

# CLOVIS CITY COUNCIL MEETING

FEBRUARY 20, 2001

7:00 P.M.

COUNCIL CHAMBER

Meeting called to order by Mayor Armstrong  
Flag Salute led by Councilmember Stearns

Roll Call: Present: Councilmembers Flores, Stearns, Wynne, Mayor Armstrong  
Absent: None

## PRESENTATION TO MICHAEL AND EVELYN O'SHAUGHNESSY

Mayor Armstrong presented Dr. Michael and Evelyn O'Shaughnessy with a plaque in appreciation of their recent donation to Clovis Area Recreation programs in the amount of \$2,000.00.

## PRESENTATION TO ALLISON LARSEN, INTERIM PRESIDENT AND CEO OF THE ECONOMIC DEVELOPMENT CORPORATION SERVING FRESNO COUNTY

Allison Larsen, Interim President and CEO of the Economic Development Corporation (EDC) serving Fresno County, made a presentation updating Council of the role the EDC plays in Fresno County and provided an overview of the progress to date this fiscal year.

## CONSENT CALENDAR

Mayor Armstrong indicated that item (h) was being pulled from the Consent Calendar. Motion by Councilmember Wynne, seconded by Councilmember Flores, that the items on the Consent Calendar, except item (h), be approved, including the waiver of the reading of the ordinances. Motion carried.

- a) Approved - Minutes for the February 5, 2001 Council meeting.
- b) Adopted - **Ordinance 01-06** - R00-20, rezoning approximately 1.93 acres of property located on the south side of Tollhouse Road, west of Sunnyside Avenue (1308, 1322, and 1334 Tollhouse Road) from the R-1 (Medium Density Single Family residential minimum lot size 6,000 square foot) Zone District to the P-F (Public Facility) Zone District. City of Clovis, owner/applicant.
- c) Adopted - **Ordinance 01-07** - R00-23, rezoning approximately 15,195 square feet of property located at the southeast corner of Willow and Barstow Avenues from R-2-A (Low Density Multiple Family Residential with a restriction of single story) to C-2 (Community Commercial). Samuel Lucido, owner.
- d) Adopted - **Ordinance 01-08** - R00-25, rezoning approximately 7.48 acres of property located on the southeast corner of Barstow and Temperance Avenues from the R-A (Low Density Single Family Residential minimum lot size 24,000 square foot) Zone District to the R-1-7500 (Low Density Single Family Residential minimum lot size 7,500 square foot) or more restrictive Zone District. Leo Wilson Company, Inc., owner/applicant.
- e) Adopted - **Ordinance 01-05** - Amending Section 2.8.03 of the Clovis Municipal Code to provide for submittal of the Annual budget by the third regular Council meeting in May.
- f) Approved - **Resolution 01-21** - Calling a public hearing for March 5, 2001, to consider the proposed financing of the 2001 Police/Fire Headquarters Facility Project by issuance of bonds through the Clovis Public Financing Authority.
- g) Approved - **Resolution 01-22** - Calling a public hearing for March 19, 2001, to consider the proposed financing of the 2001 Corporation Yard Project by issuance of bonds through the Clovis Public Financing Authority.

- i) Approved - Bid Award - 2001 Miscellaneous Concrete Repairs to A. E. Martinez Concrete in the amount of \$14,543.50.
- j) Approved - Bid Award - Storm Drainage Facilities, Drainage Area 4E, Contract 4E-36, to Bill Nelson General Engineering Construction, Inc. in the amount of \$115,491.00.
- k) Approved - Purchase of vehicles from State of California contract.
- l) Approved - Bid Award - New City of Clovis Corporation Yard to Harris Construction Company, Inc., for base bid and add alternates Nos. 1, 2, 2A, 3, 4, 6, 7, 8, 9, 10, 11, 12, and 13, in the amount of \$19,214,998.00.

**ITEM (h) – ALTERNATIVE SITES FOR LOCATION OF A CITY OF CLOVIS SURFACE WATER TREATMENT FACILITY AND ADOPTION OF A NEGATIVE DECLARATION FOR EA2001-1**

Planning and Development Services Director John Wright presented a report on alternate sites for the location of a Surface Water Treatment Facility. John Wright indicated that the City was in receipt of the letter from the City of Fresno that required further review and requested that this item be continued to the meeting of March 5, 2001. There being no public comment, Mayor Armstrong closed the public portion. Discussion by the Council. It was the consensus of Council to continue the item to March 5, 2001.

**APPROVED - INTRODUCTION - ORDINANCE 01-09 - OA98-3, AMENDING SECTION 8-1.01.1 OF TITLE 8 OF THE CLOVIS MUNICIPAL CODE TO PROVIDE FOR THE EXTENSION OF THE COLLECTION OF A 25-CENT PER \$100 OF BUILDING PERMIT VALUATION FOR IMPLEMENTATION OF MAJOR PLANNING PROGRAMS AND ELIMINATION OF THE 3-YEAR SUNSET CLAUSE. CITY OF CLOVIS, APPLICANT**

Planning and Development Services Director John Wright presented a report on a request to amend the Clovis Municipal Code. John Wright indicated that in March 1998, the City adopted ordinance OA 98-3, an ordinance that provides for the collection of fees upon building permits to fund major planning. John Wright indicated that the ordinance provided for the collection of a 25-cent per \$100.00 of building permit valuation. John Wright indicated that the ordinance was adopted to run for three consecutive years and expires in March 2001. John Wright indicated that adoption of this ordinance amendment would extend the collection of monies at the rate of a 25-cent per \$100.00 of building permit valuation to continue to fund major planning programs including implementation of Clovis' expanded sphere of influence, General Plan update, specific plan updates, new specific plans, code updates, and various mixed use and neighborhood masterplans. John Wright indicated that staff would meet with members of the Building Industry Association (BIA) to report on funds previously collected and how those funds were used and how future funding would be used. John Wright indicated that staff would report back to Council on the results of meetings with the BIA. There being no public comment, Mayor Armstrong closed the public portion. Discussion by the Council. Motion by Councilmember Wynne, seconded by Councilmember Flores, that the Council approve the introduction of Ordinance 01-09, a request to amend Section 8-1.01.1 of Title 8 of the Clovis Municipal Code to provide for the collection of a 25-cent per 100.00 of building permit valuation for implementation of major planning programs and elimination of the 3-year sunset clause. Motion carried.

**APPROVED - RESOLUTION 01-23 - APPROVING THE 2000 URBAN WATER MANAGEMENT PLAN**

Assistant Public Utilities Director Lisa Koehn presented a report on the 2000 Urban Water Management Plan. Lisa Koehn indicated that State law requires urban water suppliers, those that supply water for municipal purposes to more than 3,000 customers, prepare an urban water management plan and update every five years. Lisa Koehn indicated that the current Plan was adopted in 1995 and required update. Lisa Koehn indicated that the purpose of the Plan is to provide for the conservation and efficient use of urban water supplies and to plan for that use and its implementation. Lisa Koehn indicated that elements of the plan that are new include a limited leak detection survey, having the City offer larger customers water audits to identify ways that they can save water, and the installation of a computerized central irrigation system in larger landscape areas. There being no public comment, Mayor Armstrong closed the public portion. Discussion by the Council. Motion by Councilmember Flores, seconded by Councilmember Wynne, that the Council, by Resolution 01-23, approve the 2000 Urban Water Management Plan. Motion Carried.

**CLOSED SESSION**

Mayor Armstrong adjourned the meeting at 7:26 to Closed Session in accordance with:

**Government Code Section 54956.9(b)**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation                      One (1) case

Council returned to the dais at 8:14 p.m.

**CONSIDERED - REVIEW AND UPDATE ON THE BROWN ACT**

City Attorney Tom Riggs made a presentation on the Brown Act including the definition of the legislative body, requirements for open meeting, prohibition against collective concurrence, attendance at conferences, posting agendas, action and discussion of items, provisions for public comment, reasonable time limits, conditions to attendance at meetings, recording of meetings, criticism at meetings, public records, closed sessions, required notices and reporting out, calling special meetings and emergency meetings, and teleconferencing. Consensus by Council to accept and file the report.

**APPROVED - THE BASIS OF AWARD FOR THE NEW CLOVIS POLICE AND FIRE HEADQUARTERS**

Assistant City Manager Jeff Witte presented a report on the basis of bid award for the new Police and Fire Headquarters. Jeff Witte indicated that staff was recommending that the Basis of Award be the Base Bid and Alternates 2, 3, & 5. Jeff Witte indicated that the City had selected the "Blind Bidding" process which allows the Council the opportunity to select the base bid in addition to any combination of alternate bids which are in the City's best interest to proceed with as part of the contract. Jeff Witte indicated that following Council's review of the submitted bids and identification of the Basis of Award, the bidders' identities will be made public and staff will review all submitted bids to determine the lowest responsive bidder in accordance with the Basis of Award. Jeff Witte indicated that staff would then return to Council at the March 5, 2001 meeting with a recommendation to award the project to the lowest responsive bidder according to the approved Basis of Award. Jeff Witte indicated that the Basis of Award includes a perimeter fence and gate controls (Alternate 2), the landscaping and irrigation system (Alternate 3), and an operational wall that divides a large training room into two portions (Alternate 5). There being no public comment, Mayor Armstrong closed the public portion. Discussion by the Council. Motion by Councilmember Wynne, seconded by Councilmember Stearns, that the Council approve the Basis of Award for the new Police and Fire Headquarters be the Base Bid and Alternates 2, 3, & 5. Motion carried.

**CONSIDERED - REPORT AND RECOMMENDATION FOR FIVE-YEAR FINANCIAL FORECAST AND MID-YEAR FINANCIAL REVIEW**

City Manager Kathy Millison presented a review of the Five-Year Financial Forecast including revenue sources, risks to revenue, industrial growth, economic development activities, and population growth. Finance Director Michael Prandini presented a review of the mid-year financial status and reviewed the analysis of the major funds. Consensus by Council to accept and file the report.

**RECEIVED AND FILED - STATUS REPORT ON SPHERE OF INFLUENCE AND RELATED REGIONAL PLANNING MATTERS**

City Manager Kathy Millison and Planning and Development Services Director John Wright presented a progress report on the Sphere of Influence. John Wright indicated that the Local Agency Formation Commission (LAFCO) had approved the City of Clovis application for change to the Sphere of Influence (SOI) on December 20, 2000. John Wright indicated that the City continues to work with Fresno County regarding the required changes to the tax sharing agreement required because of the changes to the SOI. There being no public comment, Mayor Armstrong closed the public portion. Motion by Councilmember Stearns, seconded by Councilmember Flores, that the Council re-affirm the position taken in 1994 regarding urban growth and development in the Fresno-Clovis Metropolitan area and specifically recognizing Willow Avenue as the separation boundary between the cities of Fresno and Clovis regarding any future sphere of influence plans as demonstrated in Resolution 94-72. Motion carried. Council directed staff to forward a copy of the resolution to the City of Fresno.

**APPROVED - FORMATION OF A CITIZENS COMMITTEE TO CONSIDER DEVELOPMENT OF A CONFERENCE AND PERFORMING ARTS CENTER**

Community and Economic Development Manager Mike Dozier presented a report on the proposed formation of a citizens committee to consider establishing a Conference and Performing Arts Center. Mike Dozier indicated that in

1996, the City began investigating the feasibility of a Clovis Conference Center but found, at the time, that the development of such a conference center was premature. Mike Dozier indicated that as part of the goal setting meetings involving Council, staff, and citizens, held in the spring of 2000, the development of a performing arts facility was identified as one of the high priority goals. Mike Dozier indicated that the development of the area bounded by Herndon Avenue and Highway 168 includes plans for a hotel & conference center/performing arts center. Mike Dozier indicated that the creation of a citizen committee to examine the strengths and weaknesses of the City in relationship to the marketing of a conference and performing arts center would facilitate a determination of feasibility. Mike Dozier indicated that committee membership should be broadly represented from the private sector, local institutions and general citizenry. There being no public comment, Mayor Armstrong closed the public portion. Discussion by the Council. Motion by Councilmember Wynne, seconded by Councilmember Flores, that the Council approve the formation of a citizens committee (Conference and Performing Arts Center Committee – C-PACC) to consider the development of a conference and performing arts center. Motion carried.

**APPROVED - RESOLUTION 01-24 - AUTHORIZING APPLICATION FOR 2000 PARK BOND ACT FUNDING**

General Services Director Robert Ford, Public Utilities Director Alan Weaver, and Planning and Development Services Director John Wright presented a report on a request to authorize application for 2000 Park Bond Act Funding. Robert Ford indicated that the 2000 California State Parks Bond Act, which was passed in March 2000, provides block grant funding to local communities to rehabilitate facilities at existing local parks, develop facilities that promote a positive alternative for youth, facilities that promote family oriented recreation, and facilities that provide open, safe, and accessible parklands. Robert Ford indicated that the block grant funding allocated to Clovis is \$842,800 and requires a \$68,112 match. Robert Ford indicated that staff was recommending the following three projects: 1) Peach/Alluvial Park (\$300,000); 2) Basin 1E – Tot Lot/Phase 1 (northwest of Ashlan/Fowler) (\$470,000); and 3) A Community Skate Park (\$350,000). There being no public comment, Mayor Armstrong closed the public portion. Discussion by the Council. Motion by Councilmember Stearns, seconded by Councilmember Wynne, that the Council, by Resolution 01-24, authorize the application of the 2000 California Parks Bond Act funding to be used for the Peach/Alluvial Park Site, Basin 1E – Tot Lot and Phase I of the park site plan (northwest of Ashlan/Fowler), and for development of a community skatepark; authorize staff to amend the FY2000/2001 budget upon receipt of the funds allocated to the City of Clovis as part of the 2000 Park Bond Act; and authorize the City Manager to serve as the City’s representative to execute and submit all documents related to the 2000 California Parks Bond Act funding. Motion Carried.

In a related matter, Council directed staff to work with members of the Botanical Garden Committee and make grant information available to them.

**CLOSED SESSION**

Mayor Armstrong adjourned the meeting at 9:55 p.m. to Closed Session in accordance with:

**Government Code Section 54956.8**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: Northwest corner of Stuart and Peach  
Agency Negotiators: K. Millison, A. Weaver  
Negotiating Parties: AT&T  
Under Negotiation: Price and Terms

**Government Code Section 54956.8**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: 11413 East Shaw Avenue, Clovis  
Agency Negotiators: K. Millison, M. Prandini  
Negotiating Parties: Clovis Lakes Associates, LLC  
Under Negotiation: Price and Terms

**Government Code Section 54957.6**

**CONFERENCE WITH LABOR NEGOTIATOR**

Agency Negotiators: K. Millison, R. Ford, W. McMillen  
Employee Organizations: Clovis Fire Fighters Association, Clovis Police Officers Association

and stated that the Council would be taking no public action.

ADJOURNMENT

Mayor Armstrong adjourned the meeting of the Council to March 5, 2001.

Meeting adjourned: 10:30 p.m.

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Mayor

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City Clerk