



# 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 13, 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 Ashbeck

### ROLL CALL

### PRESENTATIONS/PROCLAMATIONS

- A. Presentation of Proclamation to Senior Services Supervisor Lynn Bawdon for her years of service to the City.

**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.)

**ADJOURNMENT TO THE CLOVIS COMMUNITY DEVELOPMENT AGENCY  
(SEE ATTACHED AGENDA)**

**1. PUBLIC HEARINGS**

- A. Consider Approval – Res. 09-\_\_\_\_, Consenting to and approving the sale of real property located at 905 Acacia Street, pursuant to an Affordable Housing Disposition Agreement by and between the Clovis Community Development Agency and Jose and Margarita Gonzalez. (Staff: A. Haussler)
  
- B. Consider actions associated with Clovis Community Medical Center located at the northeast corner of Herndon and Temperance Avenues. (Staff: B. Araki)
  - 1. Consider Approval – Res. 09-\_\_\_\_, Review and Certification of a Final Environmental Impact Report associated with CUP85-18A7 and SPR90-88A8.
  
  - 2. Consider Approval – Res. 09-\_\_\_\_, CUP85-18A7, A request to approve a conditional use permit amendment for a business campus planned unit development, including Phase B expansion of the Clovis Community Medical Center Hospital located at the northeast corner of Herndon and Temperance Avenues. Phase B includes an expansion of the main hospital facility, medical office buildings, multiple level parking garage, surface parking, relocation of the helicopter pad, and relocation of interior streets. Fresno Community Hospital and Medical Center, owner/applicant.
  
  - 3. Consider Approval – Res. 09-\_\_\_\_, SPR90-88A8, A request to approve a site plan review amendment for a business campus planned unit development, including Phase B expansion of the Clovis Community Medical Center Hospital located at the northeast corner of Herndon and Temperance Avenues. Phase B includes an expansion of the main hospital facility, medical office buildings, multiple level parking garage including sub-standard parking stalls, surface parking, relocation of the helicopter pad, and relocation of interior streets. Fresno Community Hospital and Medical Center, owner/applicant.

**2. ADMINISTRATIVE ITEMS**

**A. ADMINISTRATION (City Manager, City Clerk, Finance)**

- 1. Consider Preliminary Proposal to Amend Clovis Municipal Code Chapter 5.6, Gaming Club and Card Room Regulations in connection with the expansion and relocation of the existing card room, and provide general policy direction to staff regarding the processing of the proposal. John M. Cardot, 500 Club, owner's representative. (Staff: K. Millison)

**B. COMMUNITY AND ECONOMIC DEVELOPMENT**

- 1. Consider Approval - Street Closure Request From Greg McKinney to Hold a Pro-Am Bicycle Race at Harlan Ranch and Old Town Clovis on September 5 and 6, 2009. (Staff: S. Miller)

**C. PLANNING AND DEVELOPMENT SERVICES**

- 1. Consider Approval - Res. 09-\_\_\_\_, Authorizing the City of Clovis to enter into a Joint Powers Authority agreement for the creation of the Fresno County Regional Transportation Mitigation Fee. (Staff: M. Harrison)

**3. COUNCIL ITEMS**

A. Council Comments

**4. CLOSED SESSION**

A. Government Code Section 54956.9(a)

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
SEMI-ANNUAL LITIGATION REVIEW**

1. City of Clovis v. Shell Oil Company, et al.
2. Association for Sensible and Informed Planning/Save Our Crossroads Center v. City of Clovis.
3. Michelle Lujan v. City of Clovis.
4. Ed Kemper, Ruth Lake v. City of Clovis.
5. Robert Jenkins v. City of Clovis.
6. City of Clovis, City of Fresno, et al. v. County of Fresno.
7. Jack De Fehr v. Gregg Hernandez, Clovis Community Development Agency; First American Title Company.
8. Robert Daughrity v. City of Clovis, Wilson Homes, Inc.
9. Valerie Pippig v. City of Clovis.
10. Diane Anderson v. City of Clovis.
11. Robert Broyles III v. City of Clovis.
12. Chester Garber, Betty Ting, Emilia Ting, M.D., Garber Services Co., Golden Valley Aero v. City of Clovis.
13. Michael Tater-Alexander v. Amerjan, Stirling, et al.
14. City of Clovis v. Gary Hamilton, Tamera Notley, Reynas, et al.
15. PERB Unfair Practice Charge - CPWEA/0E3.
16. DFEH Complaint – John Smedley v. City of Clovis.
17. DFEH Complaint - Gil Holquin v. City of Clovis.
18. DFEH Complaint - Michael Tater-Alexander v. City of Clovis.

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

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Deciding Whether to Initiate Litigation 1 case

**ADJOURNMENT**

<b>Meetings and Key Issues</b>			
Jul. 20, 2009 (Mon.)	7:00 P.M.	Regular Meeting (Joint Meeting with Planning Commission)	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. 16-18, 2009 (Wed. – Fri.)		League of Cities Annual Conference	San Jose, CA
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) Approval - Minutes for the May 18, 2009, June 1, 2009, June 15, 2009 and June 22, 2009 Council meetings.
- 2) Adopt – Ord. 09-16, 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. 7:24 Approved 5-0 per staff recommendation. (Vote: 5-0)
- 3) Adopt - Ord. 09-17, 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. (Vote: 5-0)
- 4) Adopt – Ord. 09-18, 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. (Vote: 5-0)

**B. ADMINISTRATION**

- 1) No items.

**C. COMMUNITY AND ECONOMIC DEVELOPMENT**

- 1) Approval – FY 2009-10 Agreement between the City of Clovis and the Central Valley Business Incubator.
- 2) Approval – FY 2009-10 Agreement between the City of Clovis and the Economic Development Corporation Serving Fresno County.
- 3) Approval – Res. 09-\_\_\_\_, Authorizing submission of applications to the State of California HOME Program for \$800,000 for a First-time Homebuyer Program and up to \$5,000,000 for matching funds for Rose View Terrace.

**D. FINANCE**

- 1) Receive and File - Investment Report for the month of May 2009.
- 2) Receive and File - Treasurer's Report for the month of May 2009.

**E. GENERAL SERVICES**

- 1) Approval – Res. 09-\_\_\_\_, Modifying the Position Allocation in the Fire Department.
- 2) Approval – Res. 09-\_\_\_\_, Declaring the intent to continue to be a direct sponsor of the Clovis Senior Services programs; and Authorize the City Manager to submit an application for Older Americans Act Funding for Nutrition services through the Fresno-Madera Area Agency on Aging (FMAAA).

**F. PLANNING AND DEVELOPMENT SERVICES**

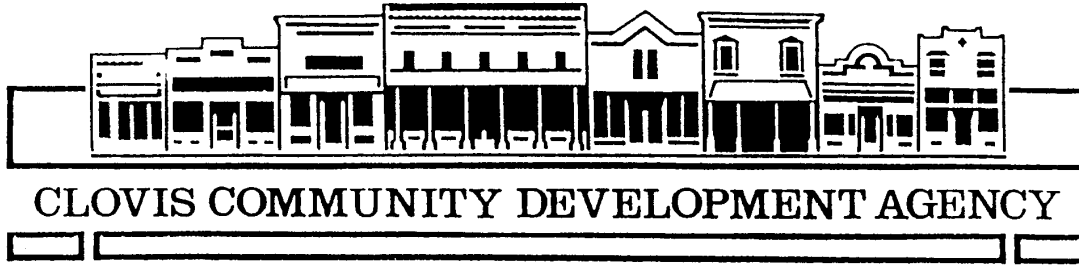
- 1) Approval – Final Acceptance for Tract 5654, a Planned Unit Development, located in Harlan Ranch (CVEC Group).
- 2) Approval – Final Acceptance for CIP03-12, Well 5A - Pump, Motor, and Chlorination Facility.

**G. PUBLIC SAFETY**

- 1) No items.

**H. PUBLIC UTILITIES**

- 1) Receive and File – Public Utilities Report for the month of May 2009.



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July 13, 2009

7:00 PM

Council Chamber

Meeting called to order by Chairperson Armstrong

## ROLL CALL

**PUBLIC COMMENTS** (This is an opportunity for the members of the public to address the Board on any matter within the Board'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 Executive Director's office and submit correspondence at least 10 days before the desired date of appearance.)

1. **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 Member requests individual consideration.
  - a) Approval - Minutes of the June 1, 2009 and June 15, 2009 Agency meetings.
  - b) Approval – Authorize the Executive Director to execute an agreement with the University HOPE Foundation for the construction of a single-family home at 252 Sunnyside Avenue.
  - c) Approval – Authorize the Executive Director to execute an agreement with the State Center Community College District for the construction of a single-family home at 1411 Morris Avenue.
2. **ADMINISTRATIVE ITEMS**
  - A. Consider Approval - Amendment to Storefront Improvement Rebate Program (SIRP) Guidelines to Allow Participating Buildings to Become Re-eligible for SIRP Grants after Fifteen Years. (Staff: S. Miller)
3. **PUBLIC HEARINGS**
  - A. Consider Approval – CCDA Res. 09-\_\_\_\_, Approving the sale of real property located at 905 Acacia Street, pursuant to an Affordable Housing Disposition Agreement by and between the Clovis Community Development Agency and Jose and Margarita Gonzalez. (Staff: A. Haussler)

**4. BOARD ITEMS**

A. Board Comments

**ADJOURNMENT TO THE CLOVIS CITY COUNCIL MEETING  
(SEE ATTACHED AGENDA)**