



CITY *of* CLOVIS

AGENDA • CITY COUNCIL MEETING

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

October 03, 2022

6:00 PM

Council Chamber

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

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

Written Comments

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

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



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

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.
- In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic

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 September 12, 2022 and the September 19, 2022 Council Meetings.
- [2.](#) Administration - Adopt - Ord. 22-08, Rezone 2021-001 and R2021-003, A request to establish a Master Plan Community (MPC) Overlay District in conjunction with Home Place Master Plan and a request to prezone properties within the boundaries of the Home Place Master Plan to a combination of base zone districts to implement the land uses identified in the Home Place Master Plan. (Vote: 5-0)
- [3.](#) Finance – Receive and File – Investment Report for the Month of June 2022.
- [4.](#) Finance – Receive and File – Treasurer’s Report for the Month of June 2022.
- [5.](#) General Services – Approval – Res. 22-____, Authorizing the Execution of the Certifications and Assurances for the FY 2022-23 California State Transit Assistance State of Good Repair Program.
- [6.](#) General Services – Approval – Res. 22-____, Authorizing Amendments to the City Engineer Classification in the Planning and Development Services Department.
- [7.](#) General Services – Approval – Res. 22-____, Authorizing Amendments to the Lead Bus Driver Classification and Compensation Plan in the General Services Department.
- [8.](#) Planning and Development Services - Approval – Res. 22-____, Annexation of Miscellaneous Properties to the Landscape Maintenance District No. 1.

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

- [9.](#) Conduct – An Appeal Hearing Regarding the Entertainment Permit Suspension for The Palace Nightclub located at 446 Clovis Avenue, Clovis, CA 93612.

Staff: Chris Hutchison, Police Corporal / Wiley Driskill, Deputy City Attorney
Recommendation: Deny the Appeal and Uphold the Suspension

COUNCIL ITEMS

- [10.](#) Consider Appointment – Fresno County Transportation Authority Urban at Large Board Member.

Staff: John Holt, City Manager
Recommendation: Consider Appointment

- [11.](#) Consider Approval – Change of Council Meeting Schedule.

Staff: John Holt, City Manager
Recommendation: Approve

- [12.](#) Consider Approval - Draft Letters of Support Requesting the ability to conduct interviews for the Global Entry program at the Fresno Yosemite International Airport.

Staff: John Holt, City Manager
Recommendation: Approve

CITY MANAGER COMMENTS

COUNCIL COMMENTS

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

13. Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: John Holt, Andrew Haussler, Shonna Halterman, Scott G. Cross
Employee Organization: Clovis Firefighters Association

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:

- Oct. 10, 2022 (Mon.) (To Be Cancelled)
- Oct. 17, 2022 (Mon.)
- Nov. 7, 2022 (Mon.)
- Nov. 14, 2022 (Mon.)
- Nov. 21, 2022 (Mon.) (To Be Cancelled)

CLOVIS CITY COUNCIL MEETING

September 12, 2022

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Flores at 6:03
Flag Salute led by Councilmember Bessinger

Roll Call: Present: Councilmembers Ashbeck, Bessinger, Mouanoutoua, Whalen
Mayor Flores

PRESENTATION – 6:04

6:04 – ITEM 1 - PRESENTATION OF CERTIFICATES OF RECOGNITION TO STUDENTS RECEIVING AMERICAN LEGION BOYS AND GIRLS STATE AWARDS.

The City Council recognized students who attended the American Legion State Governance Program.

6:17 – ITEM 2 - PRESENTATION BY FRESNO COUNTY ECONOMIC DEVELOPMENT CORPORATION ON SERVICES PROVIDED TO THE CITY OF CLOVIS.

The Fresno County Economic Development Corporation presented an update on the agency’s accomplishments and activities.

PUBLIC COMMENTS – 6:36

None.

CONSENT CALENDAR – 6:37

City staff requested to pull item 16 for a presentation, discussion, and separate motion by Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Bessinger, that items on the Consent Calendar be approved with the exception of item 16. Motion carried by unanimous vote.

3. Administration - Approved - Minutes from the August 1, 2022, Council Meeting.
4. Administration – Adopt – **Ord. 22-07**, Amending various sections of the Clovis Municipal Code relating to the quadrant intersection development fee. (Vote: 5-0)
5. Administration – Approved – **Res. 22-96**, Amending the Conflict of Interest Code list of Designated Employees.
6. Administration - Received and Filed – Economic Development Corporation Serving Fresno County Quarterly Report, April - June 2022.
7. Administration - Approved – FY 2022-23 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County.

- 8. Administration - Approved – **Res. 22-97**, A Resolution authorizing the City Manager to approve the sales of mobile homes obtained through California’s CalHome Program, and other state and/or federal affordable housing programs, and to execute all necessary documents to effectuate the sales.
- 9. Finance – Received and Filed – Investment Report for the Month of May 2022.
- 10. Finance – Received and Filed – Treasurer’s Report for the Month of May 2022.
- 11. General Services – Approved - Claim Rejection of the General Liability Claim on behalf of Cynthia Enns, Elwood Enns, and the Estate of Carson Warren Enns.
- 12. General Services – Approved – **Res. 22-98**, Authorizing Amendments to the Senior Systems Video Analyst Classification in the Police Department.
- 13. Planning and Development Services – Approved – **Res. 22-99**, Final Map Tract 6389, located in the southwest area of Loyola and North De Wolf Avenues (Granville Homes).
- 14. Planning and Development Services - Approved – **Res. 22-100**, Annexation of Proposed Tract 6389, located in the southwest area of Loyola and North De Wolf Avenues to the Landscape Maintenance District No. 1 of the City of Clovis (Granville Homes).
- 15. Planning and Development Services – Approved – Bid Award for CIP 17-21 Well 35 Drilling and Development; and Authorize the City Manager to execute the contract on behalf of the City.

6:39 – ITEM 16 - Planning and Development Services – Approved - **Res. 22-101**, Amending the 2022-2023 Community Investment Program (CIP) budget and authorizing the execution of a real property purchase agreement for property located at 2791 Serena Avenue.

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

PUBLIC HEARINGS – 6:46

6:48 – ITEM 19 - CONTINUED - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 310 ACRES OF LAND BOUND BY LEONARD AVENUE ON THE WEST, THOMPSON AVENUE ON THE EAST, GETTYSBURG AVENUE ON THE NORTH, AND ASHLAN AVENUE ON THE SOUTH. THE HOME PLACE HOLDINGS, LLC APPLICANT, 4CREEKS INC. REPRESENTATIVE; SAYRE M. MILLER, TRUSTEE OF THE SAYRE M. MILLER REVOCABLE TRUST DATED NOVEMBER 27, 2001, ET. AL., OWNER. **(CONTINUED TO SEPTEMBER 19, 2022)**

19A. CONSIDER INTRODUCTION – **ORD. 22-XX**, REZONE 2021-001 AND R2021-003, A REQUEST TO ESTABLISH A MASTER PLAN COMMUNITY (MPC) OVERLAY DISTRICT IN CONJUNCTION WITH HOME PLACE MASTER PLAN AND A REQUEST TO PREZONE PROPERTIES WITHIN THE BOUNDARIES OF THE HOME PLACE MASTER PLAN TO A COMBINATION OF BASE ZONE DISTRICTS TO IMPLEMENT THE LAND USES IDENTIFIED IN THE HOME PLACE MASTER PLAN.

19B. CONSIDER APPROVAL – **RES. 22-XX**, TM 6364, A REQUEST FOR A MASTER TENTATIVE TRACT MAP TO CREATE APPROXIMATELY 1,174 NEW RESIDENTIAL LOTS.

- 19C. CONSIDER APPROVAL – **RES. 22-XX**, PDP 2022-002, A REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ESTABLISH DEVELOPMENT STANDARDS AND CRITERIA FOR THE PROPOSED TRACT MAP 6364.)

Motion for continuance to September 19, 2022, by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

- 6:49 – ITEM 20 - CONTINUED - **RES. 22-XX**, RO304, A RESOLUTION OF APPLICATION FOR THE ANNEXATION OF THE TERRITORY KNOWN AS THE HOME PLACE – GETTYSBURG LEONARD SOUTHEAST REORGANIZATION ENCOMPASSING APPROXIMATELY 304 ACRES OF LAND GENERALLY BOUND BY LEONARD AVENUE ON THE WEST, THOMPSON AVENUE ON THE EAST, GETTYSBURG AVENUE ON THE NORTH, AND ASHLAN AVENUE ON THE SOUTH. THE HOME PLACE HOLDINGS, LLC APPLICANT; SAYRE M. MILLER, TRUSTEE OF THE SAYRE M. MILLER REVOCABLE TRUST DATED NOVEMBER 27, 2001, ET. AL., OWNER. **(CONTINUED TO SEPTEMBER 19, 2022)**

Motion for continuance to September 19, 2022, by Councilmember Ashbeck, seconded by Councilmember Bessinger. Motion carried by unanimous vote.

- 6:50 – ITEM 17 - APPROVED – **RES. 22-102**, ADOPTION OF THE CITY OF CLOVIS 2021-2022 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

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

- 7:07 – ITEM 18 - CONSIDER VARIOUS OPTIONS REGARDING THE CREATION OF A HISTORIC PRESERVATION BOARD:

- 18A. ESTABLISH A COMMITTEE THAT WOULD WORK WITH STAFF ON THE DEVELOPMENT HISTORIC PRESERVATION BOARD ORDINANCE AND IDENTIFY INITIAL ACTIONS THE BOARD COULD TAKE;
- 18B. APPROVED INTRODUCTION – **ORD. 22-XX**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS ADDING CHAPTER 9.81 OF TITLE 9 OF THE CLOVIS MUNICIPAL CODE CREATING A HISTORIC PRESERVATION BOARD;
- 18C. TAKE NO ACTION AT THIS TIME.

Mayor Flores abstained from hearing and voting on this item stating that this item originated from a discussion regarding the property located at 325 Pollasky Avenue which is within 1000 ft. of another property that he has financial interest in.

Sayre Miller spoke in support of working together on alternatives to the proposed ordinance.

Tom Wright spoke in support of forming the board and voiced concern on limiting scope to the original square mile of the City of Clovis.

Bill Smittcamp expressed concern on involving government. Voiced the need for people to do the right thing.

Greg Newman expressed concern over the proposed options, supported option c.

Motion by Councilmember Whalen to establish an ad hoc committee that would assess historic resources in the City of Clovis and provide recommendations to the City Council on the protection of those identified resources. Membership of the committee will consist of five (5) members and each member shall be appointed by the City Council following a recommendation by the Mayor, and members must be a resident of the City of Clovis. Motion was seconded by Councilmember Mouanoutoua amending the motion to change the number of members to ten (10) with each council member selecting two members. Councilmember Whalen concurred with the amended second. Motion carried 4-0-0-1 with Mayor Flores abstaining.

8:34 – ITEM 21 - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 4.45 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF ARMSTRONG AND GETTYSBURG AVENUES. GARY MCDONALD HOMES/GLENEAGLES HOMES, PROPERTY OWNER/APPLICANT; HARBOUR & ASSOCIATES, REPRESENTATIVE. (MAYOR PRO TEM ASHBECK HAS A CONFLICT OF INTEREST ON THIS ITEM)

Mayor Pro Tem Ashbeck abstained from hearing and voting on this item stating that this project is within 500 ft. of her residence.

Lorren Smith, Harbour & Associates representative, commented on the parking options within the development and addressed Council's questions.

21A. APPROVED - **RES. 22-103**, TM6403, A REQUEST TO APPROVE A VESTING TENTATIVE TRACT MAP FOR A 15-LOT SINGLE-FAMILY SUBDIVISION ON APPROXIMATELY 4.45 ACRES OF LAND.

Motion for approval by Councilmember Whalen, seconded by Councilmember Mouanoutoua. Motion carried 4-0-0-1 with Mayor Pro Tem Ashbeck abstaining.

21B. APPROVED - **RES. 22-104**, PDP2022-001, A REQUEST TO APPROVE A PLANNED DEVELOPMENT PERMIT TO ALLOW DEVIATIONS FROM THE R-1-B (SINGLE-FAMILY RESIDENTIAL – 12,000 SQ. FT.) ZONE DISTRICT RESIDENTIAL DEVELOPMENT STANDARDS ASSOCIATED WITH TM6403.

Motion for approval by Councilmember Whalen, seconded by Councilmember Mouanoutoua. Motion carried 4-0-0-1 with Mayor Pro Tem Ashbeck abstaining.

CITY MANAGER COMMENTS – 9:07

COUNCIL COMMENTS – 9:08

CLOSED SESSION – 9:19

ITEM 22 - Government Code Section 54956.9(d)(2) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION FOUR POTENTIAL CASES BASED ON CLAIMS RECEIVED FOR THE SUNNYSIDE AVENUE WATER MAIN BREAK AND PROPERTY FLOODING INCIDENT ON JANUARY 3, 2022.

Mayor Flores adjourned the meeting of the Council to September 19, 2022

Meeting adjourned: 9:57 p.m.

Mayor

City Clerk

CLOVIS CITY COUNCIL MEETING

September 19, 2022

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Flores at 6:00
Flag Salute led by Councilmember Mouanoutoua

Roll Call: Present: Councilmembers Ashbeck, Bessinger, Mouanoutoua, Whalen
Mayor Flores

PRESENTATION – 6:02

6:02 – ITEM 2 - PRESENTATION OF PROCLAMATION DECLARING SEPTEMBER 20, 2022, AS NATIONAL INFORMATION TECHNOLOGY PROFESSIONALS DAY.

The City Council presented a proclamation declaring September 20, 2022, as National Information Technology Professionals Day and recognized the Information Technology staff working with the City of Clovis and their efforts to increase efficiency, protect City assets, and improve the safety of Clovis residents and City of Clovis employees.

Jesse Velez, Deputy Information Technology Director, thanked the Council for their support and recognizing the IT professionals working with the City of Clovis. He shared some of the things that the IT team continuously works on to keep things running and some challenges that they face. He thanked the IT staff for delivering the excellent work that they do on a daily basis.

6:11 – ITEM 1 - PRESENTATION INTRODUCING THE CENTERS FOR LIVING MINISTRY FOR HOMELESSNESS AND RECOVERY.

John Coyle and Dawn McCollum, Co-Founders of Centers for Living, presented information on their organization’s mission and the services they provide for individuals seeking assistance with homelessness and recovery. They shared that they recently opened a business in Clovis called *2nd Chance Thrift & Collectibles* to help provide a place of employment for the people that they serve.

PUBLIC COMMENTS – 6:22

None.

CONSENT CALENDAR – 6:23

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

3. Administration – Approved – Request for Street Closure to Hold CrossFit Event on Pollasky Avenue Between Spruce Avenue and Park Creek Drive on Saturday, October 22, 2022.
4. Finance - Approved – **Res. 22-105**, Approving the submittal of the 2022-2023 Transportation Funding Claim to the Fresno Council of Governments.
5. General Services – Approved – **Res. 22-106**, Renewing Medical Plan Options for Eligible Retirees and Restating the Eligibility Requirements for Participation in the Plan.
6. Planning and Development Services - Approved – Waive formal bidding procedures and Authorize the City Manager to execute an agreement between the City of Clovis and Innovative Development and Living Solutions of California to perform housing-related consulting services in conjunction with funding received through the State of California Local Early Action Planning (LEAP) Program
7. Planning and Development Services - Approved – Final Acceptance for CIP 21-08 David McDonald Park Monument Sign.
8. Public Utilities – Approved – Waive Formal Bidding Requirements and Authorize the Purchase of an Equipment Vehicle Lift from ARI Phoenix, Inc. Using the Sourcewell Purchasing Contract.
9. Public Utilities – Approved – Waive Formal Bidding Requirements and Authorize the Purchase of One Fuel and One Service Trailer from Thunder Creek Equipment.

PUBLIC HEARINGS – 6:26

6:26 – ITEM 10 - CONSIDER ITEMS ASSOCIATED WITH APPROXIMATELY 310 ACRES OF LAND BOUND BY LEONARD AVENUE ON THE WEST, THOMPSON AVENUE ON THE EAST, GETTYSBURG AVENUE ON THE NORTH, AND ASHLAN AVENUE ON THE SOUTH. THE HOME PLACE HOLDINGS, LLC APPLICANT, 4CREEKS INC. REPRESENTATIVE; SAYRE MILLER, TRUSTEE OF THE SAYRE M. MILLER REVOCABLE TRUST DATED NOVEMBER 27, 2001, ET. AL., OWNER. (CONTINUED FROM THE SEPTEMBER 12, 2022 MEETING)

10A. APPROVED INTRODUCTION - **ORD. 22-08**, REZONE 2021-001 AND R2021-003, A REQUEST TO ESTABLISH A MASTER PLAN COMMUNITY (MPC) OVERLAY DISTRICT IN CONJUNCTION WITH HOME PLACE MASTER PLAN AND A REQUEST TO PREZONE PROPERTIES WITHIN THE BOUNDARIES OF THE HOME PLACE MASTER PLAN TO COMBINATION OF BASE ZONE DISTRICTS TO IMPLEMENT THE LAND USES IDENTIFIED IN THE HOME PLACE MASTER PLAN.

Motion for approval by Councilmember Whalen, seconded by Councilmember Ashbeck.
Motion carried by unanimous vote.

10B. APPROVED - **RES. 22-107**, TM 6364, A REQUEST FOR A MASTER TENTATIVE TRACT MAP TO CREATE APPROXIMATELY 1,174 NEW RESIDENTIAL LOTS.

Motion for approval by Councilmember Whalen, seconded by Councilmember Ashbeck.
Motion carried by unanimous vote.

10C. APPROVED - **RES. 22-108**, PDP 2022-002, A REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ESTABLISH DEVELOPMENT STANDARDS AND CRITERIA FOR THE PROPOSED TRACT MAP 6364.

Motion for approval by Councilmember Whalen, seconded by Councilmember Ashbeck.
Motion carried by unanimous vote.

7:52 – ITEM 11 - APPROVED - **RES. 22-109**, RO304, A RESOLUTION OF APPLICATION FOR THE ANNEXATION OF THE TERRITORY KNOWN AS THE HOME PLACE – GETTYSBURG LEONARD SOUTHEAST REORGANIZATION ENCOMPASSING APPROXIMATELY 304 ACRES OF LAND GENERALLY BOUND BY LEONARD AVENUE ON THE WEST, THOMPSON AVENUE ON THE EAST, GETTYSBURG AVENUE ON THE NORTH, AND ASHLAN AVENUE ON THE SOUTH. THE HOME PLACE HOLDINGS, LLC APPLICANT; THE HOME PLACE HOLDINGS, LLC AND SAYRE MILLER, TRUSTEE OF THE SAYRE M. MILLER REVOCABLE TRUST DATED NOVEMBER 27, 2001, ET. AL., OWNERS. (CONTINUED FROM THE SEPTEMBER 12, 2022 MEETING)

Motion for approval by Councilmember Whalen, seconded by Councilmember Ashbeck.
Motion carried by unanimous vote.

CITY MANAGER COMMENTS – 7:55

COUNCIL COMMENTS – 7:57

CLOSED SESSION – 8:10

8:10 – ITEM 12 - GOVERNMENT CODE SECTION 54956.9(D)(4) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION DECIDING WHETHER TO INITIATE LITIGATION ONE POTENTIAL CASE

Motion by Councilmember Whalen to authorize the City Manager to retain legal services with Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC and sign service agreement on behalf of the City; and authorize the legal team to file a lawsuit and initiate litigation on behalf of the City. Seconded by Councilmember Bessinger. Motion carried by unanimous vote. The action, defendants, and other particulars of the case shall, once formally commenced, be disclosed to any person upon inquiry.

Mayor Flores adjourned the meeting of the Council to October 3, 2022.

Meeting adjourned: 8:45 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: October 3, 2022

SUBJECT: Administration - Adopt - Ord. 22-08, Rezone 2021-001 and R2021-003, A request to establish a Master Plan Community (MPC) Overlay District in conjunction with Home Place Master Plan and a request to prezone properties within the boundaries of the Home Place Master Plan to a combination of base zone districts to implement the land uses identified in the Home Place Master Plan. (Vote: 5-0)

ATTACHMENTS: None

This item was approved for introduction on September 19, 2022, 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: Finance Department
 DATE: October 3, 2022
 SUBJECT: Finance – Receive and File – Investment Report for the Month of June 2022.

ATTACHMENTS:

1. Distribution of Investments
2. Monthly Investment Transactions
3. Certificates of Deposit
4. Municipal Securities
5. Graph of June 30, 2022 Treasury Rates

Attached is the Investment Report for the month of June 2022. Shown in Attachment 1 is the distribution of investments which lists all the individual securities owned by the City with the book and market values. Book value is the actual price paid for the investment. Market value is the amount that the investment is worth if sold in the open market. The market value (which fluctuates daily) that is used in the report is as of the last working day of the month. Attachment 2 reflects the monthly investment transactions for the month of June 2022. Attachment 3 lists the certificates of deposit. Attachment 4 lists the municipal securities. Attachment 5 is a graph of Treasury rates on June 30, 2022.

The investment of the City's funds is performed in accordance with the adopted Investment Policy. Funds are invested with the following objectives in mind:

1. Assets are invested in adherence with the safeguards and diversity of a prudent investor.
2. The portfolio is invested in a manner consistent with the primary emphasis on preservation of the principal, while attaining a high rate of return consistent with this guideline. Trading of securities for the sole purpose of realizing trading profits is prohibited.
3. Sufficient liquidity is maintained to provide a source for anticipated financial obligations as they become due.

4. Investments may be made, consistent with the Investment Policy Guidelines, in fixed income securities maturing in three years or less and can be extended to five years with the City Manager's approval.

The Finance Department invests the City's assets with an expectation of achieving a total rate of return at a level that exceeds the annualized rate of return on short-term government guaranteed or insured obligations (90-day Treasury bills) and to assure that the principal is preserved with minimal risk of depreciation or loss. In periods of rising interest rates, the City of Clovis portfolio return may be less than that of the annualized 90-day Treasury bill. In periods of decreasing interest rates, the City of Clovis portfolio return may be greater than the annualized 90-day Treasury bill. The current 90-day Treasury bill rate (annualized) is 0.29%. The rate of return for the City of Clovis portfolio is 1.06%. The goal for the City of Clovis investment return is 120% of the 90-day Treasury bill rate. The current rate of return is 367% of the Treasury bill rate.

In accordance with the Investment Policy, the investment period on each investment does not exceed three years and can be extended to five years with the City Manager's approval. As of June 2022, the average investment life of the City's investment portfolio is 1.24 years.

Current Investment Environment and Philosophy

During the month of June 2022, the federal funds rate was increased to 1.50%-1.75%. On June 30, 2022, the Treasury yield curve increased from 3-month to 5-year notes, then decreased slightly to 10-year notes.

Certificates of Deposit (CD's)

The City purchases both negotiable and non-negotiable Certificates of Deposit (CD's). Although negotiable CD's can be traded, it is the City's policy to buy and hold all CD's. Negotiable CD's are held by U.S. Bank, a third party custodian. Non-negotiable CD's are held in the City's safe.

Purchases and Maturities

- 2 government securities totaling \$8,500,000 were purchased.
- 2 government securities totaling \$12,000,000 matured.
- 4 certificates of deposit totaling \$1,000,000 were purchased.
- 2 certificates of deposit totaling \$500,000 matured.
- 2 municipal securities totaling \$3,565,000 were purchased.

Market Environment

- During June the federal funds rate was increased to 1.50%-1.75%.
- On June 30, the yield curve increased from 3-month to 5-year notes, then decreased slightly to 10-year notes. See Attachment 5, Graph of Treasury Rates on June 30, 2022.

Prepared by: Jeffrey Blanks, Deputy Finance Director

Reviewed by: City Manager *AH*

City of Clovis
Distribution of Investments
As of June 30, 2022

AGENDA ITEM NO. 3.

	<u>COST</u>	<u>NET BOOK VALUE</u>	<u>MARKET VALUE *</u>	<u>YIELD TO MATURITY</u>	<u>STATED INTEREST RATE</u>	<u>INVEST DATE</u>	<u>MATURITY DATE</u>	<u>DAYS TO MATURITY FROM 6/30/2022</u>
<u>GOVT SECURITIES</u>								
FFCB	3,005,250	3,001,715	2,999,160	1.625%	1.625%	11/27/19	08/22/22	53
FHLB	6,065,100	6,021,482	6,002,340	2.000%	2.000%	10/31/19	09/09/22	71
FFCB	2,984,460	2,994,423	2,996,760	1.375%	1.375%	11/27/19	10/11/22	103
FFCB	5,008,500	5,003,235	4,992,950	1.600%	1.600%	01/23/20	10/13/22	105
FHLB	8,045,600	8,018,286	6,487,975	1.875%	1.875%	12/19/19	12/09/22	162
FHLB	5,047,500	5,019,684	6,487,975	1.875%	1.875%	01/23/20	12/09/22	162
FAMCMTN	8,544,965	8,521,148	8,429,790	1.350%	1.350%	02/27/20	02/27/23	242
FHLB	5,255,000	5,128,598	4,997,875	2.125%	2.125%	03/26/20	03/10/23	253
FHLB	13,579,800	13,282,915	12,944,345	2.125%	2.125%	04/30/20	03/10/23	253
FFCB	5,000,000	5,000,000	4,771,200	0.250%	0.250%	03/01/21	03/01/24	610
FFCB	1,999,000	1,999,174	1,915,780	0.300%	0.300%	03/24/21	03/18/24	627
FHLB	5,000,000	5,000,000	4,770,100	0.350%	0.350%	06/07/21	06/07/24	708
FHLB	4,969,000	4,972,423	4,764,700	1.050%	1.050%	01/20/22	11/15/24	869
FHLB	3,980,000	3,982,075	3,857,200	1.750%	1.750%	02/28/22	02/28/25	974
FHLB	4,000,000	4,000,000	3,841,080	2.750%	2.750%	04/25/22	04/25/25	1,030
FAMCMTN	3,947,600	3,953,028	3,734,640	0.750%	0.750%	12/16/21	07/28/25	1,124
FAMCMTN	4,948,500	4,953,442	4,626,850	0.600%	0.600%	10/14/21	09/08/25	1,166
FHLB	4,963,000	4,966,655	4,540,800	0.580%	0.580%	09/08/21	02/11/26	1,322
FHLB	3,922,000	3,928,967	3,649,000	0.750%	0.750%	12/16/21	02/24/26	1,335
FFCB	4,967,500	4,969,955	4,530,400	0.940%	0.940%	10/14/21	09/28/26	1,551
FHLB	3,649,200	3,649,200	3,680,400	1.150%	1.150%	06/29/22	10/28/26	1,581
FHLB	5,988,000	5,988,899	5,581,200	1.250%	1.250%	11/24/21	11/24/26	1,608
FHLB	5,127,757	5,119,620	4,790,000	2.125%	2.125%	01/20/22	12/11/26	1,625
FHLB	4,043,250	4,043,250	4,060,620	1.020%	1.020%	06/29/22	02/24/27	1,700
FHLB	3,695,200	3,714,537	3,589,280	0.900%	0.900%	03/31/22	02/26/27	1,702
FHLB	4,000,000	4,000,000	3,964,200	2.375%	2.375%	03/08/22	03/08/27	1,712
SECURITIES TOTAL	<u>\$ 131,736,182</u>	<u>\$ 131,232,711</u>	<u>\$127,006,620</u>					
LAIF		<u>\$ 74,511,731</u>	<u>\$ 74,511,731</u>					
Municipal Issuance		<u>\$ 25,000,000</u>	<u>\$ 23,571,510</u>					
Sweep Account (Union Bank)		<u>\$ 71,690,282</u>	<u>\$ 71,690,282</u>					
TOTAL CD'S		<u>\$ 12,495,000</u>	<u>\$ 12,207,735</u>					
TOTAL INVESTMENTS		<u>\$ 314,929,724</u>	<u>\$ 308,987,878</u>					

* Market values for securities obtained from US Bank.

City of Clovis
Monthly Investment Transactions
As of June 30, 2022

AGENDA ITEM NO. 3.

Institution	Description	Activity	Amount	Market Value	Rate	Activity Date	Maturity Date
FHLB	Gov. Sec.	Purchase	4,000,000	3,649,200	1.150%	06/29/22	10/28/26
FHLB	Gov. Sec.	Purchase	4,500,000	4,043,250	1.020%	06/29/22	02/24/27
CHAFFEY CA HIGH SCH	Mun Iss.	Purchase	1,565,000	1,565,000	2.475%	06/30/22	08/01/26
SONOMA CNTY JR COLLEGE	Mun Iss.	Purchase	2,000,000	2,000,000	2.447%	06/30/22	08/01/26
BAXTER CREDIT UNION	CD	Purchase	250,000	250,000	3.400%	06/28/22	06/30/25
BMO HARRIS BANK	CD	Purchase	250,000	250,000	3.150%	06/17/22	06/17/25
CAPITAL ONE BANK	CD	Purchase	250,000	250,000	3.350%	06/29/22	06/30/25
SACO BIDDEFORD	CD	Purchase	250,000	250,000	2.850%	06/17/22	06/17/25
FFCB	Gov. Sec.	Maturity	6,000,000	6,005,232	1.875%	06/14/22	06/14/22
FAMCMTN	Gov. Sec.	Maturity	6,000,000	6,007,803	1.875%	06/21/22	06/21/22
FLAGSTAR BANK	CD	Maturity	250,000	250,000	2.500%	06/13/22	06/13/22
CAPITAL ONE BANK	CD	Maturity	250,000	250,000	2.350%	06/20/22	06/20/22

PORTFOLIO DATA

Current Month (06/22)

	Book	Market
CD'S	\$ 12,495,000	\$ 12,207,735
Gov't Securities*	131,232,711	127,006,620
Municipal Securities	25,000,000	23,571,510
LAIF	74,511,731	74,511,731
Sweep Account (Union Bank)	71,690,282	71,690,282
TOTAL	\$ 314,929,724	\$ 308,987,878

Prior Month (05/22)

	Book	Market
CD'S	\$ 11,995,000	\$ 11,776,587
Gov't Securities*	135,597,608	132,028,260
Municipal Securities	21,435,000	20,246,488
LAIF	74,511,731	74,511,731
Sweep Account (Union Bank)	53,520,514	53,520,514
TOTAL	\$ 297,059,853	\$ 292,083,580

Three Months Previous (03/22)

	Book	Market
CD'S	\$ 10,995,000	\$ 10,863,747
Gov't Securities*	131,597,608	128,547,760
Municipal Securities	9,465,000	9,118,120
LAIF	74,453,060	74,453,060
Sweep Account (Union Bank)	53,645,114	53,645,114
TOTAL	\$ 280,155,782	\$ 276,627,801

Six Months Previous (12/21)

	Book	Market
CD'S	\$ 10,485,000	\$ 10,540,664
Gov't Securities*	136,883,894	136,851,221
Municipal Securities	9,465,000	9,393,207
LAIF	74,410,223	74,410,223
Sweep Account (Union Bank)	22,971,018	22,971,018
TOTAL	\$ 254,215,135	\$ 254,166,333

One Year Previous (06/21)

	Book	Market
CD'S	\$ 9,735,000	\$ 9,895,144
Gov't Securities*	118,200,318	119,447,117
Municipal Securities	5,900,000	5,895,418
LAIF	74,304,273	74,304,273
Sweep Account (Union Bank)	66,437,811	66,437,811
TOTAL	\$ 274,577,402	\$ 275,979,763

*Adjusted Quarterly for Premium/Discount Amortization

**City of Clovis
Certificates of Deposit
As of June 30, 2022**

AGENDA ITEM NO. 3.

<u>Negotiable CDs</u>	<u>COST</u>	<u>MARKET PRICE</u>	<u>INTEREST RATE</u>	<u>INVEST DATE</u>	<u>MATURITY DATE</u>	<u>MATURITY FROM 06/30/22</u>	<u>INTEREST FREQUENCY</u>
Morgan Stanley Bk	250,000	250,067.50	2.100%	07/25/19	07/25/22	25	QUARTERLY
Capital One Ntnl Assn	250,000	250,112.50	2.150%	08/07/19	08/08/22	39	QUARTERLY
Everbanke USA Salt Lake City	250,000	250,085.00	2.050%	08/07/19	08/08/22	39	QUARTERLY
Raymond James Bank	250,000	250,040.00	1.900%	08/23/19	08/23/22	54	QUARTERLY
Ally Bank	250,000	250,022.50	1.850%	09/19/19	09/19/22	81	QUARTERLY
Usalliance Federal Credit Union	250,000	250,090.00	2.850%	09/30/19	09/30/22	92	QUARTERLY
Morgan Stanley Bank	250,000	249,987.50	2.100%	10/17/19	10/17/22	109	MONTHLY
Lafayette Fed Cr Un	250,000	249,727.50	1.700%	11/22/19	11/22/22	145	MONTHLY
Live Oak Banking Co.	250,000	249,675.00	1.750%	12/11/19	12/12/22	165	QUARTERLY
Wells Fargo Natl Bk West	250,000	249,725.00	1.800%	12/13/19	12/13/22	166	QUARTERLY
Valley Cent Svgs Bk	250,000	249,370.00	1.700%	01/15/20	01/17/23	201	QUARTERLY
Sallie Mae Bank	250,000	249,600.00	1.900%	01/23/20	01/23/23	207	QUARTERLY
Servisfirst Bank	250,000	248,902.50	1.600%	02/21/20	02/21/23	236	MONTHLY
Celtic Bank	250,000	248,585.00	1.550%	03/13/20	03/13/23	256	MONTHLY
Axos Bank	250,000	248,415.00	1.550%	03/26/20	03/27/23	270	MONTHLY
Nicolet Natl Bank	250,000	247,497.50	0.900%	03/27/20	03/27/23	270	MONTHLY
Centerstate Bank	250,000	247,157.50	0.900%	03/30/20	03/30/23	273	MONTHLY
Bank Leumi	250,000	248,170.00	1.450%	03/31/20	03/31/23	274	MONTHLY
Discover Bank	250,000	248,122.50	1.350%	04/02/20	04/03/23	277	MONTHLY
Berkshire Bank	250,000	247,775.00	1.300%	04/08/20	04/06/23	280	MONTHLY
American Express	250,000	247,132.50	1.100%	04/21/20	04/21/23	295	MONTHLY
New York Cmnty Bank	250,000	240,425.00	0.350%	12/11/20	12/11/23	529	QUARTERLY
Transportation Alliance Bk	250,000	237,937.50	0.250%	03/12/21	03/12/24	621	QUARTERLY
Preferred Bank	250,000	237,625.00	0.250%	03/25/21	03/25/24	634	QUARTERLY
Bankunited Natl Assn	245,000	233,509.50	0.450%	03/31/21	04/01/24	641	QUARTERLY
Greenstate Credit Union	250,000	236,540.00	0.450%	06/16/21	06/17/24	718	QUARTERLY
Eaglemark Savings Bank	250,000	236,015.00	0.400%	06/30/21	06/28/24	729	QUARTERLY
Texas Exchange Bk	250,000	236,295.00	0.500%	07/09/21	07/09/24	740	QUARTERLY
BMW Bk North Amer	250,000	236,227.50	0.550%	07/30/21	07/30/24	761	QUARTERLY
Toyota Finl Svgs	250,000	235,970.00	0.650%	09/09/21	09/09/24	802	QUARTERLY
State Bk India	250,000	235,820.00	0.650%	09/17/21	09/17/24	810	QUARTERLY
Ubs Bank Usa	250,000	235,195.00	0.750%	11/17/21	11/18/24	872	QUARTERLY
Webbank Salt Lake City	250,000	235,042.50	0.750%	11/29/21	11/29/24	883	QUARTERLY
Medallion Bank Salt Lake City	250,000	235,502.50	0.900%	12/20/21	12/20/24	904	QUARTERLY
Beal Bank	250,000	235,410.00	0.950%	01/19/22	01/15/25	930	QUARTERLY
Barclays Bk	250,000	239,310.00	1.700%	03/09/22	03/10/25	984	QUARTERLY
Goldman Sachs Bk	250,000	238,990.00	1.650%	03/09/22	03/10/25	984	QUARTERLY
Safra National Bk	250,000	241,092.50	2.000%	03/23/22	03/24/25	998	QUARTERLY
Pentagon Federal Cr Un	250,000	241,007.50	2.000%	03/28/22	03/28/25	1,002	QUARTERLY
Beal Bank	250,000	242,292.50	2.200%	04/06/22	04/02/25	1,007	QUARTERLY
JP Morgan Chase	250,000	244,235.00	2.500%	04/08/22	04/08/25	1,013	QUARTERLY
First Natl Bank	250,000	242,197.50	2.200%	04/12/22	04/11/25	1,016	QUARTERLY
One Community Bank	250,000	245,397.50	2.700%	04/29/22	04/29/25	1,034	QUARTERLY
Americu Credit Union	250,000	246,055.00	2.800%	05/02/22	05/02/25	1,037	QUARTERLY
Synchrony Bank Retail	250,000	248,017.50	3.100%	05/20/22	05/20/25	1,055	QUARTERLY
Connexus Credit Union	250,000	247,297.50	3.000%	05/26/22	05/27/25	1,062	QUARTERLY
Bmo Harris Bank	250,000	248,270.00	3.150%	06/17/22	06/17/25	1,083	QUARTERLY
Saco Biddeford	250,000	246,152.50	2.850%	06/17/22	06/17/25	1,083	QUARTERLY
Baxter Credit Union	250,000	250,000.00	3.400%	06/28/22	06/30/25	1,096	QUARTERLY
Capital One Bank	250,000	249,645.00	3.350%	06/29/22	06/30/25	1,096	QUARTERLY
Negotiable CD TOTAL	<u>\$ 12,495,000</u>	<u>\$ 12,207,735</u>					
CD TOTAL	<u>\$ 12,495,000</u>	<u>\$ 12,207,735</u>					

**City of Clovis
Municipal Securities
As of June 30, 2022**

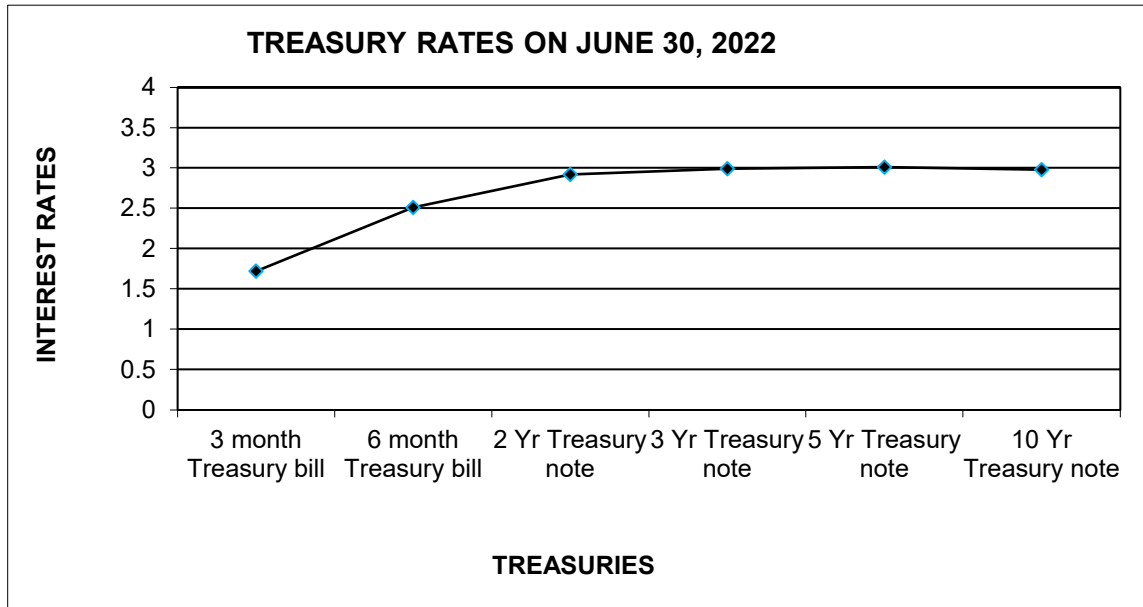
<i>AGENDA ITEM NO. 3.</i>

<u>Municipal Securities</u>	<u>COST</u>	<u>MARKET PRICE</u>	<u>INTEREST RATE</u>	<u>INVEST DATE</u>	<u>MATURITY DATE</u>	<u>MATURITY FROM 06/30/22</u>	<u>INTEREST FREQUENCY</u>
Huntington Beach Pension Bond	1,000,000	970,420	0.381%	04/01/21	06/15/23	350	QUARTERLY
Fresno Unified Taxable Go Ref Bond	500,000	486,220	0.462%	09/30/20	08/01/23	397	QUARTERLY
Pomona Cali Uni Sch Dist Go Bond	815,000	793,745	0.534%	10/20/20	08/01/23	397	QUARTERLY
San Jose CA USD Ref Bond	775,000	752,641	0.221%	01/20/21	08/01/23	397	QUARTERLY
Vista CA USD Ref Bond	750,000	728,310	0.221%	01/20/21	08/01/23	397	QUARTERLY
William Hart Cali HS Go Bond	1,000,000	970,930	0.366%	12/23/20	08/01/23	397	QUARTERLY
Jefferson Cali Elem Sch Dist Go Bond	710,000	688,523	0.399%	10/27/20	09/01/23	428	QUARTERLY
Santa Rosa Calif Watr Ref Bond	350,000	340,389	0.578%	12/01/20	09/01/23	428	QUARTERLY
California St Univ Ref Bond	3,455,000	3,331,518	0.475%	04/01/22	11/01/23	489	QUARTERLY
Santa Ana College Ref Bond	440,000	413,934	0.644%	12/17/21	08/01/24	763	QUARTERLY
Antelope Valley CA Ref Bond	750,000	710,460	1.767%	05/12/22	08/01/25	1,128	QUARTERLY
Chabot Las Positas Cmnty Clg Bond	1,490,000	1,372,514	0.880%	04/29/22	08/01/25	1,128	QUARTERLY
Santa Ana CCD Ref Bond	250,000	228,488	0.744%	05/12/22	08/01/25	1,128	QUARTERLY
Los Angeles CA USD Ref Bond	1,000,000	916,230	1.455%	11/15/21	07/01/26	1,462	QUARTERLY
Chaffey CA High School Ref Bond	1,565,000	1,499,160	2.475%	06/30/22	08/01/26	1,493	QUARTERLY
Huntington Beach HS Dist Ref Bond	3,305,000	2,989,604	1.208%	04/29/22	08/01/26	1,493	QUARTERLY
Placentia Yorba USD Ref Bond	1,110,000	1,006,981	1.070%	05/31/22	08/01/26	1,493	QUARTERLY
San Diego CA Cmnty Ref Bond	470,000	449,311	2.299%	04/29/22	08/01/26	1,493	QUARTERLY
San Ramon Valley CA USD Ref Bond	2,125,000	1,933,941	1.147%	11/03/21	08/01/26	1,493	QUARTERLY
Sonoma Cnty Jr College Ref Bond	2,000,000	1,930,500	2.447%	06/30/22	08/01/26	1,493	QUARTERLY
Fremont CA USD Ref Bond	1,140,000	1,057,692	2.000%	05/31/22	08/01/27	1,858	QUARTERLY
Mun. Securities TOTAL	<u>\$ 25,000,000</u>	<u>\$ 23,571,510</u>					
Municipal Securities TOTAL	<u>\$ 25,000,000</u>	<u>\$ 23,571,510</u>					

**CITY OF CLOVIS
FINANCE DEPARTMENT
JUNE 30, 2022 TREASURY RATES**

Treasury Rates as of June 30, 2022

3 month Treasury bill	1.72
6 month Treasury bill	2.51
2 Yr Treasury note	2.92
3 Yr Treasury note	2.99
5 Yr Treasury note	3.01
10 Yr Treasury note	2.98



As indicated in the above graph, treasuries increase from 3-month to 5-year notes, then decrease slightly to 10-year notes.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council
FROM: Finance Department
DATE: October 3, 2022
SUBJECT: Finance – Receive and File – Treasurer’s Report for the Month of June 2022.

ATTACHMENTS: 1. Summary of Cash Balances
2. Summary of Investment Activity
3. Investments with Original Maturities Exceeding One Year

Attached for the Council’s information is the Treasurer’s Report for the month ended June 30, 2022.

Pursuant to Section 41004 of the Government Code of the State of California, the City Treasurer is required to submit a monthly report of all receipts, disbursements, and fund balances. Attachment 1 provides a summary of the beginning balance, total receipts, total disbursements, ending balance for all funds, and a listing, by fund, of all month end fund balances. Attachment 2 summarizes the investment activity for the month and distribution, by type of investment, held by the City. Attachment 3 lists all investments with original maturities exceeding one year as of the month ended June 30, 2022.

Prepared by: Jeffrey Blanks, Deputy Finance Director

Reviewed by: City Manager *AA*

City of Clovis
Statement of Cash Balances
As of June 30, 2022

Previous Balance	\$	4,082,946.45
Deposits		46,687,131.50
Disbursements		(46,036,897.11)
Current Balance	\$	4,733,180.84

FUNDS	BALANCE
100 General Fund	\$ 20,848,167.18
201 Local Transportation	22,503,488.91
202 Parking and Business Improvements	210,788.29
203 Off Highway Use	71,259.66
204 Community Facilities District 2020-1	101,532.41
205 Senior Citizen Memorial Trust	55,148.72
207 Landscape Assessment District	7,203,643.78
208 Blackhorse III (95-1) Assessment District	124,030.19
301 Park & Recreation Acquisition	10,268,695.80
305 Refuse Equipment Reserve	1,992,815.96
310 Special Street Deposit Fund	38,682,928.55
313 Successor Agency	801,194.14
314 Housing Successor Agency	1,368,103.87
402 1976 Fire Bond Redemption	25,475.23
404 1976 Sewer Bond Redemption Fund	411,309.21
501 Community Sanitation Fund	15,309,167.95
502 Sewer Service Fund	36,596,573.53
504 Sewer Capital Projects-Users	542,735.68
506 Sewer Capital Projects-Developer	5,440,440.40
507 Water Service Fund	48,726,298.32
508 Water Capital Projects-Users	7,198,672.56
509 Water Capital Projects-Developer	11,314,427.77
515 Transit Fund	4,924,699.04
540 Planning & Development Services	17,314,135.10
601 Property & Liability Insurance	2,041,942.81
602 Fleet Maintenance	22,043,625.73
603 Employee Benefit Fund	14,296,404.54
604 General Government Services	27,096,485.43
701 Curb & Gutter Fund	162,566.17
703 Payroll Tax & Withholding Fund	1,339,251.28
712 Temperance/Barstow Assmt Dist (98-1)	76,717.90
713 Shepherd/Temperance Assmt Dist (2000-1)	5,795.11
715 Supp Law Enforcement Serv	297,449.43
716 Asset Forfeiture	201,217.92
720 Measure A-Public Safety Facility Tax	1,607.26
736 SA Admin Trust Fund	1,421.40
741 SA Debt Service Trust Fund	61,548.85
747 Housing Successor Trust Fund	1,137.98
SUBTOTALS	\$ 319,662,904.06
999 Invested Funds	(314,929,723.22)
TOTAL	\$ 4,733,180.84

**City of Clovis
Summary of Investment Activity
For the month of June 30, 2022**

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<u>Balance of Investments Previous Month End</u>		<u>\$297,059,851.62</u>
<u>Time Certificates of Deposit Transactions</u>		
Investments	1,000,000.00	
Withdrawals	<u>(500,000.00)</u>	
Total CD Changes		500,000.00
<u>Other Changes</u>		
Government Securities	(4,364,897.00)	
Local Agency Investment Fund	0.00	
Municipal Securities	3,565,000.00	
Sweep Account	<u>18,169,768.60</u>	
Total Other Changes		<u>17,369,871.60</u>
Balance of Investments Current Month End		<u>\$ 314,929,723.22</u>

**City of Clovis
Distribution of Investments
As of June 30, 2022**

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Insured CD's	12,495,000.00
Government Securities	131,232,709.85
US Treasury Notes	0.00
Local Agency Investment Fund	74,511,731.22
Municipal Securities	25,000,000.00
Sweep Account	<u>71,690,282.15</u>
Investment Total	<u>\$ 314,929,723.22</u>

City of Clovis
Original Maturities Exceeding One Year
As of June 30, 2022

Institution	Face Value	Investment Balance At Amortized Cost	Maturity	Stated Rate
FFCB	3,000,000.00	3,001,715	8/22/2022	1.625%
FHLB	6,000,000.00	6,021,482	9/9/2022	2.000%
FFCB	3,000,000.00	2,994,423	10/11/2022	1.375%
FFCB	5,000,000.00	5,003,235	10/13/2022	1.600%
FHLB	5,000,000.00	5,019,684	12/9/2022	1.875%
FHLB	8,000,000.00	8,018,286	12/9/2022	1.875%
FAMCMTN	8,500,000.00	8,521,148	2/27/2023	1.350%
FHLB	13,000,000.00	13,282,915	3/10/2023	2.125%
FHLB	5,000,000.00	5,128,598	3/10/2023	2.125%
FFCB	5,000,000.00	5,000,000	3/1/2024	0.250%
FFCB	2,000,000.00	1,999,174	3/18/2024	0.300%
FHLB	5,000,000.00	5,000,000	6/7/2024	0.350%
FHLB	5,000,000.00	4,972,423	11/15/2024	1.050%
FHLB	4,000,000.00	3,982,075	2/28/2025	1.750%
FHLB	4,000,000.00	4,000,000	4/25/2025	2.750%
FAMCMTN	4,000,000.00	3,953,028	7/28/2025	0.750%
FAMCMTN	5,000,000.00	4,953,442	9/8/2025	0.600%
FHLB	5,000,000.00	4,966,655	2/11/2026	0.580%
FHLB	4,000,000.00	3,928,967	2/24/2026	0.750%
FFCB	5,000,000.00	4,969,955	9/28/2026	0.940%
FHLB	4,000,000.00	3,649,200	10/28/2026	1.150%
FHLB	6,000,000.00	5,988,899	11/24/2026	1.250%
FHLB	5,000,000.00	5,119,620	12/11/2026	2.125%
FHLB	4,500,000.00	4,043,250	2/24/2027	1.020%
FHLB	4,000,000.00	3,714,537	2/26/2027	0.900%
FHLB	4,000,000.00	4,000,000	3/8/2027	2.375%



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: October 3, 2022

SUBJECT: General Services – Approval – Res. 22-____, Authorizing the Execution of the Certifications and Assurances for the FY 2022-23 California State Transit Assistance State of Good Repair Program.

ATTACHMENTS: 1. Res. 22-____

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve a resolution authorizing the execution of the Certifications and Assurances for the FY 2022-23 California State of Good Repair Program.

EXECUTIVE SUMMARY

The City of Clovis is eligible for \$214,241 in FY 2022-23 Senate Bill 1 State of Good Repair (SGR) grant funding for capital assistance to rehabilitate and modernize local transit systems. Council approval and a resolution are required by the California Department of Transportation to secure the grant funding. The grant also requires eligible recipients to submit a list of projects to secure quarterly allocations of funds. A list of projects has been created which includes replacement of two (2) outdated boilers and two (2) heavy-duty vehicle lifts in the fleet shop. Allocation of these funds will be processed through the Fresno Council of Governments utilizing the regular transit project planning process.

BACKGROUND

In 2017, Governor Brown signed Senate Bill 1 (SB1), known as the Road Repair and Accountability Act of 2017. A portion of SB 1 will provide funds to approved transit operators in California for eligible transit maintenance, rehabilitation, and capital projects. This portion is referred to as the State of Good Repair (SGR) Program. SGR funds will be made available for capital projects that maintain the public transit system in a state of good repair.

The SGR Program is funded from a portion of the Transportation Improvement Fee on vehicle registration. These funds will be allocated under the State Transit Assistance (STA) program

formula to eligible agencies. As an STA eligibility agency, Clovis Transit has been deemed eligible for SGR funding and has been listed on the State Controller's Office SGR Allocation Letter.

The grant is for eligible projects that fall under the following categories:

1. Transit capital projects or services to maintain or repair a transit operator's existing transit vehicle fleet or transit facilities, including the rehabilitation or modernization of the existing vehicles or facilities.
2. The design, acquisition, and construction of new vehicles or facilities that improve existing transit services.
3. Transit services that complement local efforts for repair and improvement of local transportation infrastructure.

Examples of qualifying projects include:

1. Replacement of rehabilitation of:
 - a. Rolling stock
 - b. Passenger stations and terminals
 - c. Security equipment and systems
 - d. Maintenance facilities and equipment
 - e. Ferry vessels
 - f. Rail
2. Preventative Maintenance
3. New maintenance facilities or maintenance equipment if needed to maintain the existing transit service

The projects that Clovis Transit will be submitting are eligible because they replace outdated maintenance equipment. The California Department of Transportation requires a resolution from the Clovis City Council for the FY 2022-23 funding year approving the application. The City of Clovis resolution will be forwarded upon approval.

Future allocations of SB1 funding will be processed through the Fresno Council of Governments in accordance with grant requirements and regular transit planning processes.

FISCAL IMPACT

Funding in the amount of \$214,241 for FY 2022-23 will be allocated to the City of Clovis in quarterly disbursements. SB1 SGR funds can be rolled over for a maximum of four (4) years in order to accumulate the dollar amount needed to complete the approved projects. Some of the funds have already been used to replace two (2) outdated boilers. We will continue to accumulate the quarterly funds until it equals the cost of the second project which will replace

two (2) heavy-duty vehicle lifts in the fleet shop, unless funds are diverted for another eligible project.

REASON FOR RECOMMENDATION

The funds are available for transit agencies only and for the purpose of providing capital assistance to rehabilitate the modernize local systems. Clovis Transit is an eligible recipient for the funding and expects a benefit to the transit fleet, transit staff, and other city staff.

ACTIONS FOLLOWING APPROVAL

A copy of the resolution will be sent to Fresno Council of Governments. Once funds are received and have accumulated to the necessary level, vendors will be selected using the City's regular procurement process.

Prepared by: Susanna Herrera, Management Analyst

Reviewed by: City Manager *AH*

RESOLUTION 22-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM FY 2022/23

WHEREAS, the City of Clovis is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair Account (SGR) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible project sponsors (local agencies); and

WHEREAS, the City of Clovis wishes to delegate authorization to execute these documents and any amendments thereto to the General Service Manager.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Clovis agrees to comply with all conditions and requirements set forth in the Certification and Assurances document attached as Attachment A, and applicable statutes, regulations and guidelines for all SGR funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Clovis authorizes the General Services Manager to execute all required documents of the SGR program and any Amendments thereto with the California Department of Transportation.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 3, 2022, by the following vote, to wit.

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

DATED:

Mayor

City Clerk

State Transit Assistance State of Good Repair Program

Recipient Certifications and Assurances

Recipient: City of Clovis Transit

Effective Date: September 1, 2022

In order to receive State of Good Repair Program (SGR) funds from the California Department of Transportation (Department), recipients must agree to following terms and conditions:

A. General

- (1) The recipient agrees to abide by the State of Good Repair Guidelines as may be updated from time to time.
- (2) The potential recipient must submit to the Department a State of Good Repair Program Project List annually, listing all projects proposed to be funded by the SGR program. The project list should include the estimated SGR share assigned to each project along with the total estimated cost of each project.
- (3) The recipient must submit a signed Authorized Agent form designating the representative who can submit documents on behalf of the recipient and a copy of the board resolution authorizing the agent.

B. Project Administration

- (1) The recipient certifies that required environmental documentation will be completed prior to expending SGR funds. The recipient assures that each project approved for SGR funding comply with Public Resources Code § 21100 and § 21150.
- (2) The recipient certifies that SGR funds will be used for transit purposes and SGR funded projects will be completed and remain in operation for the estimated useful lives of the assets or improvements.
- (3) The recipient certifies that it has the legal, financial, and technical capacity to deliver the projects, including the safety and security aspects of each project.

- (4) The recipient certifies that there is no pending litigation, dispute, or negative audit findings related to any SGR project at the time an SGR project is submitted in the annual list.
- (5) Recipient agrees to notify the Department immediately if litigation is filed or disputes arise after submission of the annual project list and to notify the Department of any negative audit findings related to any project using SGR funds.
- (6) The recipient must maintain satisfactory continuing control over the use of project equipment and/or facilities and will adequately maintain project equipment and/or facilities for the estimated useful life of each project.
- (7) Any and all interest the recipient earns on SGR funds must be reported to the Department and may only be used on approved SGR projects or returned to the Department.
- (8) The recipient must notify the Department of any proposed changes to an approved project list by submitting an amended project list.
- (9) Funds will be expended in a timely manner.

C. Reporting

- (1) Per Public Utilities Code § 99312.1 (e) and (f), the recipient must submit the following SGR reports:
 - a. Annual Expenditure Reports within six months of the close of the fiscal year (by December 31st) of each year.
 - b. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of SGR funds. A copy of the audit report must be submitted to the Department within six months of the close of each fiscal year in which SGR funds have been received or expended.

D. Cost Principles

- (1) The recipient agrees to comply with Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The recipient agrees, and will assure that its contractors and subcontractors will be obligated to agree, that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and (b) those parties shall

comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (3) Any project cost for which the recipient has received payment that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, are subject to repayment by the recipient to the State of California (State). Should the recipient fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the recipient from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

- (1) The recipient agrees and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the recipient, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the recipient, its contractors and subcontractors connected with SGR funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the recipient, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the recipient pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the recipient's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the recipient's contracts with third parties pursuant to Government Code § 8546.7, the recipient, its contractors and subcontractors and the Department shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a

project for audits, examinations, excerpts, and transactions, and the recipient shall furnish copies thereof if requested.

- (3) The recipient, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

- (1) Recipient acknowledges that if a project list is not submitted timely, the recipient forfeits its apportionment for that fiscal year.
- (2) Recipients with delinquent expenditure reports may risk future eligibility for future SGR funding.
- (3) Recipient acknowledges that the Department shall have the right to perform an audit and/or request detailed project information of the recipient's SGR funded projects at the Department's discretion from SGR award through 3 years after the completion and final billing of any SGR funded project. Recipient agrees to provide any requested project information.

I certify all of these conditions will be met.

CITY OF CLOVIS TRANSIT

BY:



Amy Hance, General Services Manager



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: October 3, 2022

SUBJECT: General Services – Approval – Res. 22-____, Authorizing Amendments to the City Engineer Classification in the Planning and Development Services Department.

ATTACHMENTS: 1. Resolution 22-____, Amendment to the Classification Plan

CONFLICT OF INTEREST

None.

RECOMMENDATION

For City Council to approve a resolution authorizing amendments to the City Engineer classification in the Planning and Development Services Department.

EXECUTIVE SUMMARY

It is necessary to revise the City Engineer classification in order to update the duties section and make a few other minor changes. Modification of the City's Classification Plan requires the City Council's approval.

BACKGROUND

With the pending retirement of the City Engineer an analysis was conducted of the City Engineer classification in advance of an upcoming recruitment. The analysis revealed that the duties section needed to be updated to accurately depict the required job responsibilities necessary for the incumbent to be successful in the position. Other minor revisions to the classification are included in the update shown in Attachment A.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

The City Engineer classification is recommended for revision in order to update the duties section to better suit the department's needs. The recommended changes to the City's Classification Plan require Council approval.

ACTIONS FOLLOWING APPROVAL

The City's Classification Plan will be updated to include the revised City Engineer classification.

Prepared by: Lori Shively, Personnel/Risk Manager

Reviewed by: City Manager *AS*

**RESOLUTION 22-
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING
AMENDMENTS TO THE CITY’S CLASSIFICATION PLAN FOR THE CITY ENGINEER IN
THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

WHEREAS, it has been determined that amendments to the classification and updates to the duties section of the City Engineer classification are necessary in order to recruit for this position; and

WHEREAS, modification of the City’s Classification Plan requires authorization by the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis shall modify the City’s Classification Plan to include the revised City Engineer specification in Attachment A.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 3, 2022, by the following vote, to wit.

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

DATED: October 3, 2022

Mayor

City Clerk

Yellow Highlight = Verbiage Update
 Strike Out = Delete Verbiage

City of Clovis CITY ENGINEER

DEFINITION

Under administrative direction, **to** plans, organizes, and directs the City's engineering, construction management, and capital improvement activities; **to** serves as the City Engineer; advises the Director of Planning and Development Services, the Public Utilities Director, the City Manager, and the City Council regarding engineering matters; and performs related work as required.

CLASS CHARACTERISTICS

This single class position reporting to the Director of Planning and Development Services. The City Engineer is a division head position responsible for providing advice and consultation on engineering matters and for the efficient operation of the division comprised of engineering, administration, ~~special projects~~, construction management, capital improvement projects (CIP), and the development review unit (DRU). The City Engineer exercises supervision over other managerial employees. **The incumbent is responsible to** making assignments, setting priorities, training, reviewing work, ~~The incumbent is responsible for preparing~~ performance evaluations, processing employee **bargaining unit** grievances, recommending employment, and recommending for **and taking** recommending disciplinary action. **This** positions in this class acts with a high degree of independence of action in the assigned area of responsibility. Direction received consists of the assignment of the responsibility to attain objectives according to policy guidelines, department, and City objectives. **The** incumbents are **is** expected to develop methods and procedures ~~and to~~ solve problems encountered. Except where a deviation in policy is involved, most work is not reviewed directly by a **the** supervisor, and when work is reviewed, the review is directed toward final outcomes and results.

EXAMPLES OF DUTIES

Plans, organizes, and controls the activities of the Engineering Division under the direction of the Director of Planning and Development Services and in cooperation with the ~~Director of~~ Public Utilities **Director**; participates in evaluating the need for and ~~helps~~ **assists with** development **of** plans and schedules for long-range public works programs; compiles estimates, contract provisions, and specifications; negotiates agreements with developers, engineers, property owners, contractors, and other agencies for rights-of-way, easements, and financial participation; confers with the Director of Planning and Development Services, the City Manager, other departments, and various public groups on proposed projects and improvements; confers with subordinates on the construction of new public works facilities; confers and negotiates with private engineering firms and developers; provides direction ~~on~~ **problems of** **on** design **complications**, materials, and processes proposed in connection with new construction or major repairs; prepares ordinances for City Council consideration; participates in the selection of new employees; approves subdivision maps; ~~approves~~ improvement plans for private development, and capital improvement projects; **act as the City's traffic engineer**; directs traffic studies and directs placement and improvement of traffic control

devices; represents the City in relations with other governmental agencies; conducts field inspections; formulates program definition and policies in consultation with the Director of Planning and Development Services; develops and administers the division budget and the City capital improvement program budget; approves plans on behalf of the City for construction of public improvements; approves plans **and accept right-of-way** on behalf of the City for construction of public improvements; **execute agreements associated with approved projects on behalf of the City**; conducts performance evaluations; explains policies, procedures, and objectives of the division to staff by written directive and by oral communications; conducts staff and public information meetings; and performs related work as required.

TYPICAL QUALIFICATIONS

LICENSE REQUIRED

- Possession of a valid California Driver's License and a good driving record.
- Possession of a ~~current and~~ valid Civil Engineer license ~~from~~ **issued by** the State of California Department of Consumer Affairs Board for Professional Engineers, Land Surveyors, and Geologists.

License Desirable:

- Possession of a ~~current and~~ valid Land Surveyor license from the State of California Department of Consumer Affairs Board for Professional Engineers, Land Surveyors, and Geologists.

EDUCATION AND EXPERIENCE

Education:

- Graduation from an accredited college or university with a Bachelor's Degree in Civil Engineering or a closely related field.

Education Desirable:

- **Graduation from an accredited college or university with** a Master's Degree in Civil Engineering or a closely related field.

Experience:

- A minimum of five (5) years of increasingly responsible professional civil engineering and administrative experience, with a minimum of three (3) years in a supervisory or administrative capacity in municipal or county government.

QUALIFICATIONS

Knowledge of:

- Technical, legal, financial, and public relations problems involved in the conduct of municipal engineering programs;
- Methods of preparing designs, plans, specifications, estimates, reports, and recommendations relating to proposed municipal and public works facilities;
- Engineering principles and practices as applied to the field of municipal government;
- Knowledge of traffic engineering;
- Principles of supervision, ~~and~~ training, **and performance evaluation**;

- Principles of budgeting and financial management;
- Principles and techniques needed to organize and manage various programs and research methods;
- Applicable federal, state, and local laws and regulations, ordinances, and policies relating to municipal works and engineering;
- Appropriate safety precautions and procedures.

Ability to:

- Prepare comprehensive and complex technical reports;
- Establish and maintain effective working relationships with subordinates, public groups and organizations, City officials, and private and governmental agencies;
- Understand pertinent procedures and functions quickly;
- Read, understand, and apply highly complex materials;
- Formulate and administer the division and the capital improvement projects (CIP) budget;
- Communicate clearly and concisely, both orally and in writing;
- Establish and maintain effective working relationships with those contacted in the course of work including subordinates, public groups and organizations, City officials, and private and governmental agencies;
- Operate a vehicle observing legal and defensive driving practices.

SUPPLEMENTAL INFORMATION PHYSICAL DEMANDS AND WORKING CONDITIONS

- ~~The work is primarily sedentary.~~
- Environment: Job functions are performed in an office, outdoor, and driving environments; regularly exposed to outdoor cold and hot temperatures, and inclement weather conditions; extensive public contact; and moderate to loud noise levels.
- Strength: Moderate work-lifting, carrying and/or pushing 50 pounds with frequent lifting and/or carrying of objects weighing up to 25 pounds.
- Vision: Corrected to normal.
- ~~The incumbent is required to attend frequent evening meetings;~~
- ~~The incumbent is required to travel within and out of the City to attend meetings;~~
- Working conditions: Required to attend frequent evening meetings; and is required to travel within and out of the City to attend meetings.
- ~~Positions in this classification are designated as confidential under the Meyers-Millais Brown Act and are exempt employees under the Fair Labor Standards Act;~~
- Other: The incumbent in this classification is designated as confidential under the Meyers-Millais Brown Act and is an exempt employee under the Fair Labor Standards Act.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services

DATE: October 3, 2022

SUBJECT: General Services – Approval – Res. 22-____, Authorizing Amendments to the Lead Bus Driver Classification and Compensation Plan in the General Services Department.

ATTACHMENTS: 1. Resolution

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve a resolution authorizing amendments to the Lead Bus Driver classification and compensation plan in the Transit Division of the General Services Department.

EXECUTIVE SUMMARY

It is necessary to revise the Lead Bus Driver classification and compensation in the Transit Division of the General Services Department to update the additional requirements and duties required of the position and to change the City's salary schedule. Modification of the City's Classification Plan requires the City Council's approval.

BACKGROUND

An analysis was conducted of the Lead Bus Driver classification following recent changes to California's commercial license training and record-keeping requirements. The analysis revealed that Lead Bus Driver responsibilities have increased over the past few years to include additional training and recording requirements for commercial drivers including entering training records into the state's Trainer Provider Registry for commercial drivers. In addition, Lead Bus Drivers are now certified First Aid/CPR Instructors who train both Transit staff and other City employees. Most recently, the lack of qualified commercial driver employee candidates has led to the Lead Bus Drivers training non-commercial drivers in the classroom, behind-the-wheel, and field training required to obtain a commercial driver's license.

The additional responsibilities require revisions to the class characteristics, examples of duties, qualifications, and education and experience sections to accurately depict the required job duties

and qualifications necessary for the incumbent to be successful in the position. In addition, the salary will be revised to be \$4,999 to \$6,076. Revisions to the classification are included in the update shown in Attachment A, additions are noted in yellow, and deletions are noted by strikeouts.

This position is in the Transit Employee's Bargaining Unit (TEBU) bargaining unit. The revisions have been reviewed and approved by the bargaining unit.

FISCAL IMPACT

Recommended changes for the four employees in this classification would equate to approximately \$23,000 for the remainder of the 2022-2023 fiscal year. The Transit Fund can adequately absorb the additional salary costs.

REASON FOR RECOMMENDATION

The Lead Bus Driver classification is recommended for revision in order to update the responsibilities, education and experience to better suit the department's needs. The recommended changes to the City's Classification Plan and salary range require Council approval.

ACTIONS FOLLOWING APPROVAL

The City's Classification and Compensation Plan will be updated to reflect the changes which are noted in Attachment A. The TEBU Salary Schedule will be revised to reflect the revised salary range. The salary changes will be effective as of October 1, 2022.

Prepared by: Shonna Halterman, General Services Director

Reviewed by: City Manager AH

RESOLUTION 22-____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
APPROVING AMENDMENTS TO THE CITY'S CLASSIFICATION AND COMPENSATION
PLAN FOR THE LEAD BUS DRIVER CLASSIFICATION IN THE
GENERAL SERVICES DEPARTMENT

WHEREAS, it has been determined that amendments to the classification and updates to the job duties and requirements, and the experience section of the Lead Bus Driver classification are necessary in conjunction with additional duties and changes to California commercial driver's license testing and training requirements; and

WHEREAS, changes to the Lead Bus Driver classification include revisions to the five-step monthly salary range which is revised to be \$4,999.00 to \$6,076.00; and

WHEREAS, modification of the City's Classification Plan requires authorization by the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis that the City of Clovis shall modify the City's Classification and Compensation Plan to include the revised Lead Bus Driver specification in Attachment A.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 3, 2022, by the following vote, to wit.

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

DATED: October 3, 2022

Mayor

City Clerk

City of Clovis
LEAD BUS DRIVER
Salary Range \$4,999.00-\$6,076.00

DEFINITION

Under general supervision, operate a public transit vehicle to provide public transportation by fixed-route service and/or demand-response service; maintain drivers training records; provide technical training and evaluation of drivers to maintain their certifications; attend regional training meetings; maintain terminal records for certification by Department of Motor Vehicles (DMV) and California Highway Patrol (CHP); act as a relief transit dispatcher; and perform related work as required.

CLASS CHARACTERISTICS

Positions in this class drive a public transit vehicle to provide public transportation in fixed-route service and/or demand-response service transit systems. Incumbents pickup, transport, and drop off riders at locations based on fixed time and location schedule or by appointment. They provide special assistance to elderly, disabled, or other special needs riders. Incumbents are expected to maintain the time and/or appointment schedules of their route. Positions in this class perform work which has some variation and which allows or requires a limited range of choice in the application of defined methods or procedures. Incumbents work with independence in the field making decisions in accordance with established instructions. Incumbents receive thorough instructions when tasks are initially assigned and after training are expected to perform duties and exercise good judgment without constant supervision. Work performance is reviewed periodically. Incumbents are expected to refer to the supervisor for instruction in those matters which do not fit a clear pattern. Effectively directs and monitors transit drivers to ensure compliance with City, State and Federal operating regulations and procedures, safety protocol, and vehicle inspections, and provides drivers with appropriate feedback and correction. Incumbents are responsible for driver training and technical evaluations of transit drivers, maintaining training records and developing education curriculum to meet relevant state and federal regulations.

EXAMPLES OF DUTIES

Operates passenger coach on an assigned route to meet a designated schedule; picks up and discharges passengers at various locations and stops; counts riders; assists passengers when needed; provides information to the public concerning routes, schedules and transfer points; reports and accounts for lost articles; completes various reports, such as daily operation and incident reports; performs pre and post inspections of coaches, including damage or defects in body, tires, lights, mirrors, instruments, brakes and other equipment for rider and driver safety and convenience; reports all defects and deficiencies found during such inspections; monitors passenger behavior and contacts appropriate personnel as necessary concerning transportation problems and concerns in a reasonable, timely manner to provide high quality services to passengers; operates passenger coaches on special routes; assists passengers with special needs; loads and secures wheelchairs and related medical equipment to meet the needs of passengers; performs assigned duties with a pleasant and congenial personality; assists and relieves the transit dispatcher as needed; supervises provides guidance to drivers at transit accident scenes and completes required paperwork; maintains driver training records

to ensure current licensing and certifications and enters training data into the Trainer Provider Registry; provides technical training and evaluation of transit drivers in a classroom setting, behind-the-wheel, or in the field, and attends regional training meetings; maintains terminal records for certification by DMV and CHP, and assists in the annual audit by DMV and annual CHP vehicle inspection; acts as a liaison to the Supervisor by providing driver annual evaluation material, resolving and/or relaying any performance issues, accolades, misconduct, or policy violations; Coordinates investigation of complaints, service issues, field incidents, and provides timely resolutions for quality assurance; Reviews fleet vehicle data daily and ensures proper maintenance of vehicles, equipment, and bus stops, and performs minor repairs and maintenance; replenishes supplies needed in each bus, such as maps and cleaning supplies; performs related duties as required.

TYPICAL QUALIFICATIONS

LICENSE AND CERTIFICATES REQUIRED

- Possession of a valid California Commercial Driver's License with Passenger (P) endorsement;
- Possession of Vehicle Transit Training (VTT) certificate and General Public Paratransit Vehicle certificate (GPPV) or higher, good driving record and current First Aid and CPR certificates;
- Completion of TSI Train the Trainer course or ability to obtain the certification within six (6) months of hire.
- Meets the qualifications to train, record keep, and enter data per the State of California Trainer Provider Registry or ability to obtain Registry qualifications within six (6) months of hire.

EDUCATION and EXPERIENCE

Education:

- Completion of formal or informal education sufficient to ensure the ability to read and write at the level required for successful job performance.

Experience:

- Three (3) years of licensed experience in the operation of motor vehicles, and
- Two (2) years of transit driver work experience and
- Completion of the TSI Train the Trainer course or the ability to obtain the certification within six (6) months of hire.
- First Aid and CPR Instructor Certificate or the ability to obtain the certification within six (6) months of hire.

QUALIFICATIONS

Knowledge of:

- Provisions of the California Motor Vehicle Code applicable to the operation of vehicles used in transporting people;
- Knowledge of the safety requirements and hazards involved in operating a transit vehicle;
- Operation of various transit vehicles;
- Common physical limitations of the aged and disabled people;
- Excellent customer service skills using tact, patience and courtesy;

- Basic computer terminal office methods and office software;
- Simple record-keeping as a driver and trainer;
- Basic math and English usage;
- Workplace and driving safety precautions and procedures;
- Training techniques sufficient to provide technical driving skills and to evaluate drivers;
- Basic vehicle accident investigation techniques.

Ability to:

- Enforce regulations and deal tactfully, courteously and effectively with general public;
- Detect operating defects in transit vehicles;
- Apply integrity and trustworthiness in all situations;
- Maintain vehicles in clean and safe condition;
- Maintain accurate records, prepare clear and concise reports, and communicate effectively in oral and written form;
- Design, create and deliver training sessions to bus operators, individually and as a group;
- Communicate with clients having oral and auditory disabilities;
- Operate a vehicle observing legal and defensive driving practices;
- Understand and carry out oral and written instructions;
- Establish and maintain effective relationships with those contacted in the course of work;
- Assist the physically disabled with independent living skills;
- Provide technical assistance, training, evaluation and certification of public transit drivers to meet state and federal regulations.

SUPPLEMENTAL INFORMATION

PHYSICAL DEMANDS AND WORKING CONDITIONS

- Strength: Medium work-lifting, carrying and/or pushing 75 pounds maximum with frequent lifting and/or carrying objects weighing up to 50 pounds.
- Physical activities include: kneeling, bending, stooping, reaching, standing, walking, up to and including the possibility of climbing a ladder to reach high windows for cleaning/defogging, assisting elderly and disabled riders on the bus, pushing wheelchair riders to/from their home/destination as needed, securing the wheelchairs in the bus, and carrying multiple bags of groceries if necessary



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: October 3, 2022

SUBJECT: Planning and Development Services - Approval – Res. 22-____, Annexation of Miscellaneous Properties to the Landscape Maintenance District No. 1.

ATTACHMENTS: 1. Res. 22-____

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve Resolution 22-____ approving annexation of miscellaneous properties into City of Clovis Landscape Maintenance District (LMD) No. 1.

EXECUTIVE SUMMARY

The developers / property owners of the properties listed in Attachment A have submitted executed landscape maintenance covenants, copies of which are on file with the City Clerk, indicating consent to annexation of the subject property into the City of Clovis Landscape Maintenance District No. 1. This action will annex each of these properties into the Landscape Maintenance District so that they can be assessed for maintenance costs within their respective areas.

BACKGROUND

Council formed the original district on July 15, 1985, for the purpose of funding the maintenance of landscaped areas and parks. These properties are being brought to Council for annexation to the district as a group rather than separately in an effort to conserve staff resources and Council's time. Under the provisions of the Landscaping and Lighting Act of 1972, if all the owners of property proposed for annexation provide written consent to annexation, then noticing, hearing, and filing of an Engineer's Report is not required.

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

FISCAL IMPACT

This project will add any landscaped areas and will incrementally increase maintenance revenue through annual assessments from the annexed properties. Current year to date status of landscape maintenance district facilities is as follows:

	<u>Various LMD's Under Consideration</u>	<u>Year to Date</u>
LMD Landscaping added:	0.000 acres	1.228 acres
Resource needs added:	0.0000 person	0.131 person

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

REASON FOR RECOMMENDATION

The property owners for the miscellaneous properties have requested or consented to annexation into the City of Clovis LMD No. 1.

ACTIONS FOLLOWING APPROVAL

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

Prepared by: Jeff Brown, Engineer II

Reviewed by: City Manager *AH*

RESOLUTION 22-____

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

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

WHEREAS, all of the owners of property proposed to be annexed to the District consisting of proposed developments as described in Attachment A attached hereto and incorporated herein by reference, have consented to said annexation and such annexation may be ordered without notice and hearing or filing of engineer's report, or both.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on _____, 2022, by the following vote, to wit.

AYES:
NOES:
ABSENT:
ABSTAIN:

DATED: October 3, 2022

Mayor

City Clerk

Attachment A

Miscellaneous properties to be added to the Landscape Maintenance District No. 1 of the City of Clovis:

	Project Number	Address	Developer/Owner
1	Building Permit No. 22-00045	120 Woodworth Ave	Dennis A. Lane and Joyce L. Lane
2	Building Permit No. 21-00626	1150 Pontiac Ave	Louis A. Cortez and Diane R. Cortez
3	Building Permit No. 5245-2020	1421 Fourth Street	Habitat for Humanity Fresno, Inc., a California corporation
4	Building Permit No. 5242-2020	1403 Fourth Street	Habitat for Humanity Fresno, Inc., a California corporation
5	Building Permit No. 21-03364	178 Acacia Ave	Phoung Nguyen Kasai
6	Building Permit No. 21-04956	1138 Third Street	John A. Richardson and Marsha C. Richardson
7	Building Permit No. 21-01344	295 Hanson Ave	Kevin Van Fossen
8	Building Permit No. 21-03590	3072 DeWolf Ave	Rashpal Bains and Jagjit Singh
9	Building Permit No. 187-2019	1537 Bullard Ave	Shelly Orene Crawford
10	Building Permit No. 4515-2019	1018 Woodworth Ave	Samuel Gonzales and Jennie Gonzales
11	Building Permit No. 08-1430	1450 Bullard Ave	Guadalupe Sandoval and Socorro Sandoval
12	Building Permit No. 07-3601	1454 Fourth Street	Carl Gatto And Betty Gatto
13	Building Permit No. 10-1730	221 Eight Street	David A. Machado and Edith F. Machado
14	Building Permit No. 08-1361	621 Oxford Ave	Velda Cooper
15	Building Permit No. 08-1774	631 Oxford Ave	Velda Cooper
16	Building Permit No. 08-1130	677 Oxford Ave	Todd Anderson
17	Building Permit No. 2120-2012	252 Sunnyside Ave	City of Clovis, a California Municipal Corporation
18	Building Permit No. 05-3006	851 Woodworth Ave	Frank Franco
19	Building Permit No. 08-0088	1608 Cherry Lane	Cheryl Anne Montoya
20	Building Permit No. 10-0874	2711 Villa Ave	Bobby E Wilbanks Revocable Trust

21	SPR 2020-008	NWC Clovis and Nees Avenues	Brad Bell and Danny Herwaldt
22	SPR 1988-090A	339 Pollasky Ave	Robert Kelsey Davis and Brenda Berlene Davis
23	SPR 2019-005	2864 N. Phillip Ave	Blue Field Properties, Inc., A California Corporation
24	SPR 2020-001	415 Park Creek Drive	Robert L. Davidson and Claire W. Davidson
25	SPR 1990-003A	1419 Railroad Ave	Jack R. Becker, Trustee of the Jack R. Becker Living Trust of 2000
26	RHNA 2019-001	784 W. Holland Ave	UPH Butterfly Gardens, LP, A California Limited Partnership
27	SPR 2018-011A2	SWC Leonard and Loma Vista Parkway	Wiloli, LP, a California Limited Partnership
28	SPR 1994-031A	378 N. Minnewawa Ave	Gabriel Guzman and David Valdivia



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Police Department

DATE: October 3, 2022

SUBJECT: Conduct – An Appeal Hearing Regarding the Entertainment Permit Suspension for The Palace Nightclub located at 446 Clovis Avenue, Clovis, CA 93612.

Staff: Chris Hutchison, Police Corporal / Wiley Driskill, Deputy City Attorney

Recommendation: Deny the Appeal and Uphold the Suspension

ATTACHMENTS: 1. Notice of Immediate Entertainment Permit Suspension
2. Requests for Appeal

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to conduct an appeal hearing and review the circumstances which led to the immediate suspension of the 2022 Entertainment Permit for The Palace Nightclub, located at 446 Clovis Avenue in the City of Clovis, and to uphold the suspension currently imposed. Police Chief Fleming made the decision to suspend the 2022 Entertainment Permit for The Palace Nightclub with cause for the remainder of the 2022 calendar year. This decision was made out of concern for the safety of the community due to repeated instances of minors and juveniles consuming alcohol inside of The Palace Nightclub.

EXECUTIVE SUMMARY

Over the past few months, the Clovis Police Department received information that underage minors were being allowed inside The Palace Nightclub, a type 48 California ABC licensed establishment, located at 446 Clovis Avenue in the City of Clovis. In late June 2022, a concerned parent contacted the Clovis Police Department regarding minors being allowed into The Palace Nightclub and returning home intoxicated. In July 2022, The Clovis Police Department had contacts with intoxicated minors in public who advised they had been consuming alcohol at The Palace Nightclub. These contacts included a DUI arrest of a minor who had four intoxicated minors in the vehicle, and another contact involving two intoxicated 18-year old's who were walking the streets of Old Town and admitted to consuming alcohol at The Palace Nightclub.

On Thursday, July 28, 2022, an undercover operation was conducted at The Palace Nightclub in partnership with the California Department of Alcoholic Beverage and Control. Several persons were contacted for age verification purposes. No minors were found to be in the business. During this operation, Corporal Chris Hutchison personally witnessed the practices of front door security. Not all persons gaining admittance to The Palace Nightclub were required to show identification. More concerningly, most female customers were allowed to enter without being required to provide identification.

Corporal Hutchison spoke to the owner of The Palace Nightclub, Cesar Lossley, and relayed to him the allegations of minors frequenting the location, and the concerns of irregular age verification and security checks at the front door. Corporal Hutchison also relayed to Mr. Lossley that the performance of his security detail was noticeably different in his absence. Mr. Lossley arrived at The Palace Nightclub mid-operation, and there was a noticeable difference in the performance of the security guards. The front door security guards conducted more thorough checks of patrons while Mr. Lossley was monitoring their performance.

Clovis PD personnel continued with a general enforcement detail for the remainder of the evening.

In response to several observations in the Old Town area on Thursday, July 28, 2022, a special enforcement detail was organized for Thursday, August 11, 2022. The Palace Nightclub was the second establishment to be visited, and officers immediately noticed a group inside The Palace Nightclub who appeared to be under the age of 21. Some members of that group were clearly holding alcoholic drinks. The group was contacted, and based on preliminary questions, officers believed members of the group were under the age of 21. While the group was being led out of The Palace Nightclub, a 19-year-old member of the group fled on foot and was apprehended a short time later. This 19-year-old was intoxicated and said The Palace Nightclub is known as an 18 and over establishment.

In total, six minors and one juvenile were located inside The Palace Nightclub. Common statements made by the detained subjects included the belief that The Palace Nightclub was an 18 and over establishment. Most of these detained subjects smelled of alcohol or admitted to consuming alcohol inside The Palace Nightclub. The females stated they were able to walk into the bar without having to provide identification. These statements were later confirmed when reviewing surveillance footage obtained from The Palace Nightclub.

In accordance with Clovis Municipal Code Section 5.5.11(a), the entertainment permit for The Palace Nightclub was immediately suspended for cause effective August 12, 2022, out of concern for the manner in which The Palace Nightclub was operating and the danger posed to the public. Chief Fleming issued written notice of the immediate suspension in accordance with the CMC Section 5.5.11(b) (Attachment 1). During the suspension of the entertainment permit, The Palace Nightclub has been allowed to remain open and operate under their ABC type 48 license; however only ambient music at a low volume similar to background music is allowed without an entertainment permit. "Entertainment" as defined in Clovis Municipal Code section

5.5.02 (including live music, videos, television displays, jukeboxes) is prohibited during the suspension of the entertainment permit.

On August 23, 2022, the owners of The Palace Nightclub met with Chief Fleming requesting an appeal of the entertainment permit suspension. Chief Fleming informed the owners of The Palace Nightclub that he was immediately suspending their 2022 Entertainment Permit for the remainder of the calendar year. The owners of The Palace Nightclub filed a timely request an appeal of this decision (Attachment 2). Pursuant to CMC 5.5.11(c), this appeal shall be held before the City Council.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

The Clovis Police Department is greatly concerned that The Palace Nightclub has grown a reputation among minors as an 18 and over establishment. The Palace Nightclub is an ABC Type 48 establishment that prohibits minors from entering the business. It is also clearly outlined in the terms of the entertainment permit under additional condition (3) that “No one under the age of 21 shall be allowed to enter the business during the hours that alcoholic beverages are being sold.” Furthermore, condition (4) states “The selling of alcohol by the permit holder or his/her employees to persons under the age of 21 years would constitute grounds for revocation of the entertainment permit.”

Physical surveillance of the security practices of The Palace Nightclub in addition to footage obtained from August 11, 2022, confirms inadequate steps were being taken by security personnel to prevent minors from entering The Palace Nightclub. Furthermore, upon reviewing the security footage, none of the bartenders inside The Palace Nightclub verified the ages of the customers by asking for identification.

The Clovis Police Department believes this recommendation would send a strong and appropriate message to the local community that underage drinking will not be tolerated in Clovis.

ACTIONS FOLLOWING APPROVAL

Pursuant to Clovis Municipal Code section 5.5.11, the Council may either approve the current suspension, modify the suspension, reinstate the permit, or reinstate the permit with conditions. If the Council approves the current suspension as recommended, the Entertainment Permit for The Palace Nightclub will remain suspended for the remainder of the 2022 calendar year. The Palace Nightclub will be allowed to remain open during that period and operate pursuant to their ABC type 48 license; however, “Entertainment” as outlined in CMC 5.5.02 will not be permitted. Only ambient music at a low volume, similar to background music at a restaurant, can be played. Live music, videos, television displays, jukeboxes and other “Entertainment” defined by Municipal Code will be prohibited.

Prepared by: Chris Hutchison, Police Corporal

Reviewed by: City Manager _____



CITY *of* CLOVIS

POLICE DEPARTMENT

1233 FIFTH STREET • CLOVIS, CA 93612

To: Cesar & Claudia Lossley, Owners of "The Palace"
 From: Clovis Police Department
 Date: August 12th, 2022
 Re: Notice of Immediate Entertainment Permit Suspension

NOTICE IS HEREBY GIVEN THAT the Entertainment Permit associated with The Palace shall be suspended effective immediately. Pursuant to Clovis Municipal Code Sections 5.5.10(e) and 5.5.11(a), authority is given to the Chief of Police to revoke or suspend an entertainment permit for good cause:

CMC 5.5.10(e): "The permittee, on-site manager, or other responsible person has violated, or permitted any other person under his or/her control or supervision to violate, any provision of this chapter, the conditions of approval, or any other local, State, or Federal law in connection with providing the entertainment or operation of the entertainment establishment or underlying business;..."

CMC 5.5.11(a): Immediate suspension. The Chief of Police may immediately suspend an entertainment permit if there is reasonable cause to believe that the permittee, on-site manager, or other responsible person is operating or managing the establishment, or providing services, in a manner which poses an immediate danger to the health or safety of the employees, patrons, or the public.

The decision to immediately suspend your entertainment permit is based on the following:

On 08/12/2022 members of the Clovis Police Department were conducting a proactive detail in downtown Clovis. Officers conducted a walkthrough of The Palace at approximately 2145 hrs and observed several patrons inside with alcoholic drinks in their possession who appeared to be minors. Officers approached the group requesting age verification. One subject, who was later identified as a 19-year-old male, fled on foot and led officers on a short foot pursuit. A total of 6 minors and 1 juvenile were contacted and detained who had been allowed entry into The Palace.

City Manager 559.324.2060 • Community Services 559.324.2095 • Engineering 559.324.2350
 Finance 559.324.2130 • Fire 559.324.2200 • General Services 559.324.2060 • Personnel/Risk Management 559.324.2725
 Planning & Development Services 559.324.2340 • Police 559.324.2400 • Public Utilities 559.324.2600 • TTY-711

www.cityofclovis.com

These minors admitted to consuming alcohol inside The Palace. The female minors advised they were not asked to provide identification by security and were able to freely walk into The Palace. The male minors stated they were charged a \$5 cover charge. One of the male minors presented his California driver's license which clearly identified him as 19-years-old. Allegedly, security told this male minor to "act cool" if police were to appear. These minors stated The Palace has a well-known reputation as being an establishment that welcomes those age 18 and over.

Furthermore, over the past several weeks Clovis PD Officers have contacted minors under the influence of alcohol for a variety of reasons including traffic stops, DUI stops, pedestrian stops and other investigations who have stated they had been coming from The Palace. From what officers observed inside The Palace on 08/11/2022, I view these allegations with additional weight.

Pursuant to Clovis Municipal Code Section 5.5.11 (a), I hereby immediately suspend the entertainment permit issued to The Palace. In accordance with Clovis Municipal Code Section 5.5.11 (b) this suspension shall remain in effect during the period of time an appeal may be filed, or an appeal is under consideration. Pursuant to Clovis Municipal Code Section 5.5.11 (c), you have fifteen (15) calendar days to file an appeal to this suspension which must be received by my office in writing. If you choose to appeal this suspension a hearing will be held in accordance with Clovis Municipal Code Section 5.5.09, except that the hearing shall be held before the City Council. In accordance with Clovis Municipal Code section 5.5.11 (d), if no appeal is received within fifteen (15) calendar days from service of this notice of suspension, the entertainment permit issued to The Palace on 12/20/2022 for the 2022 calendar year shall be permanently revoked. Pursuant to Clovis Municipal Code 5.5.12 (a), I reserve the right to impose additional conditions on the Palace to address and alleviate the concerns noted above.

You may remain open during this time, however, you are prohibited from providing any form of entertainment as allowed by the entertainment permit. During this suspension period, you can still operate under your ABC 48 license. The business can be opened during your regularly scheduled hours, however, only ambient music at a low volume, similar to a restaurant, can be played. There shall also be no live music, DJ, video, jukebox, television displays, or other entertainment allowed while alcohol is being served. Non-compliance will result in further action.



Chief Curt Fleming
Clovis Police Department
1233 Fifth Street
Clovis, CA 93612
(559) 324-2800

Copa Cabana Entertainment LLC
DBA: The Palace Nightclub
446 Clovis ave
Clovis, CA 93612
818-238-7972

NOTICE OF APPEAL

Date: 08/25/2022

To: John Holt
City Manager
1033 Fifth Street
Clovis, CA 93612
559-324-2060

Received
AUG 25 2022
ADMN/CITYMGR

C/O: Kary Cha
City Clerk

Dear: John

I am sending you this notice of appeal for a decision made by Clovis Police chief Fleming on August 12, 2022. Chief Fleming decided to suspend permanent my entertainment license. Although Chief Fleming stated I could apply for a new entertainment permit on/after December 31, 2022 however, I feel his decision is not only unfair but discriminatory.

After a careful review of my case I feel that my case need to be heard again therefore, I am submitting this notice of appeal within the time allotted by the Clovis Municipal code.

Please notify me when my case can be heard by contacting me at the address above or by phone at: 818-238-7972

Yours Truly


Claudia Lossley
Managing Member

Copa Cabana Entertainment LLC
DBA: The Palace Nightclub
446 Clovis ave
Clovis, CA 93612
818-238-7972

Received

SEP 07 2022

ADMN/CITYMGR

NOTICE OF APPEAL

Date: 08/25/2022

To: John Holt
City Manager
1033 Fifth Street
Clovis, CA 93612
559-324-2060

C/O: Kary Cha
City Clerk

Dear: John

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Please notify me when my case can be heard by contacting me at the address above or by phone at: 818-238-7972

Yours Truly



Claudia Lossley
Managing Member



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council
 FROM: Administration
 DATE: October 3, 2022
 SUBJECT: Consider Appointment – Fresno County Transportation Authority Urban at Large Board Member.

Staff: John Holt, City Manager
Recommendation: Consider Appointment

ATTACHMENTS: 1. Sarah Harris Resume

CONFLICT OF INTEREST

None.

RECOMMENDATION

It is recommended for the Mayor, subject to approval by the City Councils of both City of Clovis and City of Fresno, to make an appointment for the Fresno County Transportation Authority Urban at Large Board Member.

EXECUTIVE SUMMARY

Mike Leonardo, Executive Director at Fresno County Transportation Authority (FCTA), has reached out to the City Managers of the City of Clovis and the City of Fresno with a potential candidate for a board member for the FCTA. The FCTA Urban at Large Board Member position has been vacant since 2014. The FCTA Board is made up of nine (9) members. One of which is "...one member appointed jointly by the city councils of Fresno and Clovis with the appointee residing within the incorporated area of Fresno or Clovis." Over the past eight years both jurisdictions have not been able to come up with a candidate both could agree upon.

Sarah Harris has indicated an interest in serving on the FCTA Board. Ms. Harris served on the Measure C Renewal Executive Committee and has worked with elected officials from both Fresno and Clovis. Mike Leonardo believes Ms. Harris would be a great addition to the FCTA Board. Mike Leonardo indicated that Ms. Harris brings the perspective of people with disabilities, is very solution oriented, and knows how to work with a group to achieve consensus. Ms. Harris lives within the city limits of the City of Fresno, but he believes she can represent the entire urban area. The attached resume provides some background information on Ms. Harris for your consideration.

From the legislative code from the enabling legislation for the FCTA Board:

142051. The authority shall consist of nine members selected as follows:

- (a) Two members of the board of supervisors appointed by the board, consisting of one member from rural district 1, 4, or 5 and one member from urban district 2 or 3.
- (b) Two members representing the City of Fresno, consisting of the mayor thereof and a member of the city council of that city appointed by the city council.
- (c) One member representing the City of Clovis appointed by the city council of that city.
- (d) Two members representing the other cities within the county, consisting of one Westside member appointed by a committee comprised of the mayor or each of those cities west of State Highway Route 99, and one eastside member appointed by a committee comprised of the mayors of each of those cities east of State Highway Route 99.
- (e) Two members of the public at large, consisting of one member appointed by the board of supervisors with the appointee residing outside of the incorporated areas of Fresno and Clovis, and one member appointed jointly by the city councils of Fresno and Clovis with the appointee residing within the incorporated area of Fresno or Clovis.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

Appointment of the Fresno County Transportation Authority Urban At Large Board Member shall be acted upon jointly by the City Councils of both City of Clovis and City of Fresno.

ACTIONS FOLLOWING APPROVAL

Staff will inform the appointed FCTA and nominated Urban At Large Board Member of the action taken by the Clovis City Council and will be conditioned upon the City of Fresno Council approval.

Prepared by: Rebecca Simonian, Executive Assistant

Reviewed by: City Manager____

SARAH HARRIS

Fresno, CA 93722



OBJECTIVE

To be a part of organizations that empower the independence and self-determination of people with disabilities.

AWARDS AND RECOGNITION

- Community Service Award, CCB 2022
- Disability Advisory Commission Advocacy Award, City of Fresno, 2021
- Community Leadership Academy, Resources for Independence Central Valley 2015
- Chapter of the Year, California Council of the Blind, 2016 and 2021
- JP Morgan Chase Leadership Fellow, 2017
- Project Athena Foundation, Athena, 2017

SKILLS

- | | |
|--|-------------------------------|
| • Training and Development | • Usability and Accessibility |
| • Performance Tracking and Evaluations | • Public Speaking |
| • Administration and Reporting | • Person Centered Planning |
| • Time Management | • Youth Transition |
| • Project Coordination and Management | • Leadership |
| • Personnel Management | • Advocate |

WORK HISTORY

08/2021 to Current

Director of Programs

Resources For Independence Central Valley – Fresno, CA

- Oversee Assistive Technology, Systems Change/Community Organizing, Community Outreach, Youth Empowerment Services, Distinct Grants, , Volunteers and Interns
- Creation, expansion, and sustainability of programs and services
- Process grant reports
- Organize advocacy efforts

- Database entry and management
- Develop and facilitate workshops and staff activities
- Maintain and develop community partnerships and relationships
-

11/2019 to Current **CEO**

Crazy Blind Lady Consulting – Fresno, CA

- Website, digital material accessibility, and usability testing
- Website and digital material content review

07/2017 to Current **Board Member**

California Council Of The Blind, Statewide Org. – Sacramento, CA

- July 2017-June 2019: Board Member; Support CCB mission and initiatives, attend monthly meetings, oversee projects and funds and development, on the convention planning (chair), bylaws, resolutions (co-chair), and publications committees
- July 2019-June 2020: Second Vice-President
- July 2020- Present: First Vice-President

01/2017 to Current **President**

California Council Of The Blind Fresno Chapter – Fresno, CA

- Organize and chair monthly meetings for 30 chapter members
- Manage 3 officers
- Maintain relationships with City of Fresno officials and staff and local legislative representatives
- Fundraising
- Oversee and create chapter projects and initiatives

10/2017 to 08/2021 **Youth Empowerment Specialist**

Resources For Independence Central Valley – Fresno, CA

- Provide direct service for Youth with Disabilities ages 14-25
- Create and present workshops to High Schools and Adult Transition Programs
- Create and facilitate seasonal workshops including month long Summer Programs.
- Data entry/ service notes
- Collaborate with community partners
- Organize annual Self-Advocacy Conference
- Oversee Youth Peer Group
- Create and expand programming

06/2017 to 09/2017 **Assistive Technology Advocate**

Resources For Independence Central Valley – Fresno, CA

- AT training including; screen readers, iPhone accessibility, and other AT technology being offered
- Research on new technology and grant positions

09/2014 to 01/2017 **Board Member and Volunteer**
Valley Center For The Blind – Fresno, CA

Board Secretary:

- Fundraising
- Restructuring of board policies and procedures
- Procurement of new office building location
- Created and facilitated the Creative Recreation Program; included Health and Wellness, Recreational, and educational activities for people who are blind or have low vision

11/2018 to 08/2021 **Program Manager**
Resources For Independence Central Valley – Fresno, CA

EDUCATION

No Degree
Fresno City College - Fresno, CA

1998 **High School Diploma**
Fresno High School - Fresno, CA

AFFILIATIONS

- July 2021-May 2022 Measure C Executive Committee
 November 2020-Present Blind Advisory Committee
 August 2016-Present: City of Fresno Disability Advisory Commission- Transportation Sub-Committee
- Consult on capital projects
 - Attend bi-monthly meetings
 - Consult on accessibility and usability of Fresno Area Express, fixed-route service and Handy Ride, para transit online materials
 - Serve on appointed Ad HOC Committees
- March 2019-May 2020: Voters Accessibility Advisory Committee (Chair)
- Worked with Elections staff to develop agendas
 - Consulted on accessibility and usability of elections website and digital materials
 - Assisted in organization of Voters Choice Act Educational Workshops



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council
 FROM: Administration
 DATE: October 3, 2022
 SUBJECT: Consider Approval – Change of Council Meeting Schedule.

Staff: John Holt, City Manager

Recommendation: Approve

ATTACHMENTS: None.

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve the cancellation of the regular Council meeting scheduled for Monday, October 10, 2022.

EXECUTIVE SUMMARY

There is a need to change the schedule of meeting for the City Council in October. Staff is recommending that City Council cancel the meeting of October 10, 2022.

BACKGROUND

Staff is able to consolidate the agenda items to the first and third meetings in October. Staff is recommending that City Council consider canceling the meeting of October 10, 2022. Given adequate notice, staff will be able to amend the timing of actions coming forward so that operations will not be affected by the cancellations.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

Pursuant to the Clovis Municipal Code, the City Council meets in regular session on the first, second, and third Monday of each month, except when those Mondays occur on a recognized City holiday. The City Council needs to confirm any change to the schedule of meetings in order to properly notice the public of the City Council's schedule of meetings.

ACTIONS FOLLOWING APPROVAL

A revised schedule of meetings will be published in conformance with law.

Prepared by: Rebecca Simonian, Executive Assistant

Reviewed by: City Manager *RS*



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: October 3, 2022

SUBJECT: Consider Approval - Draft Letters of Support Requesting the ability to conduct interviews for the Global Entry program at the Fresno Yosemite International Airport.

Staff: John Holt, City Manager
Recommendation: Approve

ATTACHMENTS: None.

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve drafting letters of support requesting the ability of conduct interviews for the Global Entry program at the Fresno Yosemite International Airport.

EXECUTIVE SUMMARY

During Council comments on September 19, Councilmember Bessinger requested the City send letters of support to the City of Fresno and the City's elected federal officials. The letters would be in support and requesting the ability of conducting interviews for the Global Entry program at the Fresno Yosemite International Airport.

Global Entry is a U.S. Customs and Border Protection (CBP) program that allows expedited clearance for pre-approved, low-risk travelers upon arrival in the United States. Members enter the United States through automatic kiosks at select airports.

At airports, program members proceed to Global Entry kiosks, present their machine-readable passport or U.S. permanent resident card, place their fingerprints on the scanner for fingerprint verification and complete a customs declaration. The kiosk issues the traveler a transaction receipt and directs the traveler to baggage claim and the exit.

Travelers must be pre-approved for the Global Entry program. All applicants undergo a rigorous background check and in-person interview before enrollment. Interviews are only conducted in Los Angeles and the Bay Area. Clovis residents are currently required to travel to these locations for the Global Entry interview.

The letters of support would begin the process to have the interviews for the Global Entry program available at the Fresno Yosemite International Airport saving local residents travel cost and time.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

During Council comments on September 19, 2022, Councilmember Bessinger requested the City transmit letters of support to the City of Fresno and the City's elected federal officials. The letters would be in support and requesting the ability of conducting interviews for the Global Entry program at the Fresno Yosemite International Airport.

ACTIONS FOLLOWING APPROVAL

Staff will implement Council direction.

Prepared by: John Holt, City Manager

Reviewed by: City Manager *JH*