



# AGENDA

## CLOVIS CITY COUNCIL

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

*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. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.cityofclovis.com](http://www.cityofclovis.com).*

July 6, 2009

7:00 PM

Council Chamber

**The City Council welcomes participation at Council Meetings. Members of the public may address the Council on any item of interest to the public that is scheduled on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less.**

Meeting called to order by Mayor Armstrong  
Flag salute led by Councilmember Whalen

### ROLL CALL

### PRESENTATIONS/PROCLAMATIONS

- A. Presentation of Proclamation by Chief Bennett to Captain John Leigh and Captain Jim Damico recognizing the Clovis Fire Department's Hazardous Materials Response Team achieving Type 1 Rating.
- B. Presentation of Proclamation by Parks Manager Eric Aller to J.J. Lowe recognizing the Church of Jesus Christ of Latter Day Saints for the clean-up of the Clovis Old Town Trail.
- C. Presentation of Plaques to City Council and Business owner Case Lawrence for the California Association for Local Economic Development 2008 Award of Excellence for Business Start-up Partnership.

**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. 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.)

**CONSENT CALENDAR** Consent Calendar items are considered routine in nature and voted upon as one item unless a request is made to give individual consideration to a specific item. (See Attached Consent Agenda.)

## 1. PUBLIC HEARINGS

- A. Consider Approval – Res. 09-\_\_\_\_, First General Plan Amendment Cycle for 2009. (Resolution to be adopted by the City Council on July 6, 2009, following consideration of the General Plan Amendment items GPA2008-04 and GPA2008-05 for this cycle.) (Continued from June 1, 2009 hearing - approved 4-0-1 with Mayor Armstrong absent, to continue items 1-A-1a-d and 1-A-2 a and b to the July 6, 2009 Council meeting.) (Staff: C. Combs)
1. Consider various actions associated with property bounded by Shaw Avenue on the north, Gettysburg Avenue on the south, Leonard Avenue on the west and Highland Avenue on the east.
    - a. Consider Approval – Res. 09-\_\_\_\_, Approval of an Environmental Finding of a Mitigated Negative Declaration for General Plan Amendment GPA2008-04, Prezone R2008-08, and Tentative Tract Map TM5937.
    - b. Consider Approval – GPA2008-04, A request to amend the Clovis General Plan and Loma Vista Specific Plan land use designation, modifying the density requirements for the eastern segment of the property bounded by Shaw Avenue on the north, Gettysburg Avenue on the south, Leonard Avenue on the west, and Highland Avenue on the east, from Low Density Single Family Residential (2.1 – 4 dwelling units per acre) to Medium Density Single Family Residential (4.1 – 7 dwelling units per acre). Additionally, the proposed General Plan Amendment would remove the centrally located “School” land use designation from the project area. Wicks and T. Armenta, owners; Lennar Fresno, Inc., applicant.
    - c. Consider Introduction – Ord. 09-\_\_\_\_, R2008-08, A request to approve a rezoning from the County AE-20 Zone District to the R-1 (Medium Density Single Family Residential – 6,000 square foot minimum lot size), or more restrictive Zone District for the property bounded by Shaw Avenue on the north, Gettysburg Avenue on the south, Leonard Avenue on the west, and Highland Avenue on the east and to consider annexation. Wicks, Maqbool, T. Armenta, R. & M. Armenta, and Lowder, owners; Lennar Fresno, Inc., applicant.
    - d. Consider Approval – Res. 09-\_\_\_\_, TM5937, A request to approve a 352 lot single family residential tentative subdivision map for the property located within the area bounded by Shaw Avenue on the north, Gettysburg Avenue on the south, Leonard Avenue on the west, and Highland Avenue on the east. Wicks, owner; Lennar Fresno, Inc., applicant.
  2. Consider actions associated with property located east and west of Clovis Avenue between Barstow and Sierra Avenues.
    - a. Consider Approval – Res. 09-\_\_\_\_, A request to approve an Environmental Finding of a Negative Declaration for GPA2008-05; and

- b. Consider Approval – GPA2008-05, A request to approve a General Plan Amendment to modify the maximum building height from two stories to four stories within Mixed Use Areas 6, 8 & 23 generally located on the east and west side of Clovis Avenue between Barstow and Sierra Avenues. Clovis Community Development Agency, applicant.
- B. Consider Approval – Res. 09-\_\_\_\_, Accepting the Engineer’s Report for AD 95-1 (Blackhorse Estates) and imposing assessments for the 2009-2010 Fiscal Year. (Staff: S. White)
- C. Consider actions associated with the property located at the southwest corner of Herndon and Villa Avenues. (Staff: C. Combs)
  - 1. Consider Approval – Res. 09-\_\_\_\_, A request to approve an Environmental Finding of a Negative Declaration for R86-25A3; and
  - 2. Consider Introduction - Ord. 09-\_\_\_\_, R86-25A3, A request to approve a reinstatement of the P-C-C (Planned Commercial Center) Zone District on approximately 9 acres of property located at the southwest corner of Herndon and Villa Avenues to allow for interim commercial uses on the site. S. C. Ellis Investment Property, L.P., owner; Durbin Lloren, applicant. The Planning Commission recommends that the City Council approve R86-25A3.
- D. Consider Introduction – Ord. 09-\_\_\_\_, An Ordinance of the City Council of the City of Clovis Amending Chapter 8.12, Title 8 of the Clovis Municipal Code pertaining to Floodplain Management. (Staff: M. Meyers)
- E. Consider Approval – Res. 09-\_\_\_\_, Adopting the Fresno County Multi-Hazard Mitigation Plan (MJHMP) and City of Clovis Local Hazard Mitigation Plan (LHMP) Annex. (Staff: C. Fitzgerald)

**2. ADMINISTRATIVE ITEMS**

**A. PUBLIC UTILITIES**

- 1. Consider Approval – Res. 09-\_\_\_\_, Adopting the Public Utilities Department’s Sponsor-A-Median Program. (Staff: E. Aller)

**3. COUNCIL ITEMS**

- A. Consider Approval – Designation of Voting Delegate and Alternates for the 2009 League of California Cities’ Annual Conference and Business Meeting, September 16-18, 2009. (Staff: K. Millison)
- B. Council Comments

**4. CLOSED SESSION**

A. Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: K. Millison, R. Ford, J. Cardell

Employee Organization: Clovis Fire Fighters Association,  
 Clovis Police Officers Association,  
 Clovis Public Works Employees Association,  
 Unrepresented Non-Management and Management Employees

B. Government Code Section 54956.9(b) and (c)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Deciding Whether to Initiate Litigation: 1 case

C. Government Code Section 54956.9(a)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Workers Compensation Claim in Regards to: J. Hubbard

**ADJOURNMENT**

<b>Meetings and Key Issues</b>			
Jul. 13, 2009 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Jul. 20, 2009 (Mon.)	7:00 P.M.	Joint Meeting w/CUSD Board	Council Chamber
Aug. 3, 2009 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Aug. 4 – 31, 2009		City Council Summer Recess	
Sep. 8, 2009 (Tue.)	7:00 P.M.	Regular Meeting	Council Chamber
Sep. 14, 2009 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Sep. 21, 2009 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Oct. 5, 2009 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Oct. 12, 2009 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Oct. 19, 2009 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber

**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 on the Consent Calendar. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered Consent items.

**A. CITY CLERK**

- 1) Adopt - Ord. 09-13, Ordinance Amending Sections 3.1.106, 3.1.115, 3.1.133, 3.1.201, and 3.1.212 of Chapter 3.5, of Title 3, of the Clovis Municipal Code pertaining to Business Licensing. (Vote: 5-0)
- 2) Adopt – Ord. 09-14, Ordinance Amending Section 8.11.04 of Chapter 8.11, of Title 8, of the Clovis Municipal Code and Adding Section 8.11.07 to Chapter 8.11, of Title 8, of the Clovis Municipal Code pertaining to Temporary Occupancy and Utility Permits. (Vote: 5-0)
- 3) Adopt – Ord. 09-15, R2007-06, A request to approve a rezone for a proposed shopping center on approximately 50 acres located at the north side of Herndon Avenue between Clovis and Sunnyside Avenues (“Shopping Center”). The rezone consists of a change from the R-A (Single Family Residential – 24,000 square foot minimum) Zone District to the C-2 (Community Commercial) Zone District, for approximately 0.6 acres located within the Shopping Center site on the north side of Herndon Avenue between Clovis and Sunnyside Avenues. The Shopping Center is zoned C-2. This rezone is for clean up purposes and encompasses a remnant piece from Freeway 168 inadvertently omitted from an earlier rezone. Clovis-Herndon Center, LLC, owner/applicant. (Vote: 5-0)

**B. ADMINISTRATION**

- 1) No items.

**C. COMMUNITY AND ECONOMIC DEVELOPMENT**

- 1) Approval - Authorize the City Manager to Execute an Exclusive Right to Negotiate with Granville Homes to Purchase and Develop Property Located at 533 Pollasky Avenue (DMV Property).

**D. FINANCE**

- 1) No items.

**E. GENERAL SERVICES**

- 1) No items.

**F. PLANNING AND DEVELOPMENT SERVICES**

- 1) Approval – Final Acceptance for CIP 08-27, Alluvial Groundwater Recharge Site Pump Addition.
- 2) Receive and File – Sewage Treatment – Water Reuse Facility (ST-WRF) Progress Report for May 2009.

**G. PUBLIC SAFETY**

- 1) Receive and File - Police Department Monthly Report to Council for the month of May 2009.

**H. PUBLIC UTILITIES**

- 1) Approval – Res. 09-\_\_\_\_, Amending the Parks Budget to reimburse the Harlan Ranch Community Association for past LMD payments.