and Economic Development: Beginning America’s Next Story All | <ul style="list-style-type: none"> Veterans Employment Committee All HSR Board Meeting All CVCF Council of Business Sponsors All REMI: IQ+ Demonstration All |
|--|--|

September

- | | |
|---|--|
| <ul style="list-style-type: none"> China Trade and Investment Network (CTIN) Monthly Meeting All China International Import Expo participation w/Bay Area Council All | <ul style="list-style-type: none"> Tmall Export Partnership w/Bay Area Council All Veterans Employment Committee All |
|---|--|



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: November 9, 2020

SUBJECT: General Services – Approval – Claim Rejection of General Liability Claim submitted by Rory K. Pendergast on behalf of Beatrice Julia Santellan.

ATTACHMENTS: None

CONFLICT OF INTEREST

None

RECOMMENDATION

For City Council to reject the claim submitted by Rory K. Pendergast on behalf of Beatrice Julia Santellan.

EXECUTIVE SUMMARY

Rory K. Pendergast filed a General Liability claim against the City of Clovis on behalf of Beatrice Julia Santellan (claimant) on July 14, 2020, for injuries that are alleged to have been incurred on January 17, 2020. A specific claim amount has not been identified, but the claim amount identifies as an unlimited civil case in excess of \$25,000. It is recommended that the claim be rejected at this time.

BACKGROUND

Rory K. Pendergast filed a General Liability claim against the City of Clovis on behalf of Beatrice Julia Santellan (claimant) on July 14, 2020, for injuries that are alleged to have been incurred on or about January 17, 2020. The claim was insufficient per Government Code Section 910 (f) and sent back to Mr. Pendergast for correction. On October 19, 2020, Mr. Pendergast resubmitted the claim and corrected the aforementioned item, which was considered legally sufficient and timely.

The claimant alleges that on January 17, 2020, she tripped and fell over a curb located in front of the Police Department as a result of a dangerous condition. The claimant is seeking unspecified damages; however, the claim identifies an unlimited civil case in excess of \$25,000. It is recommended that the claim be rejected.

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 is rejected.

Prepared by: Lori Shively, Personnel/Risk Manager

Reviewed by: City Manager LS



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: November 9, 2020

SUBJECT: General Services – Approval – Claim Rejection of General Liability Claim submitted by Stuart R. Chandler on behalf of Max Spohn.

ATTACHMENTS: None

CONFLICT OF INTEREST

None

RECOMMENDATION

For City Council to reject the claim submitted by Stuart R. Chandler on behalf of Max Spohn.

EXECUTIVE SUMMARY

Stuart R. Chandler filed a General Liability Claim against the City of Clovis on behalf of Max Spohn (claimant) on October 1, 2020, for injuries sustained from an arrest that occurred on March 27, 2020. A specific claim amount has not been identified, but the claim amount is identified as an unlimited civil case in excess of \$25,000. It is recommend that the claim be rejected at this time.

BACKGROUND

Stuart R. Chandler filed a General Liability Claim against the City of Clovis on behalf of Max Spohn (claimant) on October 1, 2020, for injuries that were sustained from an arrest on March 27, 2020. The claim was insufficient per Government Code Section 910 (f) and sent back to Mr. Chandler for correction. On October 23, 2020, Mr. Chandler resubmitted the claim and corrected the aforementioned item, which was considered legally sufficient and timely.

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 is rejected.

Prepared by: Lori Shively, Personnel/Risk Manager

Reviewed by: City Manager LS



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: November 9, 2020

SUBJECT: Consider Approval – Res. 20-____, a Resolution of Necessity to determine that the public interest and necessity require acquisition of a portion of property for public purposes, and authorizing proceedings in eminent domain for said property located on the west side of Sunnyside Avenue, north of Herndon Avenue (APN: 562-142-81).

Staff: Ryan Burnett, Engineering Program Supervisor

Recommendation: Approve

ATTACHMENTS:

1. Resolution 20-____, Resolution of Necessity
2. Legal Description and Diagram Exhibit
3. Location Map
4. Notice of Proposed Adoption of Resolution of Necessity
5. Property Owner's Response

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to hold a public hearing and approve the attached Resolution of Necessity (Attachment 1), approving the eminent domain process to acquire a portion of a property for public street and utility improvement purposes. The property is located on Sunnyside Avenue, south of the State Route 168 overpass, APN: 562-142-81 (Attachment 3 - Location Map).

EXECUTIVE SUMMARY

This is a request to approve a Resolution of Necessity authorizing the eminent domain process to acquire right-of-way for the bike lane improvements on Sunnyside Avenue, from south of State Route 168 to Alluvial Avenue. Staff has been unable to acquire the needed right-of-way by voluntary purchase and sale agreement as a result of the property owner's concern that a voluntary sale may trigger a prepayment penalty provision in the loan agreement for the

property. The property owner does not object to the City's acquisition of the right-of-way, but requests the City initiate eminent domain to prevent the imposition of the prepayment penalty under the loan agreement. This action is needed to avoid further delays in the construction of improvements on Sunnyside Avenue. California Code of Civil Procedure Section 1245.240 requires the Resolution of Necessity be approved by a vote of two-thirds of all the members of the City Council.

BACKGROUND

City staff is currently in discussions with David Paynter, managing partner of Clovis Herndon Center II, LLC, owner of the property, for the acquisition of 109 square feet of public right-of-way just north of a drive approach at the east side of the Clovis Crossing Shopping Center, as identified in Attachment 2. The right-of-way is needed for the construction of bike lanes on Sunnyside Avenue as part of CIP 17-28 Sunnyside Avenue Bike Lane Improvements Project, south of State Route 168 to Alluvial Avenues. The project will install bike lanes and adjust the existing curved road at SR 168.

City staff has communicated and corresponded several times with the property owner and his attorney over the last nine months following the City's offer to purchase the right-of-way for the appraised value, based on the appraisal obtained by the City. City staff has been unable to acquire the needed right-of-way, due to unusual pre-payment penalties imposed by a lienholder on the property. The property owner is not objecting to the City acquiring the right-of-way; however, he is requesting the City move forward with eminent domain so as to not trigger a loan prepayment penalty term in his loan agreement.

City staff provided the property owner with written notice advising him of the scheduled public hearing before the Clovis City Council to consider approval of the Resolution of Necessity as discussed in this report (Attachment 4 – Notice of Proposed Adoption of Resolution of Necessity). The written notice provided the property owner with the opportunity to request to appear at the hearing and be heard on this Resolution as provided by applicable law. In response, the property owner and his attorney advised the City that the owner will not appear at the hearing and that they do not object to the eminent domain proceedings (Attachment 5 – Property Owner's Response).

Due to the inability to obtain the necessary release of lien and partial reconveyance from the property owner's lender to allow the right-of-way purchase to continue through escrow, and the timing necessary for the Sunnyside Avenue improvements, staff is moving forward with this request for the City Council to approve the Resolution of Necessity and authorization for staff to begin the eminent domain process. Adoption of the Resolution of Necessity by at least 2/3 approval of the City Council (minimum 4 votes required) is needed to commence the eminent domain process. Any further delay in acquiring the needed right-of-way will delay the start of construction-related activities scheduled for spring 2021 for the Project. The right-of-way needed is shown on the exhibits attached to the Resolution.

Council is advised that the only issues under consideration at this public hearing are limited to the matters listed below as provided in Code of Civil Procedure Sections 1240.030, 1245.230, and 1245.235 which are the findings necessary to adopt a Resolution of Necessity. The fair

market value of the needed right-of-way portion of property is not a proper topic for consideration or discussion at the Resolution of Necessity hearing.

The necessary findings for the Resolution of Necessity are:

1. The public interest and necessity require the proposed project;
2. The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property described in the Resolution is necessary for the proposed project; and
4. An offer to acquire the real property, pursuant to section 7267.2 of the Government Code, was made to the owner of record as provided by law.

FISCAL IMPACT

The Project is budgeted and will be paid for with Congestion Mitigation and Air Quality Improvement (CMAQ) program funds.

REASON FOR RECOMMENDATION

The eminent domain action is necessary in order to proceed with the acquisition of the necessary right-of-way and allow the improvements to Sunnyside Avenue between SR 168 and Alluvial Avenues to proceed.

ACTIONS FOLLOWING APPROVAL

Staff will pursue the eminent domain action in the manner provided by law, but the property owner and his counsel have indicated a willingness to negotiate a stipulated judgment in condemnation with the City soon after the case is filed and avoid extended litigation in this matter.

Prepared by: Claudia Cazares, Management Analyst

Reviewed by: City Manager *JH*

RESOLUTION NO. 20-____**A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF PROPERTY FOR PUBLIC PURPOSES AND AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN**

WHEREAS, it appears necessary and desirable that the City of Clovis (hereinafter "City"), acquire fee title to a portion of a property commonly known as APN: 562-142-81, which portion is more particularly described and depicted in **Attachment A** hereto (the "Property"); and

WHEREAS, the project for this resolution is the acquisition of fee title to the Property, consisting of approximately 109 square feet from APN: 562-142-81, for right-of-way needed for public street and utilities improvements along Sunnyside Avenue (the "Project"); and

WHEREAS, a Notice of Hearing on the Intent of the City Council of the City of Clovis (hereinafter "Council") to Adopt the Resolution of Necessity was mailed to the record owner of the Property in accordance with California Code of Civil Procedure section 1245.235(a) and (b). The Notice of Hearing advised the property owner of their right to be heard on the matters referred to therein on the date and at the time and place stated therein; and

WHEREAS, the hearing set out in the Notice of Hearing was duly held on November 9, 2020, at the time and place stated therein, and all interested parties were given an opportunity to be heard. The hearing was then closed and the matter considered by the Council, all in accordance with applicable law; and

WHEREAS, this Council has received and considered all relevant factors and evidence, including, but not limited to, the Planning and Development Services Department staff report and matters referenced therein; facts which are otherwise commonly known, judicially noticeable and matters of public record; and all other relevant and proper evidence offered at the hearing by staff, affected property owners who made timely requests to appear and be heard at the hearing, and others who appeared and were heard.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVIS, BY A VOTE OF NOT LESS THAN 2/3 OF ITS MEMBERS, DECLARES, FINDS, AND RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct and, by this reference, incorporated herein as if set forth in full. The staff report on the Resolution of Necessity and all Attachments to this Resolution are incorporated by reference.

2. The City is authorized to acquire the Property for the Project by eminent domain proceedings pursuant to Sections 37350.5 and 40404 of the Government Code of California.
3. The Property to be acquired is generally located on the west side of Sunnyside Avenue, south of State Route 168 overpass, in the City of Clovis, County of Fresno, State of California. The extent of the Property to be taken is as described in the legal description and depicted in the diagram attached hereto as Attachment A.
4. Based on all evidence presented in this matter, the Council specifically finds and determines that:
 - a. The public interest and necessity require the proposed Project.
 - b. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
 - c. The Property as described in this Resolution is necessary for the proposed Project.
 - d. The offer to acquire the Property, in accordance with section 7267.2 of the Government Code, was made to the owner of record of the Property as provided by law.
 - e. The City has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (“the right to take”) to acquire the portion of the Property described herein.
5. The portion or interest in the Property, including any improvements thereon, which are authorized to be acquired by this Resolution, are as delineated on the said attachments, being real property completely situated within the territorial boundaries of the City.
6. The City plans that the date of use of the Properties for the Project will be within seven years from the date the complaint for eminent domain proceedings is filed.
7. The City Attorney of the City of Clovis is authorized and directed to institute and conduct to conclusion in the name of the City, proceedings in eminent domain. The proceedings are to be in accordance with the provisions of the Constitution of California and the Code of Civil Procedure in order to acquire in the name of the City a fee simple estate in and to a portion of the Property herein described and such other interests as may be necessary for construction and operation of the Project. This Council finds and determines the public interest, necessity, and welfare require prejudgment possession of the Property as soon as the same may be lawfully obtained. The City Attorney is authorized and directed to obtain such possession.

- 8. The Director of Finance of the City is authorized to pay, out of funds authorized or received, for the acquisition of the Property, for prejudgment possession of the Property, and for all other costs and expenses of acquisition, including, but not limited to, final compensation for the take and all fees and costs charged for City services in connection with this litigation.

- 9. The City Manager and City Attorney, or their authorized designees, are hereby authorized, without further action of this Council, to enter into any settlement regarding acquisition of the Property by way of agreement and/or stipulation so long as the settlement is based upon approved evidence and appraisal opinion.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on November 9, 2020, by the following vote, to wit.

AYES:
NOES:
ABSTAIN:
ABSENT:

Date: November 9, 2020

Mayor

City Clerk

Attachment A

Legal Description and Diagram Exhibit of Property

LEGAL DESCRIPTION

APN: 562-142-81 (portion)

Being Portions of Sections 32 and 33, Township 12 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, more particularly described as follows:

COMMENCING at a property corner being described as "FOUND 1 ¼" IRON PIPE, DOWN 6", TAGGED DOT" on a line in the northeasterly portion of that certain map being the Record of Survey, recorded on February 20, 2013 in Book 59 of Record of Surveys at Pages 1 and 2, Official Records of Fresno County.

THENCE, South 89° 55' 29" East, 59.42 feet;

THENCE, South 56° 50' 45" East, 54.00 feet to the TRUE POINT OF BEGINNING. Said point being described as "FOUND 1 ¼" IRON PIPE, FLUSH, TAGGED DOT" on the most northeasterly property corner of a parcel as shown on said Record of Survey;

THENCE, South 74° 16' 42" West, 19.79 feet to a point described as "¾" X 30" IRON PIPE, DOWN 0.5', TAGGED LS 5277" as shown on said Record of Survey;

THENCE, North 26° 47' 57" East, 15.00 feet;

THENCE, South 56° 50' 45" East, 14.68 feet to the TRUE POINT OF BEGINNING.

Bearings, distances and monuments used in the above description are based on said Record of Survey.

Containing 109 square feet, more or less.

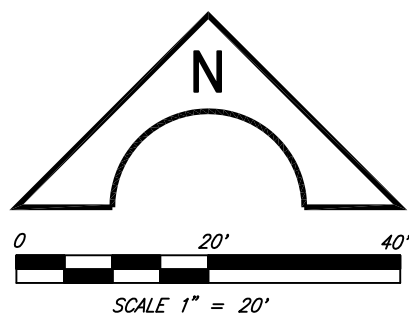
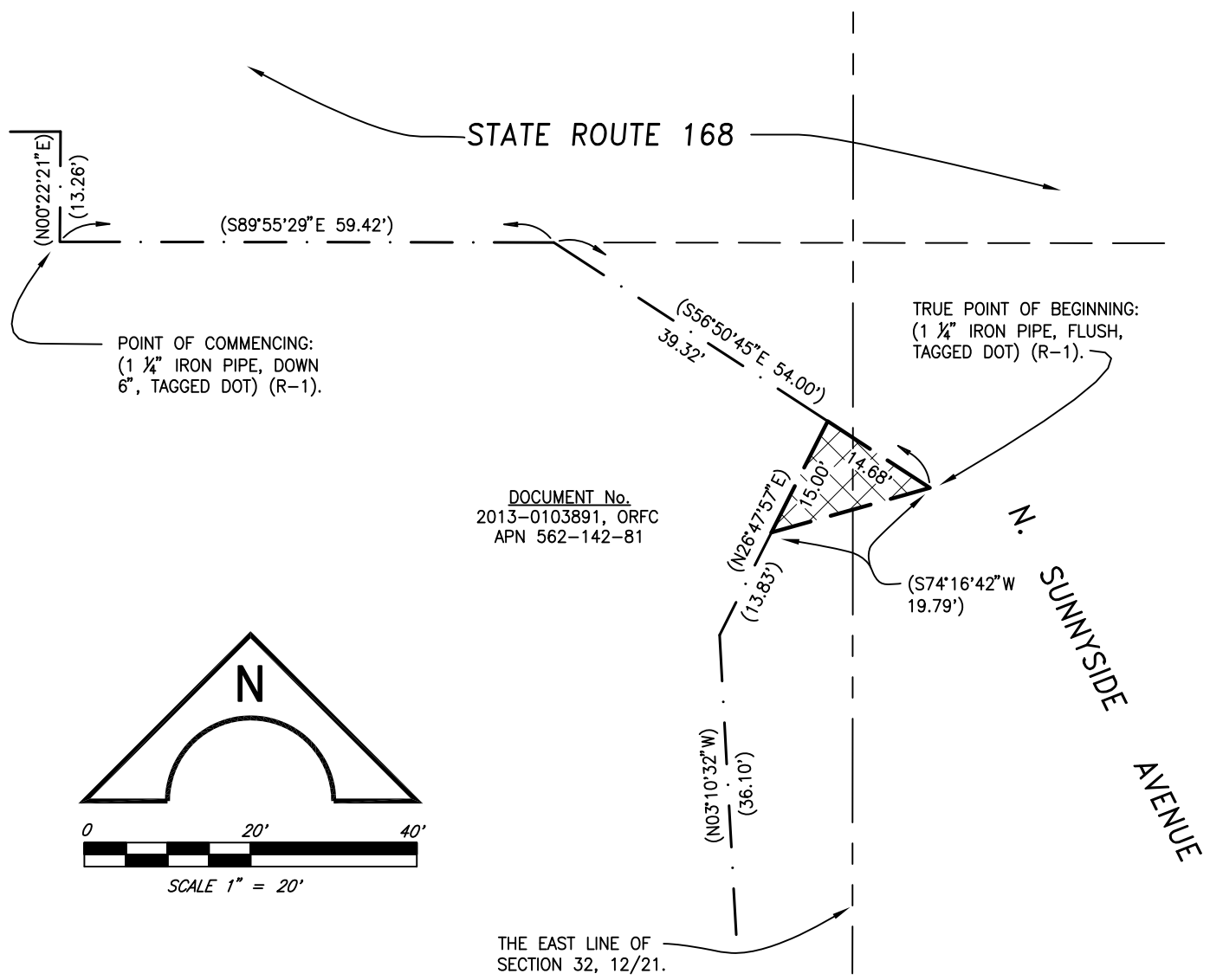
End of Description

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature: 
 Frank J. Mungia, RCE 26317



Date: September 24, 2019



LEGEND:

- AREA TO BE DEEDED TO THE CITY OF CLOVIS AS IN FEE FOR PUBLIC STREET AND UTILITY PURPOSES.
- SUBJECT PARCEL BOUNDARY.
- SECTION LINE.
- (R-1) RECORD DATA PER RECORD OF SURVEY, RECORDED IN BOOK 59 OF RECORD OF SURVEYS AT PAGES 1 AND 2, O.R.F.C.
- APN: 562-142-81
- OWNER: CLOVIS-HERNDON CENTER II LLC
- AREA: 109 SQUARE FEET ±.
- O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY.

BEING PORTIONS OF SECTIONS 32 AND 33,
TOWNSHIP 12 SOUTH, RANGE 21 EAST, MOUNT
DIABLO BASE AND MERIDIAN. TO BE DEEDED TO
THE CITY OF CLOVIS AS IN FEE FOR PUBLIC
STREET AND UTILITY PURPOSES

ESP SURVEYING, INC.
2598 N. MIAMI AVE.
FRESNO, CA
Tel. 559.442.0883
Fax 559.442.0884
www.espls.com

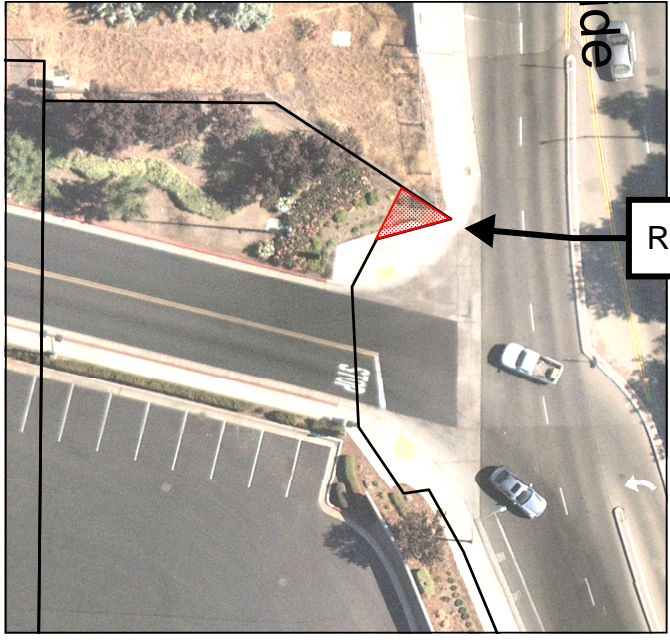
DATE OF SURVEY	N/A
ESP JOB No.	17081.T0-5
DRAWN BY	6335
DRAWN DATE	09/24/2019



APN: 562-142-81

See Insert -
ROW Property

ROW Property



1" = 150'



10/7/2020

ATTACHMENT 3 - LOCATION MAP



CITY *of* CLOVIS

PLANNING & DEVELOPMENT

1033 FIFTH STREET • CLOVIS, CA 93612

NOTICE OF HEARING ON RESOLUTION OF NECESSITY (Code Civ. Proc., § 1245.235)

October 15, 2020

Clovis-Herndon Center II, LLC
David Paynter
c/o Robert K. Hillison, Attorney
Lang, Richert & Patch
Fig Garden Financial Center
5200 N. Palm Ave., Suite 401
Fresno, CA 93704

Re: Notice of Proposed Adoption of Resolution of Necessity;
APN: 562-142-81 (Portion)

Dear Mr. Paynter:

The City of Clovis ("City") has previously informed you of its interest in purchasing a portion of your property identified as APN: 562-142-81, and located on Sunnyside Avenue, south of State Route 168 ("Property") in Clovis, California for a street improvement project on Sunnyside Avenue ("Project"). The City has offered to pay you the full amount of the City's appraised value of the Property.

While the City remains interested in purchasing your Property on a voluntary basis, and negotiating to that end, we understand from you and your attorney that a 'voluntary' purchase and sale agreement may trigger a prepayment penalty or have other negative financial implications to you pursuant to the terms of your loan agreement for the Property. As you know, the City must move forward with the Project. Therefore, as you have requested, in order to avoid any prepayment penalty associated with your existing loan agreement, the City intends to initiate the process for acquiring your Property involuntarily, by means of eminent domain.

Accordingly, notice is hereby given that on November 9, 2020, at 6:00 p.m. or as soon thereafter as the matter may be heard, at the Clovis City Council chambers, located at 1033 5th Street, Clovis, California, the Clovis City Council will consider adopting a proposed Resolution of Necessity authorizing condemnation of the Property. The public project is the acquisition of the Property for a right of way and other easements and/or fee interests for the City's street improvement project on Sunnyside Avenue.

As the record owner of the Property, you and/or your representative have the right to appear before the City Council and be heard on the matters referred to in California Code of Civil Procedure section 1240.030, which are:

1. Whether the public interest and necessity require the project;
2. Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and
3. Whether the real property sought to be acquired is necessary for the project.

If you wish to appear and be heard on November 9, 2020, on any or all of the above matters, please mail or deliver the written request to appear enclosed with this letter. The written request must be received by the City no later than 3:00 p.m. on October 30, 2020. If no request to appear is received, you will waive your right to appear and be heard on the above matters at the City Council meeting.

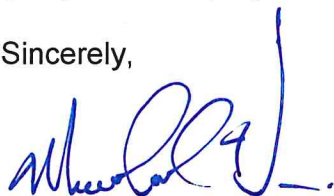
Failure to make a written request to appear before the City Council meeting on November 9, 2020, does not mean that you agree with the City's previous offer to purchase your Property. The proposed adoption of the resolution of necessity addresses only the issues set forth above. **The resolution of necessity hearing will not address the fair market value of the Property. Any fair market value issues will be addressed in the eminent domain proceedings if the resolution of necessity is adopted.**

Enclosed for your reference, or your attorney's reference, are copies of sections 1240.030 and 1245.235 of the Code of Civil Procedure, which describe the resolution of necessity process.

PLEASE BE ADVISED THAT YOUR FAILURE TO FILE A WRITTEN REQUEST WITH THE CITY REQUESTING TO APPEAR AND BE HEARD AT THE ABOVE REFERENCED ADDRESS BY OCTOBER 30, 2020 WILL RESULT IN A WAIVER OF YOUR RIGHT TO APPEAR AND BE HEARD ON THE PROPOSED ADOPTION OF THE RESOLUTION OF NECESSITY REFERENCED ABOVE.

We understand your reason for requesting that the City proceed with an eminent domain action to acquire the Property. Please contact me at (559) 324-2350, or Claudia Cazares at (559) 324-2387, if you would like to discuss any aspect of this matter.

Sincerely,



Michael Harrison, City Engineer
Engineering Division

Enclosures
Copy: David Paynter, Owner

**WRITTEN REQUEST TO APPEAR AND
BE HEARD ON RESOLUTION OF NECESSITY**

TO: Michael Harrison, City Engineer
Planning and Development Services Department
Engineering Division
City of Clovis
1033 5th Street
Clovis, CA 93612

FROM: Clovis-Herndon Center II, LLC (David Paynter)
c/o Robert K. Hillison, Attorney, Lang, Richert & Patch

RE: APN 562-142-81 (Portion)

Please consider this my written request to be heard on the Resolution of Necessity item scheduled for November 9, 2020 at 6:00 p.m. before the Clovis City Council at 1033 5th Street, Clovis, California. We understand you must receive this request no later than 3:00 p.m. October 30, 2020 at the above address.

We understand that the matters to be heard are:

- a. That the public interest and necessity require the project;
- b. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. The real property ("property") sought to be acquired is necessary for the project; and

We further understand that the hearing will **not** address the issue of what is the fair market value of the property.

DATED: _____, 2020

Property Owner (or Authorized Agent)

[You may mail by first class mail, or certified mail, or you may hand deliver this notice to the City Offices.]

California Code of Civil Procedure

1240.030

The power of eminent domain may be exercised to acquire property for a proposed project only if all of the following are established:

- (a) The public interest and necessity require the project.
- (b) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (c) The property sought to be acquired is necessary for the project.

1245.235

(a) The governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030.

(b) The notice required by subdivision (a) shall be sent by first-class mail to each person described in subdivision (a) and shall state all of the following:

- (1) The intent of the governing body to adopt the resolution.
- (2) The right of such person to appear and be heard on the matters referred to in Section 1240.030.

(3) Failure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard.

(c) The governing body, or a committee of not less than 11 members thereof designated by the governing body if the governing body has more than 40 members, shall hold a hearing at which all persons described in subdivision (a) who filed a written request within the time specified in the notice may appear and be heard on the matters

referred to in Section 1240.030. Such a committee shall be reasonably representative of the various geographical areas within the public entity's jurisdiction. The governing body need not give an opportunity to appear and be heard to any person who fails to so

file a written request within the time specified in the notice. If a committee is designated by the governing body pursuant to this subdivision to hold the hearing, the committee, subsequent to the hearing, shall provide the governing body and any person described in subdivision (a) who has appeared before the committee with a written summary of the hearing and a written recommendation as to whether to adopt the resolution of necessity. Any person described in subdivision (a) who has appeared before the committee shall also be given an opportunity to appear and be heard before the governing body on the matters referred to in Section 1240.030.

(d) Notwithstanding subdivision (b), the governing body may satisfy the requirements of this section through any other procedure that has given each person described in subdivision (a) reasonable written personal notice and a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030.

LANG, RICHERT & PATCH

A Professional Corporation • Attorneys at Law

Charles Trudrung Taylor
Mark L. Creede
James M. Bell
Robert K. Hillison

Robert E. Bergin
(Of Counsel)

David A. Roberts
Stan D. Blyth
Kimberly L. Mayhew
Diandra Netto Vantrease

Frank H. Lang (Retired)
Robert L. Patch (Retired)
William T. Richert
(1937 - 1993)

October 19, 2020

Sent via U. S. Mail and
Email to: scross@lozanosmith.com

Scott G. Cross, Esq.
Lozano Smith
7604 North Spaulding
Fresno, CA 93720

Re: Clovis – Herndon Center II LLC
APN: 562-142-81 (Portion)
Our File No. 37221

Dear Mr. Cross:

This will confirm our telephone conversation of Monday, October 19, 2020, with respect to the above-referenced matter. I am enclosing herewith a copy of the Written Request to Appear and Be Heard on Resolution of Necessity signed by Mr. Paynter, the managing member of our client, Clovis – Herndon Center II, LLC.

As I informed you, the purpose of this letter is to acknowledge receipt of notice of the public hearing scheduled for November 9, 2020, with respect to the Resolution of Necessity and to confirm that our client will **not** appear and has no objection to the proposed project or the proceedings.

If you have any questions or comments, please contact me at your convenience.

Very truly yours,

LANG, RICHERT & PATCH


Robert K. Hillison

RKH/kjs
Enclosure

ATTACHMENT 5

Fig Garden Financial Center
5200 North Palm Avenue, Suite 401
Fresno, California 93704

Post Office Box 40012
Fresno, California 93755-0012

Email: info@lrplaw.net
Telephone: (559) 228-6700
Facsimile: (559) 228-6721

**WRITTEN REQUEST TO APPEAR AND
BE HEARD ON RESOLUTION OF NECESSITY**

TO: Michael Harrison, City Engineer
Planning and Development Services Department
Engineering Division
City of Clovis
1033 5th Street
Clovis, CA 93612

FROM: Clovis-Herndon Center II, LLC (David Paynter)
c/o Robert K. Hillison, Attorney, Lang, Richert & Patch

RE: APN 562-142-81 (Portion)


Please consider this my written request to be heard on the Resolution of Necessity item scheduled for November 9, 2020 at 6:00 p.m. before the Clovis City Council at 1033 5th Street, Clovis, California. We understand you must receive this request no later than 3:00 p.m. October 30, 2020 at the above address.

We understand that the matters to be heard are:

- a. That the public interest and necessity require the project;
- b. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. The real property ("property") sought to be acquired is necessary for the project; and

We further understand that the hearing will not address the issue of what is the fair market value of the property.

DATED: 10-16- 2020


Property Owner (or Authorized Agent)
David H. Poynter
managing member

[You may mail by first class mail, or certified mail, or you may hand deliver this notice to the City Offices.]



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: November 9, 2020

SUBJECT: Consider – Update on California Health Science University (CHSU) and request for the City Council to provide policy direction regarding establishment of student and/or faculty housing within the area surrounding the CHSU Campus. Granville Homes and the Assemi Group, applicant.

Staff: Dave Merchen, City Planner

Recommendation: Provide policy direction regarding the request by Granville Homes and the Assemi Group.

ATTACHMENTS:

1. Applicant's Letter – October 5, 2020
2. Administrative Use Permit AUP2016-09
3. Approved Conceptual CHSU Master Site Plan

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff is seeking Council policy direction related to the addition of student and faculty housing within the area planned for the Research and Technology Park (R-T Park) with regard to three points:

1. Is the Council comfortable with the updated vision presented by Granville Homes and the Assemi Group to utilize approximately 65 acres of R-T Park land for student and faculty housing in support of the CHSU?
2. What level of affiliation tying the student and faculty housing to the CHSU Campus is reasonable and appropriate, considering that traditional housing projects are not otherwise allowed within the area planned for R-T Park?
3. If the Council concurs with the updated vision described above, should staff begin working on a zoning "clean-up" action within the R-T Park area to remove existing inconsistencies and streamline the process?

EXECUTIVE SUMMARY

In 2016, the Planning and Development Services Director approved an Administrative Use Permit (AUP) to allow for the development of CHSU within the City's planned R-T Park. In addition to the various educational buildings shown in the campus layout, CHSU requested and received approval to include student housing located west of Locan and north of the Owens Mountain Parkway alignment. Following the City's approval of the CHSU Campus, Granville Homes and the Assemi Group (applicant) began working with staff to implement the housing component of the 2016 AUP. The applicant's current vision for CHSU related housing anticipates an expanded area near the Campus being utilized to accommodate student and faculty housing needs.

Granville Homes and the Assemi Group have requested that an informational presentation be made to the City Council to provide an update on the development of the CHSU Campus and to request direction regarding their updated vision for CHSU related housing within the area surrounding the campus (see Attachment 1). This item will include a brief introduction by staff together with a presentation by the applicant.

BACKGROUND

The following section provides background on the R-T Park, including its intent and a brief overview of the development that has occurred since its inception in the late 1990's. The R-T Park was originally established in 1998 in order to attract high quality employment opportunities to the Clovis community and greater region. The impetus behind the R-T Park centered on promoting economic development and fiscal vitality and to create a stronger employment base. The objectives of the R-T Park are to:

- Provide accommodations for research and technology oriented uses, and actively promote such uses to broaden employment opportunities and strengthen the City's economic and fiscal base.
- Work with property owners in the designated R-T Park area to facilitate consolidation of parcels and creation of development sites of sufficient size to accommodate the space needs of major research and technology-based firms.
- Employ public investment in infrastructure as a catalyst to attract research and technology-based industries that will enhance the City's fiscal base.

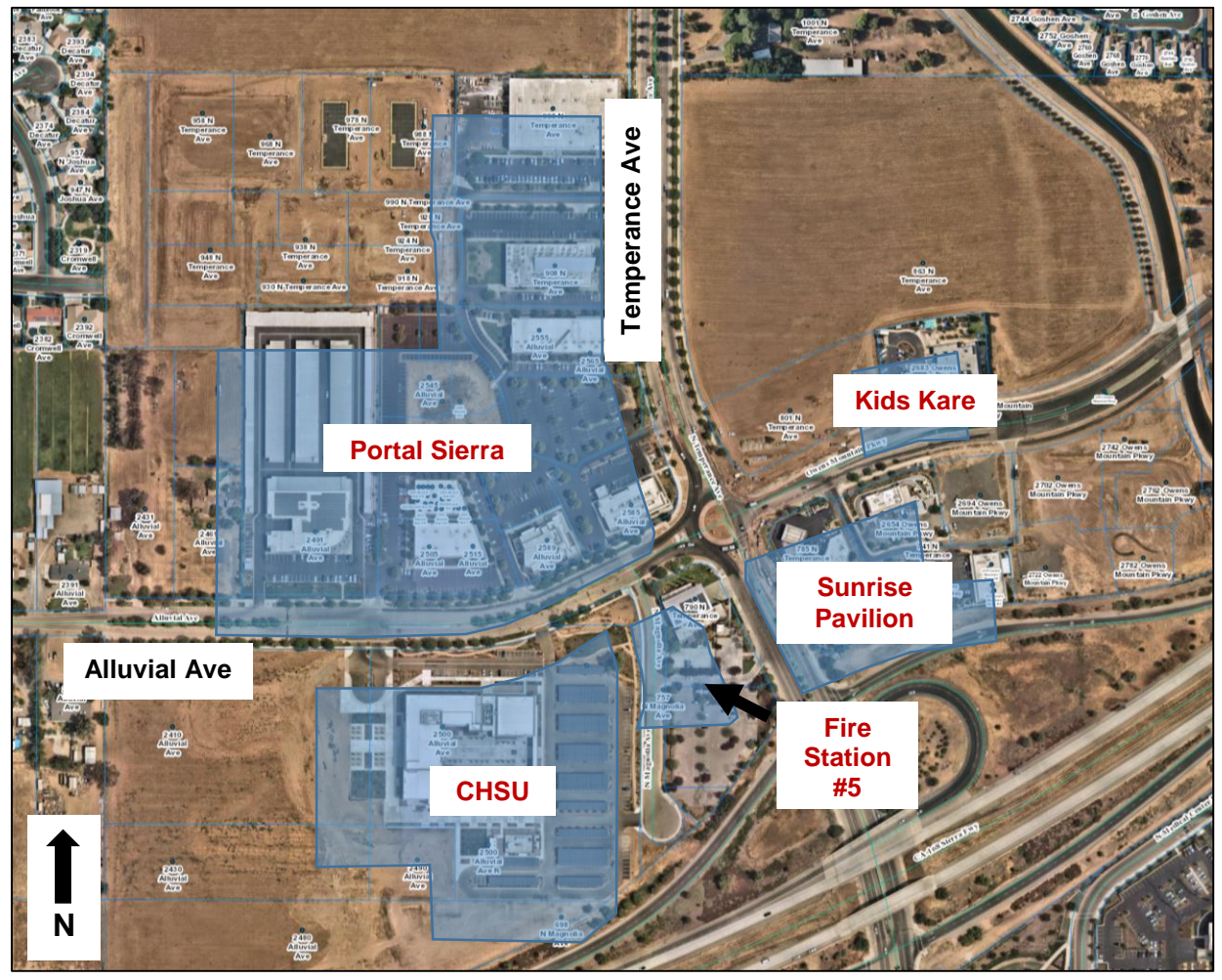
At full buildout, the R-T Park will accommodate the development of approximately 340 acres in three phases. While research and technology businesses are intended to be the primary use-cluster, allowances for hotel and retail uses on approximately 20 acres were also included. The retail uses would be secondary uses oriented predominantly along the freeway right-of-way and not as a rule in the interior of the Business Park. Based on employment characteristics of the businesses occupying the R-T Park thus far, the area may generate an estimated 5,400 employees.

To date, portions of the R-T Park have been developed with its intended uses, including the recently completed CHSU, portions of the Portal Sierra complex located at the northwest corner of Temperance and Alluvial Avenues, and the commercial area at the southeast corner of Temperance Avenue and Owens Mountain Parkway. These referenced locations are shown below in **Figure 1**.

PROPOSAL AND ANALYSIS

The following section includes discussion on relevant existing entitlements and the applicant's current vision for student and/or faculty housing as part of the greater CHSU Campus.

**FIGURE 1
R-T Park Development**



Existing Entitlement – AUP2016-09

On June 9, 2016, the City approved AUP2016-09 (Attachment 2) for the CHSU educational campus. As part of the approval, a conceptual CHSU master site plan was provided which included three (3) phases of development, which are described below in more detail and shown in Attachment 3.

- *Phase 1 – CHSU Campus (west of Temperance Avenue)*: According to the conceptual master site plan included under AUP2016-09, Phase 1 of the campus includes construction of approximately 291,000 square feet of building area consisting of four (4) separate buildings for the College of Pharmacy, College of Medicine, Administration, Library & Food Service, and College of Allied Health.
- *Phase 2 – CHSU Campus (east of Temperance Avenue)*: According to the conceptual master site plan included under AUP2016-09, Phase 2 of the campus includes the construction of approximately 247,000 square feet of building area consisting of five (5) separate buildings for the College of Dentistry, College of Optometry, Clinic, Auditorium and Food Service & Student Center.
- *Phase 3 – CHSU Student Housing (east of Temperance Avenue)*: According to the conceptual master site plan included under AUP2016-09, Phase 3 of the campus includes the construction of approximately 250 student housing units on approximately 24.5 acres near the corner of Owens Mountain Parkway and Locan Avenue. According to the conceptual master site plan, the units appear to be of a multi-family design and were anticipated to accommodate up to four (4) students per unit for a maximum capacity to house approximately 1,000 students.

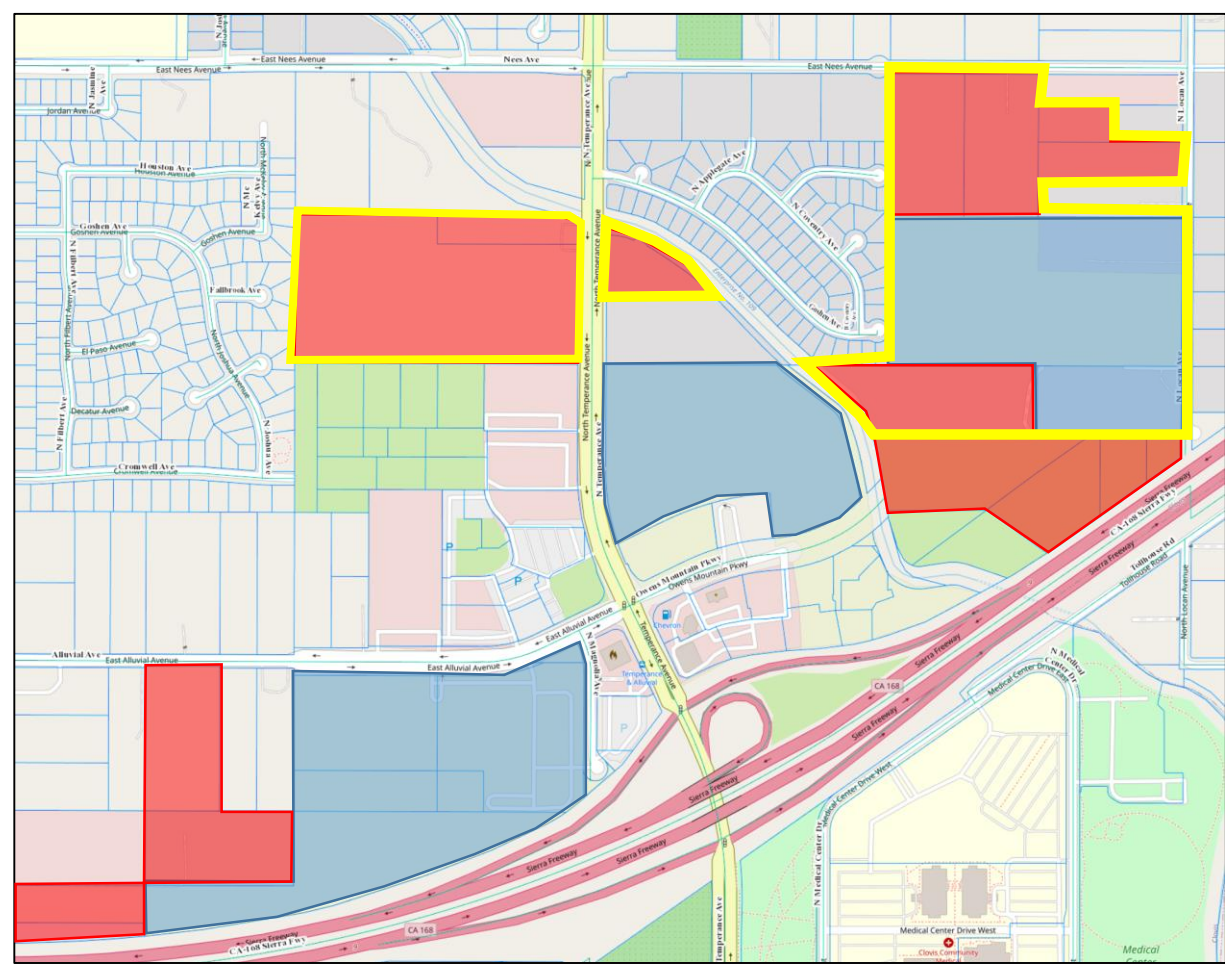
At the time of approval of AUP2016-09, the proposed use was classified as “Schools, Specialized Education and Training” under the Clovis Municipal Code (CMC). Although student (or faculty) housing is not explicitly defined under “Schools, Specialized Education and Training,” because of its ancillary use as part of the CHSU campus build out and its ultimate intent to serve CHSU students, City staff found that the student housing component was appropriate given its direct correlation to the CHSU school. This was a key determination, because neither single family nor multi-family development is otherwise permitted within the R-T zone or the underlying Mixed Use-Business Campus General Plan designation.





Current Vision for CHSU Campus Related Housing

Since the approval of AUP2016-09, the vision for the type and locations of the CHSU housing component (Phase 3 of AUP2016-09) has evolved. The updated concept includes an expanded area being utilized for a mix of units in both single family and multi-family formats. For illustrative purposes, the applicant provided an updated graphic showing a generalized layout of the campus and surrounding area, including the housing component (Attachment 1).

The conceptual master plan previously approved with AUP 2016-09 includes about 24 acres of land dedicated to housing, while the updated concept adds approximately 50 additional acres. A diagram comparing the previous master plan to the revised proposal is included as **Figure 2**. Detail regarding the number and size of dwelling units is not included. The layout is conceptual at this point, and is not intended to function as a site plan proposal.

FIGURE 2
Limits of AUP2016-09 vs. Updated Concept



-  = Approved Limits of AUP2016-09
 -  = Addition Contemplated by Updated Concept
 -  = Total Proposed Limits of Student and Faculty Housing
- 
N

Housing in the R-T Park and Mixed Use-Business Campus Designation

While neither single-family nor multi-family development is permitted as a stand-alone use in the R-T Park and Mixed-Use Business Campus area, housing which is integral to the CHSU Campus can be viewed as a consistent use. This is how the student housing identified in the original approval of AUP2016-09 was presented. In evaluating the applicant's updated concept, staff determined that student and faculty housing sites should demonstrate a clear association with the CHSU Campus in order to qualify as a permitted use within the campus area.

University - Housing Affiliation

A variety of potential models exist to establish the relationship between an educational campus and surrounding student and faculty housing. On one end of the spectrum, the housing units can be owned and managed by the university or a university foundation. On the opposite end of the spectrum, the units can be privately owned and simply marketed to individuals associated with the school who want to own or rent in close proximity. The following specific examples were identified by staff as it researched student and faculty housing affiliations:

- CSU Monterey Bay: Single Family - CSU sells home, but maintains a *ground lease* in perpetuity, owner rents ground as well. Rental single family homes also available. Apartments - Combination of traditional student apartments and apartments reserved for rent to CSUMB and employees of certain "educational partners."
- Westmont (Santa Barbara): Single Family - School sells home with *deed restriction* that the home be sold to future faculty/staff. Apartments – traditional on-campus housing and off-campus complex owned by the university.
- CSU Channel Islands: Single Family - CSU sells home, but maintains a *ground lease* in perpetuity, owner rents ground as well. Apartments – traditional on-campus student housing.
- Stanford: Single Family - Stanford sells home, but maintains a *ground lease* in perpetuity, owner rents ground as well. Rental Housing Programs comprised of residential rental leases for university-owned faculty residences subject to a *ground lease* (on- & off-campus), and Stanford University Residences (on- & off-campus). Apartments – traditional on-campus housing. Stanford has also secured off-campus leases at apartment complexes in Palo Alto, Menlo Park, Mountain View, and Redwood City to help meet the high demand for housing. These subsidized off-campus apartments are offered along with the on-campus options in a housing lottery application.
- CSU Fresno: Single Family – Not offered. Apartments: Traditional on-campus housing. Palazzo apartments, new construction near Shaw and Freeway 168, is *market rate, open to anybody*. Marketed to students, on property sold to University foundation.

- UCSF School of Medicine: While in Fresno, medical students from the UCSF School of Medicine campus are housed at Riverview Garden Apartments, provided by the University. UCSF Students who are rotating in Fresno do not pay housing fees.

The written communication from Granville Homes and the Assemi Group, included as Attachment 1 to this report, outlines the proposed relationship between the student and faculty housing units and the CHSU Campus. The primary characteristic of the proposed affiliation is the opportunity for CHSU community members, students, faculty, and staff to gain primary access to the housing units. This includes making all rental units and single family ownership units available to CHSU community members before becoming available to the public. Additionally, five single homes would be permanently available exclusively to CHSU community members.

Staff and the applicant seek Council's direction relative to proceeding with the updated concept for student and faculty housing based on the affiliation described above and outlined in Attachment 1. Staff's observation is that the affiliation should be sufficiently clear to distinguish between the applicant's proposal and any other conventional single or multi-family development that might also request to develop in the planned R-T Park area. If a more direct tie is desired by the Council than has been outlined by the applicant (such as ground lease, deed restriction, occupancy covenant, etc.), that direction may be given by the Council.

Necessary Planning Entitlements

When the Council is satisfied with the mechanism that will tie student and faculty housing to the University, two levels of entitlements are necessary to implement the applicant's updated concept. First, a "clean-up" action should be processed to transition the existing non-conforming zoning to the R-T designation and remove existing inconsistencies in the way the existing General Plan references to the R-T Park. At Council's direction, this clean-up action can be initiated and processed by the City and will address the entire R-T Park area. Second, the applicant should submit a request for a new (or amended) administrative use permit to replace the outdated master plan with the updated plan.

Alternatively, if the student and faculty housing products are viewed as traditional projects that will be open to all buyers and renters in the market, Council may provide direction to proceed with routine entitlements that would otherwise be required. In this instance, applications would include a general plan amendment, rezone, site plan review, and tract map.

FISCAL IMPACT

As an item for discussion and direction, there is no direct fiscal impact associated with the consideration. However, if the Council provides direction to move forward with the proposed student and/or faculty housing concept, the amount of land in the R-T Park area intended for revenue generating commercial and office uses would be reduced.

CHSU has been a boost to the City's economic development efforts and establishing related student and/or faculty housing to further the success of the University which meets the City's economic development goals. However, the use of the property for non-university related housing projects will negatively impact the ability of the City to attract the jobs needed to meet the objectives in the City's 2014 General Plan. In general, the City does not have sizeable properties available for commercial development and the loss of acreage for residential projects puts at risk the City's long-term fiscal needs.

REASON FOR RECOMMENDATION

Staff is seeking City Council direction related to the addition of student and faculty housing within the area planned for R-T Park, and the extent to which any such housing should be tied to the California Health Science University. At this time, no formal recommendation is needed.

ACTIONS FOLLOWING APPROVAL

If the City Council's feedback indicates that student and faculty housing within the planned R-T Park is acceptable in concept, staff and the applicant will work together to outline the procedural requirements.

Prepared by: Dave Merchen, City Planner

Reviewed by: City Manager LS



October 5, 2020

City of Clovis
1033 Fifth Street
Clovis, CA 93612

Dave and Renee,

Thank you for taking the time to meet with our team that has been working on this project for nearly 8 years. As we have discussed, The Assemi Group of Family Companies, would like to be scheduled to provide City Council with a CHSU Master Plan Update, as well as request their direction for Administration and Staff to work on amending our existing Administrative Use Permit, as we have relied on.

Our consultants have defined the amended CHSU affiliated use as described below:

CHSU Affiliated Housing

Universities have needed to become more creative in accommodating the housing need of undergraduate and graduate students and students with families, in addition to post-PhD researchers, faculty, visiting scholars and staff members of the University Campus community. In that context, through University owned or University affiliated housing, campuses are entering into public/private agreements or working with public and private stakeholders to assure that a variety of housing opportunities are available to the University Campus community. The University of California system, for example, is engaged in a multi-year housing initiative to accommodate its growing population. With many differences between the campuses, even at a single campus the housing programs can encompass Residential Halls, On-campus apartments, Campus Affiliated Properties, and a Family Student Village experience.

For the proposed development, having concluded that CHSU as an education/school use is appropriate in the Research and Technology/Business Park District, it follows that campus affiliated housing for the CHSU community, as an integral part of that primary land use, is also allowed. As set for the in the General Plan, a focus area assignment “complements a property’s General Plan land use designation and may expand permissible uses.” The Research and Technology Business Park focus area should similarly complement the existing land use designation and permissible uses in the Mixed Use/Business Campus General Plan Land Use Designation. Research and development is consistent with the Mixed Use/Business Campus General Plan Land Use Designation and the Industrial use designations. An education/school use is allowed in all of the industrial zoning districts, including the Research and Technology /Business Park District.

CHSU affiliated housing would be housing located in close proximity to CHSU and designed to accommodate diverse housing needs of the post-graduate and faculty community unique to CHSU. Given

ATTACHMENT 1

Home Building • Land Development & Urban Infill • Property Management • Philanthropy

Address: 1396 West Herndon Avenue, Suite 101 Fresno, CA 93711

Corporate: 559.436.0900 **Established:** 1977 **Websites:** gvhomes.com • rentgranville.com

the post-graduate nature of CHSU, the students will be older than the majority of students found at an undergraduate institution. By example, it is expected that the College of Pharmacy students will range in age between 23 and 30 years old, with the average being 25 to 27 years old. Older students will have different student housing needs and some may be married with families. Consequently, the type of campus housing will be more apartment style than the dormitory style associated with undergraduate housing.

It is anticipated that each of the CHSU Colleges will be able to accommodate growth over the start-up student enrollment, with additional growth predicated on demand. Growth will suggest increased need for additional campus housing and some additional parking, which can easily be accommodated within the planning area. Campus housing on and in close proximity to the CHSU may also reduce CHSU required parking. For planning purposes, a total student population of 2,000 is presumed, with up to 1,000 students living in campus housing.

The proposed CHSU affiliated housing program for students would provide housing for between 25% and 50% of the CHSU community, with the actual number of campus affiliated housing units dependent upon demand. Student housing will be constructed as various colleges are brought online. By example, housing for 70 to 135 students will be constructed in conjunction with the College of Pharmacy.

For the proposed CHSU affiliated campus housing,

- CHSU community members, students, faculty and staff, would have priority access.
- All available rental housing would be made available to CHSU community members prior to being available to the public.
- All new ownership single-family housing would be made available to CHSU community members prior to being available to the public.
- Five single-family homes would be permanently available exclusively to CHSU community members.

In addition to CHSU affiliated housing, the proposed development may also include other ancillary uses associated with and/or supportive of education/school uses.

For your use, we have included an illustration to depict the continually evolving CHSU Master Plan Campus for your use.

Thank you and please let us know if you would like to further discuss the agenda request.

Sincerely,

Darius Assemi
President
Granville Homes, Inc.

darden
architects
Established 1959
6790 N. West Avenue
Fresno, California 93711
T. 559.448.8051

www.dardenarchitects.com



STUDENT HOUSING
SITE AREA: 19.4 ACRES
TOTAL UNITS: 350
DENSITY: 18.1 DU/AC

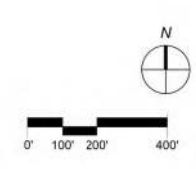
UNIVERSITY CENTER
STUDENT/FACULTY COMMERCIAL SITE

EXISTING RESIDENTIAL

FACULTY HOUSING

CHSU FUTURE CAMPUS

- 1 MANUFACTURING (PRECISION PLASTICS)
- 2 ANALYTICAL LABORATORY
- 3 OFFICE
- 4 MEDICAL OFFICE
- 5 VALLEY PUBLIC RADIO
- 6 OFFICE
- 7 CLOVIS SELF-STORAGE & OFFICE SUITES



UPDATED 9/10/2020

CALIFORNIA HEALTH SCIENCES UNIVERSITY
Clovis, CA

CONCEPTUAL MASTER PLAN

7/1/2020 10:34:05 AM
C:\Users\jgall\Documents\Temporaries Site MP_V18_new_jgall.rvt



City of Clovis
Department of Planning and Development Services
 CITY HALL · 1033 FIFTH STREET · CLOVIS, CA 93612

June 9, 2016

Tom McLaughlin
 Proctor Campus Holdings
 1396 W. Herndon Avenue, Suite 101
 Fresno CA 93711

SUBJECT: AUP2016-09; A request to approve an Administrative Use Permit to allow for a Health Science Educational Facility to be established within the Research and Technology Park located north of Highway 168 at Temperance Avenue.

Dear Applicant:

This letter is to advise you that the Planning Division has completed its comment period, review and public hearing for the subject request.

Please be advised that the use has been approved subject to the following conditions:

Planning Division Conditions:
(Department Representative- Orlando Ramirez, 324-2340)

1. The applicant shall sign and return the "Acknowledgment of Acceptance of Conditions- Administrative Use Permit" within thirty (30) days of the date of approval of the Administrative Use Permit (AUP), unless a written appeal is requested within fifteen (15) days of receipt of this notice, or the Planning Director grants and extension in writing. Failure to execute this condition will result in immediate termination of this Administrative Use Permit at the end of the 30-day period. **Conditions must be signed prior to issuance of building permits or start of business, whichever occurs first.**
2. This Administrative Use Permit is granted for a Health Science Educational Facility to be established within the Research and Technology Park located north of Highway 168 at Temperance Avenue.
3. This Administrative Use Permit is not transferable to another location.
4. This AUP is approved per attached Exhibit "B."

ATTACHMENT 2

5. The applicant shall address zoning inconsistencies for the proposed use prior to submittal for Site Plan Review.
6. The applicant shall submit for site plan approval for the project in accordance with Section 9-3.408, Site Plan Review, of the Clovis Municipal Code.
7. The applicant shall refer to the Central Valley Research and Technology Business Park Architectural Design Guidelines for development of the various buildings and uses.
8. This conditional use permit is granted based upon the site plan and related exhibits labeled as Exhibit "B", which is on file in the Clovis Planning Division. Minor variations to the exhibits may be made through the site plan approval process. Major modification to the site plan shall require amendment to this administrative use permit approval.
9. Reciprocal access and hold as one agreements or other instruments approved by the City Planner shall be recorded for all parcels affected by AUP2016-09. No building permits shall be issued until the recording of said reciprocal access agreement. Such access easements shall be approved by the Director of Public Works, City Engineer, and City Planner.
10. The applicant shall work with staff and affected property owners on wall placement through the Site Plan Review process to mitigate potential noise concerns.
11. The developer shall enter into a Covenant Agreement regarding a "right to farm." Such agreement shall be disclosed to all future buyers.
12. All landscaping (open space and private yards) shall conform to the City of Clovis Water Efficient Landscape Ordinance.
13. All conditions of the Herndon Shepherd Specific Plan, and the Research and Technology Zone District, and any other applicable conditions are hereby referred to and made a part of this use permit by reference
14. All parking for the uses shall be accommodated on site.

DEPARTMENT OF PUBLIC HEALTH DISTRICT CONDITIONS
(Kevin Tsuda, District Representative – 600-3271)

15. The applicant shall refer to the attached Health Department requirements. If the list is not attached, please contact the District for the list of requirements.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT CONDITIONS

(Michael Maxwell, FMFCD Representative - 456-3292)

16. The applicant shall refer to the attached FMFCD requirements. If the list is not attached, please contact the District for the list of requirements.

FRESNO IRRIGATION DISTRICT CONDITIONS

(Steve Bloem, FID Representative - 233-7161 X319)

17. The Applicant shall refer to the attached FID correspondence. If the list is not attached, please contact the District for the list of requirements.

DEPARTMENT OF TRANSPORTATION

(Michael Navarro, District Representative- (559) 488-7307)

18. The Applicant shall refer to the attached District requirements. If the list is not attached, please contact the District for the list of requirements.

Sincerely,

Orlando Ramirez
Associate Planner
324-2340



SITE KEY ■ PROJECT SITE

OVERALL
 LAND AREA = 69.00 ACRES = 3,005,840 SQ FT
 TOTAL BUILDING AREA = 638,000 SQ FT
 PARKING STALLS SHOWN = (2160 GENERAL + 47 ADA) + (332 STAFF + 13 ADA)
 BUILDING FOOTPRINT SQ FT = 446,800 SQ FT = 14.6% COVERAGE RATIO
 PARKING SQ FT = 1,085,488 SQ FT = 36.1% OF SITE AREA
 OPEN AREA SQ FT = 1,473,352 SQ FT = 49.01% OF SITE AREA





SITE 1
 LAND AREA = 28.55 ACRES = 1,243,938 SQ FT
 TOTAL BUILDING AREA = 291,000 SQ FT
 TOTAL PARKING STALLS = (766 GENERAL + 18 ADA) + (206 STAFF + 7 ADA)
 BUILDING FOOTPRINT SQ FT = 153,000 SQ FT = 12.30% COVERAGE
 *257,400 SQ FT OF POSSIBLE BUILDING EXPANSION (GROUND COVERAGE TO REACH 33% COVERAGE RATIO)
 PARKING SQ FT = 479,000 SQ FT = 38.52% OF SITE AREA
 OPEN AREA SQ FT = 611,938 SQ FT = 49.18% OF SITE AREA

California Health Science University
 Conceptual Site Plan

April 2016 | UNIVERSITY SITE 1





SITE 2
 LAND AREA = 15.95 ACRES = 694,782 SQ FT
 TOTAL BUILDING AREA = 247,000 SQ FT
 PARKING STALLS SHOWN = (411 GENERAL + 9 ADA) + (128 STAFF + 6 ADA)
 BUILDING FOOTPRINT SQ FT = 127,000 SQ FT = 18.28% COVERAGE RATIO
 PARKING SQ FT = 239,458 SQ FT = 34.47% OF SITE AREA
 OPEN AREA SQ FT = 328,295 SQ FT = 47.25% OF SITE AREA



ACADEMIC / STUDENT HOUSING
 1000 ± STUDENTS
 4 STUDENTS PER UNIT
 APPROXIMATELY 250 UNITS

SITE 3
 LAND AREA = 24.5 ACRES = 1,067,220 SQ FT
 TOTAL BUILDING AREA = 300,000 SQ FT
 PARKING AT 2.24 STALLS PER 1000 SQ FT = 794 PARKING STALLS
 ACTUAL PARKING STALLS SHOWN = (778 GENERAL + 16 ADA)
 BUILDING FOOTPRINT SQ FT = 166,800 SQ FT = 15.63% COVERAGE RATIO
 PARKING SQ FT = 320,206 SQ FT = 30.00% OF SITE AREA
 OPEN AREA SQ FT = 580,212 SQ FT = 54.37% OF SITE AREA