



CITY of CLOVIS

AGENDA • CITY COUNCIL MEETING

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

April 20, 2020

6:00 PM

Council Chamber

* SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19*

Given the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the City is implementing the following changes to participate in and public comment for all Council meetings until notified otherwise. The Council chambers will not be open to the public. Any member of the City Council may participate from a remote location by teleconference.

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

Written Comments

- Members of the public are encouraged to submit written comments at: <https://cityofclovis.com/government/city-council/city-council-agendas/> up to three (3) hours before the meeting. You will be prompted to provide:

- Council Meeting Date
- Item Number
- Name
- Email
- Comment (please limit to 300 words or 3 minutes)



- Please submit a separate e-mail for each item you are commenting on.
- Please specify if you would like to have your written comment read into the record. If so, your item will be read into the record during the public comment portion when the item is heard. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions, but will be made part of the record of proceedings.
- Please be aware that any public comments received that do not specify a particular agenda item will be read aloud during the general public comment portion of the agenda.
- While the entirety of each written comment will be provided to the City Council and will be included in the meeting record, staff will read only as much of each comment as allowed within a 3 minute period. Any specific points the commenter desires to be read into the record should be included at the beginning of their written comment.

- If a written comment is received after 3:00 p.m. on the day of the meeting, efforts will be made to read the comment into the record. However, staff cannot guarantee that written comments received after 3:00 p.m. will be read. All written comments that are not read into the record will be made part of the record of proceedings, provided that such comments are received prior to the end of the City Council meeting.

Verbal Comments

- If you wish to speak to the Council on the item by telephone, you must contact the City Clerk at (559) 324-2060 no later than 3:00 p.m. the day of the meeting.
 - You will be asked to provide a phone number to call you during the meeting. You will also be asked for your name so that you can be called when it is your turn to speak.
 - You will be called during the comment section for the agenda item on which you wish to speak.
 - You may be put on hold until your name is called by the Clerk.
 - You will be able to speak to the Council for up to three (3) minutes.
 - Please note that if you request a verbal comment, any written comments by the same person will not be read into the record.

CALL TO ORDER

FLAG SALUTE - Councilmember Ashbeck

ROLL CALL

1. Consider Approval – Revised City Council Meeting Protocol Imposed during COVID-19 State of Emergency.

Staff: John Holt, Assistant City Manager
Recommendation: Approve

PUBLIC COMMENT

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 13, 2020 Council Meeting.

3. Administration – Adopt - **Ord. 20-08**, Authorize Levy of Special Taxes Solely within and Relating to Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). (Vote: 5-0)
4. Planning and Development Services – Approval – Res 20-____, Adopt a list of projects funded by SB1: The Road Repair and Accountability Act.
5. Public Utilities – Approval – Preliminary Engineer’s Report; and Approval – Res. 20-____, A Resolution Declaring the City’s Intention to Levy and Collect the Annual Assessments for Landscape Maintenance District No. 1.

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

6. Consider Actions related to Annexation of Territory (Annexation #61 – T6262-northwest corner of Peach and Spruce) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).
 - a. Consider Approval - Res. 20-____, A Resolution annexing territory (Annexation #61) (T6262 - northwest corner of Peach and Spruce) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #61) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services)
 - b. Consider Approval - Res. 20-____, A Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

Staff: Jay Schengel, Finance Director
Recommendation: Approve

ADMINISTRATIVE ITEMS

7. Receive and File – Update from the Police Department regarding potential use of new technology.

Staff: Curt Fleming, Police Chief
Recommendation: Receive and File

COUNCIL ITEMS

8. Consider Approval – Appointment to Personnel and Planning Commissions.

Staff: Luke Serpa, City Manager
Recommendation: Approve

9. Consider Approval - Res. 20-____, A Resolution of the City Council of the City of Clovis confirming the Director of Emergency Services' Orders.

Staff: Luke Serpa, City Manager
Recommendation: Approve

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

CITY MANAGER COMMENTS

COUNCIL COMMENTS

ADJOURNMENT

MEETINGS AND KEY ISSUES

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

- May 4, 2020 (Mon.)
- May 11, 2020 (Mon.)
- May 18, 2020 (Mon.) (Budget Introduction)
- June 1, 2020 (Mon.)
- June 8, 2020 (Mon.)
- June 15, 2020 (Mon.)



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: April 20, 2020

SUBJECT: Consider Approval – Revised City Council Meeting Protocol Imposed during COVID-19 State of Emergency.

Staff: John Holt, Assistant City Manager

Recommendation: Approve

Assistant City Manager John Holt will give a verbal presentation on this item.

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

CLOVIS CITY COUNCIL MEETING

April 13, 2020

6:00 P.M.

Council Chamber

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

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

PUBLIC COMMENTS - None

CONSENT CALENDAR – 6:08 p.m.

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

1. Administration - Approved - Minutes from the March 21, 2020 and March 30, 2020 Council Meetings.
2. Administration - Received and Filed – Business Organization of Old Town (BOOT) Third Quarter Report, January through March 2020.
3. Finance - Approved - Selection of Auditing Firm to Perform the Annual City Financial Audit for 2019-20 through 2021-22.
4. General Services - Approved – **Res. 20-35**, Authorizing Amendments to the City’s Classification and Compensation Plan by Amending the Water Production Manager Classification and Salary Range to \$8,670 to \$10,539.
5. Planning and Development Services - Approved - **Res. 20-36**, Resolution Supplementing the List of Projects Approved with Resolution 19-142, Resolution of the City Council Supporting and Implementing the “Timely Use of Funding” as required by AB1012 for Federal Transportation Project Selection - Federal Transportation Act: Fast Act.

PUBLIC HEARINGS

ITEM 6A – 6:09 - APPROVED – **RES. 20-37**, RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES); AND ITEM 6B - APPROVED – **RES. 20-38**, RESOLUTION CALLING A SPECIAL LANDOWNER ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES); AND ITEM 6C -APPROVED – **RES. 20-39**, RESOLUTION OF THE CITY OF CLOVIS DECLARING THE RESULTS OF A SPECIAL LANDOWNER ELECTION AND DIRECTING RECORDING OF THE NOTICE OF SPECIAL TAX LIEN FOR CITY OF CLOVIS COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES); AND ITEM 6D - APPROVED INTRODUCTION – **ORD. 20-08**, AUTHORIZE LEVY OF SPECIAL TAXES SOLELY WITHIN AND RELATING TO COMMUNITY FACILITIES DISTRICT NO. 2020-1 (DRY CREEK PRESERVE SEWER FACILITIES AND SERVICES).

Supervising Civil Engineer Sean Smith presented a report on actions related to formation of the City of Clovis Community Facilities District No. 2020-1 regarding the Dry Creek Preserve Sewer Facilities and Services. The recommended actions are the next steps that are legally required in the formation of a Community Facilities District (CFD), which will fund the costs of the operation and maintenance of temporary sewer facilities planned to be installed by Woodside Homes (“Woodside”) in accordance with the terms of approval of Woodside’s Vesting Tentative Tract Map No. 6154. The CFD will also provide funding for the eventual replacement of the temporary sewer facilities and the construction of permanent sewer capital facilities to serve the development. Woodside and staff are proposing to create the CFD in order to fund these costs and to meet this ongoing health and safety need of the current and future residents of real property within the project area. CFDs are authorized through the Mello-Roos Community Facilities Act of 1982 (the Act), which provides a mechanism to fund public improvements and services. Through the establishment of a CFD, an additional special tax is placed on property tax bills of the parcels within the CFD boundaries to fund the authorized improvements and services identified when the CFD is formed. City Clerk John Holt indicated that he was in receipt of one ballot representing 44 votes all in favor of the formation of the CFD.

Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 20-37**, a resolution of Formation of Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried 4-1 with Councilmember Whalen voting no.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 20-38**, a resolution calling a special landowner election for Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve **Resolution 20-39**, a resolution of the City of Clovis declaring the results of a Special Landowner Election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried by unanimous vote.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve the introduction of **Ordinance 20-08**, authorize a levy of special taxes solely within and relating to Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). Motion carried by unanimous vote.

ADMINISTRATIVE ITEMS

ITEM 7- 6:23 - APPROVED – **RES. 20-40**, FINAL MAP TRACT 6154, LOCATED AT THE NORTHWEST CORNER OF FOWLER AVENUE AND TEAGUE AVENUE (WOODSIDE 06N, LP)

Supervising Civil Engineer Sean Smith presented a report on a request to approve a Final Map Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue (Woodside 06N, LP). The owner, Woodside 06N, LP (Woodside Homes), has submitted a final map. The improvement plans are being processed by City staff. The improvements to be installed include curb, gutter, sidewalk, street lights, fire hydrants, street paving, median island, sanitary sewer, a temporary sewer lift station and associated facilities, water mains and landscaping. The subject tract is located at the northwest corner of Fowler Avenue and Teague Avenue. It contains approximately 43.21 acres and consists of 94 units, zoned R-1. The subdivision agreement has been executed by the subdivider and all development fees paid or deferred in accordance with Municipal Code. The agreement provides for the developer to complete a technically correct map and improvement plans and to complete all required improvements in compliance with the conditions of approval. The improvements are adequately secured. Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve a Final Map Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue (Woodside 06N, LP). Motion carried by unanimous vote.

ITEM 8 – 6:24 - APPROVED – RES. 20-41, ANNEXATION OF PROPOSED TRACT 6154, LOCATED AT THE NORTHWEST CORNER OF FOWLER AVENUE AND TEAGUE AVENUE TO THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 OF THE CITY OF CLOVIS (WOODSIDE 06N, LP).

Supervising Civil Engineer Sean Smith presented a report on a request to approve the annexation of proposed Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Woodside 06N, LP). The owner, Woodside 06N, LP (Woodside Homes), acting as the subdivider, has requested to be annexed to the Landscape Maintenance District No. 1 of the City of Clovis as set forth by the Conditions of Approval for Vesting Tentative Tract Map 6154. Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion.

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to approve the annexation of proposed Tract 6154, located at the northwest corner of Fowler Avenue and Teague Avenue to the Landscape Maintenance District No. 1 of the City of Clovis (Woodside 06N, LP). Motion carried by unanimous vote.

COUNCIL ITEMS

ITEM 9 – 6:25 - APPROVED - RES. 20-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS CONFIRMING THE DIRECTOR OF EMERGENCY SERVICES' ORDERS

City Manager Luke Serpa presented a report request to confirm the Director of Emergency Services':

PRELIMINARY - SUBJECT TO APPROVAL

AGENDA ITEM NO. 2.

1. Order 2020-08 related to suspension of employee vacation caps during the declared emergency;
2. Order 2020-09 related to waiving transit fares during the declared emergency;
3. Order 2020-04A, an addendum to 2020-04 relating to emergency leave/pay for use by all City of Clovis employees during the declared emergency;
4. Order 2020-10 related to closing play structures, exercise apparatuses, and picnic shelters at city owned parks;
5. Order 2020-11 related to local enforcement of Governor's Executive Order pertaining to the statewide stay at home requirements;
6. Order 2020-12 relating to enforcement of local emergency orders.

Luke Serpa provided an overview of each of the orders. Significant discussion of Order 2020-11 related to local enforcement of Governor's Executive Order pertaining to the statewide stay at home requirements and how the city was going to implement. Resident Jeremy Pearce provided written comment in opposition to Order 2020-11. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Flores, for the Council to Director of Emergency Services' orders 2020-08, 2020-09, 2020-04A, 2020-10, 2020-11, and 2020-12

ITEM 10 – 7:14 - WORKSHOP – FOR THE CLOVIS CITY COUNCIL TO CONDUCT A WORKSHOP TO DISCUSS THE IMPACT ON ONGOING CITY OPERATIONS DURING THE COVID-19 STATE OF EMERGENCY AS DECLARED BY THE FEDERAL GOVERNMENT, STATE OF CALIFORNIA, COUNTY OF FRESNO, AND CITY OF CLOVIS; AND TO EXPLORE ACTIONS THE CITY MAY TAKE IN RESPONSE TO THE CRISIS.

City Manager Luke Serpa provided Council an update on COVID-19 State of Emergency related City activity since the last meeting on April 6, 2020. Luke Serpa presented an update on possible impacts on the budget during the state of emergency. Luke Serpa indicated that it is likely that general fund revenues will take a significant reduction over the next eighteen to twenty four months. Luke Serpa indicated that he would return to City Council in May to update council and provide options to deal with the budget. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Council provided staff direction, but no formal action was taken during the workshop.

CITY MANAGER COMMENTS 7:39 p.m. - None

CLOSED SESSION 7:40 p.m.

11. Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Austin v. City of Clovis

PRELIMINARY - SUBJECT TO APPROVAL

AGENDA ITEM NO. 2.

Mayor Bessinger adjourned the meeting of the Council to April 20, 2020

Meeting adjourned: **7:55 p.m.**

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: April 20, 2020

SUBJECT: Administration – Adopt - **Ord. 20-08**, Authorize Levy of Special Taxes Solely within and Relating to Community Facilities District No. 2020-1 (Dry Creek Preserve Sewer Facilities and Services). (Vote: 5-0)

This item was approved for introduction on April 13, 2020 with a unanimous vote.

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



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: April 20, 2020

SUBJECT: Planning and Development Services – Approval – Res 20-____, Adopt a list of projects funded by SB1: The Road Repair and Accountability Act.

ATTACHMENTS: 1. Resolution 20-____
2. Vicinity Map

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve a resolution to adopt a list of projects funded by Senate Bill (SB) 1: The Road Repair and Accountability Act.

EXECUTIVE SUMMARY

Prior to receiving an apportionment of Road Maintenance and Rehabilitation Account (RMRA) funds from the Controller in a fiscal year, a city or county must submit to the California Transportation Commission a list of projects proposed to be funded with these funds. All projects proposed to receive funding must be adopted by resolution by the applicable city council or county board of supervisors at a regular public meeting [SHC 2034(a)(1)].

Pursuant to SHC Section 2034(a)(1) a resolution of the list for SB1 funding is submitted for adoption. The project list submitted is for five street sections that have been called out in the 2020-2021 Five-year Community Investment Program (CIP), specifically the 2020-2021 fiscal year. The five Projects are:

- 1) Fowler Avenue Street Improvements from Barstow to Shaw Avenues.
- 2) Minnewawa Avenue Street Improvements from Shepherd to Teague Avenues.
- 3) Armstrong Avenue Street Improvements from Tollhouse to Sierra Avenues.
- 4) Bullard Avenue Street Improvements from Armstrong to Temperance Avenues.

5) Gettysburg Avenue Street Improvements from Sierra Vista Parkway to Clovis Avenue.

BACKGROUND

On April 28, 2017, the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. To address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system, SB 1: increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years.

Beginning November 1, 2017, the State Controller (Controller) started to deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system.

SB 1 emphasizes the importance of accountability and transparency in the delivery of California's transportation programs. Therefore, in order to be eligible for RMRA funding, statute requires cities and counties to provide basic annual RMRA project reporting to the California Transportation Commission (Commission).

Prior to receiving an apportionment of RMRA funds from the Controller in a fiscal year, a city or county must submit to the Commission a list of projects proposed to be funded with these funds pursuant to an adopted resolution by the city council at a regular public meeting [SHC 2034(a)(1)].

Pursuant to SHC Section 2034(a)(1), a resolution of the list for SB1 funding is submitted for adoption. The project list submitted is for five street sections that have been called out in the 2020-2021 Five-year Community Investment Program, specifically the 2020-2021 fiscal year. The five Projects are:

- 1) Fowler Avenue Street Improvements from Barstow to Shaw Avenues.
- 2) Minnewawa Avenue Street Improvements from Shepherd to Teague Avenues.
- 3) Armstrong Avenue Street Improvements from Tollhouse to Sierra Avenues.
- 4) Bullard Avenue Street Improvements from Armstrong to Temperance Avenues.
- 5) Gettysburg Avenue Street Improvements from Sierra Vista Parkway to Clovis Avenue.

The projects on the list have been chosen by using the City of Clovis Pavement Management System and are programed in the CIP five-year budget.

FISCAL IMPACT

The estimated cost for the five projects submitted for the SB1 list is \$4.875 million. The projects will be included in the 2020-2021 CIP budget. The City of Clovis will receive and estimated \$2,155,000 in RMRA funding in Fiscal Year 2019-20 and estimated \$2,210,000 in

RMRA funding in Fiscal Year 2020-21 from SB 1. The estimated funding received in subsequent years is expected to increase by a small percentage each year.

REASON FOR RECOMMENDATION

To be eligible to receive the City of Clovis' apportionment of RMRA funding from the State Controller this fiscal year.

ACTIONS FOLLOWING APPROVAL

Staff will submit the SB1 project list and resolution to the California Transportation Commission pursuant to SHC Section 2034(a)(1).

Prepared by: Thad Avery, Supervising Civil Engineer

Reviewed by: City Manager *JA*

RESOLUTION 20-____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CLOVIS TO ADOPT A LIST OF PROJECTS FUNDED BY
SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Clovis are aware of the projects proposed for funding and which projects have been completed each fiscal year; and

WHEREAS, the City of Clovis must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City of Clovis budget, which must include a description and the location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement; and

WHEREAS, the City of Clovis will receive an estimated \$2,210,000 in RMRA funding in Fiscal Year 2020-21 from SB 1; and

WHEREAS, the City of Clovis used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community’s priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City of Clovis maintain and rehabilitate 213 streets, 17 bridges, add active transportation infrastructure throughout the City of Clovis this year and hundreds of similar projects into the future; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment found that the City of Clovis’ streets and roads are in “good” condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into an “excellent” condition; and

WHEREAS, without revenue from SB 1, the City of Clovis would have otherwise been postponing projects throughout the community; and

WHEREAS, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

WHEREAS, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

WHEREAS, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive benefits statewide.

NOW, THEREFORE BE IT RESOLVED AND ORDERED, as follows:

1. The foregoing recitals are true and correct.
2. The City of Clovis is adopting the following list of projects planned to be funded in fiscal year 2020-2021 with Road Maintenance and Rehabilitation Account revenues:
 - a. Fowler Avenue Street Improvements from Barstow to Shaw Avenues. The project will include resurfacing the street and will increase the useful life of the street by 20 years. It is budgeted in the 2019-2020 fiscal year with anticipated construction in 2020.
 - b. Minnewawa Avenue Street Improvements from Shepherd to Teague Avenues. The project will include resurfacing the street and will increase the useful life of the street by 20 years. It is budgeted in the 2019-2020 fiscal year with anticipated construction in 2020.
 - c. Armstrong Avenue Street Improvements from Tollhouse to Sierra Avenues. The project will include resurfacing the street and will increase the useful life of the street by 20 years. It is budgeted in the 2019-2020 & 2020-2021 fiscal years with anticipated construction in 2021.
 - d. Bullard Avenue Street Improvements from Armstrong to Temperance Avenues. The project will include resurfacing the street and will increase the useful life of the street by 20 years. It is budgeted in the 2019-2020 & 2020-2021 fiscal years with anticipated construction in 2021.
 - e. Gettysburg Avenue Street Improvements from Sierra Vista Parkway to Clovis Avenue. The project will include resurfacing the street and will increase the useful life of the street by 20 years. It is budgeted in the 2019-2020 & 2020-2021 fiscal years with anticipated construction in 2021.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on April 20, 2020 by the following vote, to wit.

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

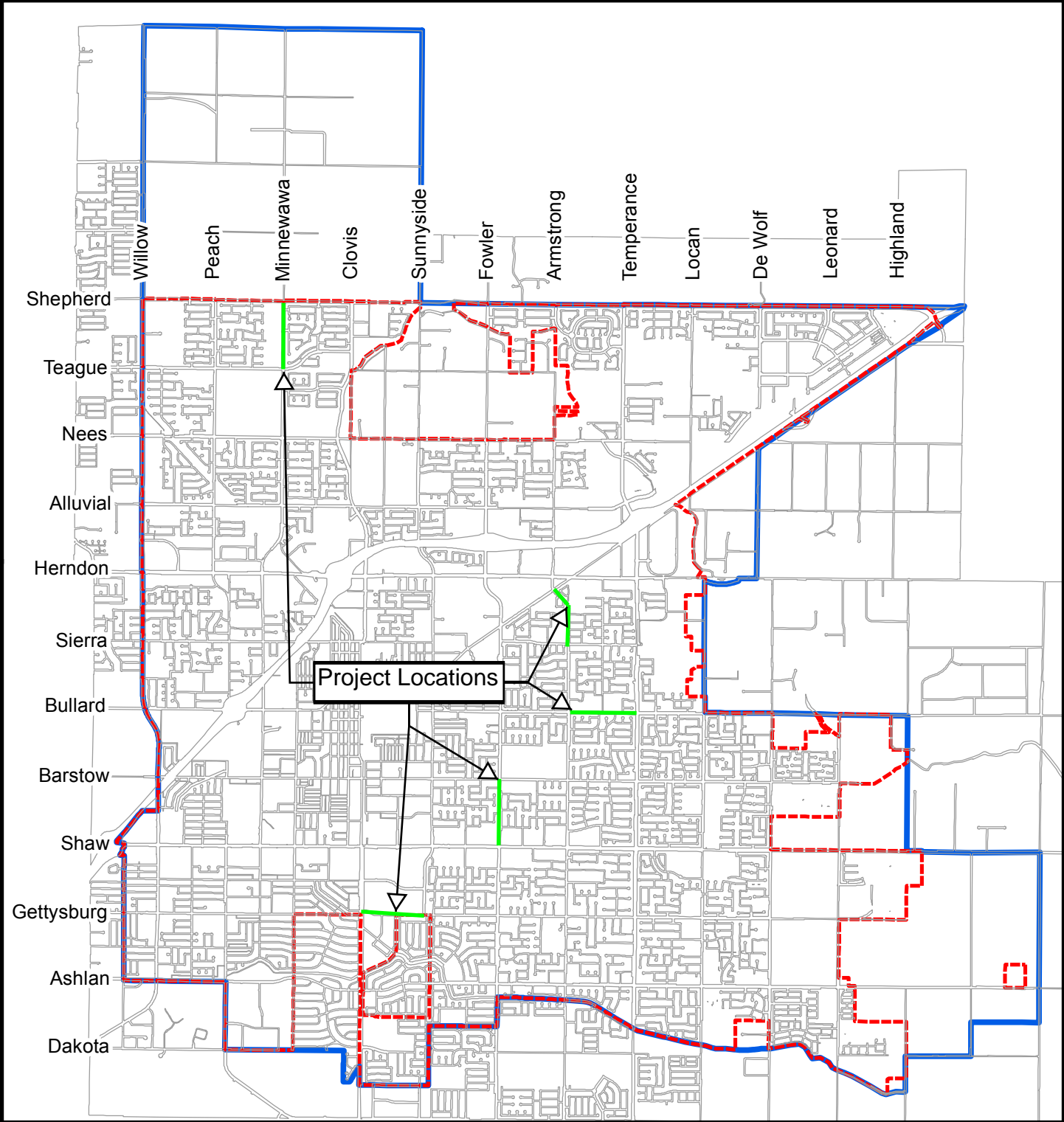
DATED: April 20, 2020

Mayor

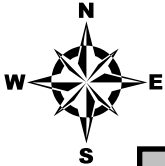
City Clerk

VICINITY MAP

AGENDA ITEM NO. 4.



ATTACHMENT 2



 CITY LIMITS  SPHERE OF INFLUENCE

Prepared By:



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: April 20, 2020

SUBJECT: Public Utilities – Approval – Preliminary Engineer’s Report; and Approval – Res. 20-____, A Resolution Declaring the City’s Intention to Levy and Collect the Annual Assessments for Landscape Maintenance District No. 1.

ATTACHMENTS: 1. Resolution of Intention
2. Assessment Diagrams

CONFLICT OF INTEREST

None.

RECOMMENDATION

1. Approve the Preliminary Engineer’s Report on file with the City Clerk; and
2. Approve Resolution No. 20-____ that declares the City’s intention to levy and collect the annual assessments for Landscape Maintenance District No. 1, and gives Notice of Public Hearing.

EXECUTIVE SUMMARY

The City collects funds through annual assessments on properties within Landscape Maintenance District (LMD) No. 1. These funds provide landscape maintenance services for those properties within the LMD, including special enhancements unique to the various tracts within the District. Currently, 42 different assessment zones have been established. Zones 1-3 provide for general landscape maintenance, Zones 4-6 provide for neighborhood park maintenance, Zones 7-41 provide for maintenance of special neighborhood enhancements, and Zone SE provides for maintenance for all of Loma Vista. Properties within the LMD (except the majority of those in Zone SE) are all in Zones 1-3, and they may also be in Zones 4-6 and Zones 7-41. Zone SE is unique in that it covers all three categories of landscape: street median and street-side landscaping, parks, and neighborhood enhancements. There are three special enhancement zones in Zone SE.

The rates for Zone 1 were established by election in 2004. The rates in Zones 3 and 6 have remained the same since that election. In 2013, there was an election for Zones 4, 5, and 7, which established the new assessment rates for those zones. In 2016, there was an election in Zones 2, 4, and 5. The 2016 election resulted in an assessment increase in Zone 4, but the election results failed to increase the assessments in Zones 2 and 5. In 2018, there was an election in Zone 2 resulting in an assessment increase.

This year, Staff proposed rate increase elections in Zones 1 and 5. Due to the Covid-19 emergency declaration and the state of the economy, staff is now recommending postponing these elections until next year’s assessment cycle. There is no additional action necessary to postpone the election.

Zones 7-41 and Zone SE include escalation clauses in the annexation covenants that allow the City to increase the assessments by the Consumer Price Index (CPI) plus 2%. Because this provision is included in the annexation documents and agreed to by the property owners, it is not considered a rate increase and is not subject to the election process outlined in Proposition 218.

Consistent with Section 22623 of the Landscape and Lighting Act of 1972, this Resolution proposes the following actions for the various zones:

Zone	Rate Change	Reason For Change
Zones 1 - 6	No change	Rates will continue to be maintained at the rate established by elections in 2004, 2013, 2016, and 2018. The 2020 Zone 1 & 5 elections will be postponed.
Zones 7– 11, 13 – 14, 16 – 18, 20 – 22, 24 – 25, 28 – 29, 31 – 32, 38	No change	No change. Current rates are sufficient to cover costs.
Zones 12, 15, 19, 23, 26, 27, 33 – 37, 39, SE Tracts	Increase assessment	Rates are being increased to cover the cost of maintaining service while continuing to maintain capital reserves.
Zone 30	Decrease assessment	Rates are being decreased since the revenues exceed the expenditures and there are sufficient reserves.

LMD REQUIREMENTS

The Preliminary Engineer’s Report is being filed with the City Clerk for submission to Council in accordance with Section 22623 of the Landscape and Lighting Act of 1972 (ACT). After approval of the Report, Section 22624 of the Act requires the Council to adopt a Resolution of Intention that:

1. Declares the intention to levy and collect assessments;
2. Generally describes the existing and proposed improvements and any substantial changes proposed to be made in existing improvements;
3. Refers to the assessment district by its distinctive designation and indicates the general location of the district;
4. Refers to the Preliminary Engineer’s Report for a full description of the improvements, boundaries, and any zones in the district, and the proposed assessments upon assessable lots and parcels of land within the district;
5. Gives notice of the time and place for hearing by the Council on the levy of the proposed assessments; and
6. States whether the assessments are proposed to increase from the previous year.

BACKGROUND

On July 15, 1985, Council adopted Resolution No. 85-78, forming the City of Clovis Landscape Maintenance District No. 1 (LMD) in accordance with the Landscaping and Lighting Act of 1972 approved by the California State Legislature. The purpose of the District is to fund the operation and maintenance of landscaped areas and interior parks benefiting development throughout the City.

The yearly assessments established for all properties within the District provide funding for the City's cost for operation, maintenance, related services, and incidental expenses. The required operation and maintenance include mowing, edging, fertilizing, weed control, irrigation system maintenance and replacement, pruning, plant replacement, lighting, and a depreciation fund to periodically replace playground equipment, benches, drinking fountains, and other park-related infrastructure. The assessments are collected by the County as a special assessment on the property tax bills.

The yearly rates for Zones 1-6 are as follows:

<u>General Landscaping</u>		<u>Neighborhood Park</u>	
Zone 1	\$78.50	Zone 4	\$49.86
Zone 2	\$99.94	Zone 5	\$50.10
Zone 3	\$12.28	Zone 6	\$80.08

In addition to the general landscaping and neighborhood park zones, additional zones have been established to cover enhanced landscaping, entry features, and decorative street lighting in various residential subdivisions. The properties in each of these benefit zones are assessed an additional amount to fund the maintenance costs for the added features at each of their subdivisions. The proposed annual rates for the enhanced landscaping zones are as follows:

Zone 7	\$ 259.28	Tracts 4762A, 4873, 4874, 4875, 4876, & 5015
Zone 8	\$ 66.28	Tract 4949
Zone 9	\$ 58.38	Tract 4954
Zone 10	\$ 80.74	Tracts 4958, 4986, & 5026
Zone 11	\$ -	Not Used
Zone 12	\$ 140.04	Tracts 5025, 5046, & 5047
Zone 13	\$ 49.96	Tract 5045
Zone 14	\$ 32.20	Tract 5020
Zone 15	\$ 150.14	Tracts 5038, 5057, 5058, & 5059
Zone 16	\$ 10.98	Tract 5106
Zone 17	\$ 26.70	Tract 4973
Zone 18	\$ 48.76	Tract 5115
Zone 19	\$ 57.20	Tract 5125
Zone 20	\$ 44.44	Tract 4938
Zone 21	\$ -	Tract 5122 (Zone 21 not developed)
Zone 22	\$ 76.46	Tract 5131
Zone 23	\$ 96.78	Tract 5213
Zone 24	\$ 74.56	Tract 5200
Zone 25	\$ 105.84	Tract 5194
Zone 26	\$ 86.20	Tract 5347
Zone 27	\$ 39.28	Tract 5146
Zone 28	\$ 50.48	Tract 5378
Zone 29	\$ 105.40	Tract 5470
Zone 30	\$ 56.90	Tracts 5264 & 5741
Zone 31	\$ 104.40	Tract 5711
Zone 32	\$ 17.38	Tract 5545
Zone 33	\$ 16.90	Tract 5207
Zone 34	\$ 62.54	Tract 5874
Zone 35	\$ 104.52	Tract 5550
Zone 36	\$ 192.84	Tract 6072
Zone 37	\$ 58.04	Tract 6147
Zone 38	\$ 60.00	Tract 6170
Zone 39	\$ 75.34	Tract 6109
Zone 40	\$ 80.24	Tract 6228
Zone 41	\$ 128.40	Tract 6225

Zone SE	\$ 351.28	Tracts 5168, 5193, 5254, 5336, 5418, 5484, 5582, 5583, 5874, 5565A2, 5961, 5965, 5970, 5981, 5984, 5596, 5875A, 6010, 5691A2, 6005, 6006, 5825, 5985, 5950, 6020, 5871, 6011, 6007, 6008, Misc., 6012, 5605, 5657A, 6009, 6055, 6058, 6025, SPR2012-006, 5701A, 6089, 5998, 6083, 6086, 6034, 5681, 6064, 6098/6142, 6114, 6082, 6040, 6107, 6143, PM2015-02, PM2015-04, 6144, 6127, 6080, 6101, 6068, 6102, 6137A2, 6197, PM2016-01, 6168, and 6193
Zone SE	\$ 218.48	Tracts 6120, 6245, 6225, 6228, 6186A, and SPR 2017-0014

Zone SE includes all tracts being developed in the Southeast Urban Village (Loma Vista), generally located in the southern part of the City east of Locan Avenue and south of Bullard Avenue. With the exception of three additional enhancement zones, the rate for this zone is designed to cover all of the general landscaping, neighborhood parks, enhanced landscaping, and public lighting for the Southeast Urban Village. All the tracts to be annexed into this area are expected to have enhanced landscaping, entry features, and decorative street lighting.

Generally, a Paseo system or park is not completed until an entire quarter section is developed. Therefore, two assessment rates have been established: one for developed quarter sections and one for partially developed quarter sections. Rates are also reviewed and revised annually to reflect the current level of capital improvements completed within each tract and the actual cost of maintenance.

The Resolution of Intention containing the Notice of Public Hearing will be published in The Business Journal not less than 10 days prior to the Public Hearing date of May 4, 2020. The Public Hearing will afford all interested persons the opportunity to address their concerns. Written protests may be filed with the City Clerk at any time prior to the conclusion of the Public Hearing.

FISCAL IMPACT

Annual LMD assessments collected provide the necessary funding to continue the maintenance of landscaped areas within the various benefit zones for the next fiscal year and provide reserves necessary for depreciation and replacement.

REASON FOR RECOMMENDATION

This resolution is required annually by the Landscaping and Lighting Act of 1972 prior to levying and collecting assessments.

ACTIONS FOLLOWING APPROVAL

1. The Resolution of Intention to Levy and Collect the Annual Assessments will be published in The Business Journal; and

2. The Engineer's Report that shows the final assessment costs will be considered by the City Council at the Public Hearing proposed for May 4, 2020, and if approved, recorded by the Fresno County Recorder's Office.

Prepared by: Glenn Eastes, Assistant Public Utilities Director

Reviewed by: City Manager *GE*

RESOLUTION NO. 20-**A RESOLUTION OF INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR THE CITY OF CLOVIS AND SET THE PUBLIC HEARING**

WHEREAS, the Clovis City Council has approved fifty one (51) annexations with new improvements to the Landscape Maintenance District No. 1 of the City of Clovis (herein LMD No. 1) since the Engineer's Report dated June 3, 2019; and

WHEREAS, proceedings for the annual assessments for LMD No. 1 for the fiscal year 2020-21 need to be initiated.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED as follows:

1. It is the intention of said Council to order the levy and collection of an assessment for the 2019-20 fiscal year under the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code beginning with Section 22500 of said Code, for Landscape Maintenance District #1 of the City of Clovis (herein "LMD No. 1").
2. Said LMD No. 1 is generally described as all properties in subdivisions, Site Plan Review developments, Parcel Map developments, and other miscellaneous property entitlement developments approved since July 1985, within the current boundaries of the City of Clovis.
3. The Engineer has prepared and filed with the Clerk of the City of Clovis a preliminary report labeled Preliminary Engineer's Report of the City of Clovis LMD No. 1, dated May 6, 2019, to which reference is hereby made for a detailed description of the improvements, the boundaries of the assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within LMD No. 1.
4. The Business Journal, a newspaper circulated in said City of Clovis, is hereby designated as the newspaper in which this Resolution of Intention shall be published, and the Clerk of the City of Clovis is hereby directed to cause this Resolution of Intention to be published once no less than ten (10) days prior to the hearing date set forth below.
5. NOTICE IS HEREBY GIVEN that the 4th day of May 2020, at the hour of 6:00 p.m., in the regular meeting place of the Council of the City of Clovis, Council Chambers, 1033 Fifth Street, Clovis, California 93612, is hereby fixed as the time and place for a PUBLIC HEARING, when and where all interested persons shall be heard on the question of the levy and collection of the proposed assessment. Written protests may be filed with the City Clerk at any time prior to the conclusion of the PUBLIC HEARING. A written protest shall state all grounds of objection and shall contain a description sufficient to identify the property owned by the protesting person or persons.

ATTACHMENT 1

6. In accordance with the terms of the covenants, the rate for Zones 12, 15, 19, 23, 26, 27, 33, 34, 35, 36, 37, 39, and SE will be increased to the amounts authorized under the covenants.

* * * * *

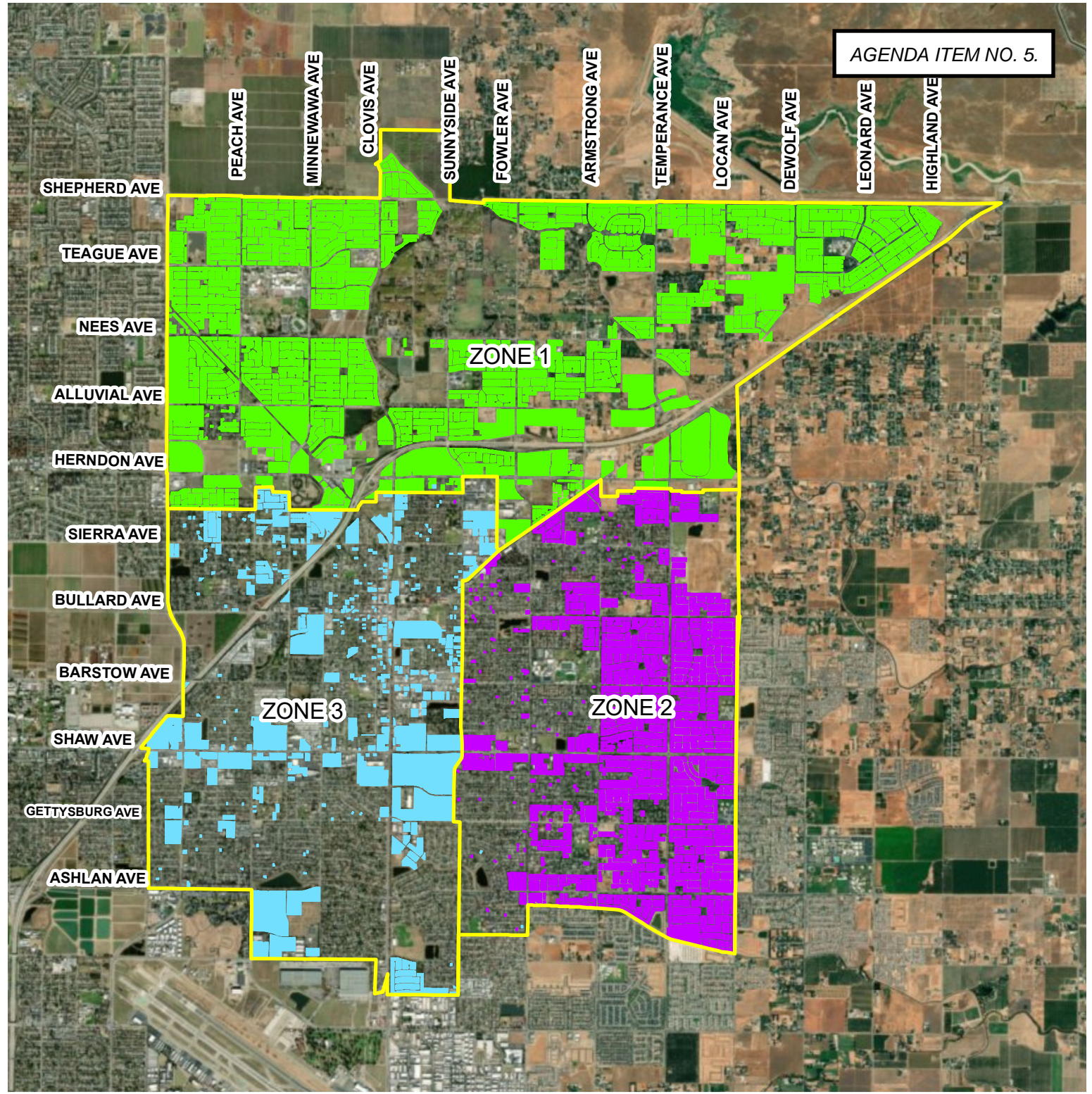
The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on April 20, 2020 by the following vote, to wit.

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

DATED:

Mayor

City Clerk



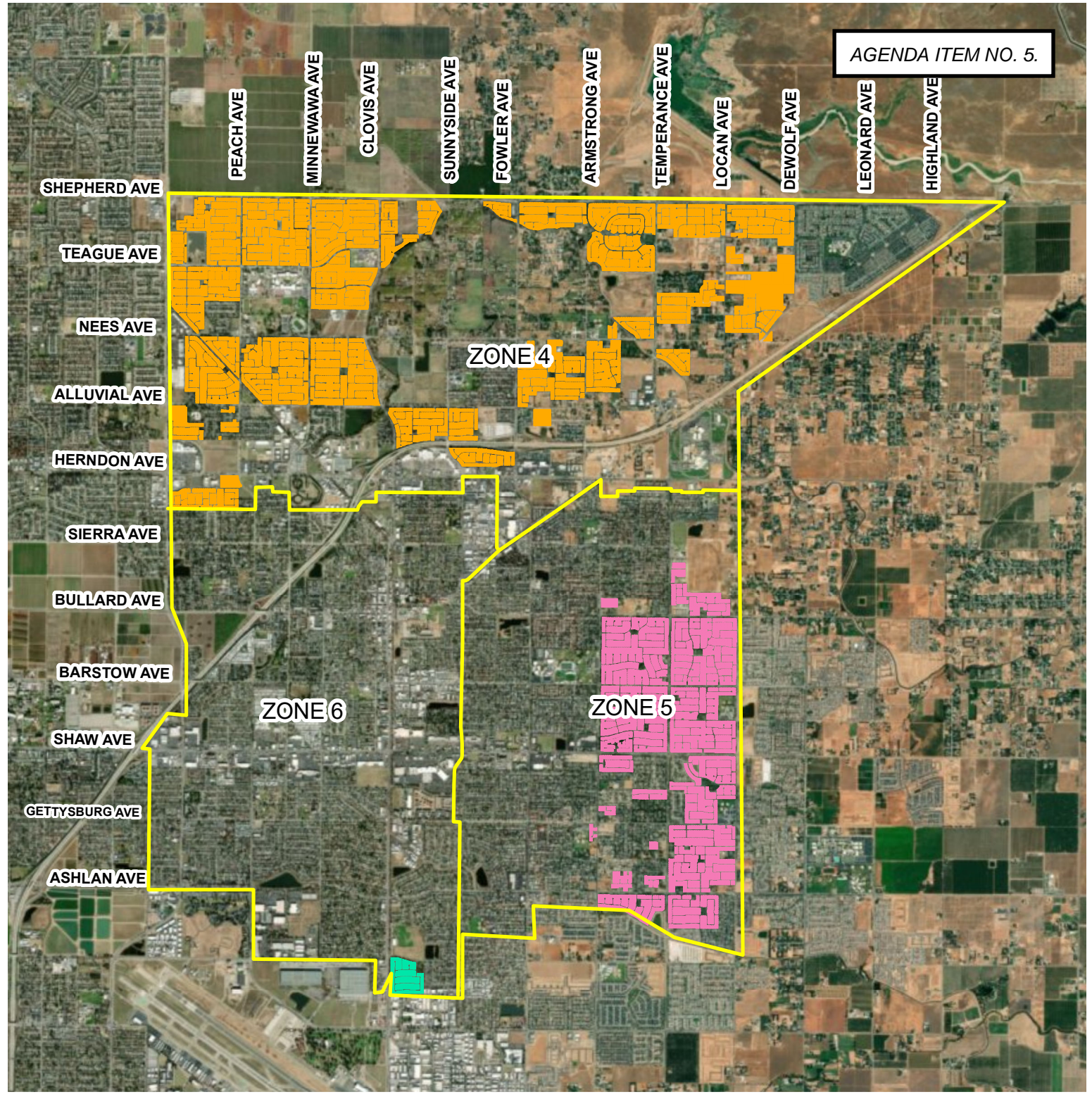
CITY OF CLOVIS

LMD ZONES 1-3
 GENERAL LANDSCAPING
 2020/2021 ASSESSMENT CHANGES
 NO ASSESSMENT CHANGES ZONES 1-3



ATTACHMENT 2

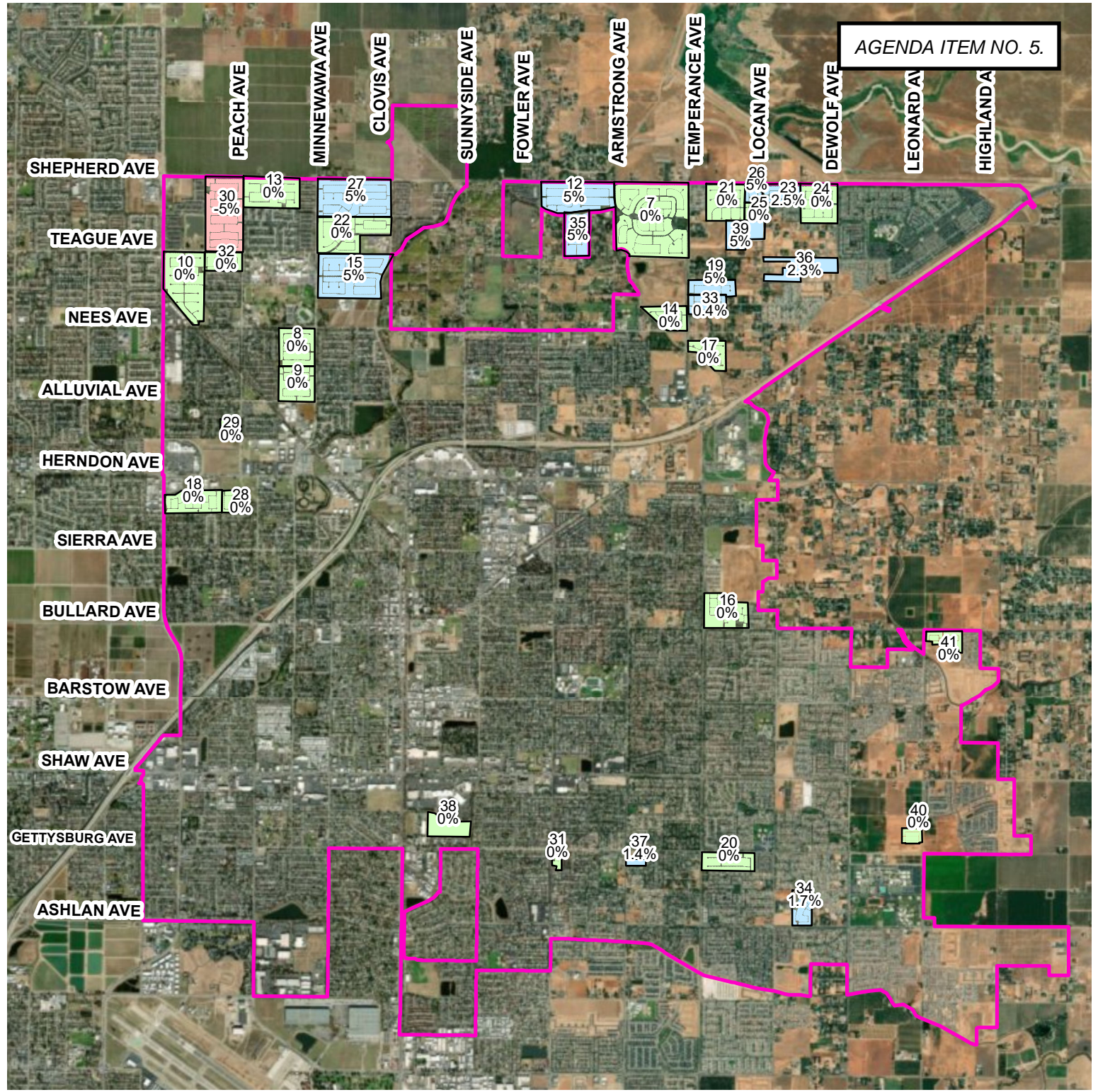
1 inch = 5,167 feet



LMD ZONES 4-6 PARKS

2020/2021 ASSESSMENT CHANGES NO ASSESSMENT CHANGES ZONES 4-6



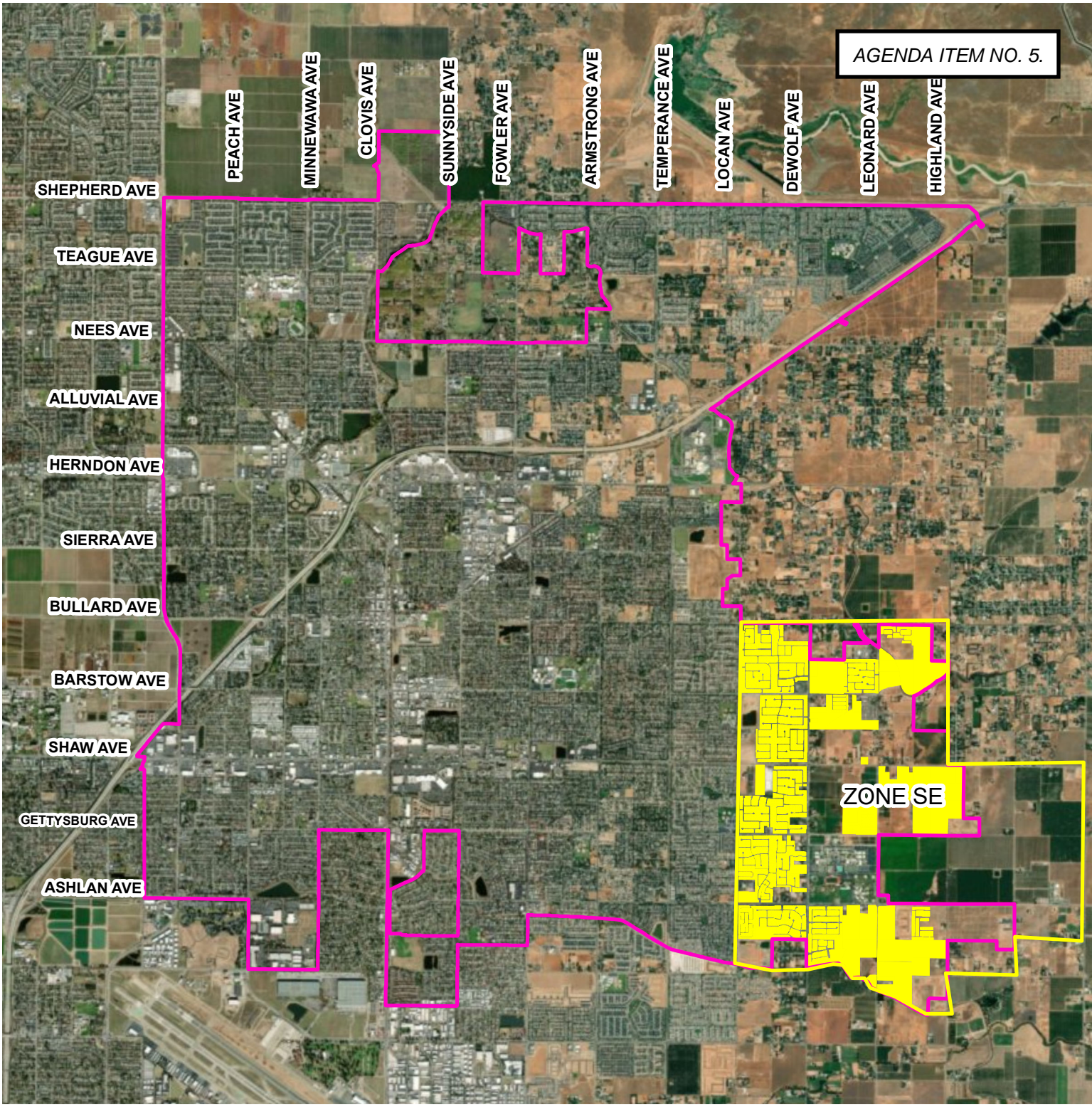


LMD ZONES 7 - 41 NEIGHBORHOOD ENHANCEMENTS 2020/2021 ASSESSMENT CHANGES



Assessment Changes No Change Decrease Increase





CITY OF CLOVIS

LMD ZONE SOUTHEAST
 2020/2021 ASSESSMENT CHANGES
 ASSESSMENT INCREASE FOR ZONE SE 2%





CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: April 20, 2020

SUBJECT: Consider Actions related to Annexation of Territory (Annexation #61 – T6262- northwest corner of Peach and Spruce) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

- a. Consider Approval - Res. 20-____, A Resolution annexing territory (Annexation #61) (T6262 - northwest corner of Peach and Spruce) to the City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services) and calling a special landowner election to annex territory (Annexation #61) to City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services)
- b. Consider Approval - Res. 20-____, A Resolution of the City of Clovis declaring the results of a special landowner election and directing recording of the Notice of Special Tax Lien for City of Clovis Community Facilities District No. 2004-1 (Police and Fire Services).

Staff: Jay Schengel, Finance Director
Recommendation: Approve

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

CONFLICT OF INTEREST
 None.

RECOMMENDATION

- That the Council hold a public hearing and approve actions related to the Annexation of Territory (Annexation #61) to Community Facilities District No. 2004-1.
- Consider Approval – Res. 20-____, A Resolution of annexation of territory (Annexation #61) to the Community Facilities District (City of Clovis Community Facilities District No. 2004-1) and to authorize the levy of Special Taxes therein and submitting Levy of Special Taxes to Qualified Electors.
- Call for Special Election and have Clerk announce the vote.
- Consider Approval – Res. 20-____, A Resolution of the City Council of the City of Clovis Declaring the Results of the Special Annexation Election; Determining Validity of Prior Proceedings and Directing Recording of the Notice of Special Tax Lien (City of Clovis Community Facilities District No. 2004-1) (Police and Fire Services).

EXECUTIVE SUMMARY

Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004, must petition to be annexed to the existing CFD. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property within the District as provided by the conditions of approval of the development entitlements.

To initiate the process for annexation of territory to a CFD, the Council approved a Resolution of Intention-Annexation #61 (ROI) to annex territory to the CFD on March 16, 2020. The ROI set a public hearing for April 20, 2020. The action today finalizes the annexation to the CFD.

BACKGROUND

Since the condition to establish a CFD was imposed on the developments being processed by the City, developments proceeding after March 8, 2004 must petition to be annexed to the existing CFD. Several property owners have submitted petitions to annex territory to the Community Facilities District 2004-1 and to include their property within the District as provided by the conditions of approval of the development entitlements.

To initiate the process for annexation of territory to a CFD, the Council approved a Resolution of Intention-Annexation #61 (ROI) to annex territory to the CFD. The ROI set a public hearing for April 20, 2020. The Rate and Method of Apportionment (RMA) referred to in the ROI is the same as adopted by the Council with the Resolution of Formation adopted March 8, 2004. RMA provides, among other things, definitions, identifies what properties will be taxed, and the maximum special tax.

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

1. The maximum annual tax will be \$255.33 for single family residential and \$220.46 for multi-family residential.

2. The maximum tax will be increased by the Escalator Factor, which is the greater of the change in CPI or percentage change in population.
3. There will be a review not later than five years of inception of the CFD.
4. The annual tax will not apply to commercially zoned property.
5. The tax will apply only to that property for which a building permit is issued after January 1, 2004.
6. The costs of salary and benefit increases funded by the CFD will be limited to the Escalator Factor.

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

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

FISCAL IMPACT

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

REASON FOR RECOMMENDATION

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

ACTIONS FOLLOWING APPROVAL

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

Prepared by: Steve Nourian, Senior Accounting Systems Technician

Reviewed by: City Manager *[Signature]*

RESOLUTION NO. 20-

A RESOLUTION OF ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN AND SUBMITTING LEVY OF SPECIAL TAXES TO QUALIFIED ELECTORS

**CITY OF CLOVIS
Community Services District No. 2004-1
(Police and Fire Services)
Annexation No. 61**

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

WHEREAS, this Council, on March 16, 2020, adopted A Resolution of Intention to Annex Territory to the Community Services District and to Authorize the Levy of Special Taxes Therein (the "Resolution of Intention") stating its intention to annex the territory to the City's Community Services District 2004-1 (the "District"), pursuant to Mello Roos Community Facilities Act of 1982, Sections 53311 and following of the California Government Code (the "Act"); and

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

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

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

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

WHEREAS, Annexation Map No. 61 to the District, has been filed with the City Clerk, which map shows the territory to be annexed in these proceedings, and a copy thereof is on file with the City Clerk.

NOW, THEREFORE, IT IS HEREBY ORDERED,

1. All prior proceedings taken by this Council with respect to the District and the proposed annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act, and the District has been validly established pursuant to the Act.
2. The description and map of the boundaries of the territory to be annexed to District, as described in said Annexation Map No. 61 to the District on file with the Clerk are hereby finally approved, are incorporated herein by reference, and shall be included within the boundaries of the District, and said territory is hereby ordered annexed to the District, subject to voter approval of the levy of the special taxes therein as hereinafter provided.
3. The provisions of the Resolution of Intention and Resolution No. 20-21 adopted by this Council for the District on March 16, 2020 each as heretofore adopted by this Council are by this reference incorporated herein, as if fully set forth herein.
4. Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the District shall be submitted to the voters of the area to be annexed to the District at an election called therefore as hereinafter provided.
5. This Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the District for each of the 90 days preceding the close of the hearing heretofore conducted and concluded by this Council for the purposes of these annexation proceedings. Accordingly, and pursuant to the Act, this Council finds that for purposes of these proceedings the qualified electors are the landowners within the territory proposed to be annexed to the District and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the District.
6. Pursuant the Act, the election shall be conducted by mail ballot under Section 4000 of the California Elections Code. This Council hereby determines that paragraphs (a), (b), (c)(1), and (c)(3) of said Section 4000 are applicable to this election.
7. The Council hereby calls a special election to consider the measure described in the ballot referred to below, which election shall be held on April 20, 2020, in the regular meeting place of this Council, City Council Chambers, City Hall, 1033 5th Street, Clovis, California. This Council hereby further finds that the provision of the Act requiring a minimum of 90 days to elapse before said election is for the protection of voters and that the voters have waived such requirement and the date for the election herein specified is established accordingly.
8. The City Clerk is hereby appointed as the election official to conduct the election and shall cause to be provided to each landowner in the territory to be annexed to the District. The City Clerk shall accept the ballots of the qualified electors received prior to 5:00 o'clock p.m. on April 20, 2020, whether received by mail or by personal delivery.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on April 20, 2020, by the following vote, to wit.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: April 20, 2020

Mayor

City Clerk

RESOLUTION NO. 20-___

**A RESOLUTION DECLARING RESULTS OF SPECIAL ANNEXATION ELECTION,
DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING
RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN**

**CITY OF CLOVIS
Community Facilities District No. 2004-1
(Police and Fire Services)
Annexation No. 61**

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

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

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The issue presented at the special election was the levy of a special tax within the territory annexed to the CFD, to be levied in accordance with the formula heretofore approved by this Council as described in Resolution No. 20-___, a Resolution of Annexation of Territory to Community Facilities District, authorizing the Levy of a Special Tax and Submitting Levy of Tax to Qualified Electors, adopted April 20, 2020.
2. Pursuant to the Canvass on file with the City Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the CFD by more than two-thirds (2/3) of the landowners voting at the special election.
3. Pursuant to the voter approval, said annexed territory to the CFD is hereby declared to be fully annexed to and part of the CFD and this Council may levy special taxes therein as heretofore provided in these proceedings.

ATTACHMENT 2

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

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

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on April 20, 2020 by the following vote, to wit.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: April 20, 2020

Mayor

City Clerk

**CITY OF CLOVIS
Community Facilities District No. 2004-1
(Police and Fire Services)
Annexation No. 61**

CANVASS AND STATEMENT OF RESULT OF ELECTION

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

Qualified Landowner Votes	Votes Cast	YES	NO
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**City of Clovis
Community Facilities District No. 2004-1
(Police and Fire Services), Annexation No. 61
Special Tax Annexation Election,
April 20, 2020.**

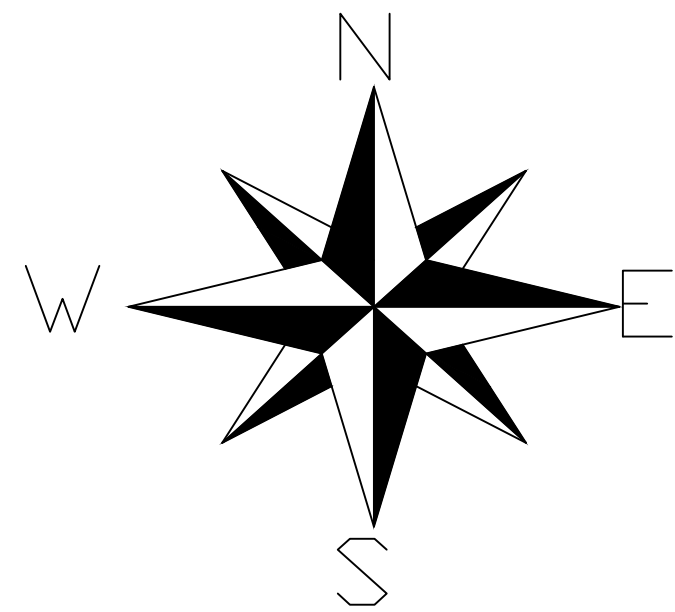
BALLOT MEASURE: Shall the City of Clovis, by and for its Community Facilities District No. 2004-1 (Police and Fire Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in Resolution No. 20-___ of the City of Clovis, adopted by its Council on April 20, 2020?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this ____ day of _____ 2020.

CITY OF CLOVIS

By: _____
City Clerk

ATTACHMENT A OF ATTACHMENT 2



- LEGEND
- PARCEL
 - ANNEXATION BOUNDARY
 - Ⓐ APN 561-260-10
 - Ⓑ APN 561-260-17

FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____ APRIL _____, 2020. I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 61 TO COMMUNITY FACILITIES DISTRICT NO. 2004-1 (POLICE AND FIRE SERVICES), CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLOVIS AT A REGULAR MEETING THEREOF, HELD ON THE 20TH DAY OF _____ APRIL _____, 2020, BY ITS RESOLUTION NO. 20-_____.

 JOHN HOLT
 CITY CLERK
 CITY OF CLOVIS

FILED THIS _____ DAY OF _____, 2020, AT THE HOUR OF _____ O'CLOCK ____M. IN THE BOOK _____ PAGE _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

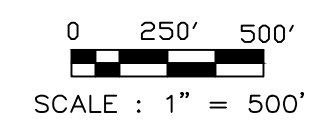
 PAUL A. DICTOS, C.P.A. BY: DEPUTY COUNTY RECORDER
 COUNTY ASSESSOR-RECORDER
 COUNTY OF FRESNO
 STATE OF CALIFORNIA

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

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

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

ANNEXATION MAP NO. 61
 COMMUNITY FACILITIES DISTRICT NO. 2004-1
 (POLICE AND FIRE SERVICES)



CITY OF CLOVIS
 COUNTY OF FRESNO
 STATE OF CALIFORNIA



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: April 20, 2020

SUBJECT: Receive and File – Update from the Police Department regarding potential use of new technology.

Staff: Curt Fleming, Police Chief

Recommendation: Receive and File

Police Chief Curt Fleming will give a verbal presentation on this item.

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



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: April 20, 2020

SUBJECT: Consider Approval – Appointment to Personnel and Planning Commissions.

Staff: Luke Serpa, City Manager
Recommendation: Approve

ATTACHMENTS: None

CONFLICT OF INTEREST

None.

RECOMMENDATION

It is recommended that the Mayor, subject to approval by the City Council, consider the reappointment of Diane Staebler and Jose Reyes to the Personnel Commission. The reappointment is for a four-year term of office which would expire in May of 2024.

It is also recommended that the Mayor, subject to approval by the City Council, consider the reappointment of Paul Hinkle to the Planning Commission. The reappointment is for a four-year term of office which would expire in May of 2024.

EXECUTIVE SUMMARY

Personnel Commissioners Diane Staebler and Jose Reyes, whose terms of office expire in May of 2020, have requested to be reappointed. Mayor Bessinger is recommending that the Personnel Commissioners be reappointed.

Planning Commissioner Paul Hinkle, whose term of office expires in May of 2020, has requested to be reappointed. Mayor Bessinger is recommending that the Planning Commissioner be reappointed.

BACKGROUND

Personnel Commissioners Diane Staebler and Jose Reyes have requested to be reappointed. Upon review and recommendation from staff, Mayor is recommending that they be reappointed for another four-year term.

Planning Commissioner Paul Hinkle has requested to be reappointed. Upon review and recommendation from staff, Mayor is recommending that he be reappointed for another four-year term.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

Pursuant to Clovis Municipal Code Chapter 9.1, the Mayor, with the approval of the City Council, shall make appointment to the Personnel and Planning Commissions.

ACTIONS FOLLOWING APPROVAL

Staff will inform the appointed Personnel and Planning Commissioners of the action taken by the City Council.

Prepared by: Jacquie Pronovost, Executive Assistant

Reviewed by: City Manager *JH*



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: April 20, 2020

SUBJECT: Consider Approval - Res. 20-____, A Resolution of the City Council of the City of Clovis confirming the Director of Emergency Services' Orders.

Staff: Luke Serpa, City Manager

Recommendation: Approve

ATTACHMENT: Resolution 20-____, Confirming the Emergency Services Director Orders 2020-08A, an addendum to suspension of vacation cap order 2020-08 related to suspension of employee vacation caps during the declared emergency

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve Emergency Services Director Order 2020-08A, an addendum to suspension of vacation cap order 2020-08 related to suspension of employee vacation caps during the declared emergency.

EXECUTIVE SUMMARY

On March 16, 2020, the City Council approved the following:

1. A request from the Director of Emergency Services for the City of Clovis that the City Council of the City of Clovis proclaim the existence or threatened existence of a local emergency (COVID-19); and
2. A Resolution of the City Council of the City of Clovis proclaiming the existence or threatened existence of a local emergency (COVID-19).

On March 21, 2020, the City Council confirmed the Director of Emergency Services':

1. Order 2020-01: Declaration Closing Bars, Wineries, Breweries, Pubs, and Restaurants; and
2. Order 2020-02: Declaration Closing Gyms, Health Clubs, Trampoline Parks, Arcades, and Theaters; and
3. Order 2020-03: Declaration Establishing Emergency Telework Guidelines.

On March 30, 2020, the City Council confirmed the Director of Emergency Services':

1. Order 2020-04 pertaining to employee leave/pay during emergency determined as necessary to safeguard life and property and continue essential services of the City of Clovis; and
2. Order 2020-05 related to price gouging and taking unfair advantage of consumers.

On April 6, 2020, the City Council confirmed the Director of Emergency Services':

1. Order 2020-06 related to waiving late fees on business license payments and utility payments; and
2. Order 2020-07 related to waiving municipal code restrictions against parking a recreational vehicle under specific circumstances.

On April 13, 2020, the City Council confirmed the Director of Emergency Services':

1. Order 2020-08 related to suspension of employee vacation caps during the declared emergency;
2. Order 2020-09 related to waiving transit fares during the declared emergency;
3. Order 2020-04A, an addendum to 2020-04 relating to emergency leave/pay for use by all City of Clovis employees during the declared emergency;
4. Order 2020-10 related to closing play structures, exercise apparatuses, and picnic shelters at city owned parks;
5. Order 2020-11 related to local enforcement of Governor's Executive Order pertaining to the statewide stay at home requirements;
6. Order 2020-12 relating to enforcement of local emergency orders.

The Declaration of Emergency authorizes the Director of Emergency Services certain additional authorities beyond the role of City Manager. These actions are accomplished by

way of Orders and Declarations approved by the Director of Emergency Services. Subsequent to approval of these orders, the Director of Emergency Services must bring the items back to City Council for confirmation.

Staff is now returning for the City Council to request the confirmation of the Director of Emergency Services':

1. Order 2020-08A, an addendum to suspension of vacation cap order 2020-08 related to suspension of employee vacation caps during the declared emergency.

FISCAL IMPACT

None

Prepared by: John Holt, Assistant City Manager

Reviewed by: City Manager *JH*

CITY OF CLOVIS

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS
CONFIRMING THE DIRECTOR OF EMERGENCY SERVICES' ORDERS
AND DECLARATIONS**

WHEREAS, there exists a local emergency in the City of Clovis ("City") pursuant to Resolution 20-20, approved by the City Council on March 16, 2020, where the City declared a local emergency due to the increase in confirmed cases of COVID-19, including now multiple confirmed cases within Fresno, Madera and Tulare Counties; and

WHEREAS, under the authority of Government Code sections 8610 and 8634, and Clovis Municipal Code section 4.2.06, the Director of Emergency Services is empowered, upon declaration of a local emergency, to make and issue regulations on matters reasonably related to the protection of life and property as affected by such emergency; and

WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to enact certain emergency orders and restrictions within the City; and

WHEREAS, life and property is deemed to be in peril and time is of the essence; and

WHEREAS, the City Council does hereby find that the above-described conditions of disaster or of extreme peril did warrant and necessitate the Director of Emergency Services' orders and restrictions in response to the existence of a local emergency; and

WHEREAS, effective March 20, 2020, pursuant to Executive Order N-33-20, the Governor issued a Statewide stay at home/stay in place order, which encompasses and expands upon the orders of the Director of Emergency Services.

NOW, THEREFORE, the City Council of the City of Clovis resolves as follows:

1. The following order, restrictions, or declarations of the Director of Emergency Services, are hereby ratified and confirmed:

- Order 2020-08A, an addendum to suspension of vacation cap order 2020-08 related to suspension of employee vacation caps during the declared emergency. (**Exhibit 1**).

BE IT FURTHER RESOLVED that the above-referenced Order shall remain in effect until such time as it is terminated by the Director of Emergency Services or the City Council of the City of Clovis, or until termination of the declared local emergency, whichever occurs first.

* * * * * *

The foregoing resolution was introduced and adopted at a meeting of the City Council of the City of Clovis held on April 20, 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date: April 20, 2020.

Drew Bessinger, Mayor

Attest:

John Holt, City Clerk

**CITY OF CLOVIS
EMERGENCY SERVICES DIRECTOR ORDER 2020 – 08A
ADDENDUM TO SUSPENSION OF VACATION CAP ORDER 2020-08**

WHEREAS, the Emergency Services Director issued Order 2020-08 on April 6, 2020. Such Order was approved in the City of Clovis (“City”) Resolution 20-42, by the City Council on April 13, 2020; and

WHEREAS, the Emergency Services Director desires to amend Order 2020-08 in order to equally provide benefits for both represented and unrepresented employees; and

NOW, THEREFORE, I, Luke Serpa, as Director of Emergency Services, declare effective 1:00p.m. on April 10, 2020, the following addendum relates to the suspension of the vacation cap for City of Clovis employees during this declared emergency:

1. Paragraphs 1b.-1d. of Order 2020-08 will be revised and replaced as follows:
 - b. Following the end of the Declared Emergency, those City Employees who accrue hours in excess of the stated cap, shall have 6 months or the same number of months for which an Emergency was declared, whichever is greater (herein after “designated period”) in which to use any hours above the cap without penalty;
 - c. During the designated period following the Declared Emergency, employees will continue to accrue vacation in accordance with the applicable policy or MOU;
 - d. Following the designated period, any employee who still has vacation hours in excess of the stated cap shall not lose such hours, but shall no longer accrue vacation hours until such time as they go below the stated cap.

NOW, THEREFORE, BE IT ORDERED, that this Order 2020-08A shall remain in effect until such time as it is otherwise amended, replaced or terminated by the Director of Emergency Services or the City Council of the City of Clovis.

* * * * *

DATE AND TIME: April 10, 2020 at 1:00 p.m.



Luke Serpa, Director of Emergency Services

ATTEST:



John Holt, City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: April 20, 2020

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

City Manager Luke Serpa will give a verbal presentation on this item. This item will remain on the agenda during the State of Emergency.

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