

## AGENDA

### EXETER CITY COUNCIL

TUESDAY, MAY 19, 2020

Work Session 6:00 p.m.

Closed Session 6:30 p.m.

Regular Session 7:00 P.M. (or immediately following Closed Session)

137 North "F" Street, Exeter, California

#### MAYOR

CITY ADMINISTRATOR

Adam Ennis

CHIEF OF POLICE

John Hall

FINANCE DIRECTOR/

CITY TREASURER

Chris Tavarez

CITY CLERK

Shonna Oneal

Mary Waterman-Philpot

**MAYOR PRO TEM**

Barbara Sally

**COUNCIL MEMBERS**

Frankie Alves

Dave Hails

Jeremy Petty

PUBLIC WORKS DIRECTOR

Daymon Qualls

CITY ATTORNEY

Julia Lew

CITY PLANNER

Greg Collins

CITY ENGINEER

Lisa Wallis-Dutra

### **IMPORTANT NOTICE REGARDING MAY 19, 2020 COUNCIL MEETING**

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the Brown Act and COVID-19 pandemic. Pending no technical difficulties, the Council meeting will be streamed (for observation only) via Facebook Live at <https://www.facebook.com/TheCityOfExeter/>.

The meeting will also be available via Zoom at the below link (for observation only):

<https://us02web.zoom.us/j/86570659277?pwd=U3NycG5LVTVScjZjeC9qN3Y3WU9rUT09>

*Or via Telephone:* 1 669 900 9128

*Webinar ID:* 865 7065 9277

*Password:* 865723

**Submission of Public Comments:** For those wishing to make public comments at the May 19, 2020 Council meeting, please submit your comments by email to be read aloud at the meeting by the City Clerk. Email comments must be submitted to the City Clerk at [CCPublicComments@exetercityhall.com](mailto:CCPublicComments@exetercityhall.com). Email comments on matters not on the agenda must be submitted prior to the time the Mayor calls the item for Public Comments. Email comments on agenda items must be submitted prior to the time the Mayor closes public comments on the agenda item. To be sure your comments are received, we strongly encourage citizens to submit public comment, or comment on a specific agenda item, before the meeting.

The public may also present comments at the Council Chambers, but the City strongly encourages the public to comply with the Governor's Executive Orders and public health guidance during the COVID-19 pandemic. To ensure physical distancing, the City will place pre-marked spaces that Citizens are required to use while waiting their turn to submit public comment. Due to space limitations at the Council Chambers this may require standing outside for an extended period of time and could result in your comments not being heard due to time limitations. (City Council will NOT be present in the Council Chambers and Citizen Comments presented in person comments will be transmitted electronically via Zoom to the Council.) Public comments submitted electronically on Facebook will not be accepted.

**Reading of Public Comments:** All email comments shall be subject to the same rules as would otherwise govern speaker comments at the Council meeting. The City Clerk shall read all email comments, provided that the reading shall not exceed five (5) minutes per comment, or such other time as the Council may provide, consistent with the time limit for speakers at a Council meeting. The comments submitted as specified above shall become part of the record of the Council meeting.

**Please direct any questions to the Office of City Clerk, 559-592-9244.**

#### **6:00 p.m.**

#### **A. CALL TO ORDER WORK SESSION**

**B. PUBLIC COMMENTS REGARDING WORK SESSION MATTERS** – Comments from the public are limited to items listed on the work session matters (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating your name and providing your city of residence.

**C. WORK SESSION:**

1. Council discussion with 2020 Proposed Revenue Measure Advisory Committee (PRMAC) regarding findings of their review. Provide direction to staff on how to proceed with the revenue measure and, if continuing with a community survey now, authorize the City Administrator to execute an agreement with FM3 Research, with conforming language per the City Attorney, and appropriate \$28,250 from the General Fund (104).

**D. ADJOURN WORK SESSION**

**6:30 p.m.**

**E. CALL TO ORDER CLOSED SESSION**

**F. PUBLIC COMMENTS REGARDING CLOSED SESSION MATTERS - Comments from the public are limited to items listed on the closed session matters (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating your name and providing your city of residence.**

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

1. 54956.9(c) Conference with Legal Counsel Re: Potential Initiation of litigation by the City: One (1) case
2. 54956.9(d)(4) Conference with Legal Counsel - Significant Exposure to Litigation: One case in which facts are not yet known to potential plaintiff
3. 54957.6 Conference with Labor Negotiators  
Agency Negotiator: Adam Ennis  
Employee Groups: All represented and unrepresented employees

**7:00 p.m. (Or, immediately following Closed Session)**

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

**I. PLEDGE OF ALLEGIANCE AND INVOCATION**

**J. SPECIAL PRESENTATIONS (if any): None**

**K. PUBLIC COMMENTS:**

*This is the time for citizens to comment on subject matters that are not on the agenda that are within the jurisdiction of the Exeter City Council. In compliance with public meeting laws, Council cannot discuss topics that are not included on the published agenda. This is also the time for citizens to comment on items listed on the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Public comments related to all pulled Consent Calendar Items and all Individual Business or Public Hearing Items that are listed on this agenda will be heard at the time that item is discussed or at a time the Public Hearing is opened for comment.*

*In fairness to all who wish to speak tonight, comments shall be limited to five (5) minutes for each individual, ten (10) minutes for an individual representing a group, and thirty (30) minutes overall for the entire public comment period, unless otherwise indicated by the Mayor. Although not required, speakers are asked to begin their comments by stating their name and city of residence.*

**L. CONSENT CALENDAR:**

*Items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.*

1. Approve minutes of March 24, 2020
2. Payment of the Bills

3. Payroll: March 20, 2020; April 3, 2020; April 17, 2020; and May 1, 2020
4. Treasurer's Report: February 2020 and March 2020
5. Adopt Resolution 2020-13 authorizing investment of monies in the Local Agency Investment Fund (LAIF) with the State of California State Treasurer and officers for the City of Exeter's investment account.
6. Award and authorize the City Administrator to sign a contract with Asphalt Maintenance Company of Visalia, CA in the amount of \$63,267.32 for construction of the Completion of Exeter HSIP Project, HSIPL-5195(015), and approve an appropriation of \$65,000 from the Transportation fund (113).
7. Adopt Resolution 2020-14 authorizing the adoption of Caltrans Local Assistance Procedures Manual Chapter 10 for procurement of engineering and design related consultant services on federal and state funded transportation projects for the City of Exeter.
8. Approval to issue permits to four (4) applicants including; Abundant Life Tabernacle, EUHS Music Boosters, Exeter Sportsman's Club and Exeter Wrestling Boosters for the sale of Safe and Sane Fireworks contingent upon compliance with required booth clearances, appropriate documentation, proper on-site storage, compliance with all City Municipal Code requirements, and any County or State guidance and orders in place during the time of sales.
9. Award and authorize the City Administrator to sign a contract with 4 Creeks of Visalia, CA in the amount of \$190,715.99 for Construction Management/Resident Engineer services for the E. Palm Street Reconstruction Project, STPL-5195(022), and approve an appropriation of \$230,000 from Measure R Local funds (131).
10. Award and authorize the City Administrator to sign a contract with the lowest responsible bidder, AJ Excavation of Fresno, CA in the amount of \$1,291,819 for construction of the E. Palm Street Reconstruction Project, STPL-5195(022). Project construction is funded by federal Surface Transportation Program funds and Measure R Local funds and an appropriation of \$1,421,000 is needed from fund Measure R (131).
11. Adopt Resolution 2020-15 requesting the Tulare County Board of Supervisors permit the County Registrar of Voters to render specified services to the City relating to the conduct of the general municipal election, November 3, 2020; and Adopt Resolution 2020-16 calling the General Municipal Election and requesting and consenting to consolidation of elections on November 3, 2020 and setting specifications of the election order.
12. Authorization for the City Administrator to execute an updated Memorandum of Understanding (MOU) between the City of Exeter and the Tulare-Kings County Regional Hazardous Materials Team led by the City of Visalia (Fire Department) for provision of hazardous materials incident response (Haz-Mat Response) at a reduced share of cost due to adding Kings County participating agencies to the program. The current annual cost to Exeter is \$1,261.54.
13. Adopt Resolution 2020-17 Directing the City Engineer to Prepare a Report on Assessment District Numbers 98-01; 97-01; 05-01; 04-01; 04-03; 03-01; 03-02; 01-01; 01-02; 00-01; 00-02; Adopt Resolution 2020-18 Intent to Levy and Collect Assessments on Assessment District Numbers 98-01; 97-01; 05-01; 04-01; 04-03; 03-01; 03-02; 01-01; 01-02; 00-01; 00-02; and set the Public Hearing for July 14, 2020.

**M. INDIVIDUAL BUSINESS ITEMS:**

*Comments related to Individual Business and Public Hearing Items are limited to three minutes per speaker, for a maximum of 30 minutes per item. The Mayor may reasonably limit or extend the public comment period to preserve the Council's interest in conducting efficient, orderly meetings.*

1. **PUBLIC HEARING** to receive written protests and comments regarding proposed assessment increases and Automatic Benefit Assessment (ABA) increase allowances for fiscal year 2020/21 in the eight (8) Landscape and Lighting Maintenance Districts (LLMAD) (Nos. 04-02; 05-02; 04-04; 06-01; 04-05; 08-01; 91-01A; and 91-01B) with annual revenues and district fund balances in deficit and tabulate ballots and return prior to the conclusion of the meeting with ballot results; and direct staff to act based upon the result of the final ballot counts for each District by adopting Resolution 2020-19 to levy and collect assessment increases as proposed on the 2020/21 Property Tax Roll for Districts with approved ballots and to proceed with reducing level of maintenance in 60 days from this Public Hearing for Districts with failed ballots – Financial Analyst Eekhong See
2. Administrative Hearing to Consider Confirmation of Nuisance Abatement Cost Recovery Amount and Special Assessment Approval for 541 West Maple Street, Exeter, CA 93221, APN 135-055-023-000 – Public Works Daymon Qualls
3. Presentation and discussion of Downtown Exeter Parking Study and potential ways to improve future Downtown parking – City Planner Greg Collins
4. Receive Mid-Year 2019/2020 Budget Update with an additional \$32,059 appropriation to the General Fund and receive outlook on the 2020/2021 and 2021/2022 Two Year Budget providing feedback on the planning and preparation of the budget – Finance Director Chris Tavarez
5. Adopt Resolution 2020-20 Ratifying Actions taken by the City Administrator during a Declared Local Emergency Due to the Novel Coronavirus (COVID-19) Pandemic – City Administrator Adam Ennis

- 6. Discussion of COVID-19 status and review the need to continue the state of emergency established by Resolution 2020-12 due to the Novel Coronavirus (COVID-19) for another 60 days – City Administrator Adam Ennis

**N. CITY COUNCIL ITEMS OF INTEREST**

**O. CITY ADMINISTRATOR/DEPARTMENT COMMENTS**

**P. ADJOURN REGULAR MEETING**

State of California )  
County of Tulare ) ss.  
City of Exeter )

I declare under penalty of perjury that I am employed by the City of Exeter, in the Administrator’s Office; and that I posted this Agenda on the bulletin board in the Finance Office and on the bulletin board outside of City Hall on May \_\_\_\_, 2020.

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In compliance with the Americans with Disabilities Act, and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the City Clerk (559) 592-9244. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet. (28 CFR 35.102-35. 104 ADA Title II)  
Materials related to an item on this Agenda submitted to the legislative body after distribution of the agenda packet are available for public inspection at City of Exeter, Administration Office 100 N. C Street, Exeter CA during normal business hours.