



# CITY *of* CLOVIS

## AGENDA • CITY COUNCIL MEETING

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060  
[www.cityofclovis.com](http://www.cityofclovis.com)

April 10, 2023

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](http://www.cityofclovis.com/agendas).

### **Written Comments**

- Members of the public are encouraged to submit written comments at: [www.cityofclovis.com/agendas](http://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 and mic 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 wanting to make a verbal comment via call will need to ensure that they accessed the WebEx meeting with audio and microphone transmission capabilities.

## **CALL TO ORDER**

## **FLAG SALUTE - Councilmember Basgall**

## **ROLL CALL**

## **PRESENTATIONS/PROCLAMATIONS**

1. Presentation by Executive Director of Youth Voice Impact, Inc. Yasmine Creese-Brown on the Youth Empowered Affordable Housing Summit to be held at California State University Fresno on April 21 / 22, 2023.

**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.

- [2.](#) Administration - Approval - Minutes from the April 3, 2023, Council Meeting.
- [3.](#) Finance – Receive and File – Investment Report for the Month of November 2022.
- [4.](#) Finance – Receive and File – Treasurer's Report for the Month of November 2022.
- [5.](#) General Services – Approval – Res. 23-\_\_\_\_, Amending the City's FY 2022-2023 Position Allocation Plan by adding five (5) full time Utility Worker positions to convert five (5) extra help budgeted Utility Workers within the Public Utilities Department.
- [6.](#) General Services – Approval – Res. 23-\_\_\_\_, Authorizing the City Manager to Execute and File Applications, Certifications and Assurances, and Grant and Cooperative Agreements with the Federal Transit Administration.
- [7.](#) Planning and Development Services – Approval – Final Acceptance for CIP 15-13, Landfill Left Turn Lane.
- [8.](#) Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of a 2024 Ford F750 Super Duty Truck from Future Ford of Clovis in the amount of \$97,268.98.

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

- [9.](#) Receive and File – Water and Sewer Major Facilities Workshop.

**Staff:** Mike Harrison, City Engineer / Paul Armendariz, Assistant Public Utilities Director

**Recommendation:** Receive and File

- [10.](#) Consider – A request from the Clovis Unified School District Board for the City of Clovis to temporarily provide water and sewer services to the future Terry Bradley Educational Center, located between Leonard and Highland Avenues north of McKinley Avenue, in unincorporated Fresno County and within the City of Fresno's sphere of influence.

**Staff:** Paul Armendariz, Assistant Public Utilities Director

**Recommendation:** Consider

## COUNCIL ITEMS

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

**Staff:** John Holt, City Manager

**Recommendation:** Approve

12. Consider Approval – To submit a letter of Opposition for Assembly Bill 595– Essayli - Animal Shelters: 72-Hour Public Notice: Euthanasia: Study.

**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 54956.9(d)(4)  
Conference with legal counsel – anticipated litigation  
Deciding whether to initiate litigation  
One potential case

## **ADJOURNMENT**

## **FUTURE MEETINGS**

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

Apr. 14, 2023 (Fri.) Special Meeting  
Apr. 17, 2023 (Mon.) To Be Cancelled  
May 1, 2023 (Mon.)  
May 8, 2023 (Mon.)  
May 15, 2023 (Mon.)

**CLOVIS CITY COUNCIL MEETING**

**April 3, 2023**

**6:00 P.M.**

**Council Chamber**

Meeting called to order by Mayor Ashbeck  
Flag Salute led by Councilmember Pearce

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

**PRESENTATION – 6:02**

6:02 ITEM 1 - PRESENTATION OF PROCLAMATION DECLARING APRIL AS COMMUNITY COLLEGE MONTH.

**PUBLIC COMMENTS – 6:08**

Nathan Inan, resident, shared concerns regarding a transition home in his neighborhood near Freedom Elementary.

Jessica Brough, resident, shared concerns regarding a transition home in his neighborhood near Freedom Elementary.

June Vehn, resident, shared concerns regarding a transition home in his neighborhood near Freedom Elementary.

Eric Vehn, resident, shared concerns regarding a transition home in his neighborhood near Freedom Elementary.

Charlene Tringali, resident, shared concerns regarding a transition home in his neighborhood near Freedom Elementary.

Erica Inan, resident, shared concerns regarding a transition home in his neighborhood near Freedom Elementary.

**CONSENT CALENDAR – 6:33**

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

2. Administration - Approved - Minutes from the March 20, 2023, Council Meeting.
3. Fire - Received and Filed – 2022 Fire Department Annual Report.

4. General Services – Approved – **Res. 23-22**, Amending the City’s FY 2022-2023 Position Allocation Plan by deleting one (1) Principal Office Assistant and adding one (1) Staff Analyst position within the Public Utilities Department.
5. General Services – Approved – Contract Award to Compass Energy Solutions to Implement Energy Efficiency Projects for \$962,625; and Approved - **Res. 23-23**, Authorizing a Loan Application through the California Energy Commission for Project Funding.
6. General Services – Approved – **Res. 23-24**, Authorizing the General Services Manager to Apply for and Administer the Public Benefit Grants Program – New Alternative Fuel Vehicle Purchase Through San Joaquin Valley Air Pollution Control District.
7. Planning and Development Services – Approved – Final Acceptance for CIP 19-15, Gettysburg/Norwich Alley Reconstruction – Villa Avenue to Gettysburg Avenue.

**ADMINISTRATIVE ITEMS – 6:35**

- 6:35 ITEM 8 - CONSIDERED – FOR THE CITY COUNCIL TO CONSIDER OPTIONS TO SEEK ADDITIONAL FUNDING FOR POLICE, FIRE, STREETS, AND PARKS.

It was the consensus of the City Council to direct staff to include funding for a consultant in the 2023/24 Budget to evaluate funding options and return for Council consideration.

- 7:01 ITEM 9 - CONSIDERED – A REQUEST FROM THE 500 CLUB LOCATED AT 771 W SHAW AVE, CLOVIS, CA 93612, TO HAVE THE CITY CALL A SPECIAL ELECTION ON NOVEMBER 7, 2023, TO PLACE ON THE BALLOT FOR VOTERS TO CONSIDER AN INCREASE IN THE NUMBER OF ALLOWED GAMING TABLES FROM 20 TO 51.

Jarhett Blonien, 500 Club Representative, provided comments on the request and requested the item be brought back for Council consideration after pending legislation is analyzed.

It was the consensus of the City Council to support the expansion and to return to Council for consideration if the 500 Club chose to pursue an election at the expense of the 500 Club.

- 7:21 ITEM 10 - RECEIVED AND FILED – GENERAL SERVICES DEPARTMENT UPDATE.

**COUNCIL ITEMS – 7:42**

- 7:42 ITEM 11 - APPROVED – TO SUBMIT A LETTER OF OPPOSITION FOR ASSEMBLY BILL 742– JACKSON, LIMITING THE USE OF POLICE CANINES.

It was the consensus of the City Council to submit a letter of opposition for Assembly Bill 742.

- 7:45 ITEM 12 – APPROVED – TO SUBMIT A LETTER OF SUPPORT FOR ASSEMBLY BILL 1067– GAVIN’S LAW (HIT-AND-RUN PENALTIES).

It was the consensus of the City Council to submit a letter of support for Assembly Bill 1067.

7:46 ITEM 13 – APPROVED – TO SUBMIT A LETTER OF SUPPORT FOR ASSEMBLY BILL 1708 – MURATSUCHI, AMENDING PROPOSITION 47 TO INCREASE ACCOUNTABILITY FOR REPEAT THEFT OFFENDERS.

It was the consensus of the City Council to submit a letter of support for Assembly Bill 1708.

**CITY MANAGER COMMENTS – 7:47**

**COUNCIL COMMENTS – 7:47**

It was the consensus of the City Council to reconsider on a future agenda A request to amend the General Plan to re-designate approximately 1.04 acres of land located on the north side of Alluvial Avenue, between Sunnyside and Fordham Avenues from the Low Density Residential (2.1-4.0 DU/Ac) classification to the Medium High (7.1-15.0 DU/Ac) classification that was denied without prejudice at the March 6, 2023 Council Meeting.

**CLOSED SESSION – 8:01**

14 GOVERNMENT CODE SECTION 54956.9(D)(2) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION THREE POTENTIAL CASES BASED ON CLAIMS RECEIVED FOR THE SUNNYSIDE AVENUE WATER MAIN BREAK AND PROPERTY FLOODING INCIDENT ON JANUARY 3, 2022.

No action was taken by the City Council during the closed session.

Mayor Ashbeck adjourned the meeting of the Council to April 10, 2023

Meeting adjourned: 8:12 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council  
 FROM: Finance Department  
 DATE: April 10, 2023  
 SUBJECT: Finance – Receive and File – Investment Report for the Month of November 2022.

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

### CONFLICT OF INTEREST

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### EXECUTIVE SUMMARY

Attached is the Investment Report for the month of November 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 November 2022. Attachment 3 lists the certificates of deposit. Attachment 4 lists the municipal securities. Attachment 5 is a graph of Treasury rates on November 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 1.48%. The rate of return for the City of Clovis portfolio is 2.19%. The goal for the City of Clovis investment return is 120% of the 90-day Treasury bill rate. The current rate of return is 148% 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 November 2022, the average investment life of the City's investment portfolio is 1.60 years.

#### Current Investment Environment and Philosophy

During the month of November 2022, the federal funds rate increased to 3.75%-4.00%. On November 30, 2022, the Treasury yield curve increased from 3-month to 6-month notes, then decreased 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 \$2,735,000 were purchased.
- 0 government securities were called or matured.
- 4 certificates of deposit totaling \$1,000,000 were purchased.
- 1 certificate of deposit totaling \$250,000 matured.
- 7 municipal securities totaling \$3,780,000 were purchased.

#### Market Environment

- During November the federal funds rate increased to 3.75%-4.00%.
- On November 30, the yield curve increased from 3-month to 6-month notes, then decreased to 10-year notes. See Attachment 5, Graph of Treasury Rates on November 30, 2022.

Prepared by: Jeffrey Blanks, Deputy Finance Director

Reviewed by: City Manager *AB*

**City of Clovis  
Distribution of Investments  
As of November 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 11/30/2022</u>
<b><u>GOVT SECURITIES</u></b>								
FHLB	8,045,600	8,014,455	6,496,945	1.875%	1.875%	12/19/19	12/09/22	9
FHLB	5,047,500	5,015,560	6,496,945	1.875%	1.875%	01/23/20	12/09/22	9
FAMCMTN	8,544,965	8,517,404	8,439,820	1.350%	1.350%	02/27/20	02/27/23	89
FHLB	5,255,000	5,106,310	4,981,223	2.125%	2.125%	03/26/20	03/10/23	100
FHLB	13,579,800	13,233,882	12,909,697	2.125%	2.125%	04/30/20	03/10/23	100
FFCB	5,000,000	5,000,000	4,717,150	0.250%	0.250%	03/01/21	03/01/24	457
FHLB	4,998,000	4,998,321	4,906,600	3.250%	3.250%	08/17/22	03/08/24	464
FHLB	1,994,000	1,995,012	1,972,440	3.625%	3.625%	09/14/22	03/08/24	464
FFCB	1,999,000	1,999,258	1,888,780	0.300%	0.300%	03/24/21	03/18/24	474
FHLB	5,000,000	5,000,000	4,670,050	0.350%	0.350%	06/07/21	06/07/24	555
FHLB	941,770	941,770	938,480	0.700%	0.700%	11/17/22	06/24/24	572
FHLB	4,969,000	4,975,169	4,659,300	1.050%	1.050%	01/20/22	11/15/24	716
FHLB	1,595,506	1,595,506	1,599,202	0.500%	0.500%	11/16/22	12/30/24	761
FHLB	3,980,000	3,983,740	3,749,360	1.750%	1.750%	02/28/22	02/28/25	821
FHLB	4,000,000	4,000,000	3,818,000	2.750%	2.750%	04/25/22	04/25/25	877
FAMCMTN	3,947,600	3,956,650	3,655,280	0.750%	0.750%	12/16/21	07/28/25	971
FHLB	5,000,000	5,000,000	4,909,750	3.600%	3.600%	08/30/22	08/28/25	1,002
FAMCMTN	4,948,500	4,956,740	4,537,700	0.600%	0.600%	10/14/21	09/08/25	1,013
FHLB	4,963,000	4,968,743	4,433,650	0.580%	0.580%	09/08/21	02/11/26	1,169
FHLB	3,922,000	3,933,616	3,562,960	0.750%	0.750%	12/16/21	02/24/26	1,182
FFCB	4,967,500	4,971,593	4,388,200	0.940%	0.940%	10/14/21	09/28/26	1,398
FHLB	3,649,200	3,649,200	3,563,720	1.150%	1.150%	06/29/22	10/28/26	1,428
FHLB	5,988,000	5,989,499	5,330,220	1.250%	1.250%	11/24/21	11/24/26	1,455
FHLB	5,127,757	5,113,093	4,639,050	2.125%	2.125%	01/20/22	12/11/26	1,472
FHLB	4,043,250	4,043,250	4,163,185	1.020%	1.020%	06/29/22	02/24/27	1,547
FHLB	4,550,000	4,574,856	4,163,185	1.020%	1.020%	08/17/22	02/24/27	1,547
FHLB	3,695,200	3,730,049	3,494,640	0.900%	0.900%	03/31/22	02/26/27	1,549
FHLB	4,000,000	4,000,000	3,683,600	2.375%	2.375%	03/08/22	03/08/27	1,559
<b>SECURITIES TOTAL</b>	<u>\$ 133,752,148</u>	<u>\$ 133,263,676</u>	<u>\$126,769,132</u>					
<b>LAIF</b>		<u>\$ 74,905,243</u>	<u>\$ 74,905,243</u>					
<b>Municipal Issuance</b>		<u>\$ 51,805,000</u>	<u>\$ 47,365,936</u>					
<b>Sweep Account (Union Bank)</b>		<u>\$ 20,638,225</u>	<u>\$ 20,638,225</u>					
<b>TOTAL CD'S</b>		<u>\$ 19,245,000</u>	<u>\$ 18,599,372</u>					
<b>TOTAL INVESTMENTS</b>		<u>\$ 299,857,144</u>	<u>\$ 288,277,908</u>					

\* Market values for securities obtained from US Bank.

**City of Clovis  
Monthly Investment Transactions  
As of November 30, 2022**

AGENDA ITEM NO. 3.

Institution	Description	Activity	Amount	Market Value	Rate	Activity Date	Maturity Date
FHLB	Gov. Sec.	Purchase	1,000,000	941,770	0.700%	11/17/22	06/24/24
FHLB	Gov. Sec.	Purchase	1,735,000	1,595,506	0.500%	11/16/22	12/30/24
Colton CA Jt Uni Sch	Mun Iss.	Purchase	1,060,000	1,060,000	1.603%	11/17/22	08/01/27
Fremont CA Uni Sch Dist	Mun Iss.	Purchase	1,100,000	1,100,000	1.113%	11/17/22	08/01/27
Marin CA Cmnty Clg Dist	Mun Iss.	Purchase	335,000	335,000	3.330%	11/17/22	08/01/27
Mount San Antonio Cmnty Clg	Mun Iss.	Purchase	285,000	285,000	1.139%	11/17/22	08/01/27
Sierra CA Cmnty Clg Dist	Mun Iss.	Purchase	465,000	465,000	1.129%	11/17/22	08/01/27
William Hart CA Un High	Mun Iss.	Purchase	200,000	200,000	1.174%	11/17/22	08/01/27
Rancho Santiago Cmnty Clg	Mun Iss.	Purchase	335,000	335,000	1.106%	11/17/22	09/01/27
United Heritage Cr Un	CD	Purchase	250,000	250,000	4.700%	11/04/22	11/04/25
Capital One Natl Assn	CD	Purchase	250,000	250,000	4.900%	11/16/22	11/17/25
Morgan Stanley Bank	CD	Purchase	250,000	250,000	5.000%	11/18/22	11/18/25
Spokane Teachers Cr Un	CD	Purchase	250,000	250,000	5.000%	11/23/22	11/23/25
Lafayette Fed Cr	CD	Maturity	250,000	250,000	1.700%	11/22/22	11/22/22

**PORTFOLIO DATA**

**Current Month (11/22)**

	<u>Book</u>	<u>Market</u>
CD'S	\$ 19,245,000	\$ 18,599,372
Gov't Securities*	133,263,676	126,769,132
Municipal Securities	51,805,000	47,365,936
LAIF	74,905,243	74,905,243
Sweep Account (Union Bank)	20,638,225	20,638,225
<b>TOTAL</b>	<b>\$ 299,857,144</b>	<b>\$ 288,277,908</b>

**Prior Month (10/22)**

	<u>Book</u>	<u>Market</u>
CD'S	\$ 18,495,000	\$ 17,880,661
Gov't Securities*	130,726,400	123,301,840
Municipal Securities	48,025,000	43,617,521
LAIF	74,905,243	74,905,243
Sweep Account (Union Bank)	29,977,956	29,977,956
<b>TOTAL</b>	<b>\$ 302,129,599</b>	<b>\$ 289,683,221</b>

**Three Months Previous (08/22)**

	<u>Book</u>	<u>Market</u>
CD'S	\$ 13,995,000	\$ 13,709,007
Gov't Securities*	142,778,996	137,433,765
Municipal Securities	35,755,000	33,346,444
LAIF	74,651,233	74,651,233
Sweep Account (Union Bank)	33,471,209	33,471,209
<b>TOTAL</b>	<b>\$ 300,651,438</b>	<b>\$ 292,611,658</b>

**Six Months Previous (05/22)**

	<u>Book</u>	<u>Market</u>
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
<b>TOTAL</b>	<b>\$ 297,059,853</b>	<b>\$ 292,083,580</b>

**One Year Previous (11/21)**

	<u>Book</u>	<u>Market</u>
CD'S	\$ 10,235,000	\$ 10,305,263
Gov't Securities*	131,539,804	131,745,725
Municipal Securities	9,025,000	8,890,629
LAIF	74,410,223	74,410,223
Sweep Account (Union Bank)	26,143,386	26,143,386
<b>TOTAL</b>	<b>\$ 251,353,413</b>	<b>\$ 251,495,226</b>

\*Adjusted Quarterly for Premium/Discount Amortization

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

**AGENDA ITEM NO. 3.**

<b>Negotiable CDs</b>	<b>COST</b>	<b>MARKET PRICE</b>	<b>INTEREST RATE</b>	<b>INVEST DATE</b>	<b>MATURITY DATE</b>	<b>MATURITY FROM 11/30/22</b>	<b>INTEREST FREQUENCY</b>
Live Oak Banking Co.	250,000	249,842.50	1.750%	12/11/19	12/12/22	12	QUARTERLY
Wells Fargo Natl Bk West	250,000	249,835.00	1.800%	12/13/19	12/13/22	13	QUARTERLY
Valley Cent Svgs Bk	250,000	249,345.00	1.700%	01/15/20	01/17/23	48	QUARTERLY
Sallie Mae Bank	250,000	249,305.00	1.900%	01/23/20	01/23/23	54	QUARTERLY
Servisfirst Bank	250,000	248,670.00	1.600%	02/21/20	02/21/23	83	MONTHLY
Celtic Bank	250,000	248,180.00	1.550%	03/13/20	03/13/23	103	MONTHLY
Axos Bank	250,000	247,872.50	1.550%	03/26/20	03/27/23	117	MONTHLY
Nicolet Natl Bank	250,000	247,470.00	0.900%	03/27/20	03/27/23	117	MONTHLY
Centerstate Bank	250,000	247,277.50	0.900%	03/30/20	03/30/23	120	MONTHLY
Bank Leumi	250,000	247,702.50	1.450%	03/31/20	03/31/23	121	MONTHLY
Discover Bank	250,000	247,645.00	1.350%	04/02/20	04/03/23	124	MONTHLY
Berkshire Bank	250,000	247,432.50	1.300%	04/08/20	04/06/23	127	MONTHLY
American Express	250,000	246,865.00	1.100%	04/21/20	04/21/23	142	MONTHLY
New York Cmnty Bank	250,000	238,920.00	0.350%	12/11/20	12/11/23	376	QUARTERLY
Transportation Alliance Bk	250,000	235,755.00	0.250%	03/12/21	03/12/24	468	QUARTERLY
Preferred Bank	250,000	235,355.00	0.250%	03/25/21	03/25/24	481	QUARTERLY
Bankunited Natl Assn	245,000	231,066.85	0.450%	03/31/21	04/01/24	488	QUARTERLY
Greenstate Credit Union	250,000	233,570.00	0.450%	06/16/21	06/17/24	565	QUARTERLY
Eaglemark Savings Bank	250,000	233,132.50	0.400%	06/30/21	06/28/24	576	QUARTERLY
Texas Exchange Bk	250,000	233,115.00	0.500%	07/09/21	07/09/24	587	QUARTERLY
BMW Bk North Amer	250,000	232,837.50	0.550%	07/30/21	07/30/24	608	QUARTERLY
Toyota Finl Svgs	250,000	232,165.00	0.650%	09/09/21	09/09/24	649	QUARTERLY
State Bk India	250,000	231,942.50	0.650%	09/17/21	09/17/24	657	QUARTERLY
Ubs Bank Usa	250,000	230,512.50	0.750%	11/17/21	11/18/24	719	QUARTERLY
Webbank Salt Lake City	250,000	230,372.50	0.750%	11/29/21	11/29/24	730	QUARTERLY
Medallion Bank Salt Lake City	250,000	230,395.00	0.900%	12/20/21	12/20/24	751	QUARTERLY
Beal Bank	250,000	230,090.00	0.950%	01/19/22	01/15/25	777	QUARTERLY
Mountain Amer Fed	250,000	242,232.50	3.450%	08/31/22	02/28/25	821	QUARTERLY
Barclays Bk	250,000	232,875.00	1.700%	03/09/22	03/10/25	831	QUARTERLY
Goldman Sachs Bk	250,000	232,607.50	1.650%	03/09/22	03/10/25	831	QUARTERLY
Safra National Bk	250,000	234,230.00	2.000%	03/23/22	03/24/25	845	QUARTERLY
Pentagon Federal Cr Un	250,000	234,010.00	2.000%	03/28/22	03/28/25	849	QUARTERLY
Beal Bank	250,000	235,127.50	2.200%	04/06/22	04/02/25	854	QUARTERLY
JP Morgan Chase	250,000	236,720.00	2.500%	04/08/22	04/08/25	860	QUARTERLY
First Natl Bank	250,000	242,387.50	2.200%	04/12/22	04/11/25	863	QUARTERLY
One Community Bank	250,000	237,437.50	2.700%	04/29/22	04/29/25	881	QUARTERLY
Americu Credit Union	250,000	237,967.50	2.800%	05/02/22	05/02/25	884	QUARTERLY
Synchrony Bank Retail	250,000	239,567.50	3.100%	05/20/22	05/20/25	902	QUARTERLY
Connexus Credit Union	250,000	238,810.00	3.000%	05/26/22	05/27/25	909	QUARTERLY
Bmo Harris Bank	250,000	239,495.00	3.150%	06/17/22	06/17/25	930	QUARTERLY
Saco Biddeford	250,000	237,697.50	2.850%	06/17/22	06/17/25	930	QUARTERLY
Baxter Credit Union	250,000	250,000.00	3.400%	06/28/22	06/30/25	943	QUARTERLY
Capital One Bank	250,000	240,647.50	3.350%	06/29/22	06/30/25	943	QUARTERLY
American First Cr Un	250,000	239,812.50	3.250%	07/15/22	07/15/25	958	QUARTERLY
Trustone Financial Cr Un	250,000	239,772.50	3.250%	07/19/22	07/21/25	964	QUARTERLY
American Natl Bank	250,000	238,752.50	3.100%	07/27/22	07/28/25	971	QUARTERLY
TCM Bank	250,000	240,310.00	3.350%	07/28/22	07/28/25	971	QUARTERLY
Generations Bank	250,000	240,587.50	3.400%	08/03/22	08/04/25	978	QUARTERLY
Direct Fed Credit	250,000	240,127.50	3.500%	08/17/22	08/18/25	992	QUARTERLY
Resource One Credit	250,000	239,810.00	3.300%	08/17/22	08/18/25	992	QUARTERLY
Connxt Credit	250,000	240,980.00	3.500%	08/31/22	08/29/25	1,003	QUARTERLY
Skyone Fed Credit	250,000	241,600.00	3.600%	08/30/22	09/02/25	1,007	QUARTERLY
Credit Union of Texas	250,000	241,575.00	3.600%	09/14/22	09/15/25	1,020	QUARTERLY
Forbright Bank	250,000	240,850.00	3.500%	09/16/22	09/16/25	1,021	QUARTERLY
Ally Bank Sandy Utah	250,000	244,430.00	4.050%	09/29/22	09/19/25	1,024	QUARTERLY
Alabama Credit Union	250,000	241,457.50	3.600%	09/20/22	09/22/25	1,027	QUARTERLY
Kemba Finl Credit Union	250,000	244,077.50	4.000%	09/21/22	09/22/25	1,027	QUARTERLY
Farmers Merchants	250,000	242,392.50	3.750%	09/28/22	09/29/25	1,034	QUARTERLY
Jefferson Finl FCU	250,000	245,032.50	4.150%	09/29/22	09/29/25	1,034	QUARTERLY
Dort Finl Credit Union	250,000	244,040.00	4.000%	09/30/22	09/30/25	1,035	QUARTERLY
First National Bank	250,000	234,887.50	3.625%	09/30/22	09/30/25	1,035	QUARTERLY
Numerica Credit Union	250,000	246,017.50	4.200%	09/30/22	09/30/25	1,035	QUARTERLY
Vystar Credit Union	250,000	246,347.50	4.350%	09/30/22	09/30/25	1,035	QUARTERLY
Bell Bank Fargo	250,000	244,967.50	4.150%	10/13/22	10/14/25	1,049	QUARTERLY
Pacific Alliance	250,000	245,302.50	4.200%	10/14/22	10/14/25	1,049	QUARTERLY
1st Financial Bank	250,000	244,967.50	4.150%	10/13/22	10/17/25	1,052	QUARTERLY
Great Southern Bank	250,000	247,325.00	4.500%	10/20/22	10/20/25	1,055	QUARTERLY
American Bank	250,000	246,305.00	4.350%	10/21/22	10/21/25	1,056	QUARTERLY
Queensborough Natl Bank	250,000	245,612.50	4.100%	10/21/22	10/21/25	1,056	QUARTERLY
Public Alliance Cr Un	250,000	247,282.50	4.500%	10/25/22	10/27/25	1,062	QUARTERLY
First Citizens Bank	250,000	248,635.00	4.700%	10/28/22	10/28/25	1,063	QUARTERLY
LCA Bank Corp	250,000	246,620.00	4.400%	10/28/22	10/28/25	1,063	QUARTERLY
Sharonview Fed Cr Un	250,000	250,677.50	4.850%	10/31/22	10/31/25	1,066	QUARTERLY
United Heritage Cr Un	250,000	248,965.00	4.700%	11/04/22	11/04/25	1,070	QUARTERLY
Capital One Natl Assn	250,000	249,990.00	4.900%	11/16/22	11/17/25	1,083	QUARTERLY
Morgan Stanley Bank	250,000	250,687.50	5.000%	11/18/22	11/18/25	1,084	QUARTERLY
Spokane Teachers Cr Un	250,000	250,690.00	5.000%	11/23/22	11/23/25	1,089	QUARTERLY
<b>Negotiable CD TOTAL</b>	<b>\$ 19,245,000</b>	<b>\$ 18,599,372</b>					
<b>CD TOTAL</b>	<b>\$ 19,245,000</b>	<b>\$ 18,599,372</b>					

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

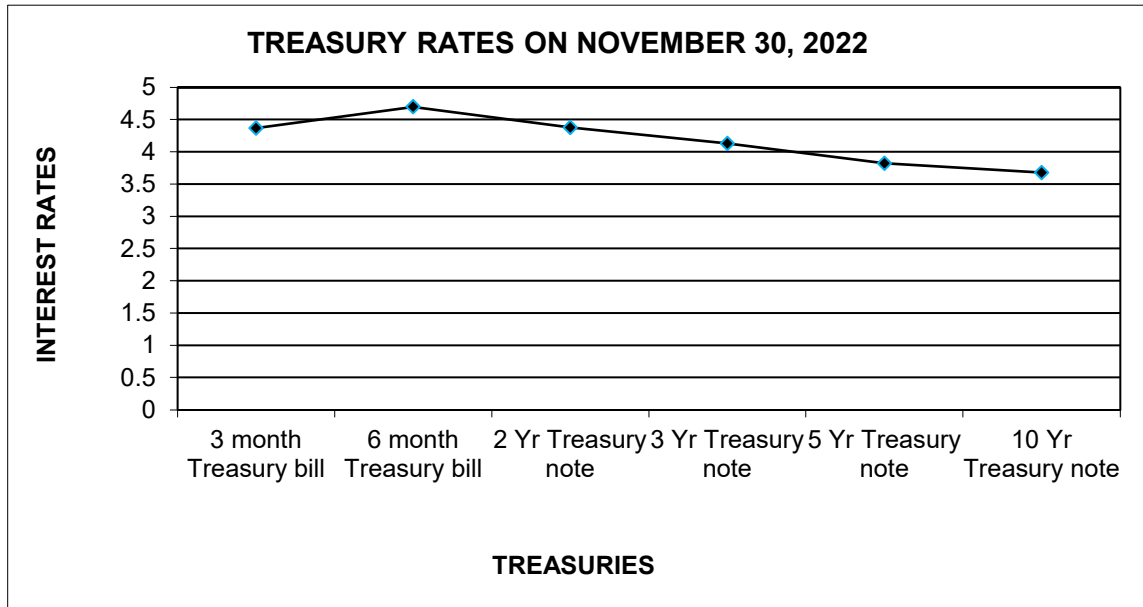
AGENDA ITEM NO. 3.

<b>Municipal Securities</b>	<b>COST</b>	<b>MARKET PRICE</b>	<b>INTEREST RATE</b>	<b>INVEST DATE</b>	<b>MATURITY DATE</b>	<b>MATURITY FROM 11/30/22</b>	<b>INTEREST FREQUENCY</b>
Huntington Beach Pension Bond	1,000,000	975,540	0.381%	04/01/21	06/15/23	197	QUARTERLY
Fresno Unified Taxable Go Ref Bond	500,000	485,320	0.462%	09/30/20	08/01/23	244	QUARTERLY
Pomona Cali Uni Sch Dist Go Bond	815,000	791,447	0.534%	10/20/20	08/01/23	244	QUARTERLY
San Jose CA USD Ref Bond	775,000	752,990	0.221%	01/20/21	08/01/23	244	QUARTERLY
Vista CA USD Ref Bond	750,000	728,693	0.221%	01/20/21	08/01/23	244	QUARTERLY
William Hart Cali HS Go Bond	1,000,000	972,480	0.366%	12/23/20	08/01/23	244	QUARTERLY
Jefferson Cali Elem Sch Dist Go Bond	710,000	687,749	0.399%	10/27/20	09/01/23	275	QUARTERLY
Santa Rosa Calif Watr Ref Bond	350,000	339,682	0.578%	12/01/20	09/01/23	275	QUARTERLY
California St Univ Ref Bond	3,455,000	3,325,230	0.475%	04/01/22	11/01/23	336	QUARTERLY
San Diego CA Convention Ref Bond	1,450,000	1,386,998	1.527%	08/18/22	04/15/24	502	QUARTERLY
Santa Ana College Ref Bond	440,000	412,729	0.644%	12/17/21	08/01/24	610	QUARTERLY
University CA Rev Bond	1,000,000	959,930	4.350%	09/15/22	05/15/25	897	QUARTERLY
Antelope Valley CA Ref Bond	750,000	696,773	1.767%	05/12/22	08/01/25	975	QUARTERLY
Chabot Las Positas Cmnty Clg Bond	1,490,000	1,353,248	0.880%	04/29/22	08/01/25	975	QUARTERLY
San Dieguito High School Ref Bond	1,000,000	927,590	1.661%	10/13/22	08/01/25	975	QUARTERLY
Santa Ana CCD Ref Bond	250,000	226,258	0.744%	05/12/22	08/01/25	975	QUARTERLY
Orange County Water Dist Ref Bond	900,000	843,957	2.095%	10/13/22	08/15/25	989	QUARTERLY
San Jose CA Txble Ser B	2,355,000	2,222,790	2.450%	10/13/22	09/01/25	1,006	QUARTERLY
Los Angeles CA USD Ref Bond	1,000,000	896,840	1.455%	11/15/21	07/01/26	1,309	QUARTERLY
Chabot Las Positas Cmnty Clg CA	3,505,000	3,089,097	1.080%	07/27/22	08/01/26	1,340	QUARTERLY
Chaffey CA High School Ref Bond	1,565,000	1,461,585	2.475%	06/30/22	08/01/26	1,340	QUARTERLY
Huntington Beach HS Dist Ref Bond	3,305,000	2,906,483	1.208%	04/29/22	08/01/26	1,340	QUARTERLY
Placentia Yorba USD Ref Bond	1,110,000	976,889	1.070%	05/31/22	08/01/26	1,340	QUARTERLY
San Diego CA Cmnty Ref Bond	470,000	433,923	2.299%	04/29/22	08/01/26	1,340	QUARTERLY
San Ramon Valley CA USD Ref Bond	2,125,000	1,888,190	1.147%	11/03/21	08/01/26	1,340	QUARTERLY
Sonoma Cnty Jr College Ref Bond	2,000,000	1,864,040	2.447%	06/30/22	08/01/26	1,340	QUARTERLY
San Diego CA Pub Facs Ref Bond	1,625,000	1,454,034	1.812%	08/18/22	10/15/26	1,415	QUARTERLY
El Dorado CA Irr Dist Ref Bond	1,175,000	1,044,657	1.687%	08/18/22	03/01/27	1,552	QUARTERLY
University Gen Rev Bond	2,385,000	2,071,516	1.316%	10/13/22	05/15/27	1,627	QUARTERLY
Colton CA Jt Uni Sch	1,060,000	925,995	1.603%	11/17/22	08/01/27	1,705	QUARTERLY
Contra Costa Ref Bond	880,000	787,019	2.163%	09/15/22	08/01/27	1,705	QUARTERLY
Fremont CA Uni Sch Dist	1,100,000	926,838	1.113%	11/17/22	08/01/27	1,705	QUARTERLY
Fremont CA USD Ref Bond	1,140,000	1,002,197	2.000%	05/31/22	08/01/27	1,705	QUARTERLY
Marin CA Cmnty Clg Dist	335,000	317,141	3.330%	11/17/22	08/01/27	1,705	QUARTERLY
Mount San Antonio Cmnty Clg	285,000	246,605	1.139%	11/17/22	08/01/27	1,705	QUARTERLY
Mount San Antonio Ref Bond	405,000	370,571	2.329%	10/13/22	08/01/27	1,705	QUARTERLY
Saddleback VY Uni Ref Bond	3,000,000	2,731,740	2.400%	08/10/22	08/01/27	1,705	QUARTERLY
San Ramon Valley Ref Bond	1,435,000	1,249,742	3.415%	09/15/22	08/01/27	1,705	QUARTERLY
Santa Monica Cmnty Clg Ref Bond	1,000,000	952,240	3.050%	09/15/22	08/01/27	1,705	QUARTERLY
Sierra CA Cmnty Clg Dist	465,000	396,896	1.129%	11/17/22	08/01/27	1,705	QUARTERLY
William Hart CA Un High	200,000	169,994	1.174%	11/17/22	08/01/27	1,705	QUARTERLY
Rancho Santiago Cmnty Clg	335,000	285,142	1.106%	11/17/22	09/01/27	1,736	QUARTERLY
San Jose CA Txble Ser B	910,000	827,163	2.600%	10/13/22	09/01/27	1,736	QUARTERLY
<b>Mun. Securities TOTAL</b>	<b>\$ 51,805,000</b>	<b>\$ 47,365,936</b>					
<b>Municipal Securities TOTAL</b>	<b>\$ 51,805,000</b>	<b>\$ 47,365,936</b>					

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

**Treasury Rates as of November 30, 2022**

3 month Treasury bill	4.37
6 month Treasury bill	4.70
2 Yr Treasury note	4.38
3 Yr Treasury note	4.13
5 Yr Treasury note	3.82
10 Yr Treasury note	3.68



As indicated in the above graph, treasuries increase from 3-month to 6-month notes, then decrease to 10-year notes.



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council  
 FROM: Finance Department  
 DATE: April 10, 2023  
 SUBJECT: Finance – Receive and File – Treasurer’s Report for the Month of November 2022.

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

### **CONFLICT OF INTEREST**

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### **EXECUTIVE SUMMARY**

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

Prepared by: Jeffrey Blanks, Deputy Finance Director

Reviewed by: City Manager *AA*

**City of Clovis**  
**Statement of Cash Balances**  
**As of November 30, 2022**

<b>Previous Balance</b>	\$	3,123,547.75
<b>Deposits</b>		27,853,338.40
<b>Disbursements</b>		(26,944,280.44)
<b>Current Balance</b>	\$	4,032,605.71

<b>FUNDS</b>	<b>BALANCE</b>
100 General Fund	\$ 6,310,197.75
201 Local Transportation	18,135,025.92
202 Parking and Business Improvements	138,438.83
203 Off Highway Use	71,982.73
204 Community Facilities District 2020-1	98,543.10
205 Senior Citizen Memorial Trust	55,911.65
207 Landscape Assessment District	5,408,867.36
208 Blackhorse III (95-1) Assessment District	80,200.21
301 Park & Recreation Acquisition	13,204,264.43
305 Refuse Equipment Reserve	2,272,916.12
310 Special Street Deposit Fund	44,202,503.29
313 Successor Agency	257,224.06
314 Housing Successor Agency	1,147,553.00
402 1976 Fire Bond Redemption	25,475.23
404 1976 Sewer Bond Redemption Fund	415,610.51
501 Community Sanitation Fund	16,375,382.18
502 Sewer Service Fund	37,741,389.33
504 Sewer Capital Projects-Users	484,065.67
506 Sewer Capital Projects-Developer	7,738,938.78
507 Water Service Fund	43,405,060.60
508 Water Capital Projects-Users	7,244,804.67
509 Water Capital Projects-Developer	14,490,520.95
515 Transit Fund	2,187,707.20
540 Planning & Development Services	15,865,569.96
601 Property & Liability Insurance	1,122,119.82
602 Fleet Maintenance	22,068,900.75
603 Employee Benefit Fund	7,553,987.56
604 General Government Services	24,416,526.38
605 Facilities Maintenance	3,560,368.51
606 Information Technology	6,226,720.52
701 Curb & Gutter Fund	164,246.39
703 Payroll Tax & Withholding Fund	1,610,539.91
712 Temperance/Barstow Assmt Dist (98-1)	77,503.49
713 Shepherd/Temperance Assmt Dist (2000-1)	5,820.03
715 Supp Law Enforcement Serv	8,843.45
716 Asset Forfeiture	216,102.92
720 Measure A-Public Safety Facility Tax	1,684.04
736 SA Admin Trust Fund	1,421.40
741 SA Debt Service Trust Fund	(504,327.43)
747 Housing Successor Trust Fund	1,137.98
<b>SUBTOTALS</b>	\$ 303,889,749.25
999 Invested Funds	(299,857,143.54)
<b>TOTAL</b>	\$ 4,032,605.71



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

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<u>Balance of Investments Previous Month End</u>		<u>\$302,129,598.36</u>
 <u>Time Certificates of Deposit Transactions</u>		
Investments	1,000,000.00	
Withdrawals	<u>(250,000.00)</u>	
<b>Total CD Changes</b>		750,000.00
 <u>Other Changes</u>		
Government Securities	2,537,276.00	
Local Agency Investment Fund	0.00	
Municipal Securities	3,780,000.00	
Sweep Account	<u>(9,339,730.82)</u>	
<b>Total Other Changes</b>		<u>(3,022,454.82)</u>
<b>Balance of Investments Current Month End</b>		<u>\$ 299,857,143.54</u>

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

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Insured CD's	19,245,000.00
Government Securities	133,263,674.85
US Treasury Notes	0.00
Local Agency Investment Fund	74,905,243.49
Municipal Securities	51,805,000.00
Sweep Account	<u>20,638,225.20</u>
<b>Investment Total</b>	<u>\$ 299,857,143.54</u>

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

<b>Institution</b>	<b>Face Value</b>	<b>Investment Balance At Amortized Cost</b>	<b>Maturity</b>	<b>Stated Rate</b>
FHLB	8,000,000.00	8,014,455	12/9/2022	1.875%
FHLB	5,000,000.00	5,015,560	12/9/2022	1.875%
FAMCMTN	8,500,000.00	8,517,404	2/27/2023	1.350%
FHLB	13,000,000.00	13,233,882	3/10/2023	2.125%
FHLB	5,000,000.00	5,106,310	3/10/2023	2.125%
FFCB	5,000,000.00	5,000,000	3/1/2024	0.250%
FHLB	5,000,000.00	4,998,321	3/8/2024	3.625%
FFCB	2,000,000.00	1,995,012	3/8/2024	0.300%
FHLB	2,000,000.00	1,999,258	3/18/2024	0.350%
FHLB	5,000,000.00	5,000,000	6/7/2024	1.050%
FHLB	1,000,000.00	941,770	6/24/2024	0.700%
FHLB	5,000,000.00	4,975,169	11/15/2024	1.750%
FHLB	1,735,000.00	1,595,506	12/30/2024	0.500%
FHLB	4,000,000.00	3,983,740	2/28/2025	2.750%
FAMCMTN	4,000,000.00	4,000,000	4/25/2025	0.750%
FAMCMTN	4,000,000.00	3,956,650	7/28/2025	0.600%
FHLB	5,000,000.00	5,000,000	8/28/2025	0.580%
FHLB	5,000,000.00	4,956,740	9/8/2025	0.750%
FFCB	5,000,000.00	4,968,743	2/11/2026	0.940%
FHLB	4,000,000.00	3,933,616	2/24/2026	1.150%
FHLB	5,000,000.00	4,971,593	9/28/2026	1.250%
FHLB	4,000,000.00	3,649,200	10/28/2026	2.125%
FHLB	6,000,000.00	5,989,499	11/24/2026	1.020%
FHLB	5,000,000.00	5,113,093	12/11/2026	0.900%
FHLB	4,500,000.00	4,043,250	2/24/2027	2.375%
FHLB	5,000,000.00	4,574,856	2/24/2027	1.020%
FHLB	4,000,000.00	3,730,049	2/26/2027	3.250%
FHLB	4,000,000.00	4,000,000	3/8/2027	3.600%



# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: April 10, 2023

SUBJECT: General Services – Approval – Res. 23-\_\_\_\_, Amending the City’s FY 2022-2023 Position Allocation Plan by adding five (5) full time Utility Worker positions to convert five (5) extra help budgeted Utility Workers within the Public Utilities Department.

ATTACHMENTS: 1. Res. 23-\_\_\_\_, Position Allocation Plan

### CONFLICT OF INTEREST

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### RECOMMENDATION

For Council to approve a resolution amending the City’s FY 2022-2023 Position Allocation Plan by adding five (5) full time Utility Worker positions to convert five (5) extra help budgeted Utility Workers within the Public Utilities Department.

### EXECUTIVE SUMMARY

Currently, the Public Utilities Department is authorized for thirty (30) Utility Worker positions for fiscal year 2022-2023. It is recommended that the City’s Position Allocation Plan be amended by converting five (5) budgeted extra help Utility Workers to five (5) full time Utility Worker positions within the Public Utilities Department. Utility Workers perform entry level tasks for the Public Utilities Department. Council approval is required for changes to the Position Allocation Plan.

### BACKGROUND

The Public Utilities Department employs extra help Utility Worker’s for coverage in operations and uses this process to assess an employee’s performance prior to offering full time work. Solid Waste (Community Sanitation) will typically have four (4) extra help Utility Workers at any given time to provide necessary support to operations, and these extra help workers generally work in a 40 hour per week capacity. Parks has one (1) extra help Utility Worker that compliments the crew and works a 40 hour a week equivalent. After evaluation of current uses of extra help Utility Workers in Public Utilities, and to ensure employees receive benefits as required by law, the

Department is recommending converting these positions to full time by adding five (5) Utility Worker positions to support the current needs of the department.

The position allocation change would result in a total of thirty-five (35) full time Utility Worker positions within the Department. The desired position allocation change results in the need to modify the City's Position Allocation Plan, which requires Council approval.

### **FISCAL IMPACT**

The conversion of positions will provide for savings in the extra help budgeted line item for FY 2022-2023. Additional costs for wage discrepancy and benefits would be approximately \$16,000 for the remainder of FY 2022-23 for all five full-time positions. There are adequate funds in the Public Utilities Department budget to cover additional costs for the positions.

### **REASON FOR RECOMMENDATION**

The addition of five (5) Utility Worker positions will provide needed support within the Public Utilities Department. The change must be reflected in the authorized FY 2022-2023 Public Utilities Department position allocation. Modification of the Position Allocation Plan requires Council Approval.

### **ACTIONS FOLLOWING APPROVAL**

The position allocation for the Public Utilities Department will be modified as noted in Attachment A of Attachment 1.

Prepared by: Shonna Halterman, General Services Director

Reviewed by: City Manager *AH*

**RESOLUTION 23-\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
APPROVING AMENDMENTS TO THE CITY'S FY 22-23 POSITION ALLOCATION PLAN**

**WHEREAS**, the FY 22-23 Position Allocation Plan in the Public Utilities Department was approved as part of the FY 22-23 City budget adoption process; and

**WHEREAS**, a review of the staffing needs of the City indicates that the addition of five (5) Utility Worker positions to replace five (5) extra help Utility Worker positions is necessary in order to be ensure employee receive benefits as required by law, and to provide the needed support and work within the Public Utilities Department; and

**WHEREAS**, amending the City's adopted FY 22-23 Position Allocation Plan requires City Council authorization.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Clovis that the City's FY 22-23 Position Allocation Plan shall be amended as noted 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 April 10, 2023, by the following vote to wit:

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

DATED: April 10, 2023

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**POSITION ALLOCATION ADJUSTMENT BY DEPARTMENT FY 22-23**

DEPARTMENT		NUMBER OF POSITIONS
<b>Public Utilities Department</b>		
Add:	Utility Worker – Community Sanitation	4.0
Add:	Utility Worker – Parks	1.0



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: April 10, 2023

SUBJECT: General Services – Approval – Res. 23-\_\_\_\_, Authorizing the City Manager to Execute and File Applications, Certifications and Assurances, and Grant and Cooperative Agreements with the Federal Transit Administration.

ATTACHMENTS: 1. Resolution

### **CONFLICT OF INTEREST**

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### **RECOMMENDATION**

For the City Council to authorize the City Manager to execute and file applications, certifications and assurances, and grant and cooperative agreements with the Federal Transit Administration.

### **EXECUTIVE SUMMARY**

The City of Clovis is in the process of becoming a recipient of federal funding through the Federal Transit Administration (FTA) for public transportation services. FTA has numerous requirements to become a recipient of federal funds. One of those requirements is for the City to identify a designated official, under resolution, and authorize the designated official to execute and file applications, certifications and assurances, and grant and cooperative agreements with FTA.

### **BACKGROUND**

Clovis Transit operates and offers public transit services to Clovis and surrounding communities using state and local funding from the California Transportation Development Act (TDA), SB1 State of Good Repair (SB1 SGR), Measure C, and other grant-specific funds. Historically, staff has evaluated the benefits, requirements, and impediments to seeking federal funding but deferred the acceptance of federal funds primarily due to space and staffing limitations. In 2018, the city hired Michael Baker Consultants to assist in determining the advantages, disadvantages, and potential challenges in moving forward to accept federal funds through the Federal Transit Administration (FTA). Clovis Transit is eligible for the FTA's Urbanized Area Formula Funding

(49 USC 5307), also known as 5307 funds. Michael Baker's analysis has determined it would be advantageous for the City to seek and become a recipient of 5307 funds. This decision was based primarily on the need for capital and operating funds to attain compliance with the California Air Resources Board (CARB) Innovative Clean Transit Rule that was passed in 2018.

As a federal fund recipient, Clovis Transit will receive formulaic 5307 funds based on population and regional data, as well as access to apply for additional funding opportunities for capital, construction, planning, and vehicle replacement. City staff has begun the extensive process to become an FTA recipient. One of the requirements is for the City Council to approve a resolution designating and authorizing an official to execute and file applications, certifications and assurances, and grant and cooperative agreements with FTA. The approved resolution and other documentation will be submitted to FTA staff for processing.

#### **FISCAL IMPACT**

None. When Clovis becomes a federal fund recipient, there is a potential for \$3 million or more in additional operating revenue for transit in the future as well as competitive grants for capital purchases.

#### **REASON FOR RECOMMENDATION**

The Federal Transit Administration requires a new recipient to issue a resolution from the City Council to designate and authorize an official to file and administer applications, certifications and assurances, grants, and cooperative agreements with FTA.

#### **ACTIONS FOLLOWING APPROVAL**

Staff will submit the approved resolution and other required documents to the Federal Transit Administration (FTA) for processing, activation, and creation of the Clovis Transit's account.

Prepared by: Amy Hance, General Services Manager

Reviewed by: City Manager *AH*



**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS AUTHORIZING THE CITY MANAGER FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C., CHAPTER 53, TITLE 23 UNITED STATES CODE, OR OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.**

**WHEREAS**, the Federal Transit Administration has been delegated authority to award federal financial assistance for a transportation project; and

**WHEREAS**, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the applicant, and may require the applicant to provide the local share of the project cost; and

**WHEREAS**, the applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Clovis hereby authorizes the City Manager to execute and file an application for federal assistance on behalf of the City of Clovis, designated recipient as defined by 49 U.S.C. § 5307(a), with the Federal Transit Administration for federal assistance authorized by 49 U.S.C. Chapter 53, title 23, United States Code, or other federal statutes authorizing a project administered by the Federal Transit Administration.

That the City Manager is authorized to execute and file with its application(s) the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a federal assistance grant or cooperative agreement.

That the City Manager is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Clovis.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on April 10, 2023, by the following vote, to wit.

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

DATED: April 10, 2023

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: April 10, 2023

SUBJECT: Planning and Development Services – Approval – Final Acceptance for CIP 15-13, Landfill Left Turn Lane.

ATTACHMENTS: 1. Vicinity Map

### **CONFLICT OF INTEREST**

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### **RECOMMENDATION**

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

### **EXECUTIVE SUMMARY**

The project consisted of widening Auberry Road to provide room for a new left turn lane at the City of Clovis Landfill entrance to improve the safety at this location by clearly delineating the through lanes and the left turning lane. The project is located in Fresno County, at 15679 Auberry Road, approximately 3.7 miles north of the intersection at E Copper Avenue and Auberry Road.

### **BACKGROUND**

Bids were received on January 25, 2022, and the project was awarded by the City Council to the low bidder, De Anda Company, on February 7, 2022. The project was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

**FISCAL IMPACT**

1.	Award	\$308,541.50
2.	Cost increases/decreases resulting from differences between estimated quantities used for award and actual quantities installed.	\$10,611.68
3.	Contract Change Orders CCO 1 This change order was intended to compensate De Anda for general cost increases due to inflation.	<u>\$31,853.75</u>
	<b>Final Contract Cost</b>	<u><b>\$351,006.93</b></u>

While the contract was awarded by Council in January 2022, it was not fully executed until September 2022. This delay was due to timing and implementation of required environmental mitigation measures on site that prohibited the start of any construction activity. While some cost fluctuation is expected and to be included in the bid, the general cost of construction during this period increased significantly due to extreme spikes in inflation. The contractor was granted only a portion of the cost increase he requested.

This project was approved in the Community Investment Program 2022-2023 fiscal year budget and was funded by the Refuse Enterprise Fund through the City Community Investment Program.

**REASON FOR RECOMMENDATION**

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

**ACTIONS FOLLOWING APPROVAL**

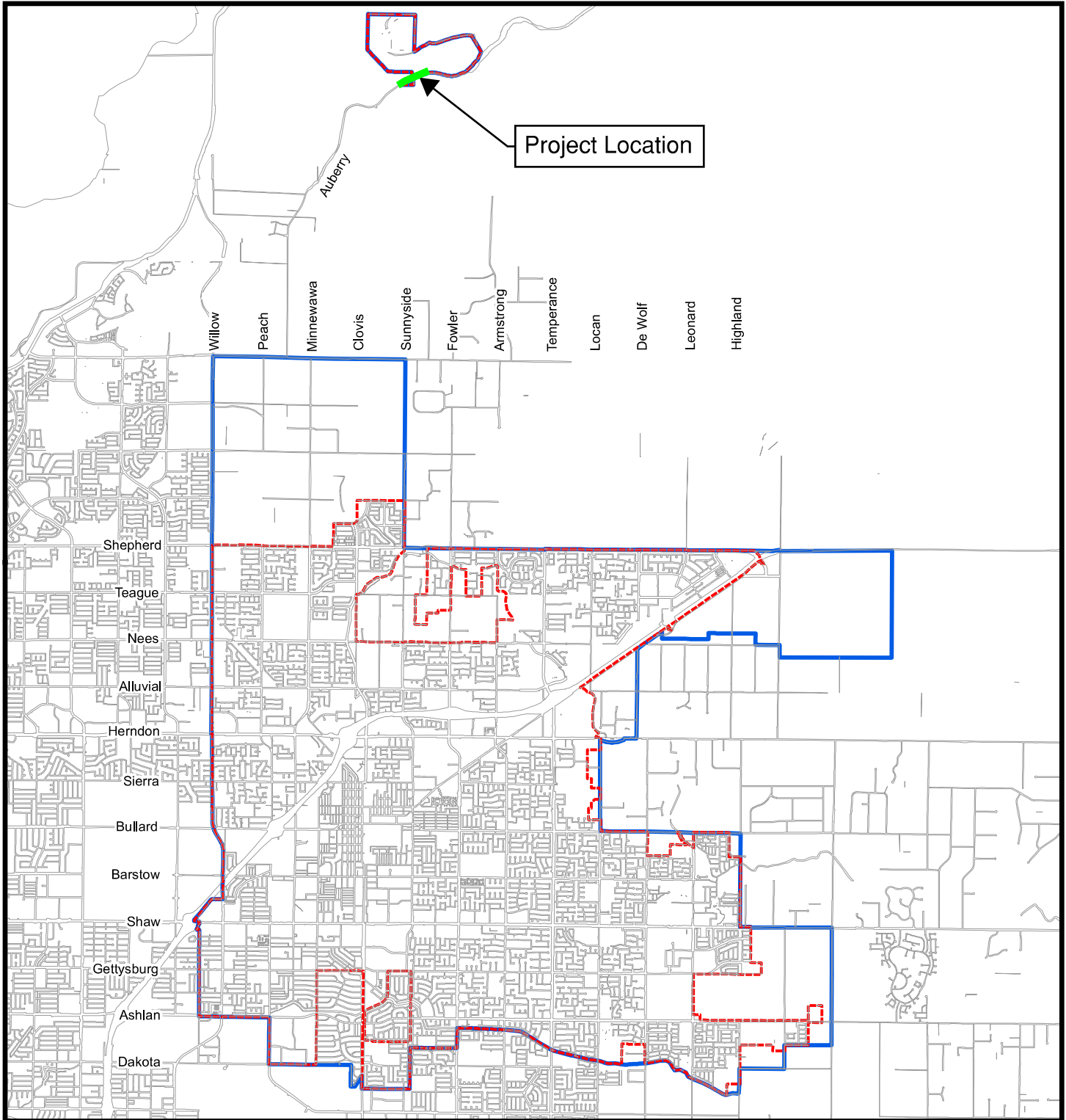
1. The Notice of Completion will be recorded; and
2. All remaining retention funds will be released no later than 35 calendar days following recordation of the notice of completion, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided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

Prepared by: Shawn Scott, Engineering Inspector

Reviewed by: City Manager *AH*

# VICINITY MAP

## CIP 15-13 Landfill Left Turn Lane



Project Location



### Attachment 1





# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: April 10, 2023

SUBJECT: Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of a 2024 Ford F750 Super Duty Truck from Future Ford of Clovis in the amount of \$97,268.98.

ATTACHMENTS: None.

### **CONFLICT OF INTEREST**

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### **RECOMMENDATION**

For the City Council to approve waiving the City's formal bidding requirements and authorize the purchase of a 2024 Ford F750 truck from the local dealership Future Ford of Clovis in the amount of \$97,268.98, including fees and taxes.

### **EXECUTIVE SUMMARY**

There are funds in this fiscal year's Fleet Renewal budget to purchase a 2024 Ford F750 for the Public Utilities Department Water Division. The existing equipment is scheduled to be replaced due to its age. Future Ford's bid price is \$97,268.98, including tax, freight, and Fleet pricing discount. The new truck meets current emissions requirements.

Staff requests waiving formal bidding procedures due to the lack of viable vendors, as authorized by Clovis Municipal Code Section 2.7.06(a) and Section IV.C. of the City's Purchasing Manual. City staff has requested multiple quotes and only one vendor was able to supply a quote to order the vehicle.

### **BACKGROUND**

The recommended vehicle is available from Future Ford of Clovis and meets the Department's needs. The vehicle is available to be ordered and will be built according to Public Utilities Department Water Division needs.

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

#### **FISCAL IMPACT**

Funds were included in the 2022-2023 Fleet Capital Acquisition budget, often referred to as the Fleet renewal or Fleet replacement budget. The Water Division in the Public Utilities Department has accumulated the necessary funds for replacement of the equipment.

#### **REASON FOR RECOMMENDATION**

The existing truck has been in service for almost 12 years and is scheduled for replacement. Staff has evaluated the available equipment and it meets the needs of the Public Utilities Department Water Division. The proposed method of purchasing the equipment is cost-effective and sufficient funds are available.

#### **ACTIONS FOLLOWING APPROVAL**

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

Prepared by: Jim Stringfield, Fleet Manager

Reviewed by: City Manager *AK*



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council  
 FROM: Administration Department  
 DATE: April 10, 2023  
 SUBJECT: Receive and File – Water and Sewer Major Facilities Workshop.

**Staff:** Mike Harrison, City Engineer / Paul Armendariz, Assistant Public Utilities Director

**Recommendation:** Receive and File

City Engineer Mike Harrison and Assistant Public Utilities Director Paul Armendariz will provide a verbal presentation on this item.

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

The purpose of this workshop is to provide the City Council an update on the challenges the City is facing over the next twenty years in providing sewer and water for new development as well as maintaining the current infrastructure given the current funding stream and significant cost associated with needed capital projects.

Key takeaways for City Council:

- The City has a policy that new development will pay its own way by way of Development Impact Fees (DIFs);
- Have a basic understanding of what DIFs are;
- Understand that when DIFs are below what the annual bond payments are, the City borrows from existing users, current debt approximately \$20M;
- The current fee structure does not support the full cost of all current and future needed capital projects;
- Understand that if the City does not have adequate funding for current and future capital projects, staff then needs to prioritize repairing / replacing older infrastructure or investing in future development;

- The City currently uses DIF revenue to pay for annual bond payments for past projects similar to a mortgage payment;
- In a perfect world, the City of Clovis would collect DIFs and hold them in reserves to pay for future capital projects;
- A basic understanding of the City's Wastewater (sewer) system;
- The City is unable to bond for any sewer projects until approximately 2035 because of current indebtedness;
- Challenges associated with providing the Wastewater infrastructure and meeting the demand of new development;
- A basic understanding of the City's Water and Recycled Water System;
- Challenges associated with providing the Water and Recycled Water infrastructure and meeting the demand of new development;
- Understand that despite all of these challenges staff believes the City will be able to support development with water and sewer for the next 20 years.





# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: April 10, 2023

SUBJECT: Consider – A request from the Clovis Unified School District Board for the City of Clovis to temporarily provide water and sewer services to the future Terry Bradley Educational Center, located between Leonard and Highland Avenues north of McKinley Avenue, in unincorporated Fresno County and within the City of Fresno’s sphere of influence.

**Staff:** Paul Armendariz, Assistant Public Utilities Director

**Recommendation:** Consider

ATTACHMENTS: 1. A letter from Clovis Unified School District Board President David DeFrank received on March 16, 2023.

### CONFLICT OF INTEREST

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### RECOMMENDATION

For the City Council to consider a request from the Clovis Unified School District Board for the City of Clovis to temporarily provide water and sewer services to the future Terry Bradley Educational Center, located between Leonard and Highland Avenues north of McKinley Avenue, in unincorporated Fresno County and within the City of Fresno’s sphere of influence. Staff is seeking direction on whether or not to begin the analysis to determine if the City of Clovis can provide the requested sewer and water services at the location of the Terry Bradley Educational Center.

### EXECUTIVE SUMMARY

Staff is in receipt of a letter from Clovis Unified School District Board President David DeFrank to the Clovis City Council received on March 16, 2023. In the letter Board President DeFrank is requesting the new Terry Bradley Education Center (TBEC) be connected to the City of Clovis sewer and water services until those services become available from the City of Fresno. The school site is currently in unincorporated Fresno County, and within the sphere of influence of

the City of Fresno in the South East Development Area (SEDA). The draft SEDA plan would add approximately 45,000 housing units across 9,000 acres upon completion.



The needed infrastructure such as sewer and water are not currently available for the TBEC. It is likely that needed infrastructure for the current location will not be available for ten to fifteen years. Clovis Unified initially considered using four on-site wells for water and build or lease a wastewater “package” plant. CUSD is currently scheduled to have students on campus in the fall of 2025, approximately 30 months from now. In the City’s experience of building and permitting water and sewer facilities, it is likely to take much longer than that to permit and build such infrastructure. CUSD has not been able to accelerate the installation of needed sewer and water infrastructure from the City of Fresno. CUSD is now reaching out to the City of Clovis to see if the City can provide sewer and water.

Staff believes that the easiest path forward would be to have CUSD work with the City of Fresno on providing sewer and water services as that is the jurisdiction that will ultimately serve the TBEC. Can the City of Clovis provide sewer and water services to the TBEC? From a practical standpoint, the simple answer is yes, unless there are some legal restrictions associated with providing sewer and / or water to a school system outside the city limits, in unincorporated Fresno County that will ultimately be in the City of Fresno. It will likely require a multi-jurisdictional agreement between the City of Clovis, CUSD, the County of Fresno, and the City of Fresno.

As of the timing of the draft of this staff report, CUSD was meeting with the City of Fresno to determine if the City of Fresno could provide water to the TBEC. Staff will know more about those discussions by Monday’s meeting. If the City of Clovis was not asked to provide water to the TBEC, a huge hurdle would be removed. If the City of Clovis were only asked to provide sewer services, a sewer line would need to be installed from the TBEC north to Ashlan Avenue then east to the City’s Water Reuse Facility for treatment.

At this point staff is only seeking direction on whether or not to begin the analysis to determine if the City of Clovis can provide the requested services at the location of the Terry Bradley Educational Center.

**FISCAL IMPACT**

Staff would recommend that CUSD incur all costs associated with the analysis and, if we move forward, all costs for planning, constructing, and operating any sewer and water infrastructure required to support the TBEC.

**REASON FOR RECOMMENDATION**

The City is in receipt of a request from CUSD to provide sewer and water to the TBEC.

**ACTIONS FOLLOWING APPROVAL**

Staff will implement Council direction.

Prepared by: John Holt, City Manager

Reviewed by: City Manager *JH*

MAR 16 '23 PM 2:55



Dear City of Clovis City Council Members,

I am writing to you on behalf of the Clovis Unified School Board to request that the new Terry Bradley Educational Center be connected to the City of Clovis sewer and water services until the services become available from the City of Fresno. Our school is in need of reliable access to these services, and we believe that connecting to the City of Clovis services would be the best solution.

As you know, this school will be located in an area where the City of Fresno does not yet provide sewer and water services. We have been informed that it will be several years before the City of Fresno can provide these services to our schools. During this time, it is essential that our schools have reliable access to sewer and water services.

We understand that this will require cooperation between the City of Clovis and the Clovis Unified School District as well as the City of Fresno and Fresno County. We are willing to work with all parties to make this happen, and we believe that it will be in the best interest of our community. We look forward to your response and hope that we can work together to ensure that our schools have the essential services they need.

Thank you for your time and consideration.

Sincerely,

David DeFrank  
Clovis Unified School Board President

**Governing Board**

- Hugh Awtrey
- Deena L. Combs-Flores
- David DeFrank
- Steven G. Fogg, M.D.
- Yolanda Moore
- Clinton Olivier
- Tiffany Stoker Madsen

**Administration**

- Elmear O'Brien, Ed.D.  
*Superintendent*
- Norm Anderson  
*Deputy Superintendent*
- Robyn Castillo, Ed.D.  
*Associate Superintendent*
- Corrine Folmer, Ed.D.  
*Associate Superintendent*
- Barry S. Jager, Jr.  
*Associate Superintendent*
- Michael Johnston  
*Associate Superintendent*

**Attachment 1**



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council  
 FROM: Administration  
 DATE: April 10, 2023  
 SUBJECT: Consider Approval – Change of Council Meeting Schedule.

**Staff:** John Holt, City Manager

**Recommendation:** Approve

ATTACHMENTS: None.

### CONFLICT OF INTEREST

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### RECOMMENDATION

For the City Council to approve the addition of a special meeting on Friday, April 14, 2023, and cancellation of the regular Council meeting scheduled for Monday, April 17, 2023.

### EXECUTIVE SUMMARY

There is a need to change the schedule of meetings for the City Council in April. Staff is recommending that City Council approve the addition of a special meeting on Friday, April 14, 2023, and canceling the meeting of April 17, 2023.

### BACKGROUND

Staff is recommending that City Council consider approving a special meeting on April 14, 2023. On March 24, 2023, Mayor Ashbeck and Mayor Pro Tem Mouanoutoua facilitated a workshop with stakeholders in an effort to capture the three leading trends in various sectors important for the City to consider/understand looking ahead. This meeting allowed Mayor Ashbeck, Mayor Pro Tem Mouanoutoua, and staff to hear from our community's leaders as the City prepares to refresh the City's long-range Vision, Mission, and Guiding Principles. The purpose of the April 14, 2023, special meeting is to take that information gathered from the first meeting and for City Council to evaluate any impacts on the City's long-range Vision, Mission, and Guiding Principles with input from the City's Executive Leadership Team. The meeting is scheduled to be held at 8:00 a.m. in the Emergency Operations Center located at 1233 Fifth Street, Clovis, CA 93612.

Staff was also able to consolidate the agenda items to the first and second Council meetings in April. Therefore, staff is also recommending Council consider canceling the meeting of April 17, 2023, due to the limited number of items on the agenda. 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: April 10, 2023

SUBJECT: Consider Approval – To submit a letter of Opposition for Assembly Bill 595– Essayli - Animal Shelters: 72-Hour Public Notice: Euthanasia: Study.

**Staff:** John Holt, City Manager  
**Recommendation:** Approve

ATTACHMENTS: 1. Proposed Legislation – AB 595  
 2. Draft Letter of Opposition – AB 595

### CONFLICT OF INTEREST

Councilmembers should consider recusal if a campaign contribution exceeding \$250 has been received from the project proponent (developer, applicant, agent, and/or participants) since January 1, 2023 (Government Code 84308).

### RECOMMENDATION

For the City Council to submit a letter in opposition to Assembly Bill 595 - Essayli, proposing a 72-hour posting notice on animals to be euthanized.

### EXECUTIVE SUMMARY

Assembly Bill 595, authored by Assemblymember Essayli, has been introduced to require a 72-hour posting notice on animals to be euthanized and exposes shelter workers to criminal charges if they do not comply. This bill would result in a devastating increase in euthanasia for many shelters in our state who are currently giving pets every opportunity until the last moment possible to find placement. If the recommendation is approved, staff will draft a letter to submit to the legislature for consideration.

### BACKGROUND

Assembly Bill 595, authored by Assemblymember Essayli, has been introduced to require a 72-hour posting notice on animals to be euthanized and exposes shelter workers to criminal charges if they do not comply.

Current law declares that it is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Current law also declares that it is the policy of the state that no treatable animal should be euthanized. This bill, Bowie's Law, would require all animal shelters, as defined, to provide public notice on their internet website at least 72 hours before euthanizing any animal and include the date that an animal is scheduled to be euthanized, except as provided. By creating new requirements regarding this public notice, the violation of which would be a crime, and by imposing new requirements on a public animal control agency or shelter, the bill would constitute a state-mandated local program.

AB 595 will increase euthanasia of California's shelter animals. The average length of stay of an animal in a shelter is more than 20 days at this time. During that time shelters are aggressively reaching out to rescue organizations, partner shelters in the state, and promoting reduced fee and fee waived adoptions. If a shelter reaches a point where they are out of options and have to euthanize for space, that means there is literally no space available. A shelter cannot then keep the animal for an additional 72 hours. As such, in order to manage these posting requirements, shelters will have to reduce capacity to keep space available for legally obligated intakes. To do that, they will need to euthanize animals sooner, an undesirable outcome.

AB 595 creates a reimbursable state mandate which would require reimbursement by the State for all funds expended in response to this bill. By requiring animals to be held an additional 72 hours, the state would be required by California law to compensate every shelter complying with the law for any monies expended because of the bill's requirements. In 2001, the Commission on State Mandates determined that large portions of the 1998 Hayden Act needed to be suspended because the state was not reimbursing shelters for the additional cost of holding animals longer than current law allowed. This bill will trigger the same requirements and therefore must be re-evaluated to include fiscal impact. There are hundreds of public and nonprofit shelters in California, and the vast majority are government entities or shelters with government contracts that will unquestionably incur additional costs under the bill's requirements.

AB 595 threatens shelter animals' greatest allies with jail time for caring. Our animal control and humane law enforcement officers bring multiple lost, stray animals in daily. Shelter staff members and volunteers conduct extensive outreach to rescue organizations to encourage transfers and agencies run frequent adoption promotions and have robust foster programs to get animals out safely. Sadly, when outreach efforts fail, there are days when shelter staff must make the single most difficult decision in their job – to euthanize any animal. Though many people want to minimize the emotional impact these euthanasia decisions have on our staff, imagine caring for dogs and cats for weeks, trying to find them homes or other options just to then have to euthanize. It is highly distressing for animal shelter workers to euthanize animals; particularly those that are healthy and adoptable. The threat of criminal sanctions will almost surely drive these humane workers from their jobs for fear of being jailed for their best efforts at saving animals who end up in shelters.

AB 595's criminal provisions are vague. It is unclear who would be held criminally liable – staff that posts the animals or inadvertently does not list one, the professional who euthanizes the animal, their supervisor, the shelter director, City Councilmembers who oversee the shelter?



Those who choose careers in animal welfare do so because they care deeply about animals. These jobs are hard and emotionally difficult, rarely well-paid, and subject to easy burn-out. These individuals who work in shelters will have jobs that become threats to their freedom if faced with legislation that potentially holds them criminally liable – for caring.

This bill does not address the cause of shelter overcrowding, or of euthanasia, in California. Animal shelters do not contribute to the proliferation of homeless animals in our state. The reasons that animals end up in shelters are caused by societal factors. Government and non-profit shelters are a safe haven for animals, but when societal problems place an overwhelming burden on existing systems, they are stretched beyond lifesaving capacity. Insurance limitations, rental barriers, job loss, inflation, and a severe and statewide lack of access to affordable veterinary care are all contributing factors in California animal shelter intake. These factors also impact the public's ability to adopt. Animal shelters receive no federal or state funding to operate, but are expected to provide industry leading care with inadequate support. Most government animal shelters are significantly underfunded to serve the animals and meet community expectations.

The position of the League of Cities is stated as “watch” at this time.

#### **FISCAL IMPACT**

None at this time.

#### **REASON FOR RECOMMENDATION**

The position this bill is recommending is not in the best interest of the City.

#### **ACTIONS FOLLOWING APPROVAL**

If approved, staff will draft a letter of opposition with the Mayor's signature.

Prepared by: Rebecca Simonian, Executive Assistant

Reviewed by: City Manager *RS*

AMENDED IN ASSEMBLY MARCH 21, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**ASSEMBLY BILL**

**No. 595**

**Introduced by Assembly Member Essayli**

*(Coauthors: Assembly Members Alanis, Wendy Carrillo, Chen, Dixon, Flora, Friedman, Gallagher, Hoover, Jackson, Lackey, Low, Mathis, Joe Patterson, Waldron, and Wallis)*

*(Coauthors: Senators Newman, Seyarto, and Wilk)*

February 9, 2023

An act to add Section 32004 to, and to add and repeal Section 32005 of, the Food and Agricultural Code, relating to animal shelters.

LEGISLATIVE COUNSEL'S DIGEST

AB 595, as amended, Essayli. Animal shelters: 72-hour public notice: euthanasia: study.

Existing law declares that it is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Existing law also declares that it is the policy of the state that no treatable animal should be euthanized. Existing law provides that a violation of the Food and Agricultural Code is a misdemeanor, unless a different penalty is expressly provided.

This ~~bill~~ *bill, Bowie's Law*, would require all animal shelters, as defined, to provide public notice on their internet website at least 72 hours before euthanizing ~~an adoptable dog or cat, as defined, any animal~~ and include the date that an ~~adoptable dog or cat~~ *animal* is scheduled to be euthanized, *except* as provided. By creating new requirements regarding this public notice, the violation of which would be a crime, *and by imposing new requirements on a public animal control agency or shelter*, the bill would constitute a state-mandated local program.

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The bill would also require the Department of Food and Agriculture to conduct a study on the overcrowding of California’s animal shelters, the ways in which the state might address animal shelter overcrowding, and the feasibility of a statewide database of ~~adoptable dogs or cats, as specified.~~ *dogs and cats that provides public notice and information at the statewide level, as specified.* The bill would require the department to, on or before January 1, 2026, submit a report on its study findings to the Legislature, as provided. The bill would repeal these study and reporting requirements on January 1, 2027.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

*With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. This act shall be known, and may be cited, as
- 2 Bowie’s Law.
- 3 ~~SECTION 1.~~
- 4 SEC. 2. Section 32004 is added to the Food and Agricultural
- 5 Code, to read:
- 6 32004. (a) ~~Except for an animal irremediably suffering~~
- 7 *from a serious illness or severe injury pursuant to Section 17006,*
- 8 *newborn animals that need maternal care and have been*
- 9 *impounded without their mothers pursuant to Section 17006, and*
- 10 *dogs with a history of vicious or dangerous behavior documented*
- 11 *by the agency charged with enforcing state and local animal laws*

1 pursuant to subdivision (b) of Section 31108.5, an animal shelters  
2 shelter shall provide public notice on their its internet website at  
3 least 72 hours before euthanizing an adoptable dog or cat any  
4 animal and shall include information that includes, but is not  
5 limited to, the date that an adoptable dog or cat an animal is  
6 scheduled to be euthanized.

7 (b) As used in this section, the following terms have the  
8 following meanings: “animal shelter” means a public animal  
9 control agency or shelter, society for the prevention of cruelty to  
10 animals shelter, or humane society shelter.

11 (1) “Adoptable dog or cat” means a dog or cat eight weeks of  
12 age or older that, at or subsequent to the time the animal is  
13 impounded or otherwise taken into possession, has manifested no  
14 sign of a behavioral or temperamental defect that could pose a  
15 health or safety risk, and has manifested no sign of disease, injury,  
16 or congenital or hereditary condition that adversely affects the  
17 health of the animal or that is likely to adversely affect the animal’s  
18 health in the future.

19 (2) “Animal shelter” means a public animal control agency or  
20 shelter, society for the prevention of cruelty to animals shelter,  
21 humane society shelter, or rescue group.

22 (3) “Rescue group” means a for-profit or not-for-profit entity  
23 or a collaboration of individuals that removes dogs or cats, or both,  
24 from a public animal control agency or shelter, society for the  
25 prevention of cruelty to animals shelter, or humane shelter, or  
26 rehomes a dog or cat, or both, that has been previously owned by  
27 any person other than the original breeder.

28 SEC. 2.

29 SEC. 3. Section 32005 is added to the Food and Agricultural  
30 Code, to read:

31 32005. (a) The department shall conduct a study on all of the  
32 following topics:

- 33 (1) The overcrowding of California’s animal shelters.
- 34 (2) The ways in which the state might address animal shelter  
35 overcrowding.
- 36 (3) The feasibility of a statewide database of adoptable dogs or  
37 and cats that provides public notice and information at the  
38 statewide level in a manner consistent with Section 32004,  
39 including, but not limited to, by pursuing a public-private  
40 partnership.

1 (b) On or before January 1, 2026, the department shall submit  
 2 a report on its study findings pursuant to subdivision (a) to the  
 3 Legislature in compliance with Section 9795 of the Government  
 4 Code.

5 (c) As used in this section, ~~the following terms have the~~  
 6 ~~following meanings:~~ “*animal shelter*” means a public animal  
 7 control agency or shelter, society for the prevention of cruelty to  
 8 animals shelter, or humane society shelter.

9 (1) ~~“Adoptable dog or cat” means a dog or cat eight weeks of~~  
 10 ~~age or older that, at or subsequent to the time the animal is~~  
 11 ~~impounded or otherwise taken into possession, has manifested no~~  
 12 ~~sign of a behavioral or temperamental defect that could pose a~~  
 13 ~~health or safety risk, and has manifested no sign of disease, injury,~~  
 14 ~~or congenital or hereditary condition that adversely affects the~~  
 15 ~~health of the animal or that is likely to adversely affect the animal’s~~  
 16 ~~health in the future.~~

17 (2) ~~“Animal shelter” means a public animal control agency or~~  
 18 ~~shelter, society for the prevention of cruelty to animals shelter,~~  
 19 ~~humane society shelter, or rescue group.~~

20 (3) ~~“Rescue group” means a for-profit or not-for-profit entity~~  
 21 ~~or a collaboration of individuals that removes dogs or cats, or both,~~  
 22 ~~from a public animal control agency or shelter, society for the~~  
 23 ~~prevention of cruelty to animals shelter, or humane shelter, or~~  
 24 ~~rehomes a dog or cat, or both, that has been previously owned by~~  
 25 ~~any person other than the original breeder.~~

26 (d) This section shall remain in effect only until January 1, 2027,  
 27 and as of that date is repealed.

28 ~~SEC. 3. No reimbursement is required by this act pursuant to~~  
 29 ~~Section 6 of Article XIII B of the California Constitution because~~  
 30 ~~the only costs that may be incurred by a local agency or school~~  
 31 ~~district will be incurred because this act creates a new crime or~~  
 32 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
 33 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
 34 ~~the Government Code, or changes the definition of a crime within~~  
 35 ~~the meaning of Section 6 of Article XIII B of the California~~  
 36 ~~Constitution.~~

37 *SEC. 4. No reimbursement is required by this act pursuant to*  
 38 *Section 6 of Article XIII B of the California Constitution for certain*  
 39 *costs that may be incurred by a local agency or school district*  
 40 *because, in that regard, this act creates a new crime or infraction,*

1 *eliminates a crime or infraction, or changes the penalty for a crime*  
2 *or infraction, within the meaning of Section 17556 of the*  
3 *Government Code, or changes the definition of a crime within the*  
4 *meaning of Section 6 of Article XIII B of the California*  
5 *Constitution.*

6 *However, if the Commission on State Mandates determines that*  
7 *this act contains other costs mandated by the state, reimbursement*  
8 *to local agencies and school districts for those costs shall be made*  
9 *pursuant to Part 7 (commencing with Section 17500) of Division*  
10 *4 of Title 2 of the Government Code.*

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**CITY of CLOVIS**  
— CLOVIS CITY COUNCIL —

April 11, 2023

Assemblymember Bill Essayli  
State Capitol  
PO Box 942849  
Sacramento, CA 94249

**RE: AB 595 (Essayli): Animal Shelters: 72-Hour Public Notice: Euthanasia: Study.  
Notice of OPPOSITION**

Dear Assemblymember Essayli,

We are writing to express our strong opposition to AB 595, which would require a 72-hour posting notice on animals to be euthanized and exposes shelter workers to criminal charges if they do not comply. This bill would result in a devastating increase in euthanasia for many shelters in our state who are currently giving pets every opportunity until the last moment possible to find placement.

**AB 595 will increase euthanasia of California's shelter animals.** The average length of stay of an animal in a shelter is more than 20 days at this time. During that time shelters are aggressively reaching out to rescue organizations, partner shelters in the state, and promoting reduced fee and fee waived adoptions. If a shelter reaches a point where they are out of options and have to euthanize for space, that means there is literally no space available. A shelter cannot then keep the animal for an additional 72 hours. As such, in order to manage these posting requirements, shelters will have to reduce capacity to keep space available for legally obligated intakes. To do that, they will need to euthanize animals sooner, an outcome no one wants.

**AB 595 creates a reimbursable state mandate** which would require reimbursement by the State for all funds expended in response to this bill. By requiring animals to be held an additional 72 hours, the state would be required by California law to compensate every shelter complying with the law for any monies expended because of the bill's requirements. In 2001, the Commission on State Mandates determined that large portions of the 1998 Hayden Act needed to be suspended because the state was not reimbursing shelters for the additional cost of holding animals longer than current law allowed. This bill will trigger the same requirements and

therefore must be re-evaluated to include fiscal impact. There are hundreds of public and nonprofit shelters in California, and the vast majority are government entities or shelters with government contracts that will unquestionably incur additional costs under the bill's requirements.

**AB 595's criminal provisions are vague.** It is unclear who would be held criminally liable – staff that posts the animals or inadvertently does not list one, the professional who euthanizes the animal, their supervisor, the shelter director, City Councilmembers who oversee the shelter? Those who choose careers in animal welfare do so because they care deeply about animals. These jobs are hard and emotionally difficult, rarely well-paid, and subject to easy burn-out. These individuals who work in shelters will have jobs that become threats to their freedom if faced with legislation that potentially holds them criminally liable – for caring.

**This bill does not address the cause of shelter overcrowding, or of euthanasia, in California.** Animal shelters do not contribute to the proliferation of homeless animals in our state. The reasons that animals end up in shelters are caused by societal factors. Government and non-profit shelters are a safe haven for animals, but when societal problems place an overwhelming burden on existing systems, we are stretched beyond our lifesaving capacity. Insurance limitations, rental barriers, job loss, inflation, and a severe and statewide lack of access to affordable veterinary care are all contributing factors in California animal shelter intake. These factors also impact the public's ability to adopt. Animal shelters receive no federal or state funding to operate, but are expected to provide industry leading care with inadequate support. Most government animal shelters are significantly underfunded to serve the animals and meet community expectations.

In summary, we urge you to reconsider AB 595, as it would increase euthanasia of California's shelter animals. Unfortunately, this bill is not the mechanism to increase lifesaving. It does not align with how animal shelters have to lawfully function and fails to address the underlying issues that are causing animals to land in our shelters to begin with. We appreciate your consideration of our concerns.

Sincerely,

Lynne Ashbeck  
Mayor, City of Clovis