



AGENDA

CLOVIS CITY COUNCIL

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

January 11, 2010

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 Magsig

ROLL CALL

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.)

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 unless there is a request by a Councilmember that the resolution or ordinance be read in full.)

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. 10-____, SPR2007-27A, A request to approve an amendment to Site Plan Review SPR2007-27 for redesign and improvement of a 4-acre Area Park to be located at the northwest corner of Barstow and DeWolf Avenues. The park redesign will include a parking lot, green space, play area, picnic facilities, and the potential for a water play area. City of Clovis, owner/applicant. (Staff: C. Combs)
- B. Consider various actions associated with applying for the State Energy Program Funds. (Staff: A. Haussler)
 - 1. Consider Approval - Res. 10-____, Authorizing the City of Clovis to Join the California FIRST Program;
 - 2. Consider Approval - Res. 10-____, Authorizing the City of Clovis to be a joint applicant for State Energy Program Funds with the County of Sacramento as the lead agency for a statewide application;
 - 3. Consider Approval - Res. 10-____, Authorizing the City of Clovis to be a joint applicant for State Energy Program Funds with the San Joaquin Valley Air Pollution Control Board as the lead agency for a regional application.
- C. Consider Introduction - Ord. 10-____, An Ordinance of the City Council of the City of Clovis Adding Chapter 4.13 of Title 4, of the Clovis Municipal Code pertaining to Taxicabs. (Staff: V. Leonardo)
- D. Consider Introduction – Ord. 10-____, An Ordinance of the City Council of the City of Clovis Amending Section 5.10.02, 5.10.06, 5.10.07.1, 5.10.08 and 5.10.21 of Chapter 5.10 of Title 5, of the Clovis Municipal Code pertaining to Massage Establishments and Therapists. (Staff: V. Leonardo)

2. ADMINISTRATIVE ITEMS

- A. **ADMINISTRATION** (City Manager, City Clerk, Finance)
 - 1. Consider Approval – A request from Picayune Rancheria of the Chukchansi Indians for the City Council to take action to keep Indian gaming on Indian lands and oppose taking off-reservation lands into trust for Indian gaming purposes. Applicant, Joe Alberta, representative of Picayune Rancheria of the Chukchansi Indians. (Staff: K. Millison) (Continued from the December 14, 2009 meeting)
 - 2. Consider Approval – A request to award a contract to EnerGov Solutions, LLC (EnerGov) and authorize the City Manager to enter into an Agreement to acquire hardware and software to implement a Regulatory Application/Workflow System; and Consider Approval - Res. 10-____, Amending the Planning and Development Services Department FY09-10 Budget to provide funding for the acquisition. (Staff: C. Fitzgerald)
 - 3. Consider Approval – Extending the Agreement with Townsend Public Affairs, Inc. for public sector funding advocacy services for the period January 1 through June 30, 2010 and authorize the City Manager to execute the amended agreement. (Staff: K. Millison)

3. COUNCIL ITEMS

- A. Consider Approval – Appointment of Urban Public At Large Member to Fresno County Transportation Authority. (Staff: K. Millison)
- B. Council Comments

4. CLOSED SESSION

A. Government Code Section 54956.9(a)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Semi-Annual Review of All Cases)

COURT CASES:

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. Gongco Fresno, Inc., et al. v. City of Clovis
4. Michelle Lujan 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. Valerie Pippig v. City of Clovis
8. Diane Anderson v. City of Clovis
9. Michael Tater-Alexander v. Amerjan, Stirling, et al.
10. Chester Garber, Betty Ting, Emilia Ting, M.D., Garber Services Co., Golden Valley Aero v. City of Clovis
11. City of Clovis v. Gary Hamilton, Tamera Notley, Reynas, et al.
12. Jack De Fehr v. Gregg Hernandez, Clovis Community Development Agency; First American Title Company
13. Andre Perkins v. City of Clovis
14. Adam Rodriguez v. City of Clovis

DFEH CASES:

1. DFEH Complaint – John Smedley v. City of Clovis
2. DFEH Complaint - Gil Holquin v. City of Clovis
3. EEOC Complaint – Simmons v. City of Clovis

B. Government Code Section 54956.9(a)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Kemper and Lake vs. City of Clovis

C. Government Code Section 54956.9(c)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Deciding whether to initiate litigation: 1 case; actions relating to Surface Water Treatment Plant

ADJOURNMENT

Meetings and Key Issues			
Jan. 19, 2010 (Tue.)	7:00 P.M.	Regular Meeting	Council Chamber
Feb. 1, 2010 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Feb. 8, 2010 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Feb. 16, 2010 (Tue.)	7:00 P.M.	Regular Meeting	Council Chamber
Mar. 1, 2010 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Mar. 8, 2010 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Mar. 15, 2010 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Apr. 5, 2010 (Mon.)	7:00 P.M.	Regular Meeting	Council Chamber
Apr. 12, 2010 (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 or resolution 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 December 14, 2009 Council meeting.
- 2) Adopt – Ord. 09-24, Amending Section 2.1.01 of Chapter 2 of Title 2 of the Clovis Municipal Code Relating to City Council Meeting Time. (Vote: 5-0)

B. ADMINISTRATION

- 1) No items.

C. COMMUNITY AND ECONOMIC DEVELOPMENT

- 1) Approval - 2010 Street Closure Requests; and Approval - Res. 10-____, Declaring Certain Events as Old Town Special Events and Setting Precise Boundaries for those Old Town Special Events.

D. FINANCE

- 1) No items.

E. GENERAL SERVICES

- 1) No items.

F. PLANNING AND DEVELOPMENT SERVICES

- 1) Approval – Waiver of Condition for Issuance of Building Permits in Subdivision Agreement for Tract 4998, located on the south of Shaw Avenue and west of Locan Avenue, (LB/L-DS Ventures Clovis, LLC, owners).
- 2) Approval – Final Acceptance for CIP 08-19, Fresno Irrigation District Pipeline for Gunn Ditch No. 386.
- 3) Approval - Res. 10-____, A request to extend the Agreement with Cal-Trans removing the access restriction to construct a public road connection at Nees Avenue and State Route 168 Expressway to 2012.
- 4) Receive and File – Administrative Procedures for the enforcement of the Storm Water Pollution Prevention Program (SWPPP) pursuant to Clovis Municipal Code 6.7.301.

G. PUBLIC SAFETY

- 1) Approval - Res. 10-____, Amending the Fire Department Budget to reflect \$7,000 in grant funding awarded by the State Homeland Security Grant Program (SHSGP) to fund Clovis Emergency Response Team (CERT) equipment.
- 2) Approval – Res. 10-____, Amending the FY 2009-2010 Police Department's Budget to authorize the expenditure of Asset Forfeiture Funds.

- 3) Approval – Res. 10-____, Amending the Police Department FY09-10 budget by \$555,000 and the General Service Department FY09-10 budget by \$50,000 for State Funded 911 Dispatch Center Phone System Replacement and Center Updates and the purchase of \$398,000 of 911 Equipment and Service from AT&T using the State Master Purchase Agreement.
- 4) Receive and File - Fire Department Monthly Report for November, 2009.

H. PUBLIC UTILITIES

- 1) Approval - Contract Award for Landscape Maintenance Services in Tract 5418 – Shaw & DeWolf to Briner & Son Landscape Management.
- 2) Approval - Contract Award for Landscape Maintenance Services in the Town and Country Benefit Area to Evergreen Lawn Care & Maintenance, Inc.
- 3) Receive and File – Public Utilities Monthly Report for October 2009.



CLOVIS COMMUNITY DEVELOPMENT AGENCY

AGENDA

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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 December 14, 2009 Agency meeting.
 - b) Approval - Storefront Improvement Rebate Program (SIRP) #88, Bill & Cora Shipley – 481 Pollasky Avenue.
 - c) Approval - Storefront Improvement Rebate Program (SIRP) #89, Bill & Cora Shipley – 457 Pollasky Avenue.
2. **BOARD ITEMS**
 - A. Board Comments

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