

EXETER CITY COUNCIL ACTION MINUTES**September 24, 2019**

A closed session of the City Council, City of Exeter was held on Tuesday, September 24, 2019, at 6:30 p.m., in the Exeter City Council Chambers, 137 North F Street.

COUNCIL PRESENT: Mary Waterman-Philpot, Barbara Sally, Frankie Alves, Dave Hails, Jeremy Petty

COUNCIL ABSENT: None

STAFF PRESENT: Adam Ennis, Julia Lew, Daymon Qualls, Shonna Oneal

A. CALL TO ORDER CLOSED SESSION

Mayor Waterman-Philpot called the closed session to order at 6:30 p.m.

B. PUBLIC COMMENTS REGARDING CLOSED SESSION MATTERS – Mayor Waterman-Philpot requested those who wish to speak on matters listed on the Closed Session Agenda to do so at this time.

No public comment were presented.

C. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):

Mayor Waterman-Philpot adjourned to closed session at 6:30 p.m.

1. 54956.95 – Liability Claims
Claimant: Penney Sick
Agency claimed against: City of Exeter
2. 54956.9(d)(3) Conference with Legal Counsel – Significant Exposure to Litigation: One Case in which facts are not yet known to potential plaintiff.
3. 54956.9(d)(4) Conference with Legal Counsel – Potential Initiation of Litigation by the City: Two (2) Cases.
4. 54957.6 – Conference with Labor Negotiator
Agency Negotiator: Adam Ennis, City Administrator
Employee Group: Exeter Police Officers Association

A regular session of the City Council, City of Exeter was held on Tuesday, September 24, 2019, at 7:00 p.m., in the Exeter City Council Chambers, 137 North F Street.

COUNCIL PRESENT: Mary Waterman-Philpot, Barbara Sally, Frankie Alves, Dave Hails, Jeremy Petty

COUNCIL ABSENT: None

STAFF PRESENT: Adam Ennis, Julia Lew, John Hall, Daymon Qualls, Chris Tavarez, Shonna Oneal, Lisa Wallis Dutra

D. CALL TO ORDER REGULAR SESSION AND REPORT ON CLOSED SESSION ITEMS (if any)

Mayor Waterman-Philpot called the regular session to order at 7:00 p.m. City Attorney Julia Lew reported on a motion made by Mayor Pro Tem Sally, seconded by Council Member Alves and unanimously carried it was authorized for the City to initiate two receiverships actions. Ms. Lew further reported on a motion made by Council Member Alves, seconded by Mayor Pro Tem Sally and unanimously carried to authorizes the City Administrator to execute an amendment to the Exeter Police Officer's Association MOU to include an Officer-In-Charge. There were no further actions reported.

E. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Pro Tem Sally led the Pledge of Allegiance and an invocation was given by Pastor Newman.

F. SPECIAL PRESENTATIONS (if any): None

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G. PUBLIC COMMENTS:

Mayor Waterman-Philpot requested those who wish to speak on matters that are not on the agenda that are within the jurisdiction of the Exeter Council, or to address or request a matter be pulled from the consent calendar to do so at this time. She also stated comments related to Individual Business or Public Hearing items that are listed on the agenda will be heard at the time that matter is addressed on the agenda.

No public comment were presented.

H. CONSENT CALENDAR:

It was moved by Council Member Alves, seconded by Mayor Pro Tem Sally and unanimously carried that the items on the Consent Calendar be approved as presented.

1. **Approve minutes of September 10, 2019**
2. **Payment of the Bills**
3. **Payroll: September 20, 2019**

I. INDIVIDUAL BUSINESS ITEMS

1. **Presentation of the Water and Sewer Revenue and Rate Analysis by FG Solutions, LLC. and Council consideration and direction to staff on potentially setting a Proposition 218 hearing date for December 10, 2019 and mailing notices for water and sewer rate adjustments and phasing** – Finance Director Chris Tavarez provided a report for Council's review and consideration and introduced Art Griffith of FG Solutions, LLC. Mr. Griffith provided a PowerPoint presentation highlighting the water and sewer rate analysis and implementation. City Administrator Adam Ennis provided additional information for Council's review and consideration. City Attorney Julia Lew provided clarification on the Proposition 218 process. Following discussion it was moved by Council Member Hails, seconded by Council Member Alves and unanimously carried to set a Proposition 218 hearing date for December 10, 2019 and mail notices for water and sewer rate adjustments and phasing per Council direction.
2. **Authorize the City Administrator to execute two separate professional service agreements for up to three years for a financing team including 1) Municipal Advisors with NHA Advisors (San Rafael) of up to \$52,500 for Bond Refinancing and 2) Bond/Disclosure Counsel with Stradling Attorneys at Law (Newport Beach) of up to \$32,000 for Bond Refinancing services to be paid contingent on Bond Refinancing completion of City Water Fund debt subject only to minor conforming and clarifying changes acceptable to the City Attorney; and Adopt Resolution 2019-21 approving financing team members referenced herein and authorizing staff and consultants to present financing options to Council.** Finance Director Chris Tavarez provided a report for Council's review and consideration and introduced Eric Scriven of NHA Advisors. Mr. Scriven provided a PowerPoint presentation highlighting the proposed 2019 water revenue refunding bonds process. Following discussion it was moved by Council Member Alves, seconded by Mayor Pro Tem Sally and unanimously carried to authorize the City Administrator to execute two separate professional service agreements for up to three years for a financing team including 1) Municipal Advisors with NHA Advisors (San Rafael) of up to \$52,500 for Bond Refinancing and 2) Bond/Disclosure Counsel with Stradling Attorneys at Law (Newport Beach) of up to \$32,000 for Bond Refinancing services to be paid contingent on Bond Refinancing completion of City Water Fund debt subject only to minor conforming and clarifying changes acceptable to the City Attorney; and Adopt Resolution 2019-21 as presented.
3. **Adopt Resolution 2019-22 authorizing Worker's Compensation Coverage for Off-Duty Peace Officers injured out of state as defined in Labor Code Section 3600.2** – Chief Hall provided a report for Council's review and consideration. Following discussion, it was moved by Council Member Hails, seconded by Council Member Alves and unanimously carried to adopt Resolution 2019-22 as presented.

J. CITY COUNCIL ITEMS OF INTEREST

Council Member Alves and Hails reported on attending the TCAG meeting. Mayor Pro Tem Sally reported on attending the Chamber Board Meeting and recent mixer. Mayor Waterman-Philpot reported on upcoming Fall Festival events.

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K. CITY ADMINISTRATOR/DEPARTMENT COMMENTS

City Administrator Adam Ennis provided a brief update on City projects.

L. ADJOURN REGULAR MEETING

Mayor Waterman-Philpot adjourned the regular meeting at 8:23 p.m.

Shonna Oneal City Clerk

H2

ACS/XEROX FINANCIAL SYSTEM
09/27/2019 12:02:58

Check Register

CITY OF EXETER
GL540R-V08.08 PAGE 1

BANK	VENDOR	CHECK#	DATE	AMOUNT
BANK BANK OF THE SIERRA				
003227	AETNA HEALTH OF CALIFORN	78407	09/27/19	25,574.85
002228	AMERIPRIDE UNIFORM SERVI	78408	09/27/19	443.31
003676	ANAYA/ ANA RAMOS	78409	09/27/19	114.60
002493	AVENU MUNISERVICES	78410	09/27/19	578.07
003679	BAKER/ KRISTI	78411	09/27/19	27.00
003427	BASIC	78412	09/27/19	60.00
002061	BOOT BARN INC.	78413	09/27/19	250.00
003677	BOURN/ MELISSA ANN	78414	09/27/19	22.68
003437	BUZZ KILL PEST CONTROL	78415	09/27/19	163.00
001240	C.L.E.A.	78416	09/27/19	49.00
002835	CALIFORNIA BUSINESS MACH	78417	09/27/19	73.55
001770	CALIFORNIA INDUSTRIAL RU	78418	09/27/19	2,613.14
000511	CALIFORNIA RURAL WATER	78419	09/27/19	519.00
003451	CCS INDUSTRIES, INC.	78420	09/27/19	191.84
003393	CHARTER COMMUNICATIONS	78421	09/27/19	90.04
000860	CITY OF EXETER	78422	09/27/19	83.97
002009	CITY OF VISALIA	78423	09/27/19	6,316.67
003675	CROSLow/ JEFF	78424	09/27/19	45.80
000222	DEPT OF JUSTICE	78425	09/27/19	105.00
002734	DIGITAL ALLY	78426	09/27/19	125.00
002640	EMD NETWORKING SERVICES,	78427	09/27/19	1,387.95
002948	FIRST CHOICE AUTO BODY &	78428	09/27/19	3,463.41
003074	FRONTIER CALIFORNIA INC.	78429	09/27/19	653.68
003532	FUSION CLOUD SERVICES LL	78430	09/27/19	229.02
001839	HIGH SIERRA LUMBER CO.	78431	09/27/19	336.17
001910	JIM'S SUPPLY COMPANY, IN	78432	09/27/19	217.12
000237	KIMBALL-MIDWEST	78433	09/27/19	719.59
001654	KRC SAFETY CO INC.	78434	09/27/19	364.67
003365	LEAF	78435	09/27/19	167.47
000300	LEHIGH HANSON, CO.	78436	09/27/19	543.87
000244	MIDTOWN SPORTS, INC.	78437	09/27/19	1,819.10
000194	MOONLIGHT MAINTENANCE	78438	09/27/19	3,382.00
001636	MORRIS LEVIN & SON	78439	09/27/19	354.69
001540	OFFICE DEPOT	78440	09/27/19	837.40
003680	PARKIN/ JONATHAN	78441	09/27/19	100.00
003438	PF DISTRIBUTION CENTER,	78442	09/27/19	2,233.46
003681	PURE TECHNOLOGIES U.S. I	78443	09/27/19	44,753.00
003321	SACRED HEART EXETER	78444	09/27/19	18.00
001851	SAN JOAQUIN VALLEY RAILR	78445	09/27/19	2,919.74
000204	SELF-HELP ENTERPRISES	78446	09/27/19	1,359.00
001924	SHRED-IT USA LLC	78447	09/27/19	119.18
000151	SOUTHERN CALIFORNIA EDIS	78448	09/27/19	9,263.00
002449	TOP DOG TRAINING CENTER	78449	09/27/19	250.00
000308	TULARE COUNTY AUDITORS O	78450	09/27/19	66.00
001666	TULARE COUNTY FIRE DEPT	78451	09/27/19	27,401.90
003678	TURAGABECI/ JONE AND DOR	78452	09/27/19	76.94
001612	UNITED RENTALS	78453	09/27/19	161.60
001641	UNIVAR USA, INC.	78454	09/27/19	2,377.70

ACS/XEROX FINANCIAL SYSTEM
09/27/2019 12:02:58

Check Register

CITY OF EXETER
GL540R-V08.08 PAGE 2

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BANK BANK OF THE SIERRA					
002127	US BANK N.A.	78455	09/27/19	51.25	
002055	VALLEY EXPETEC	78456	09/27/19	4,477.29	
000855	VOLLMER EXCAVATION, L.P.	78457	09/27/19	430.46	
003483	WORLD OIL ENVIRONMENTAL	78458	09/27/19	304.93	
003576	4CREEKS, INC	78459	09/27/19	14,407.56	
BANK OF THE SIERRA				162,693.67	***

City of Exeter Agenda Item Transmittal

Meeting Date: October 8, 2019

Agenda Item Number:

H3

Wording for Agenda: Affirm the City Administrator's emergency execution of Purchase Orders with Infinitiwireless for \$23,051.16 and Tulare County IT for \$3,070.70 for purchase and installation, respectively, of the necessary components of critical information technology equipment that facilitates communication between the Exeter Police Department and Tulare County Sheriff's Department and appropriate an additional \$26,500 in the General Fund.

Submitting Department: Police

Contact Name: Chief John Hall

Phone Number: 592-3103 ext. 2001

Email: jhall@exeterpd.com

For action by:

☒ City Council

Regular Session:

☒ Consent Calendar

☐ Regular Item

☐ Public Hearing

Review:

**City Administrator
(Initials Required)**



Department Recommendation:

That Council affirm the City Administrator's emergency execution of Purchase Orders for the purchase and installation of the critical information technology (IT) equipment as described in the staff report and appropriate an additional \$26,500 in the General Fund.

Summary/Background:

The Exeter Police Department (EPD) currently utilizes numerous systems provided through an IT connection to the Tulare County Sheriff's Department (TCSD). These systems include the EPD's report writing system, records management system, and Computer Aided Dispatch (CAD) system to name just a few. These systems are all components of a larger system through the vendor Application Data Systems, Incorporated, more commonly referred to as ADSI. In order to utilize these systems, EPD relies on a communication network between EPD and TCSD.

Recently numerous IT network issues occurred resulting in EPD being unable to access these mission critical systems through the network. It was discovered that the IT infrastructure utilized to establish the communication network was the cause of these issues. Several components of the network have failed, and the entire network is no longer serviceable and has been utilized well beyond the expected service life. In order to re-establish communication between EPD and TCSD several components were in need of immediate replacement, and ultimately the entire network has to be replaced for future reliability and to reduce the potential of surprise outages.

Fortunately, through an extremely close working relationship with TCSD, we were able to re-establish the communication network through the temporary loan of selected items of equipment. While this has addressed the immediate needs, this is only a temporary stop-gap. The network is still being utilized well beyond the expected service life. It is imperative that the entire communication network be immediately replaced to ensure consistent, reliable communication between EPD and TCSD, and the ability to utilize the various systems necessary to effectively run a public safety organization.

The necessary components to re-establish a reliable communication network have been identified through the Tulare County IT Department, and purchase prices identified through their vendor at Infinitiwireless. This equipment totals \$23,051.16. Tulare County IT has agreed to install all of the required components for \$3,070.70.

The estimated delivery time for the equipment was 6 to 8 weeks from the time the order was placed with Infinitiwireless. Obviously, this time delay is of significant concern due to the criticalness of this communication network and the uncertainty of its ability to continue to operate with the current components. Based on this emergency situation City Staff completed the Purchase Orders for these components so that the order could be placed with Infinitiwireless. Staff is requesting the Council affirm the equipment purchase that is in progress and the installation that will occur once the equipment is received.

Fiscal Impact: An additional appropriation of \$26,500 from the General Fund is needed for this emergency project. Staff proposes that the additional appropriation may be covered from originally unanticipated General Fund revenues or will need to come from available General Fund Reserve.

Prior Council/Board Actions: None.

Attachments: Copy of the quotes provided by Infinitiwireless and Tulare County IT.

Recommended motion to be made by Council/Board: I move to affirm the City Administrator's emergency execution of Purchase Orders with Infinitiwireless for \$23,051.16 and Tulare County IT for \$3,070.70 for purchase and installation, respectively, of the necessary components as described in the attached quotes and appropriate an additional \$26,500 from the General Fund for this project.
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County of Tulare IT Radio Comm.
 221 S. Mooney Blvd RM 9E
 Visalia, CA 93291
 559-735-1380 Fax: 559-737-4552

Date:	9/18/2019
Service Quote #:	20200105
Page:	1

Ship To:
Exeter, Police Department
100 N. "C" street
Exeter, CA 93221

Manufacturer: Cambium
Model: PTP800S
Serial Number:
Alternate ID: MICROWAVE
Reference: Microwave
Mileage:

Phone: 559-592-3103		Alternate Phone:		Terms:		
Service Rep: MWARD		Cust PO:		Valid Date: 10/18/2019		
Job #	Stock Code	Description	Indications/Work Performed	Quantity	Price	Extended

1 Technician: Eric Ott Remove existing infrastructure from the Mooney grove tower and install new infrastructure at the Mooney grove tower

2 Full time employees at 8hours each = 16 hours labor

Climb the Mooney grove radio tower and rig the tower with pully and hoist systems. Remove existing 4 foot dish pointing to Exeter water tower. Hoist new three foot dish with radio and mount to tower. Run 200 foot of out door cat five cable terminate both ends and connect to network switch utilizing the same IP address that were installed in the former link. Pre align the path to the Exeter water tower.

LABOR	16.00	77.22	1,235.52
		Sublet:	0.00
		Disposal:	0.00
5EXHBSWF-4P24-R	200.00	0.67	134.00

2 Technician: EOTT Install microwave infrastructure at Exeter Water Tower

6 hours X 2 full time employees = 12 hours

Climb water tower and rig tower. Remove existing dish and radio and hoist down tower. Hoist new radio and dish up tower mount and affix to tower. Run 200 feet of cat five cable terminate and power up dish. Align Dish to Mooney Grove. Remove dish pointing to Exeter PD and radio. Hoist new dish and radio mount and align to Exeter PD Run new cat 5 cable terminate and power up.

LABOR	12.00	77.22	926.64
		Sublet:	0.00
		Disposal:	0.00
5EXHBSWF-4P24-R	200.00	0.67	134.00

3 Technician: EOTT Install new microwave infrastructure

4 hours X 2 full time employees = 8 hours

Climb the roof of the Exeter PD remove existing microwave radio dish and 9913 cable Mount new dish pre point to water tower, run 75 feet of cat five cable terminate and power up peak dish to water tower go to water tower peak dish to Exeter PD peak dish to Mooney grove go to Mooney grove climb tower and peak dish to Exeter water tower turn link over to customer.

LABOR	8.00	77.22	617.76
		Sublet:	0.00
		Disposal:	0.00



The leader in wireless network services

Date: September 17, 2019
 Expiration Date: October 17, 2019
 Quote Number: 7297

To: City of Exeter
 Liz Yarber
 100 N C Street Exeter
 Ca 93221

Salesperson Email	FOB	Lead Time	Payment Terms	Shipping Method
Chris Sayles chris@infinitiwireless.com	Sacramento	4-6 Weeks	Net 30	TBD

Cambium PTP820S 11GHz Mooney Grove to Exeter WT, 200mb

Qty	Part Number	Description	Price	Line Total
1.00	C110082B00x	PTP 820S Radio 11GHz, High Radio, Band TBD	\$ 2,759.00	\$ 2,759.00
1.00	C110082B00x	PTP 820S Radio 11GHz, Low Radio, Band TBD	\$ 2,759.00	\$ 2,759.00
4.00	C000000L033	Gigabit Surge Suppressor (56V)	\$ 40.00	\$ 160.00
4.00	N000065L001	AC Power Injector 56V	\$ 64.00	\$ 256.00
2.00	N000065L003	US Line Cord Fig 8	\$ 16.00	\$ 32.00
2.00	N000082L124	PTP 820S Act.Key - Capacity 200M with ACM Enabled, per Tx Chan	\$ 395.00	\$ 790.00
2.00	N110082D098	PTP 820 3' ANT,SP,11GHz,RFU-C TYPE&UBR220 - Radiowave	\$ 1,713.00	\$ 3,426.00
Subtotal				\$ 10,182.00
Sales Tax 8.5%				865.47
FCC Licensing				1,000.00
Shipping To Visalia, 93277				850.00
*Final capacity contingent on FCC licensing and channel allocation				Total \$ 12,897.47

1. Shipping costs is included
 2. Pricing is confidential between IWI and County of Tulare
 3. PRODUCT THAT IS RETURNED UNAUTHORIZED WILL BE REFUSED AND RETURNED AT THE CUSTOMER'S EXPENSE.
 Return Material Authorization is required prior to shipping. Authorized material returned after 15 days may or may not be accepted and will be subject to a 20% restocking fee.

Thank you for your business!

1700 North Market Boulevard Suite #101 Sacramento, CA 95834 Phone: 916-928-6000 Fax: 916-928-6060



The leader in wireless network services

Date: September 17, 2019
 Expiration Date: October 17, 2019
 Quote Number: 7298

To: City of Exeter
 Liz Yarber
 100 N C Street Exeter
 Ca 93221

Salesperson Email	FOB	Lead Time	Payment Terms	Shipping Method
Chris Sayles chris@infinitiwireless.com	Sacramento	4-6 Weeks	Net 30	TBD

Cambium PTP820S 23GHz Exeter WT to Exeter PD, 200mb

Qty	Part Number	Description	Price	Line Total
1.00	C230082800x	PTP 820S Radio 23GHz, High Radio, Band TBD	\$ 2,759.00	\$ 2,759.00
1.00	C230082800x	PTP 820S Radio 23GHz, Low Radio, Band TBD	\$ 2,759.00	\$ 2,759.00
4.00	C000000L033	Gigabit Surge Suppressor (56V)	\$ 40.00	\$ 160.00
4.00	N000065L001	AC Power Injector 56V	\$ 64.00	\$ 256.00
2.00	N000065L003	US Line Cord Fig 8	\$ 16.00	\$ 32.00
2.00	N000082L124	PTP 820S Act.Key - Capacity 200M with ACM Enabled, per Tx Chan	\$ 395.00	\$ 790.00
2.00	N230082D041A	PTP 820 1' ANT.SP,23GHz,RFU-C TYPE&UBR220 - Radiowave	\$ 679.00	\$ 1,358.00
				\$ 8,114.00
Sales Tax 8.5%				689.69
FCC Licensing				1,000.00
Shipping To Visalia, 93277				350.00
*Final capacity contingent on FCC licensing and channel allocation				
Total				\$ 10,153.69

1. Shipping costs is included
 2. Pricing is confidential between IW and County of Tulare
 3. PRODUCT THAT IS RETURNED UNAUTHORIZED WILL BE REFUSED AND RETURNED AT THE CUSTOMER'S EXPENSE.
 Return Material Authorization is required prior to shipping. Authorized material returned after 15 days may or may not be accepted and will be subject to a 20% restocking fee.

Thank you for your business!

1700 North Market Boulevard Suite #101 Sacramento, CA 95834 Phone: 916-928-6000 Fax: 916-928-6060

**City of Exeter
Agenda Item Transmittal**

Meeting Date: October 8, 2019

Agenda Item Number: I1

Wording for Agenda: Public Hearing to adopt Resolution 2019-23 approving the 2019/20 State Cops Grant Proposed Spending Plan to purchase police vehicles with any remaining funds used for frontline law enforcement services such as positions and equipment/technology upgrades.

Submitting Department: Police
Contact Name: Chief Hall
Phone Number: 592-3103 ext. 2001
Email: jhall@exeterpd.com

For action by:

☒ City Council

Regular Session:

☐ Consent Calendar

☐ Regular Item

☒ Public Hearing

Review:

**City Administrator
(Initials Required)**



Department Recommendation:

That the 2019/2020 COPS Grant in the amount of \$100,000 be allocated towards the purchase of police vehicles with remaining funds used for frontline law enforcement services such as positions and equipment/technology upgrades.

Summary/Background:

Each year the Exeter Police Department is eligible for \$100,000.00 in AB 3229 (COPS) grant funds from the State of California. These funds can be used for a variety of purposes provided they are to further the law enforcement mission and will enhance public safety. Two of the requirements in receiving these funds is that a public hearing is held and that the City Council pass a resolution on how the funds will be spent.

In accordance with these requirements public notice was made regarding the public hearing being held as part of this agenda item. This notice was made on September 25, 2019 and was published in the Sun Gazette Newspaper.

It is the recommendation of the Exeter Police Department that this year's funds be allocated towards the purchase of police vehicles with remaining funds used for frontline law enforcement services such as positions and equipment/technology upgrades. The vehicles are essential to the Department's ability to effectively respond to calls for service, conduct patrol/investigative/administrative functions, and provide other necessary police services. It should also be noted that at the City Council meeting held on July 10th of this year, Council authorized the purchase of six new police vehicles with the expectation that the 2019/20 COPS Grant would be applied towards that purchase. Payments for the vehicles are anticipated to be paid over 3 years. Any remaining funding would be used for frontline law enforcement services such as positions and equipment/technology upgrades.

Fiscal Impact: This action will authorize funding previously proposed for the budgeted police vehicle purchases.

Prior Council/Board Actions: On July 10, 2018 Council authorized the purchase of police vehicles using the 2018/19 COPS Grant funding.

RESOLUTION 2019-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER, CALIFORNIA
APPROVING 2019/2020 STATE COPS GRANT PROPOSED SPENDING**

WHEREAS, The City of Exeter applied for and has been approved to receive the COPS State Grant of \$100,000; and,

WHEREAS, the Grant Advisory Board has reviewed the application and proposed expenditure of "COPS" State Grant funds; and,

WHEREAS, the City Council held a duly-noticed public hearing on October 8, 2019, requesting public input on the proposed use of said grant funds.

NOW, THEREFORE, BE IT RESOLVED, BY THE EXETER CITY COUNCIL THAT FUNDS FROM SAID 2019/2020 COPS STATE GRANT BE UTILIZED AS RECOMMENDED BY THE CHIEF OF POLICE AS FOLLOWS:

1. \$100,000 purchase of police vehicles with any remaining funds used for frontline law enforcement services such as positions and equipment/technology upgrades.

Passed, approved, and adopted this 8th day of October 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Mayor

Attest:

City Clerk

City of Exeter Agenda Item Transmittal

Meeting Date: October 8, 2019

Agenda Item Number: 12

Wording for Agenda: Presentation regarding information on how officers are trained to use force, and the criteria by which their actions are determined to be within the law and Department policy, or otherwise.

Submitting Department: Police
Contact Name: Chief Hall
Phone Number: 592-3103 ext. 2001
Email: jhall@exeterpd.com

Department Recommendation:

Staff recommends that Council receive this informational presentation for discussion and education of the Council and Community as to the dynamics of use of force situations, as well as the legal and policy requirements when officers use force.

Summary/Background:

It is recognized that law enforcement officers may be called upon at various points in their careers to use force for a variety of reasons. While officers receive extensive training in the police academy and throughout their careers, as to use of force decisions, the majority of those individuals outside of law enforcement never receive such training. Thus, the majority of society is left to either seek out training and education regarding this matter on their own, or they rely on the media and entertainment industry to provide information on this subject. All too often, this information is erroneous and misleading.

In an effort to educate Council and the Community as to the dynamics of use of force situations, and the criteria by which they are judged, Exeter Police Chief John Hall will be providing a condensed information briefing regarding this matter. It is hoped that through this briefing, Council and our Community will be more accurately informed.

Fiscal Impact: None.

Prior Council/Board Actions: None.

Attachments: None.

Recommended motion to be made by Council/Board: None.

For action by:

☒ City Council

Regular Session:

☐ Consent Calendar

☒ Regular Item

☐ Public Hearing

Review:

**City Administrator
(Initials Required)**



**City of Exeter
Agenda Item Transmittal**

Meeting Date: October 8, 2019

Agenda Item Number: I3

Wording for Agenda: Adopt Resolution 2019-24 Upholding the Planning Commission's Approval of Conditional Use Permit 19-01, Yoga Studio in a residence that is zoned PO (professional office) and located at 430 East Maple in Exeter.

Submitting Department: Planning Department
Contact Name: Greg Collins
Phone Number: 734-8737
Email: greg@weplancities.com

Department Recommendation:

That the City Council uphold the Planning Commission's approval of Conditional Use Permit 19-01 at 430 East Maple Street by passing Resolution 2019-24 subject to the following conditions:

1. The applicant shall secure a business license from the City of Exeter prior to conducting business at 430 East Maple Street.
2. The applicant shall secure a building permit for any signage; building additions, modifications or renovations; or for any parking lots. Any remodel of the subject building, with certain exceptions, shall trigger the installation of appropriate ADA improvements including but not limited to ramps, doorways, restrooms, and path of travel from a handicapped parking stall to the ramp that will access the residence.
3. The applicant shall comply with the Tulare County Fire Department's recommendations regarding any requirements for installation of fire extinguishers.
4. The address for the subject building will be clearly visible from the street.
5. The applicant shall comply with all laws and regulations.

Summary/Background:

An application for a conditional use permit for a yoga studio was requested for a property located at 430 East Maple in Exeter. The applicant intends to live on the premises and conduct classes in one of the rooms within the residence. Classes will be conducted throughout the day, five days per week. No classes will exceed ten students and more likely will average 6 to 8.

The Planning Commission held a public hearing on this conditional use permit request at their August 15, 2019, meeting. The Commission accepted public testimony both for and against. The Commission voted to approve the conditional use permit subject to conditions contained herein.

The subject property is zoned PO (professional office), which allows dance and (yoga) studios with a conditional use permit.

The site plan committee reviewed the application at their August 1st meeting. The Committee discussed matters pertaining to off-site parking, ADA compliance and hours of operation.

For action by:

☒ City Council
☐ Planning
Commission

Regular Session:

☐ Consent
Calendar
☒ Regular Item
☐ Public Hearing

Review:

**City Administrator
(Initials Required)**



Off-Street Parking

The residence contains a 2-car garage as well as a driveway that is wide enough to accommodate 2 standard parking stalls or one handicapped stall. On-street parking is provided on Maple and C Streets.



Looking south from Maple Street towards 430 Maple. Note the 2-car garage to the left of the residence as well as the wide driveway that could accommodate 2 off-street parking stalls or one handicapped stall.

On-street parking is allowed on Maple Street.

ADA Compliance

Anytime the general public is permitted in a building that is retailing goods or providing a service, certain ADA improvements may be required. Generally, the type of improvements required is based on the number of persons occupying the building at any one time and/or the dollar amount of the proposed improvements. If ADA improvements are needed or desired, staff recommends that the improvements be designed and a building permit secured to insure compliance with ADA (American Disability Act) regulations.

Other general modifications may be required as follows:

- Upgrading public and company bathrooms so that they comply with ADA standards
- Widening doorframes to allow wheelchairs
- installing accessible hardware on doors
- Adjusting water fountains to better accommodate people with all disabilities including wheelchairs
- Replacing problematic flooring
- Adding railings or grab bars in appropriate locations
- Creating or improving accessible parking
- Installing ADA handicap ramps or creating curb cuts at entrances
- Rearranging furniture and other features to reduce barriers to service

Hours of Operation

The yoga studio will offer classes five days a week with the hours depending upon signups.



Looking east towards 430 E. Maple. On-street parking is permitted along C Street.



An aerial view of 430 E. Maple Street. Note the on-street parking as well as the 2-car garage and wide driveway (where the large RV is parked) that can provide off-street parking.

Prior Council Actions: NA

Attachments: Resolution 2019-24

Recommended motion to be made by Council/Board: I move to adopt Resolution 2019-24 as presented and subject to the conditions listed above.

RESOLUTION 2019-24

A RESOLUTION OF THE CITY COUNCIL UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT 19-01, YOGA STUDIO

WHEREAS, a conditional use permit request has been submitted by Dina Restivo for a yoga studio on property that is zoned PO (professional office), located at 430 East Maple Street in Exeter, and

WHEREAS, the proposed request has been processed consistent with Chapter 17.49, Conditional Use Permit, of the Exeter Zoning Ordinance, and

WHEREAS, the Planning Department has prepared a staff report on the project and determined that the project is categorically exempt under CEQA, and

WHEREAS, the Planning Commission held a public hearing on CUP 2019-01, considered public testimony both for and against, reviewed the staff report and approved said use permit subject to conditions, and

WHEREAS, subject to Chapter 17.49, Conditional Use Permit, of the Exeter Zoning Ordinance, the City Council is responsible for reviewing and affirming or denying the Commission's decision on all conditional use permits.

NOW, THEREFORE, BE IT RESOLVED that the City Council, after considering all the evidence presented, determined the following findings were relevant in evaluating this project:

1. The use permit will not have a significant impact on the environment and is categorically exempt under CEQA.
2. The proposed use is consistent with the Exeter General Plan, Land Use Element, and the Exeter Zoning Ordinance.
3. The project will not have an adverse impact on the health, safety or welfare of the community or immediate neighborhood.

BE IT FURTHER RESOLVED that the City Council hereby upholds the Planning Commission's decision on Conditional Use Permit 19-01 and approves said use permit subject to the following conditions.

1. The applicant shall secure a business license from the City of Exeter prior to conducting business at 430 East Maple Street.
2. The applicant shall secure a building permit for any signage; building additions, modifications or renovations; or for any parking lots. Any remodel of the subject building, with certain exceptions, shall trigger the installation of appropriate ADA improvements including but not limited to ramps, doorways, restrooms, and path of travel from a handicapped parking stall to the ramp that will access the residence.
3. The applicant shall comply with the Tulare County Fire Department's recommendations regarding any requirements for installation of fire extinguishers.
4. The address for the subject building will be clearly visible from the street.

5. The applicant shall comply with all laws and regulations.

Passed, approved, and adopted this 8th day of October, 2019, by the following vote:

AYES:

NOES:

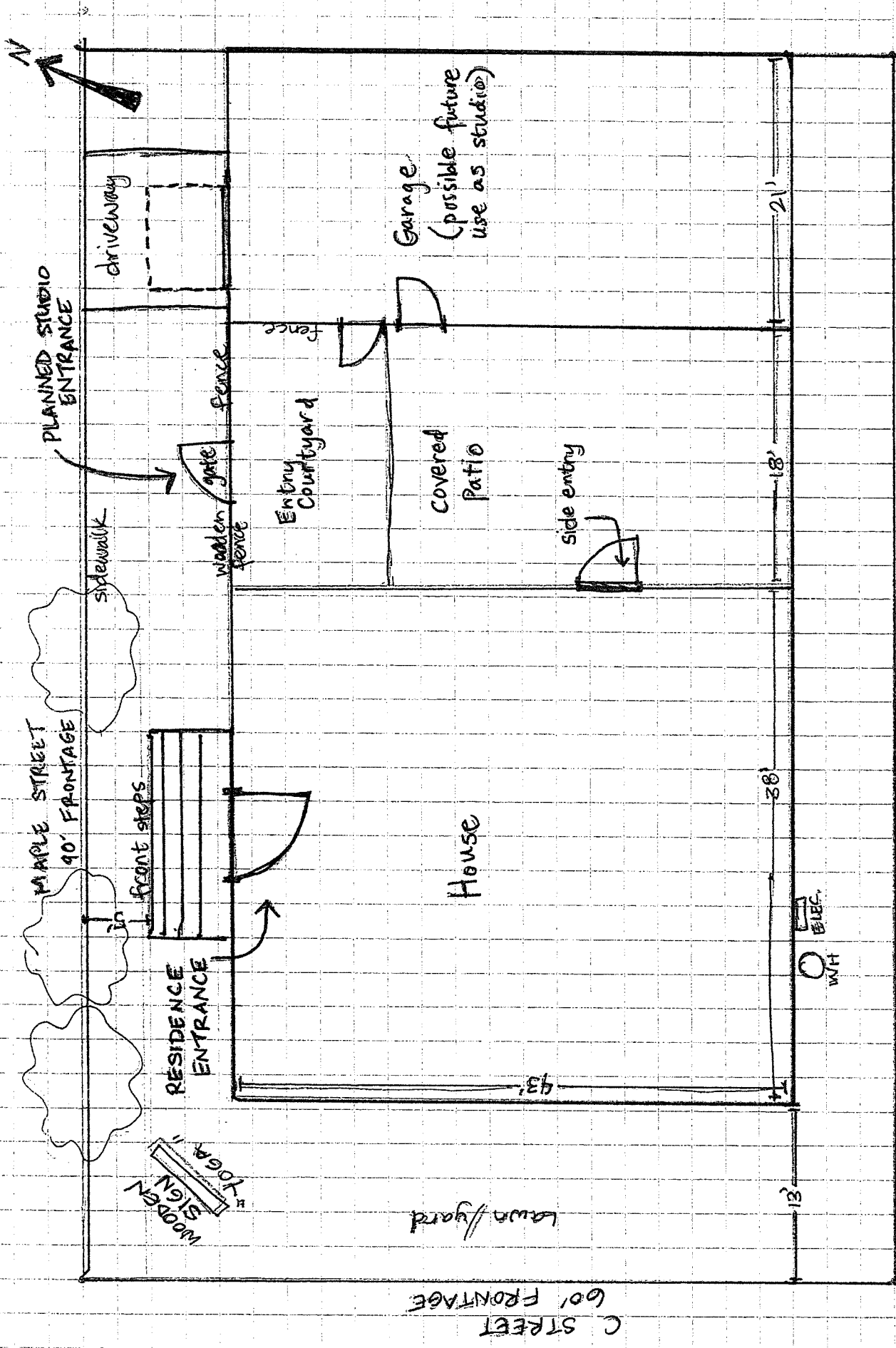
ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk



430 E MAPLE ST, EXETER CA
 APN 135-143-017
 PROPOSED HOME YOGA STUDIO/RESIDENCE

SCALE: 1" = 10'
 5'

ALL MEASUREMENTS ARE APPROXIMATE
 JULY, 2019

**City of Exeter
Agenda Item Transmittal**

Meeting Date: October 8, 2019

Agenda Item Number:

14

Wording for Agenda: Adopt Resolution 2019-25 Upholding the Planning Commission's Recommendation on an Amendment to Conditional Use Permit 18-02, BMT Properties.

Submitting Department: Planning Department

Contact Name: Greg Collins

Phone Number: 734-8737

Email: greg@weplancities.com

Department Recommendation:

That the City Council uphold the Planning Commission's recommendation on an Amendment to Conditional Use Permit 18-02, BMT Properties, by adopting Resolution 2019-25, subject to the following conditions.

For action by:

☒ City Council
☐ Planning Comm.

Regular Session:

☐ Consent Calendar
☒ Regular Item
☐ Public Hearing

Review:

**City Administrator
(Initials Required)**



- A. The applicant shall secure (or amend) a business license from the City of Exeter.
- B. Any signage shall be reviewed and approved by the city planner.
- C. The address of the establishment shall be fixed to the front of the building in numbers that are at least four inches tall.
- D. Any improvements to the interior or exterior of the building will require that the applicant secure a building permit from the Tulare County Building Department.
- E. The applicant shall secure (or amend) an alcohol license from ABC (Alcoholic Beverage Commission) that has been issued for 130 North E Street.
- F. The applicant shall comply with county building regulations as it pertains to ADA compliance including bathroom accessibility and design.
- G. The applicant shall construct the exterior and interior improvements consistent with the attached plot plan, Exhibit A.
- H. The applicant shall comply with Fire Warden regulations as it pertains to occupancy, building accessibility, and location and number of on-site fire extinguishers.
- I. The applicant shall comply with all laws and regulations.

Summary:

The Planning Commission held a public hearing on an Amendment to CUP 18-02 at their September 19, 2019, meeting. No comments were made in opposition and the applicant spoke in favor of the Amendment and responded to Commission questions. At the conclusion of public testimony and after reviewing the staff report the Commission recommended approval of the amended CUP 2018-02 to the City Council subject to conditions.

Background:

An application for an amendment to CUP 18-02 was requested for an existing use (brewery) located at 130 North E Street in Exeter. In addition to brewing beer at 130 N. E Street, which is permitted by Conditional Use Permit 2018-02, the applicant now wishes to serve beer to the public, both indoors and outdoors. The applicant will brew beer and provide it to the public for consumption on-site, both indoors and outdoors. The applicant has indicated that the brewery will be open to the public during the following days and hours: Thursday, 5 to 9pm; Friday, 5 to 9pm; and Saturday 12:00 to 8pm.

The subject property is zoned CC (central commercial). The CC zone does permit the brewing of beer in addition to the sale of beer with a proper ABC license and business license from the City.

The Planning Commission at their January 17, 2019, meeting held a public hearing on 1) a zoning ordinance amendment to list breweries as a conditional use in the CC district, and 2) an application for a conditional use permit to brew beer at 130 North E Street in Exeter. The Commission accepted public testimony both for and against. Upon the conclusion of the public hearing the Commission directed questions to planning staff regarding issues such as odor, public access, parking and signage. With the conclusion of staff's responses to Commission questions, the Commission unanimously voted to recommend approval to the City Council of Zoning Ordinance Amendment 2018-01 and Conditional Use Permit 2018-02 subject to conditions. The conditional use permit allowed for brewing of beer but not sale to the public for consumption on-site. The City Council upheld the Commission's decision on both planning applications.

Locating breweries in downtowns is a significant trend occurring in cities throughout the country – Visalia, Kingsburg, Fresno, Denver, Portland, etc. This amendment to CUP 2018-02 would lend itself well to downtown Exeter given that the applicant wishes to sell the beer he makes on-site to the general public for on-site consumption.

The zoning ordinance amendment detailed above allows persons to potentially use their CC property for a brewery so long as they secure a use permit and comply with other requirements such as off-street parking, fencing, lighting, noise attenuation and hours of operation.

A review of the plot plan, Exhibit A, shows that the applicant will re-stripe the parking on the east side of the building to provide for a new handicapped stall, which will be located adjacent to the front entrance. Further, the applicant has also provided additional parking on the west side of the subject site just off the alley.

The plot plan shows that seating is provided indoors and outdoors. The outdoor seating area will be fenced with decorative wrought iron fencing. The ADA compliant portable restroom will be located outside the building but within the fenced area. A second restroom will be provided inside the building.

BACKGROUND INFORMATION

Applicant: BMT Properties
1577 W. Visalia Road
Exeter, Ca. 93221

Location: The subject building is located on the west side of North E Street in Exeter. The address is 130 North E Street.

Request: The applicant is requesting an amendment to Conditional Use Permit 2018-02 to permit the on-site public consumption of beer that is currently produced at 130 North E Street (a portion of the old Exeter Sun building). The applicant is wishing to serve beer to the public on Thursday, 5 to 9pm; Friday, 5 to 9pm; and Saturday 12:00 to 8pm.

Site: The site has 25 feet of frontage along E Street and a depth of 150 feet. There are four existing parking stalls in the front of the building and a loading/delivery area at the rear of the building, off an existing alley.



Land Use: Presently, the subject property contains a 1,100 square foot building and a 12-foot by 13-foot outdoor storage area (enclosed by a chain-linked fence).



Surrounding land uses are as follows:

north: driveway and beer tavern
 south: bookkeeping office and retail
 east: offices, karate facility and retail
 west: alley and city offices, fire station and restaurants

Zone: The subject site is zoned CC (professional office). This zone district permits offices, single and multi-family dwellings, and certain kinds of public buildings. With a use permit, antique, bed and breakfast, beauty and barber shops, breweries and small retail stores are permitted. Development standards for this district are as follows:

Minimum lot size: 6000 square feet
Minimum lot width: 60 feet
Minimum lot depth: 100 feet
Parking: One stall for every four seats.
Sign: see Sign Ordinance
Front yard setback: 15 feet
Rear yard setback: 10 feet
Side yard setback: 5 feet

Gen. Plan: The subject site is designated for central commercial by the Exeter Downtown Specific Plan and the Land Use Element of the Exeter General Plan.

Infrastructure: Sewer and water are available to the subject site from the rear of the property.

CEQA: The proposed project is categorically exempt under the California Environmental Quality Act.

Attachments: Resolution 2019-25
Plot Plan, Exhibit A

Recommended motion to be made by Council/Board: I move to adopt Resolution 2019-25 as presented.

RESOLUTION 2019-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER UPHOLDING THE PLANNING COMMISSION'S RECOMMENDATION ON AN AMENDMENT TO CONDITIONAL USE PERMIT 18-02, BMT PROPERTIES

WHEREAS, an amendment to conditional use permit request has been submitted by BMT Properties, for an existing brewery on property that is zoned CC (central commercial), located at 130 North E Street in Exeter, and

WHEREAS, the proposed request has been processed consistent with Chapter 17.49, Conditional Use Permit, of the Exeter Zoning Ordinance, and

WHEREAS, the Planning Department has prepared a staff report on the project and determined that the project is categorically exempt under CEQA, and

WHEREAS, the Planning Commission held a public hearing on an Amendment to Conditional Use Permit 18-02, took public testimony both for and against, reviewed the information contained in the staff report and plot plan, and recommended approval of said Amendment to the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council, after considering all the evidence presented, determined the following findings were relevant in evaluating this project:

1. The conditional use permit amendment will not have a significant impact on the environment and is categorically exempt under CEQA.
2. The proposed use is consistent with the Exeter General Plan, Land Use Element, and the Exeter Zoning Ordinance.
3. The project will not have an adverse impact on the health, safety or welfare of the community or immediate neighborhood.

BE IT FURTHER RESOLVED that the City Council hereby upholds the Planning Commission's recommendation on an Amendment to Conditional Use Permit 18-02 subject to the following conditions.

- A. The applicant shall secure (or amend) a business license from the city of Exeter.
- B. Any signage shall be reviewed and approved by the city planner.
- C. The address of the establishment shall be fixed to the front of the building in numbers that are at least four inches tall.
- D. Any improvements to the interior or exterior of the building will require that the applicant secure a building permit from the Tulare County Building Department.
- E. The applicant shall secure (or amend) an alcohol license from ABC (Alcoholic Beverage Commission) that has been issued for 130 North E Street.
- F. The applicant shall comply with county building regulations as it pertains to ADA compliance including bathroom accessibility and design.
- G. The applicant shall construct the exterior and interior improvements consistent with the attached plot plan, Exhibit A.
- H. The applicant shall comply with Fire Warden regulations as it pertains to occupancy, building accessibility, and location and number of on-site fire extinguishers.

- I. The applicant shall comply with all laws and regulations.

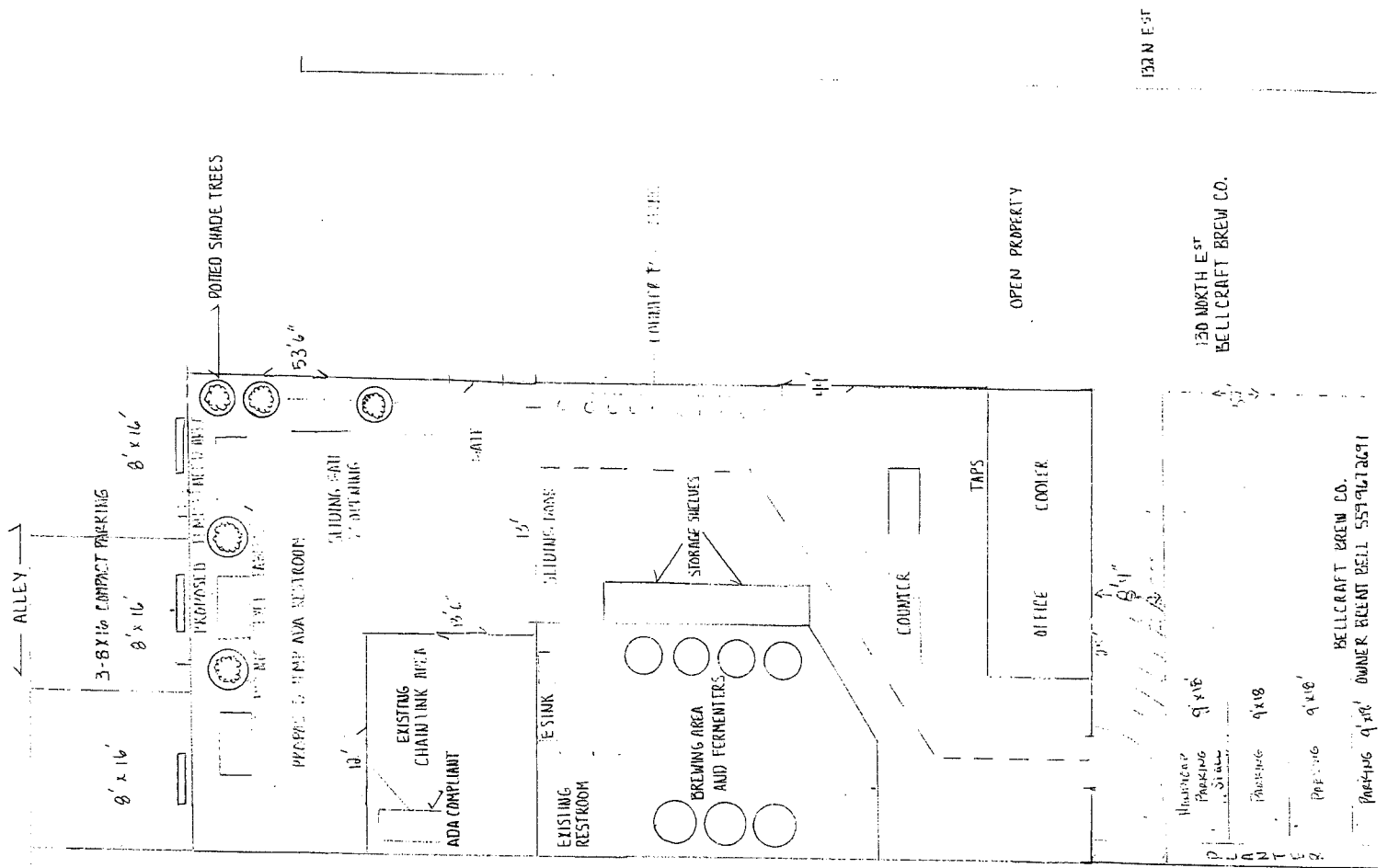
Passed, approved, and adopted this 8th day of October, 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Mayor

Attest:

City Clerk



City of Exeter Agenda Item Transmittal

Meeting Date: October 8, 2019

Agenda Item Number: 15

Wording for Agenda: Adopt Resolution 2019-26 approving a Debt Management Policy in accordance with Senate Bill 1029 and approving a Disclosure Policy.

Submitting Department: Finance
Contact Name: Chris Tavaréz, Finance Director
Phone Number: 592-2755
Email: ctavarez@exetercityhall.com

Department Recommendation:

Staff recommends that Council adopt Resolution 2019-26 approving a Debt Management Policy in accordance with Senate Bill 1029 and approving a Disclosure Policy.

For action by:

☒ City Council

Regular Session:

☐ Consent Calendar

☒ Regular Item

☐ Public Hearing

Review:

**City Administrator
(Initials Required)**



Summary:

At the City Council meeting September 24, 2019, Council authorized a finance team to investigate the potential to refinance existing debt in the Water Fund. The purpose of a Debt Management Policy is to provide clear and comprehensive guidelines for the issuance and financial management of debt issued by the City. Senate Bill (SB) No. 1029, adopted in 2016, requires that an issuer have a Debt Management Policy in place prior to the issuance of debt. This Debt Management Policy, as presented to City Council for approval, fulfills the City's requirements for local debt policies in accordance with SB 1029. The City's existing debt was issued prior to SB 1029 so the City currently does not have policies in place that would allow for issuance of debt in compliance of current state law.

The purpose of the Disclosure Policy is to memorialize and communicate key principles and policies in connection with the issuance or execution of securities and other contractual obligations.

Background:

Industry best practices requires the City to approve a Debt Management Policy and Disclosure Policy prior to the issuance of debt. The Debt Management Policy identifies the reasons why the City may issue debt, designates responsibilities, defines several key terms, formalizes City policies regarding various debt structuring considerations, and outlines the ongoing requirements related to tax compliance, disclosure, and bond administration. The Disclosure Policy outlines the review and approval process for the City's official statements, continuing disclosure filings, and other public statements regarding financial information. In addition, the Disclosure Policy outlines the ongoing training needs to ensure compliance with securities law.

Adopting a Debt Management Policy and Disclosure Policy is viewed as a credit positive by the rating agencies, which like to see the City formalizing policies and procedures and proactively maintaining compliance with various state laws.

This Debt Management Policy identifies key priorities for the issuance of debt, including 1) achieve the lowest cost of capital; 2) maintain a prudent level of financial risk and maintain the City's sound financial position; 3) preserve future financial flexibility; 4) ensure that all debt is structured to maximize the benefit to both current and future taxpayers, ratepayers, and constituents of the city; 5) maintain full and complete financial disclosure and reporting; 6) obtain and maintain the highest practical credit ratings consistent with maximizing the benefit to both current and future taxpayers, ratepayers, and constituents of the City; 7) maintain good relations with all investors in City debt; 8) ensure compliance with state and federal laws and regulations; and 9) ensure that the City's debt is consistent with the City's planning goals and objectives and capital improvement program or budget.

To achieve these priorities, the Debt Management Policy delegates responsibility for managing the City's debt program to the City Administrator, Finance Director, and City Attorney. These parties will have authority to administer the City's debt program in accordance with the approved Debt Management Policy. Changes in the Debt Management Policy will require City Council to approve an updated, revised Debt Management Policy.

The Disclosure Policy identifies the City's Finance Director as the Disclosure Coordinator. The City is required to review any Official Statements (primary disclosure document) prepared in connection with any debt issuance by the City to ensure there are no misstatements or omissions of material information. Part of this review process requires the Disclosure Coordinator to submit the Official Statement to City Council for approval as a new business matter and City Council to undertake a review of the Official Statement.

In addition, the City is required to issue continuing disclosure on outstanding bonds on an annual basis. When the City issues new debt, one of the documents included in that process is a continuing disclosure agreement that outlines the annual reporting requirements that the City agrees to comply with. The City also agrees to comply with the requirement to report a list of significant events (see Exhibit A of the Disclosure Policy) within 10 business days. The City may engage a consultant to manage its continuing disclosure obligations and mitigate the impact those obligations have on staff time.

Fiscal Impact: This action does not have an immediate financial impact.

Prior Council/Board Actions: No prior action

Attachments:

Resolution 2019-26

Debt Management Policy

Disclosure Policy

Recommended motion to be made by Council/Board: I move to adopt Resolution 2019-26 as presented.
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RESOLUTION 2019-26

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER APPROVING A DEBT MANAGEMENT POLICY AND DISCLOSURE POLICY FOR CITY DEBT

WHEREAS, the City of Exeter (the "City") has heretofore been duly and regularly formed; and

WHEREAS, the City Council desires to conform to best practices and standards regarding debt; and

WHEREAS, to comply with State law, the City Council desires to approve a Debt Issuance Policy to establish guidelines for issuance and management of debt when issuance is necessary in compliance with all applicable federal and state laws;

WHEREAS, the City Council desires to approve a Disclosure Policy to ensure the City remain in compliance with all applicable federal and state laws;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, DECLARED AND RESOLVED AS FOLLOWS:

Section 1. Approval of Recitals. The City Council of the City of Exeter hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Authorization to approve Policies. The City Council hereby approves of the Debt Issuance Policy and Disclosure Policy as presented, and attached hereto as Exhibits "A" and "B."

Section 3. General Authority. The City Council authorizes its appointed officers and designated staff to do any and all things which they may deem necessary or advisable in order to remain in compliance with the policies described herein or to otherwise effectuate the purposes of this resolution, provided such actions are authorized by applicable laws and regulations.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

Section 5. Certification. The Clerk shall certify to the adoption of this Resolution.

Passed, approved, and adopted this 8th day of October 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk



City of Exeter

Debt Management Policy

Adopted October 8, 2019

Section 1 – Introduction

The purpose of this Debt Management Policy (Policy) is to establish guidelines for the issuance and management of debt for the City of Exeter and all affiliated city entities (collectively, the “City”). While the City prefers to finance projects on a pay-as-you-go basis, in the event debt is necessary, this Policy confirms the commitment of the Council, management, staff, advisors and other decision makers to adhere to sound financial management practices, including full and timely repayment of borrowing, and achieving the lowest possible cost of capital within prudent risk parameters.

Debt Issuance Priorities:

1. Achieve the lowest cost of capital
2. Maintain a prudent level of financial risk and maintain the City’s sound financial position
3. Preserve future financial flexibility
4. Ensure that all debt is structured to maximize the benefit to both current and future taxpayers, ratepayers, and constituents of the City
5. Maintain full and complete financial disclosure and reporting
6. Obtain and maintain the highest practical credit ratings consistent with maximizing the benefit to both current and future taxpayers, ratepayers and constituents of the City.
7. Maintain good relations with all investors in City debt
8. Ensure compliance with state and federal laws and regulations
9. Ensure that the City’s debt is consistent with the City’s planning goals and objectives and capital improvement program or budget, as applicable

This policy shall govern the issuance and management of all debt and lease financing funded from the capital markets (including private placement and bank loans), including the selection and management of related financial services and products and investment of bond and lease proceeds. While adherence to this policy is required in applicable circumstances, it is recognized that changes in the capital markets, agency programs and other unforeseen circumstances may from time to time produce situations that are not covered by this policy and will require modifications or exceptions to achieve policy goals. In these cases, management flexibility is appropriate, provided specific authorization from the City Administrator and City Council is obtained.

Section 2 – Responsibilities

The City’s debt program for all City funds shall be operated in conformance with applicable federal, state, and other legal requirements, including the Exeter Municipal Code.

Responsibility for managing the coordinating of all activities related to the structure, issuance and administration of all long and short-term debt obligations shall rest with the Finance Director.

No debt obligations shall be presented to the City Council for their authorization without the joint assessment and recommendation of the City Administrator, Finance Director and the City Attorney. Departments planning debt-financed capital programs or equipment acquisitions shall work closely with

the City Administrator, Finance Director and City Attorney to provide information and otherwise facilitate the issuance and on-going administration of debt.

The Finance Director shall have the authority to periodically select service providers as necessary to meet legal requirements and minimize debt costs. Such services may include financial advisory, underwriting, trustee, verification agent, escrow agent, arbitrage consulting, special tax consulting, bond and disclosure counsel, and other consultants as needed. To achieve an appropriate balance between service and cost, the Finance Director is authorized to select such service providers through sole source selection or a competitive process using a Request for Proposals.

The Finance Director shall be responsible for maintaining good communications with rating agencies, investors and other debt related service providers about the City's financial condition and will follow a policy of full disclosure.

The Finance Director shall conduct an annual review of the Policy and bring forward to the City Council any amendments deemed necessary and appropriate.

Section 3 – Debt Considerations

The City will evaluate the need for debt financing a project compared to a pay-as-you-go financing methodology. The City prefers to fund projects on a pay-as-you-go basis.

A. Factors favoring a pay-as-you-go methodology include:

- a. Current projected revenues and fund balances available are sufficient to fund the project
- b. Long term total costs are lower due to the avoidance of interest expense
- c. Existing debt capacity is insufficient to absorb the additional debt without adverse impact to credit ratings
- d. Market conditions are unfavorable or present difficulties in marketing

B. Factors favoring debt financing include:

- a. Current and projected revenues available for debt service are sufficient and reliable so that financing can be marketed with investment grade credit ratings
- b. Market conditions present favorable interest rates and demand for the City financings
- c. A project is mandated by state or federal requirements, and current resources are insufficient or unavailable to fully fund the project
- d. The project is immediately required to meet or relieve capacity needs or emergency conditions and current resources are insufficient or unavailable
- e. The savings from the project are sufficient to pay for the debt service costs

The City will review debt limits in conjunction with any proposed financing. It is the City's goal to limit debt service costs in the General Fund to no more than 8 percent of revenues, including transfers. Payments on bonds that are tied to a specified revenue stream other than General Fund resources (e.g. enterprise revenue bonds, tax allocation bonds, and land secured bonds) are not subject to the 8 percent limit. Each proposed financing will be individually assessed by the Finance Director and subject to the approval policies contained herein.

Section 4 – Debt Term

The City Council recognizes that any new debt obligation will have an impact on the long-term affordability of all outstanding debt and any future planned debt, as well as budgetary impacts associated with the maintenance and operating costs of debt financed facilities.

- A. Term of Debt – Debt will be structured for the shortest period possible, consistent with a fair allocation of costs to current and future beneficiaries or users. The weighted average maturity of the debt (or the portion of the debt allocated to the project) shall not exceed the useful life of the project.
- B. Debt Repayment – Typically, the City desires level debt service payments over the term of the debt. However, the cost of capital, financial risk, current economic conditions, future financial flexibility, credit ratings and available cash flow will be evaluated to determine the most appropriate method of debt amortizations for each debt issue. Notwithstanding the above, back loading of debt service will be evaluated as the circumstances dictate. Back loading occurs when debt services payments are lower in the initial years of a debt term and higher toward the later years of a debt term.

Section 5 – Debt Issuance

The City has the capacity to issue long and short-term debt and to refund any outstanding debt. The following section details the purposes of debt issuance and the method of determining the type of sale for such debt.

- A. Long-term Debt – Long-term debt financings are appropriate when the project to be financed is necessary to provide basic services and long-term debt may be used to finance the acquisition or improvement of land, infrastructure, facilities or equipment for which it is appropriate to spread the costs of such over more than one budget year. Long-term debt may be used to fund capitalized interest, cost of issuance, required reserves and any other financing related costs that may be legally capitalized. Long-term debt shall not be used to fund City operating costs.
- B. Short-term Debt – Short-term debt will be considered as an interim source of funding in anticipation of long-term debt. Short-term debt may be issued for any purpose for which long-term debt may be issued, including capitalized interest and financing related costs. Short-term debt is also appropriate to address legitimate short-term cash flow requirements during a given fiscal year to fund the operating costs of the City to provide necessary public services. The City will not engage in short-term borrowing solely for the purpose of generating investment income.
- C. Financings on Behalf of Other Entities - The City may also find it beneficial to issue debt on behalf of other governmental agencies or private third parties to further the public purposes of the City. In such cases, the City shall take reasonable steps to confirm the financial feasibility of the project to be financed and the financial solvency of any borrower and that the issuance of such debt is consistent with the policies set forth herein.
- D. Refunding – Refunding opportunities will be identified by periodic reviews of outstanding debt obligations. Refunding will be considered when there is a net economic benefit from the refunding of a least five percent on a net present value basis. Non-economic refunding may be undertaken to achieve City objectives relating to changes in covenants, call provisions, operational flexibility, tax status, issuer, or other non-economic factors related to the debt.

- E. Method of Sale – The City shall have the flexibility to determine which method of sale is appropriate for each debt issuance in light of market interest rates and City objectives. Determination of the appropriate method of sale will rest collectively with the City Administrator, Finance Director and City Attorney. Potential methods of sale include:
- a. A competitive bidding process through which interested underwriters submit proposals to purchase an issue of bonds and the award is based on, among other factors, the lowest offered true interest cost.
 - b. A negotiated sale process through which a selected underwriter, or team of underwriters, negotiate the terms of an issue and sell bonds in the municipal market. Negotiated sales are often used where there are unusual conditions or unique considerations related to the bond sale. A negotiated sale is subject to approval by the City to ensure that interest costs are in accordance with comparable market interest rates.
 - c. A private (or direct) placement sale typically occurs when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the City than either a negotiated or competitive sale.
- F. Pooled Financing – The City may also consider use of pooled financing as a method of accessing the capital markets. Use of pooled financing will be evaluated collectively by the City Administrator, Finance Director and City Attorney.

Section 6 - Debt Structure

- A. Credit Ratings – The City seeks to obtain and maintain the highest possible credit rating when issuing debt. The City will seek credit ratings from at least one major credit rating agency on all debt, as appropriate. Ratings from multiple rating agencies may be sought for a single debt issue based upon the market conditions at the time of the issuance.
- B. Fixed Rate and Variable Rate Debt – The City prefers to issue fixed rate debt. Variable rate debt may be used, if market conditions warrant at the time of issuance. It is acknowledged that variable rate debt passes an unknown obligation onto future budget cycles.
- C. Debt-related Derivatives – Derivative products may have application with regard to certain City borrowing programs. The City acknowledges the increased complexity associated with use of derivatives and the City Administrator, Finance Director and the City Attorney will evaluate the use of derivative products on a case-by-case basis.
- D. Call Provisions – The timing for when bonds are callable varies and is determined at the time of pricing such bonds. The City's preferred structure is to negotiate for optional redemption at par in order to maintain flexibility in the future, but a final decision will be made on a case by case basis after evaluation of the marketability of the City's bonds.
- E. Credit Enhancements – The City may use credit enhancements (letters of credit, bond insurance, surety bonds, etc.) when such credit enhancements prove to be cost effective. The City will consider the use of credit enhancements on a case-by-case basis.
- F. Reserve Funds – A debt service reserve fund provides an added measure of security to bond holders and may improve the credit rating and thus lower the costs of borrowing. Reserve funds may be necessary for specific transactions, or the City may choose to create one if it is determined to be cost effective. When cost beneficial, the City may consider the use of surety bonds, lines of credit, or similar instruments to satisfy the reserve requirements.

Section 7 – Private Activity Use Limitations on Tax Exempt Debt

IRS Tax Code Section 141 sets forth private activity tests for the purpose of limiting the volume of tax-exempt bonds that finance activities of persons other than state and local governmental entities. These tests serve to identify arrangements that actually or reasonably expect to transfer the benefits of tax-exempt financing to non-governmental persons. The law includes tests of private use, security and payment as well as private loan financing tests. The law also provides for various safe harbors and nuances to the application of these limits. The City will manage a process to ensure private use compliance and will consult with bond counsel to obtain federal tax advice regarding whether anticipated project use will be consistent with the restrictions on private business use of the bond financed property and, if not, whether any “remedial action” permitted under §141 of the code may be taken as means of enabling that use arrangement to be put into effect without adversely affecting the tax-exempt status of the bonds.

With respect to tax-exempt bonds, the City pledges in each bond issuance that it will monitor and control the receipt, investment, expenditure, and use of all bond proceeds and will take or omit to take any actions to cause interest on tax-exempt bonds to remain excludable from the gross income of bond holders. City staff will ensure appropriate lease and building use policies to maintain compliance with this pledge.

Section 8 – Interfund Borrowings

The City may borrow internally from other funds with temporary cash surpluses to meet short term cash needs in lieu of issuing debt. Interfund borrowing extending for more than one year will be brought to Council for approval.

Section 9 – Debt Administration

The Finance Director shall be responsible for administering the City’s debt management program. To that end, this position shall:

- A. Comply with all reporting requirements within the bond documents
- B. Review all outstanding debt for refunding opportunities
- C. Maintain positive working relationships with rating agencies and other financial professionals
- D. Review and recommend appropriate structures for all new debt issuances
- E. Ensure compliance with the Investment Policy and bond documents regarding investing bond proceeds

Section 10 - Disclosure

The Finance Director shall be the Disclosure Coordinator of the City. The Disclosure Coordinator shall review any Official Statement prepared in connection with any debt issuance by the City in order to ensure that there are no misstatements or omissions of material information in any sections that contain descriptions of information prepared by the City.

In connection with the review of the Official Statement, the Disclosure Coordinator shall consult with third parties, including outside professionals assisting the City, and all members of City staff, to the extent that the Disclosure Coordinator concludes they should be consulted so that the Official Statement will include all “material” information (as defined for purposes of federal securities law). As part of the review process, the Disclosure Coordinator shall submit all Official Statements to the City Council for approval.

The approval of an Official Statement by the City Council shall be placed on the agenda as a Regular Calendar item and shall not be approved as a consent item. The City Council shall undertake such review as deemed necessary by the City Council, following consultation with the Disclosure Coordinator, to fulfill the City Council’s responsibilities under applicable federal and state securities laws. In this regard, the Disclosure Coordinator shall consult with the City’s disclosure counsel to the extent the Disclosure Coordinator considers appropriate.

Under the continuing disclosure undertakings that the City has entered into in connection with its debt offerings, the City is required each year to file annual reports with the Municipal Securities Rulemaking Board’s (“MSRB”) Electronic Municipal Market Access (“EMMA”) system in accordance with such undertakings. Such annual reports are required to include certain updated financial and operating information, and the City’s audited financial statements. The City is also required under its continuing disclosure undertakings under SEC Rule 15c2-12 and to file notices of certain events with EMMA. The City may designate an agent to undertake continuing disclosure filings on behalf of the City. The Disclosure Coordinator is responsible for establishing a system (which may involve the retention of one or more consultants) by which:

- A. The City will make the annual filings required by its continuing disclosure undertakings on a complete and timely basis
- B. The City will file notices of enumerated events on a timely basis

Whenever the City makes statements or releases information relating to its finances to the public that are reasonably expected to reach investors and the trading markets, the City is obligated to ensure that such statements and information are complete, true, and accurate in all material respects. The Disclosure Coordinator shall ensure that the members of the City staff involved in the initial or continuing disclosure process and the City Council are properly trained to understand and perform their responsibilities.

Section 11 – Arbitrage Compliance

Arbitrage is defined as the profit earned when tax-exempt bond proceeds are invested in higher yielding securities than the interest rates of the bonds issued. To ensure compliance with federal arbitrage laws, the City will monitor ongoing activities, including remittance of any required arbitrage rebate. If necessary, the City will utilize a consultant for arbitrage rebate calculations and preparation of the required Internal Revenue Service forms. Arbitrage rebate calculations on outstanding bond issues will be performed periodically, but never longer than the 5th year after a bond issuance.



City of Exeter

Disclosure Policy

Adopted October 8, 2019

CITY OF EXETER DISCLOSURE POLICY

Article I *General*

These Disclosure Policies and Procedures (the “**Disclosure Procedures**”) are intended to ensure that the City of Exeter and all affiliated city entities (collectively, the “City”) remain in compliance with all applicable federal and state securities laws.

Article II *Disclosure Coordinator*

The Finance Director of the City shall be the disclosure coordinator of the City (the “**Disclosure Coordinator**”).

Article III *Review and Approval of Official Statements*

The Disclosure Coordinator of the City shall review any Official Statement prepared in connection with any debt issuance by the City in order to ensure there are no misstatements or omissions of material information in any sections that contain descriptions of information prepared by the City.

In connection with its review of the Official Statement, the Disclosure Coordinator shall consult with third parties, including outside professionals assisting the City, and all members of City staff, to the extent that the Disclosure Coordinator concludes they should be consulted so that the Official Statement will include all “material” information (as defined for purposes of federal securities law).

As part of the review process, the Disclosure Coordinator shall submit all Official Statements to the City Council for approval. The cover letter used by the Disclosure Coordinator to submit the Official Statements shall be in substantially the form of Exhibit B.

The approval of an Official Statement by the City Council shall be docketed as a new business matter and shall not be approved as a consent item. The City Council shall undertake such review as deemed necessary by the City Council, following consultation with the Disclosure Coordinator, to fulfill the City Council’s responsibilities under applicable federal and state securities laws. In this regard, the Disclosure Coordinator shall consult with the City’s disclosure counsel to the extent the Disclosure Coordinator considers appropriate.

Article IV *Continuing Disclosure Filings*

Under the continuing disclosure undertakings that the City has entered into in connection with its debt offerings, the City is required each year to file annual reports with the Municipal Securities Rulemaking

Board's Electronic Municipal Market Access ("**EMMA**") system in accordance with such undertakings. Such annual reports are required to include certain updated financial and operating information, and the City's audited financial statements.

The City is also required under its continuing disclosure undertakings to file notices of certain events with EMMA.

The Disclosure Coordinator is responsible for establishing a system (which may involve the retention or one or more consultants) by which:

- (i) the City will make the annual filings required by its continuing disclosure undertakings on a complete and timely basis, and
- (ii) the City will file notices of events enumerated in Exhibit A on a timely basis.

Article V

Public Statements Regarding Financial Information

Whenever the City makes statements or releases information relating to its finances to the public that are reasonably expected to reach investors and the trading markets, the City is obligated to ensure that such statements and information are complete, true, and accurate in all material respects.

Article VI

Training

The Disclosure Coordinator shall ensure that the members of the City staff involved in the initial or continuing disclosure process and the City Council are properly trained to understand and perform their responsibilities.

The Disclosure Coordinator shall arrange for disclosure training sessions conducted by the City's disclosure counsel. Such training sessions shall include education on these Disclosure Procedures, the City's disclosure obligations under applicable federal and state securities laws and the disclosure responsibilities and potential liabilities of members of the City's staff and members of the City Council. Such training sessions may be conducted using a recorded presentation.

EXHIBIT A

LISTED EVENTS

The Disclosure Coordinator should review this list at least once each week to determine whether any event has occurred that may require a filing with EMMA.

For securities subject to Rule 15c2-12, the following events require notice in a timely manner not in excess of ten (10) business days after the occurrence of the event:

1. principal and interest payment delinquencies;
2. non-payment related defaults, if material;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on credit enhancements reflecting financial difficulties;
5. substitution of credit or liquidity providers, or their failure to perform;
6. adverse tax opinions, the issuance by the I.R.S. of proposed or final determinations of taxability, Notices of Proposed Issue or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
7. modifications to rights of security holders, if material;
8. bond calls, if material, and tender offers;
9. defeasances;
10. release, substitution, or sale of property securing repayment of the securities, if material
11. rating changes;
12. bankruptcy, insolvency, receivership or similar event of the obligated person;
13. consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
14. appointment of a successor or additional trustee or the change of name of a trustee, if material.

For continuing disclosure undertakings entered into on or after February 27, 2019, the following events require notice in a timely manner not in excess of ten (10) business days after the occurrence of the event:

15. incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and
16. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.

EXHIBIT B FORM OF STAFF REPORT

To: Members of the City Council

From:

Date:

This Staff Report relates to the proposed issuance of (the "Obligations") by the City. The City Council is asked to approve issuance of the Obligations and all related documents. The near-final versions of these documents are attached.

The attached Preliminary Official Statement has been reviewed and approved for transmittal to the City Council by the City's financing team. The distribution of the Preliminary Official Statement by the City is subject to federal securities laws, including the Securities Act of 1933 and the Securities Exchange Act of 1934. These laws require the Preliminary Official Statement to include all facts that would be material to an investor in the Obligations. Material information is information that there is a substantial likelihood would have actual significance in the deliberations of the reasonable investor when deciding whether to buy or sell the Obligations. If the City Council concludes that the Preliminary Official Statement includes all facts that would be material to an investor in the Obligations, it must adopt a resolution that authorizes staff to execute a certificate to the effect that the Preliminary Official Statement has been "deemed final."

The Securities and Exchange Commission (the "SEC"), the agency with regulatory authority over the City's compliance with the federal securities laws, has issued guidance as to the duties of the City Council with respect to its approval of the Preliminary Official Statement. In its "Report of Investigation in the Matter of County of Orange, California as it Relates to the Conduct of the Members of the Board of Supervisors" (Release No. 36761 / January 24, 1996) (the "Release"), the SEC indicated that, if a member of the City Council has knowledge of any facts or circumstances that an investor would want to know about prior to investing in the Obligations, whether relating to their repayment, tax-exempt status, undisclosed conflicts of interest with interested parties, or otherwise, he or she should endeavor to discover whether such facts are adequately disclosed in the Preliminary Official Statement. In the Release, the SEC indicated that the steps that a member of the City Council could take include becoming familiar with the Preliminary Official Statement and questioning staff and consultants about the disclosure of such facts.

Set forth below is a summary of the financing, including cross-references to specific sections of the Preliminary Official Statement.

Section 1. Purpose of Financing.

Section 2. Documents for Approval; Security for the Obligations.

Section 3. Risks Relating to Repayment and Tax-Exempt Status of the Obligations.

Section 4. Requested Approvals.

City of Exeter Agenda Item Transmittal

Meeting Date: October 8, 2019

Agenda Item Number: 16

Wording for Agenda: Adopt Resolution 2019-27 authorizing the City Administrator to sign a supplement to the Measure R Program Cooperative Agreement of up to \$400,000 with Tulare County Association of Governments and a cooperative agreement with Tulare County to initiate the process for design and construction of Rocky Hill Drive and Firebaugh Avenue Improvements from SR 65 to Spruce.

Submitting Department: Finance/ Public Works
Contact Name: Chris Tavarez, Finance Director
Daymon Qualls, Public Works Director
Phone Number: 592-2755, 592-3318
Email: ctavarez@exetercityhall.com
dqualls@exetercityhall.com

For action by:

☒ City Council

Regular Session:

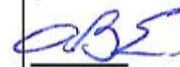
☐ Consent Calendar

☒ Regular Item

☐ Public Hearing

Review:

**City Administrator
(Initials Required)**



Department Recommendation:

Staff recommends Council adopt Resolution 2019-27 authorizing the City Administrator to sign a supplement to the Measure R Program Cooperative Agreement of up to \$400,000 with Tulare County Association of Governments (TCAG) and a cooperative agreement with Tulare County (County) to initiate the process for design and construction of Rocky Hill Drive and Firebaugh Avenue Improvements from SR 65 to Spruce (Avenue 204).

Summary/Background:

The Measure R Expenditure Plan identifies State Route 65 (Kaweah Ave.) and Spruce (Rd 204) for future widening and corridor mitigation improvements. A need associated with these corridor improvements is street rehabilitation and improvements on Rocky Hill Drive and Firebaugh Avenue from SR 65 to Spruce (Avenue 204), including the railroad crossings. This is estimated to be approximately a \$6 to \$7 million project, with about half the improvements within the City limits. This is an opportunity to deliver corridor improvements within the City of Exeter city limits, as well as adjacent County roadway, to improve the Spruce/SR 65 Corridor using Measure R Regional funds, which is in addition to the regular annual transportation funding received by the City.

Staff has met with TCAG and Tulare County in order to discuss a partnership with the County as lead agency for design and construction phases of the project. The City would approve plans for construction of segments in the City limits in order to deliver transportation and corridor improvements to Firebaugh Avenue and Rocky Hill Drive. This will improve commercial vehicle circulation, student safety at Exeter Union High School, and improve the traffic flow on Firebaugh Avenue and Rocky Hill Drive. TCAG and the County have indicated they are willing to partner for delivery of this project. If approved by City Council staff will notify TCAG of Council's approval of this concept and proceed in discussion with TCAG and the County for potential delivery of this project.

Fiscal Impact:

Total project costs are estimated at \$6 to 7 million in improvements to be made on Firebaugh Avenue and Rocky Hill Drive (approximately ½ for improvements within the Exeter City Limits) paid for from Measure R Regional funds. This funding is in addition to the regular annual transportation funding received by the City.

The project will be funded through TCAG's Transportation Authority Measure R Funds for SR 65 and Spruce (Rd 204) mitigation funding. TCAG is planning to bond future Measure R Regional funding forward to begin projects now that would normally be funded further in the future, with these funds being available in early 2020.

The City could proceed on design with the County "at risk" before the anticipated TCAG bonding funds are available. Should this occur, the City's Measure R Local fund could be used and all funds paid out could be reimbursed from Measure R Regional funding once the bonding is in place for the project. Initial estimates of these costs should not exceed \$400,000. Should the bonding not occur to fund the project, the City could be at risk of not getting Measure R Local Funds reimbursed and causing deferral of other City street projects. Upon discussion with TCAG staff there is very low risk of the financing for this project not to proceed.

Prior Council/Board Actions:

Not applicable

Attachments:

Attachment "A" - Aerial Map of potential project limits on Firebaugh (SR 65 to Spruce) and Rocky Hill (SR 65 to City Limits)
Resolution 2019-27

Recommended motion to be made by Council/Board: I move to adopt Resolution 2019-27 as presented.



500' 0' 500'
SCALE: 1" = 500'



CITY OF EXETER

STREET REHAB PROPOSED AREAS

STREET IMPROVEMENTS

PROJECT NO.: 190008
DESIGN BY: BR
QA/QC BY: LWD
SCALE: 1" = 500'
SHEET NO.: 1 of 1

RESOLUTION 2019-27

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER
TO AUTHORIZE THE CITY ADMINISTRATOR TO SIGN A SUPPLEMENT TO THE MEASURE
R PROGRAM SUPPLEMENTAL AGREEMENT AND A COOPERATIVE AGREEMENT WITH
TULARE COUNTY TO PURSUE DEVELOPMENT AND CONSTRUCTION OF
IMPROVEMENTS FOR ROCKY HILL DRIVE AND FIREBAUGH AVENUE FROM STATE
ROUTE 65 TO SPRUCE**

WHEREAS, in November of 2006 the voters of Tulare County approved Measure R; and

WHEREAS, Measure R is a ½ cent sale tax that addresses the major regional, local, and transit/bike/environmental report transportation needs in Tulare County; and

WHEREAS, Measure R, Table 1 "Summary of Regional Projects" identifies State Route 65 and the Spruce (Rd 204) Corridor for future widening and corridor mitigation improvements; and

WHEREAS, the County of Tulare, Tulare County Association of Governments (TCAG) and the City of Exeter recognize the commercial and industrial impacts and the need for road improvements on Firebaugh Avenue and Rocky Hill Drive in Tulare County and the City of Exeter; and

WHEREAS, the County, TCAG and the City of Exeter are coordinating and planning improvements in the corridor to improve commercial vehicle circulation, student safety at Exeter Union High School, improve the traffic flow on Firebaugh Avenue and Rocky Hill Drive that connect SR 65 and Spruce (Rd 204) with Exeter's Industrial Zone; and

WHEREAS, the City Council wishes to coordinate and partner with Tulare County with Measure R Regional funding for the SR 65 and Spruce corridor to mitigate impacts and improve the traffic flow on Firebaugh Avenue and Rocky Hill Drive; and

WHEREAS, the City Council authorizes and supports the City of Exeter to proceed and coordinate with Tulare County and TCAG under Measure R SR 65 and Spruce (Rd 204) mitigation improvements on Firebaugh Avenue and Rocky Hill Drive from SR 65 to Spruce to; and

NOW, THEREFORE, BE IT RESOLVED the City Council authorizes the City Administrator to enter into agreements with Tulare County and TCAG to fund, design and construct transportation and road improvements to Firebaugh Avenue and Rocky Hill Drive in the City of Exeter funded through Measure R Regional and authorize design and construction management to be delegated to Tulare County under City Design Standards in the Exeter City Limits.

PASSED, APPROVED AND ADOPTED this _____ day of _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

City of Exeter Agenda Item Transmittal

Meeting Date: October 8, 2019

Agenda Item Number: 17

Wording for Agenda: Presentation of the Water Valve Assessment, Operation, and GPS Collection Project.

Submitting Department: Public Works
Contact Name: Daymon Qualls
Phone Number: 592-3318
Email: dqualls@exetercityhall.com

Department Recommendation:

Staff recommends that the City Council receive a presentation and overview of the City's recent Water Valve Assessment, Operation, and GPS Collection Project, and provide comment as desired.

Summary/Background:

The City of Exeter has recently faced some very challenging times with its water system primarily due to an aging system and minimal past maintenance and replacement due to budget constraints. Numerous issues have come to light recently including a number of non-working water valves. On two separate occasions in recent years, the City's entire water system had to be shut down for system repairs since the areas needing repair could not be isolated because of non-working water valves.

To address this vulnerability, a Request for Bids (RFB) for a Water Valve Assessment, Operation, and GPS Collection Project was advertised by City staff on March 15, 2019. The purpose of this project was to exercise water valves and identify non-working water valves throughout the City for future water valve replacement projects. A public bid opening was held on April 12, 2019 and Wachs Water Services was the apparent low bidder. On April 23, 2019, Council awarded a contract and authorized the City Administrator to execute an agreement with Wachs Water Services, of Buffalo Grove, IL, in the amount of \$40,385.00, to complete a water valve assessment, operation, and GPS collection project for the City.

Wachs Water Services began work on July 18th and strategically worked their way through the City accessing, collecting data on and exercising each water valve. The project was completed on August 13th.

This presentation will give a summary of the project findings, including statistical information regarding the condition of the assessed valves.

Staff is currently working with the data and work orders provided by Wachs Water Services to develop future water valve repair and replacement projects.

Fiscal Impact: The total cost of project, including one change order for additional valves found, was \$44,753 which was paid for using water enterprise funds.

Prior Council/Board Actions: April 23, 2019, Council awarded a contract and authorized the City Administrator to execute an agreement with Wachs Water Services.

For action by:

☒ City Council

Regular Session:

☐ Consent Calendar

☒ Regular Item

☐ Public Hearing

Review:

**City Administrator
(Initials Required)**



Attachments: Water Valve Assessment Report – Prepared by Wachs Water Services

Recommended motion to be made by Council/Board: No recommended motion at this time.
This presentation is for informational purposes only.

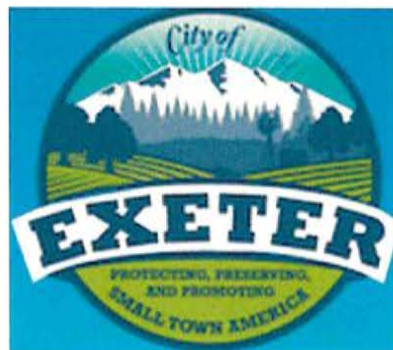
Water Valve Assessment Report

(Contract No. 19-105-001)

Draft

Report Prepared for:

City of Exeter



By:

Wachs Water Services, a Xylem brand

(V 1.0 – August 30, 2019)

Water Valve Assessment Report

Prepared for
City of Exeter

Prepared by
Wachs Water Services, a Xylem brand

August 30, 2019

Quality Assurance and Quality Control Statement

By my signature I attest that this report has been prepared and reviewed in accordance with the Wachs Water Service, a Xylem brand, Quality Assurance and Quality Control procedures:



Project Manager (Raul V. Borromeo Jr.)

8/30/2019

Date

NOTICE

This report contains confidential commercial information regarding proprietary equipment, methods, and data analysis, which is the property of Wachs Water Services, a Xylem brand. It is for the sole use of the City of Exeter and is not to be distributed to third parties without the express written consent of Wachs Water Services, a Xylem brand.

Contents

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Appendices

- Appendix A – Geodatabase Submission (.mdb file) Digital Submission
- Appendix B – Work Orders Generated

1. Executive Summary

The City of Exeter (City) retained the services of Wachs Water Services, a Xylem brand (Wachs) to perform a comprehensive water valve assessment and to collect GIS information on the valves within the Exeter distribution system. The assessment activities took place between July 18, 2019 and August 14, 2019. The original scope called for the assessment of 891 valves, but as the crew progressed through the system it was observed that many of the hydrant lead valves were not present on the original GIS. A total of 104 additional valves were assessed bringing the total to 995 valves.

Wachs detected 606 valves that were initially operable, 389 valves that were initially inoperable, and repaired or rehabilitated 238 valves to increase the operability percentage to 88%. The overall results of the inspection are summarized in Table 1.1 and Table 1.2. Details on the deficiencies are discussed in Section 4.

Table 1.1: Valve Condition (Operability)		
	Count	Percentage
Initially Operable	606	61%
Initially Inoperable	389	39%
Currently Operable	877	88%
Fixed / Rehabilitated Valves	238	24%

Table 1.2: Overall Conditions (Quality)		
	Count	Percentage
Good	844	85%
Fair	31	3%
Poor	2	0%
Inoperable	60	6%
Unknown*	54	5%
Not Applicable	4	0%
Total	995	100%

**Note: Unknown valves include locations that were inaccessible due to fencing, road closure, construction zones, or valves that have been tagged out of service.*

2. Project Background

The known location and the ability to control valves for a water distribution system is critical to proper operation and is key to system maintenance and addressing emergency situations. A failure along the busy Kaweah corridor in June 2019 caused thousands in repair costs and revealed the challenges in controlling the flow within the system.

The City retained the services of Wachs Water Services to perform a comprehensive water valve assessment and to collect GIS information on the valves within the distribution system. The assessment activities took place between July 18, 2019 and August 14, 2019. The original scope called for the assessment of 891 valves, but as the crew progressed through the system it was observed that many of the hydrant lead valves were not present on the original GIS. A total of 104 additional valves were assessed bringing the total to 995 valves.

This data was evaluated to identify discrepancies with the City's GIS and to show the current operational and aesthetic status of this inventory. A digital output of the findings was provided in an MS Access master database format (.mdb) to the City.

The scope of the assessment included the following:

- Locate the asset (Confirm valve location and any mapping discrepancy)
- Identify the asset (Confirm identification number)
- Assess the asset (Clear vegetation / obstructions / vacuum)
- Inspect the asset (Visual inspection)
- Operational test of the asset (Fully exercising valve to confirm operability and functionality)
- Input deficiencies and GIS Data

2.1 Description of Distribution System - Valves

The main line and hydrant lead valves within the City of Exeter's distribution were installed in different eras with the center of the city having some of the older valves dating back to the 1940's. The perimeter of the city was more recently constructed and has a newer generation of valves. The extents of the system are shown in Figure 2.1.

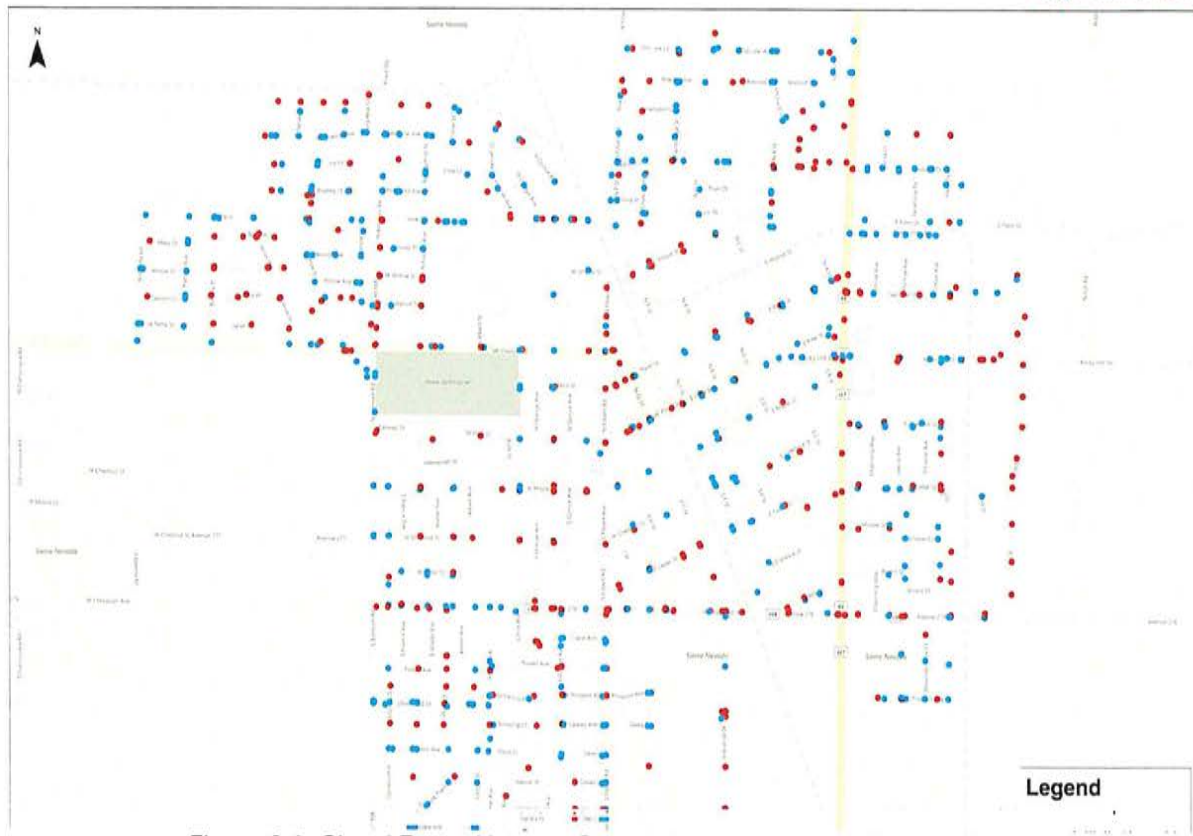


Figure 2.1: City of Exeter Valves - Overall Assessed Area Initial Conditions

3. Valve Inspection Details

3.1 Standard Operating Procedures

To properly assess a valve, Wachs has developed a standard operating procedure to ensure the full assessment and exercise of each valve. This process includes the standard for noting discrepancies and rehabilitation of inoperable valves.

Prior to any valve exercise, if a valve was found in a closed position, the City of Exeter staff was informed, and City staff gave direction on whether to open or leave a valve closed.

The full assessment of a valve required two (2) full cycles of turning the valve to the fully open then fully closed position. Turn counts and torque values were recorded.

Upon completion of the assessment, the valve lid cover was marked to indicate its status.

- Blue Paint: Operated and assessed
- White Paint: Covered over, anomalies / deficiencies.
- Red Paint: Do not operate

Valves missing a lid cover were photographed and a cone was placed next to the valve to warn drivers and to flag it for follow up. Figure 3.1 shows a valve missing its lid cover.



Figure 3.1: Valve Lid Cover Missing

Black paint was also used to touch up hydrants that were tagged out of operation by City Exeter staff.

3.2 Crew Breakdown

A two-man crew assessed all 995 valves within the system. A crew chief and field technician conducted the assessment activities with a specialized truck outfitted with all the tools and materials needed for the valve work. Figure 3.2 shows the crew exercising a valve with the patented Wachs Electric Turner and collecting GPS using a sub-foot GPS antenna.



Figure 3.2: Valve Exercising

4. Summary of Findings

4.1 Overall Statistics

The following tables and figures show the conditions of the assessed valves.

Table 4.1: Valve Condition (Operability)		
	Count	Percentage
Initially Operable	606	61%
Initially Inoperable	389	39%
Currently Operable	877	88%
Fixed / Rehabilitated Valves	238	24%

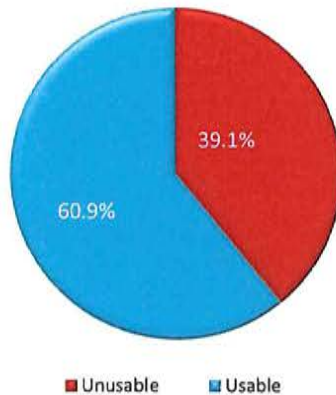


Figure 4.1: Initial Operability

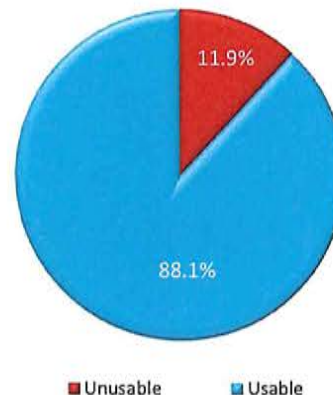


Figure 4.2: Operability After Assessments

Table 4.2: Overall Conditions (Quality)		
	Count	Percentage
Good	844	85%
Fair	31	3%
Poor	2	0%
Inoperable	60	6%
Unknown*	54	5%
Not Applicable	4	0%
Total	995	100%

Table 4.3: Valve Sizing	
Valve Size (Inches)	Count
2	41
3	7
4	38
6	505
8	278
10	78
12	22
Unknown Size	26
Total	995

Table 4.4: Unknown Breakdown	
Description	Count
High Traffic	0
Equipment Problem	0
Behind Fence/No Access	36
Under Vehicle/Road Closed	0
Do Not Turn	15
1.5 Meter Located, No Valve Present	3
Total	54

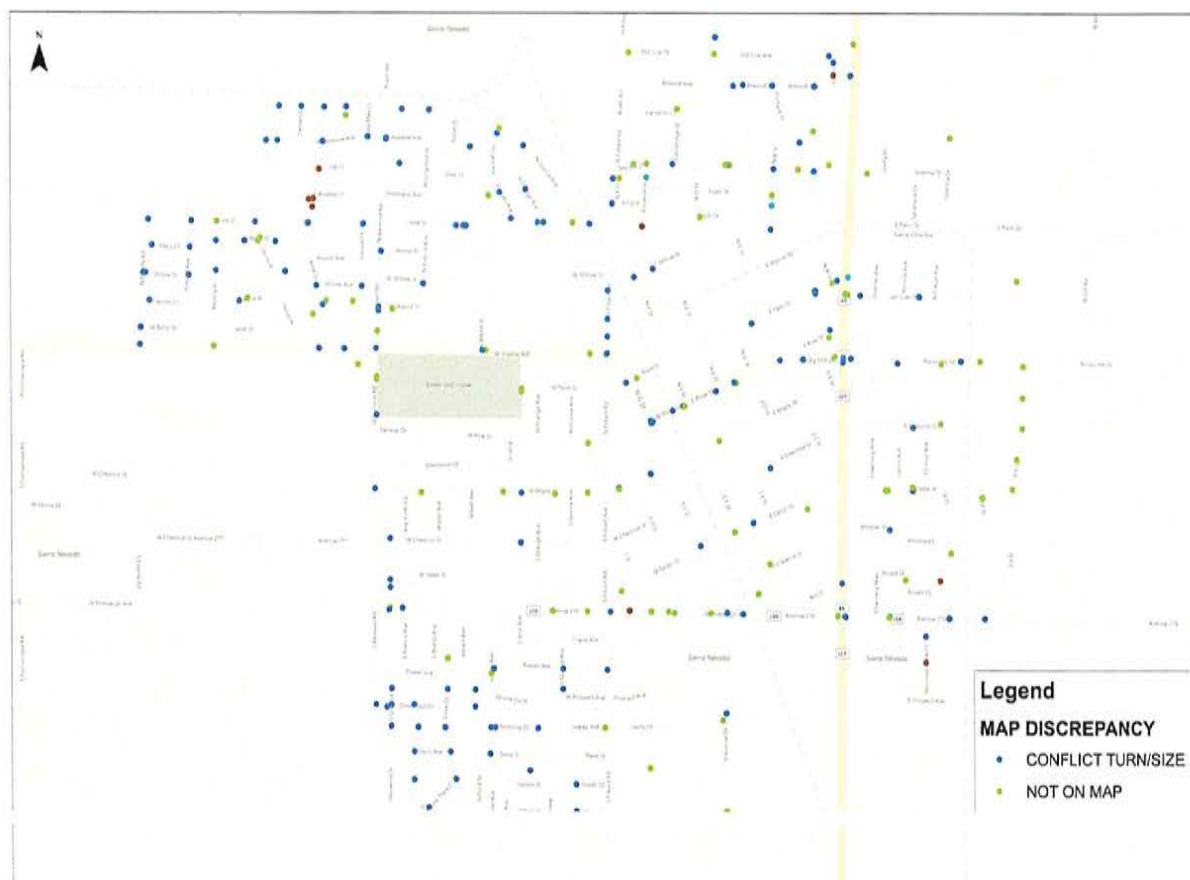
Table 4.5: Inoperable Breakdown	
Description	Count
Cannot Locate	32
Debris Removal Needed/Large Vac Needed	4
Misaligned	1
Covered Over	5
Frozen	1
Stuck Lid	5
Missing/Damaged Operator	8
Sheared/Bent Stem	1
Spins Free	3
Total	60

4.2 Map Discrepancies

A total count of 293 valves had some sort of map discrepancy. These included valves not shown in the original GIS provided by the City, valves that didn't match the called-out size based on the turns observed, and other mapping errors. Table 4.6 provides a breakdown of these map discrepancies and Figure 4.3 shows where they are in the system.

Table 4.6: Map Discrepancies		
Flow Test Result in Gallons Per Minute	Count	Percentage
Conflict - Turns/ Size	176	17.7%
Not of Map / Missing from GIS	104	10.5%
Other (GIS / Field Mismatch)	9	0.9%
Valve Abandoned	4	0.4%
Total	293	29.4%

Figure 4.3 shows the areas with map discrepancies.



4.3 Work Orders

The valve assessments revealed which assets were inaccessible, inoperable, needed maintenance, or had any other deficiency. If a deficiency was observed, a work order was created with all the details collected for that valve. Figure 4.4 shows an example of a work order for a misaligned valve box. A complete list of all the work orders generated is provided in Appendix B.

Valve ID 555	Map Number B1-6	Date and Time 2019-05-01 6:00:40 AM		Location 1109 W VISALIA RD & JACOB PL		
Valve Use HYD LEAD	Valve Size 6	Valve Type GATE NOT GEARED	Operator Type 2" SQ OPERATOR	Gate Orientation VERTICAL	Crew RAMIRO VACANER	
Map Discrepancy NO		Map Discrepancy Comment NONE			Location Notes 1109 VISALIA	
Lid Condition NEEDS LID	Lid Size ROADWAY	Structure Condition MISALIGNED	Structure Type BOX	Op Depth 2.5	Cleanout NONE	
Valve Condition GOOD	Exercise FULL	Operation Method ELECTRIC	Turn Count 15	Max Torque 100	Final Torque 50	
Lid Lock Present	Surface Cover GRASS	Position Found OPEN	Position Left OPEN	Close Direction RIGHT HAND		
Packing Leak NONE	Need To Raise NO	Covered Over NO	Cover Level AT GRADE	Unable to Locate NO	Frozen NO	
Other Discrepancy NO		Discrepancy Notes NONE				
Field Notes BOX MISALIGNED NOT ALLOWING LID TO SIT ON STRUCTURE. PLACED UPSIDE DOWN. NEEDS ADJUSTMENT						
Bypass Valve Present NO	Bypass Exercise NOT APPLICABLE	Bypass Condition NOT APPLICABLE	Bypass Turns 0	Bypass Position Left NOT APPLICABLE		



GPS X
6515670.236

GPS Y
1991456.307

Wachs Field ID
555

Work Order Responsibility:
EXETER, CA

Work Order Notes:

Figure 4.4 Work Order Sample

Appendix A

Geodatabase Submission (.mdb file) Digital Submission

Appendix B

Work Orders Generated

City of Exeter Agenda Item Transmittal

Meeting Date: October 8, 2019

Agenda Item Number: 18

Wording for Agenda: Consideration to re-appoint Rosemary Hellwig as the City of Exeter's representative on the Delta Vector Control Board for a 2-year term beginning January 1, 2020; or appoint a new candidate to the two-year term on the Board; or solicit applications to fill the two-year term on the Board.

Submitting Department: Administration

Contact Name: Adam Ennis

Phone Number: (559) 592-4539

Email: adam@exetercityhall.com

Department Recommendation:

Staff recommends that Council consider and appoint the City of Exeter's representative to the Delta Vector Control District Board for a 2-year term beginning January 1, 2020.

Summary:

The City of Exeter has a community representative position on the Delta Vector Control District Board. Rosemary Hellwig has been the representative for the City on this board since February of 2011 and her current term is expiring December 31, 2019. The Delta Vector Control District Board needs the Council to make an appointment to this board for another two-year term. Mrs. Hellwig has expressed her willingness to serve an additional two-year term if the Council chooses to re-appoint her to the board. The Delta Vector Control District Board of Trustees is recommending that Mrs. Hellwig be considered favorable for reappointment. The Council could also choose, or solicit for, other candidates to fill the term if they so choose.

The term of office shall be for two years and is subject to unlimited renewal. Attendees receive a stipend of \$50 per month in lieu of expenses. Meetings occur on the second Wednesday of each month at 7:00 p.m. at the District office.

Background:

The Delta Vector Control District has a board of seven consisting of five members from the incorporated cities in northern Tulare County (Dinuba, Visalia, Farmersville, Exeter, and Woodlake) and two County At-Large members. Candidates who would like to serve on the District Board must qualify under existing Mosquito Abatement and Vector Control District Law:

- (a) Each person appointed by a board of supervisors to be a member of a board of trustees shall be a voter in that county and a resident of that portion of the county that is within the district.
- (b) Each person appointment by a city council to be a member of a board of trustees shall be a voter in that city and a resident of that portion of the city that is within the district.
- (c) Notwithstanding any other provision of law including the common law doctrine that precludes the simultaneous holding of incompatible offices, a member of a city council may be appointed and may serve as a member of a board of trustees if that person also meets the other applicable qualifications of this chapter.

For action by:

☒ City Council

Regular Session:

☐ Consent Calendar

☒ Regular Item

☐ Public Hearing

Review:

**City Administrator
(Initials Required)**

OB

- (d) It is the intent of the Legislature that persons appointed to boards of trustees have experience, training, and education in fields that will assist in the governance of the districts.
- (e) All trustees shall exercise their independent judgment on behalf of the interests of the residents, property owners, and the public as a whole in furthering the purposes and intent of this chapter. The trustees shall represent the interests of the public as a whole and not solely the interests of the board of supervisors or the city council that appointed them.

Fiscal Impact: None.

Prior Council/Board Actions: Previous appointments to the committee.

Attachments: None

Recommended motion to be made by Council/Board:

I move to:

- 1) Re-appoint Rosemary Hellwig to another two-year term on the board,
OR
- 2) Appoint a new candidate to the two-year term on the board,
OR
- 3) Solicit for potential candidates to fill the two-year term on the board.