

# CLOVIS CITY COUNCIL MEETING

MAY 14, 2001

7:00 P.M.

COUNCIL CHAMBER

Meeting called to order by Mayor Flores  
Flag Salute led by Councilmember Magsig

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

## PRESENTATION BY MARK KEPPLER, BUSINESS PROFESSOR, CSUF, ON THE CLOVIS COMMUNITY FOUNDATION AND REQUEST FOR ENDORSEMENT BY CITY COUNCIL

California State University Fresno Business Professor Mark Keppler made a presentation to Council on the Clovis Community Foundation. Mark Keppler indicated that the Clovis Community Foundation will be created as a not for profit fund raising organization that will exist to enrich the quality of life of the Clovis Community by promoting effective philanthropy in the areas of culture, arts, and recreation. Mark Keppler indicated that the Foundation would be established to facilitate and manage the charitable donations from individuals, businesses, and other non-profit organizations. Mark Keppler indicated that the ultimate goal of the Foundation would be to build an endowment of \$10 million. Mark Keppler indicated that he was before City Council seeking their endorsement and requesting the use of City staff, as available, to assist with the housing of the Foundations web site on the City's server. There being no public comment, Mayor Flores closed the public portion. Discussion by the Council. There was a concurrence of Council to endorse the Clovis Community Foundation and authorize the use of City staff, as available, to assist with the housing of the Foundations web site on the City's server.

## CONSENT CALENDAR

Motion by Councilmember Armstrong, seconded by Councilmember Wynne, that the items on the Consent Calendar be approved. Motion carried.

- a) Received and Filed - Community and Economic Development Department monthly Report for April 2001.
- b) Received and Filed - Treasurer's report for the month of March 2001.
- c) Received and Filed - Investment report for the month of March 2001
- d) Approved - Amendment 1 to Agreement 00-648 between County of Fresno and City of Clovis transferring Community Development Block Grant funds to install a sewer line in the Osmund/Baron Avenue alley between 3<sup>rd</sup> and 4<sup>th</sup> Streets.
- e) Approved - **Resolution 01-68** - Authorizing the Public Utilities Director to prepare, investigate, and file an application for Local Groundwater Assistance Fund Grant (AB303) with the California Department of Water Resources.

## APPROVED - INTRODUCTION - **ORDINANCE 01-15** - R2000-24, A REZONE OF APPROXIMATELY 26.92 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF LOCAN AVENUE BETWEEN ASHLAN AND GETTYSBURG 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). GEORGE AND ALICE RAAB, ROY S. MIYAKE, AND LEO WILSON, OWNERS; LEO WILSON CO., INC. APPLICANT

City Planner Dwight Kroll presented a report on a request to approve a rezone for property located on the west side of Locan Avenue between Ashlan and Gettysburg Avenues. Dwight Kroll indicated that the request to rezone the subject properties is consistent with the land use designation approved under the General Plan Amendment GPA91-15. Dwight Kroll indicated that the requested designation provides for single-family residential development under R-1-7500 Zone District with a minimum lot size of 7,500 square feet and density not to exceed 3.8 dwelling units per acre. Dwight Kroll indicated that both staff and the Planning Commission recommended approval of the request subject to the conditions identified in Exhibit "A" of the staff report. Stan Harbour, representing the applicant, 375 Woodworth, spoke in support of the request. Discussion by the Council. Motion by Councilmember Magsig, seconded by

Councilmember Armstrong, that the Council approve the introduction of Ordinance 01-15, approving a rezone of approximately 26.92 acres of property located on the west side of Locan Avenue between Ashlan and Gettysburg 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). Motion carried.

**APPROVED - INTRODUCTION - ORDINANCE 01-16 R2001-2, A REZONE OF APPROXIMATELY 7,500 SQUARE FEET OF PROPERTY LOCATED AT 315 WOODWORTH AVENUE FROM THE R-1 (MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL MINIMUM LOT SIZE 6,000 SQUARE FOOT) ZONE DISTRICT TO THE C-3 (CENTRAL TRADING DISTRICT) ZONE DISTRICT. TIM AND BRIGITTE GREEN, OWNERS; SCOTT MILLER, APPLICANT**

City Planner Dwight Kroll presented a report on a request to approve a rezone for property located at 315 Woodworth Avenue. Dwight Kroll indicated that the request to rezone the subject property is consistent with the underlying land use designation of retail/office as called out in the Central Clovis Specific Plan and Clovis General Plan Mixed Use Area No. 6. Dwight Kroll indicated that the subject site contains an existing single family residence and that the applicant wishes to adaptively reuse the building for retail purposes and establish a nursery / garden center. Dwight Kroll indicated that both staff and the Planning Commission recommended approval of the request subject to the conditions identified in Exhibit "A" of the staff report. Scott Miller, applicant, spoke in support of the request. Discussion by the Council. Motion by Councilmember Wynne, seconded by Councilmember Magsig, that the Council approve the introduction of Ordinance 01-16, approving a rezone of approximately 7,500 square feet of property located at 315 Woodworth Avenue from the R-1 (Medium Density Single Family Residential minimum lot size 6,000 square foot) zone district to the C-3 (Central Trading District) zone district. Motion carried.

**APPROVED - RESOLUTION 01-69 - CUP2001-3, A CONDITIONAL USE PERMIT FOR AN ADULT DAY HEALTH CARE FACILITY TO BE LOCATED AT THE SOUTHWEST CORNER OF BULLARD AND MINNEWAWA AVENUES (50 WEST BULLARD AVENUE, SUITE 113) IN THE EXISTING SHOPPING CENTER. GARY LEEDS AND MATTHEW AND IRIS STRAUSS, OWNERS; CLOVIS ADULT DAY HEALTH CARE, INC., APPLICANT; BILL PERKINS, REPRESENTATIVE**

City Planner Dwight Kroll presented a report on a request to approve a conditional use permit for an adult day health care facility. Dwight Kroll indicated that the City of Clovis Zone Ordinance allows the development of day care centers within any zone district, subject to a conditional use permit. Dwight Kroll indicated that the applicant proposes to establish an adult day health care operation within an existing shopping center. Dwight Kroll indicated that to accommodate this use, part of the rear parking area of the shopping center would be converted to a fenced outdoor sitting area. Carl Noise, representing the applicant, spoke in support of the request. Discussion by the Council. Motion by Councilmember Magsig, seconded by Councilmember Wynne, that the Council, by Resolution 01-69, approve CUP2001-3, a conditional use permit for an adult day care health care facility to be located at the southwest corner of Bullard and Minnewawa Avenues (50 West Bullard Avenue, Suite 113) in the existing shopping center. Motion carried with Councilmember Ashbeck voting no. Councilmember Ashbeck stated that she voted no because of concerns she has about the location.

**APPROVED - RESOLUTION 01-70 - ABANDONING THE EXCESS RIGHT-OF-WAY ON THE EAST AND WEST SIDES OF COVENTRY AVENUE SOUTH OF BARSTOW AVENUE, TRACT NO. 4985**

Associate Civil Engineer Mike Harrison presented a report on a request to abandon the excess right-of-way on the east and west sides of Coventry Avenue south of Barstow Avenue. Mike Harrison indicated that after the City received a request from the developer of Tract 4985 to consider abandonment, the City Council, at their regular meeting of April 16, 2001, adopted Resolution 01-54, a Resolution of Intention to abandon the subject street right-of-way and set May 14, 2001 for a public hearing to consider the abandonment. Mike Harrison indicated that the abandonment of the excess right-of-way with reservation of a public utility easement will not affect the City or utility operations and will permit the adjoining property owner to further develop the property. Stan Harbour, representing the developer, spoke in support of the request. Discussion by the Council. Motion by Councilmember Wynne, seconded by Councilmember Ashbeck, that the Council, by Resolution 01-70, abandon the excess right-of-way the East and West Sides of Coventry Avenue, South of Barstow Avenue, but reserve a public utility easement for Tract 4985. Motion carried.

APPOINTMENT TO THE TOURISM ADVISORY COMMITTEE (TAC)

Business Development Manager Marilyn Lidyoff presented a report recommending appointments to the Tourism Advisory Committee. Marilyn Lidyoff indicated that in September 1998, City Council approved the recommendation that a Tourism Advisory Committee (TAC) be established for the purpose of implementing a Tourism Program for the City of Clovis, and that in November 1998, Council appointed 23 members to the TAC for a 24-month term. Marilyn Lidyoff indicated that staff was recommending reestablishing the TAC for another 24-month term. There being no public comment, Mayor Flores closed the public portion. Discussion by the Council. Mayor Flores, with the concurrence of the Council, appointed the 13 applicants listed on Exhibit "A" to the Tourism Advisory Committee to assist in the development and implementation of a Tourism Program.

ADOPTED - ORDINANCE 01-14 - OA2001-1, APPROVING AN AMENDMENT TO THE CITY OF CLOVIS ZONING ORDINANCE TO ESTABLISH A LAND USE DISTRICT FOR RESEARCH AND TECHNOLOGY PARKS (R-T ZONE DISTRICT). CITY OF CLOVIS, APPLICANT

City Planner Dwight Kroll presented a report on a request to adopt Ordinance 01-14. Dwight Kroll indicated that during Council's consideration on OA2001-1 on May 7, 2001, the draft ordinance was adopted with a modification to the definition for service station uses to include a fully enclosed automated self-service car washing facility with a vote of 4-1, with Councilmember Armstrong voting no. There being no public comment, Mayor Flores closed the public portion. Discussion by the Council. Motion by Councilmember Wynne, seconded by Councilmember Ashbeck, that the Council adopt Ordinance 01-14, OA2001-1, approving an amendment to the City of Clovis zoning ordinance to establish a land use district for Research and Technology Parks (R-T Zone District). Motion carried with Councilmember Armstrong voting no. Councilmember Armstrong stated he voted no on the item because he believed that the ordinance should have been approved as recommended by staff and not include any modifications to the definition of services stations.

PUBLIC MEETING - ANNUAL LEVY OF ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR 2001-02

Construction Manager John Lovejoy presented a report on an annual assessment for Landscape Maintenance District No. 1. John Lovejoy indicated that on July 15, 1985, Council adopted Resolution No. 85-78 forming the City of Clovis Landscape Maintenance District No. 1 in accordance with the Landscaping and Lighting Act of 1972. John Lovejoy indicated that the purpose of the district is to fund the maintenance of linear landscaped areas and neighborhood parks constructed within subdivisions. John Lovejoy indicated that the 1972 Act requires a process that provides for at least four separate meetings at which the City Council must consider testimony and / or provide direction to staff in order to approve the annual assessment. John Lovejoy indicated that this was the third meeting, which is intended to afford the property owners an opportunity to address their concerns about the landscape maintenance district. John Lovejoy indicated that no other action is required other than hearing testimony at the public meeting. There being no public comment, Mayor Flores closed the public portion and stated that no action was taken on this item other than a public meeting.

APPROVED - RESOLUTION 01-71 - AMENDING THE POSITION ALLOCATION FOR FLEET PERSONNEL AND REVISION TO THE SALARY SCHEDULE

Public Utilities Director Alan Weaver presented a report on a request to amend the position allocation for Fleet Personnel and revision to the salary schedule. Alan Weaver indicated that staff was recommending an amendment to the current budget for the Public Utilities Department positions allocation to implement proposed organizational changes in the Fleet Maintenance Unit. There being no public comment, Mayor Flores closed the public portion. Discussion by the Council. Motion by Councilmember Magsig, seconded by Councilmember Wynne, that the Council: 1. Approve Resolution 01-71, amending the 2000-01 Budget for the Public Utilities Department position allocation by adding one Service Writer position and authorize immediate hiring of the Service Writer in the Fleet Maintenance Unit and eliminate one Equipment Mechanic position upon the scheduled retirement of the incumbent; 2. Assign the Service Writer position to the Clovis Public Works Employee Association bargaining unit; 3. Authorize an equity adjustment for the Parts Clerk; and 4. Adopt the following salary schedule for Service Writer and Parts Clerk – Range - \$2,845 - \$3,458 per month. Motion carried.

Mayor Flores adjourned the meeting for the Council to sit as the Board of the Clovis Community Development Agency.

Adjourned: 7:56 p.m.

Reconvened: 7:57 p.m.

CLOSED SESSION

Mayor Flores adjourned the meeting at 7:58 p.m. to Closed Session in accordance with:

**Government Code Section 54956.9(b)**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation                      One (1) potential case

and stated that no action would be taken.

ADJOURNMENT

Mayor Flores adjourned the meeting of the Council to May 21, 2001.

Meeting adjourned: 8:30 p.m.

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Mayor

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City Clerk

**CLOVIS COMMUNITY DEVELOPMENT AGENCY**

**MAY 14, 2001**

**7:56 P.M.**

**COUNCIL CHAMBER**

Meeting called to order by Chairperson Flores.

Roll Call: Present: Boardmembers Armstrong, Ashbeck, Magsig, Wynne, Chairperson Flores  
Absent: None

**CONSENT CALENDAR**

Motion by Boardmember Armstrong, seconded by Boardmember Wynne, that the items on the Consent Calendar be approved. Motion carried.

- a) Approved - Storefront Improvement Rebate Program (SIRP) #63, Ken and Sandi Schulte, 530 Fifth Street, Clovis Antique Mall #2.

**ADJOURNMENT**

Chairperson Flores adjourned the meeting of the Agency Board.

Meeting adjourned: 7:57 p.m.

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Chairperson

\_\_\_\_\_  
Secretary

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