

**EXETER CITY COUNCIL ACTION MINUTES**  
**September 8, 2020**

A regular session of the City Council, City of Exeter was held on Tuesday, September 8, 2020, 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,

**COUNCIL ABSENT:** None

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

**A. CALL TO ORDER REGULAR SESSION**

Mayor Waterman-Philpot called the regular session to order at 7:04 p.m.

**B. PLEDGE OF ALLEGIANCE AND INVOCATION**

The Pledge of Allegiance was given by Council Member Alves and an invocation was given by Public Works Director Daymon Qualls.

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

**D. 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.

City Clerk Shonna Oneal read a public comment submitted by Cathy Tantau regarding the Landscape and Lighting District for Little Lane Development. Ms. Tantau addressed the Council and provided additional information regarding her concerns and noted she spoke to City Administrator Adam Ennis prior to the meeting who answered some of her questions.

**E. CONSENT CALENDAR:**

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

1. Approve minutes of August 25, 2020
2. Payment of the Bills
3. Payroll: August 21, 2020
4. Approve construction contract change order for water distribution valve replacements and transfer an appropriation of \$53,024.25 in the Water Fund from capital project account 105.461.080.009 to 105.461.073.000 in fiscal year 20/21 to fund the change order.
5. Award and authorize the City Administrator to execute a contract with Lyles Utility Construction, LLC of Fresno, CA, in the amount of \$71,543 to lower and replace sections of water mainline at two locations across Palm Ave (at the alley between A Street and B Street and the alley between B Street and C Street) and appropriate \$78,697 from the Water Fund (105) including a contingency amount of \$7,154.

**F. INDIVIDUAL BUSINESS ITEMS**

1. **Adopt Resolution 2020-39 granting a 10 feet wide non-exclusive utility easement to Southern California Gas Company, a subsidiary of Sempra Energy, to bore a medium pressure gas main under the sidewalk along the south side of the City owned parking lot south of City Hall and authorize the City Administrator to execute any and all documents necessary to complete the transaction.** Public Works Director Daymon Qualls provided a report for Council's review and consideration. Council posed questions and Mr. Qualls and City Administrator Adam Ennis provided responses thereto. Following discussion, it was moved by Council Member Hails, seconded by Council Member Alves and unanimously carried to adopt Resolution 2020-39 as presented.

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2. **Award and authorize the City Administrator to execute a contract with the lowest responsible bidder, Yarbs Grading & Paving, of Fresno, CA in the amount of \$4,109,961.00, appropriate an additional \$116,700 from the Measure R Fund (131), appropriate \$170,000 from the Sewer Fund (107) and authorize execution of an updated Measure R Supplemental Agreement with Tulare County Transportation Authority for approximately \$6.5 million of Measure R Regional Funds for construction of the Visalia Road Improvements Project, Phase 1 which includes a 10% construction contingency.** Public Works Director Daymon Qualls 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 award and authorize the City Administrator to execute a contract with the lowest responsible bidder, Yarbs Grading & Paving, of Fresno, Ca in the amount of \$4,109,961.00, appropriate an additional \$116,700 from the Measure R Fund (131), appropriate \$170,000 from the Sewer Fund (107) and authorize execution of an updated Measure R Supplemental Agreement with Tulare County Transportation Authority for approximately \$6.5 million of Measure R Regional Funds for construction of the Visalia Road Improvement Project, Phase 1 which includes a 10% construction contingency.
3. **Award and authorize the City Administrator to execute a contract with 4 Creeks of Visalia, CA in the amount of \$589,479 for Construction Management/Resident Engineer services for the Visalia Road Improvement Project.** Public Works Director Daymon Qualls provided a report for Council's review and consideration. Following discussion, it was moved by Mayor Pro Tem Sally, seconded by Council Member Hails and unanimously carried to award and authorize the City Administrator to execute a contact with 4 Creeks of Visalia, CA in the amount of \$589,479 for Construction Management/Resident Engineer services for the Visalia Road Improvement Project.
4. **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 provided a report for Council's review and consideration. Following discussion, it was moved by Mayor Pro Tem Sally, seconded by Council Member Alves and unanimously carried to continue the state of emergency established by Resolution 2020-12 due to the Novel Coronavirus (COVID-19) for another 60 days.

**G. CITY COUNCIL ITEMS OF INTEREST**

Council Member Alves provided his thoughts and prayers for the firefighters battling the wildfires. Mayor Waterman-Philpot and Council Members Hails reported they will be attending the 9-11 remembrance walk on September 11.

**K. CITY ADMINISTRATOR/DEPARTMENT COMMENTS**

City Administrator Adam Ennis provided a brief report on recent and upcoming City projects.

**L. ADJOURN REGULAR MEETING**

Mayor Waterman-Philpot adjourned the regular meeting at 7:48 p.m.

Shonna Oneal City Clerk

ACS/XEROX FINANCIAL SYSTEM CITY OF EXETER  
 9/11/2020 10:12:15 Payments for Publication GL335R-V08.14 PAGE

Approved on 9/10/2020 for Payments Through 9/10/2020

Vendor Name	Description	Amount
A-1 AUTO ELECTRIC	FUEL PUMP-REMOVED/REPLAC	1,215.22
AAA QUALITY SERVICES	PORTA-POTTY RENTAL	168.16
ADVENTIST HEALTH TULARE	AUG 2020 LAB FEES	2,527.00
ALTEC INDUSTRIES	BOOM TRUCK REPAIR PARTS	3,696.23
AT&T	AUG LIVESCAN	433.88
AUTOZONE INC	BRK/PRTS CLNR-QTY 24	51.46
BUZZ KILL PEST CONTROL	AUG PEST CONTROL PD	163.00
CALIFORNIA BUSINESS MACHINES	CH-9/6/20-10/5/20 BASE	42.93
CENTRAL CAL WATERWORKS, INC	SEP 2020 WWTP	6,233.33
CENTRAL VALLEY BUSINESS FORMS	1000 DOOR HANGER BLUE	210.45
CENTRAL VALLEY SWEEPING LLC	AUG STREET SWEEPING	3,150.00
CITY OF EXETER	7/18/20-8/18/20 ASSESSME	2,335.88
CITY OF VISALIA	SEP 2020 ANIMAL SERVICE	6,316.67
COLLINS & SCHOETTLER	AUG 2020 PLANNING	2,182.50
CRAIGS AUTO PARTS	RED GREASE PAIL-WWTP	1,612.64
CULLIGAN	AUG PD WATER SERVICE	164.75
DELTA LIQUID ENERGY, ARRO AUTO	8/7/20 ALDRIDGE PROPANE	189.12
ELBERT DISTRIBUTING INC	EXTENDED LIFE MOA	94.72
ELITE CORPORATE MEDICAL SERV	MEDICAL CLINIC FEES-55	1,292.50
EMD NETWORKING SERVICES, INC.	AUG 2020 VOIP	1,590.37
EWING IRRIGATION PRODUCTS INC	12H TORO HALF UND NOZZLE	555.46
EXETER IRRIGATION & SUPPLY	205 ELECTRIC VALVE 1"	308.29
EXETER MERCANTILE CO.	WIRE/UTILITY KNIFE	57.46
EXETER MOTORS, INC.	FORD F-250 UTILITY TURCK	78,627.88
FERGUSON ENTERPRISES INC	1X100 K SOFT COP TUBE	7,212.45
FIRST RESPONSE METERING LLC	AUG METER SERVICE	1,445.66
FRESNO OXYGEN	ELECTRODE/MAXLIFE TORCH	265.39
FRONTIER CALIFORNIA INC.	5714/9-4/20-10/3/20	166.82
GHD INC	VISALIA RD IMPROVEMENT	5,627.50
GLASS SHOP/THE	GLASS PARTITION	1,728.00
GOPHER GETTER	AUG GOPHER SERVICE	450.00
KELLY-MOORE PAINT COMPANY, INC	GOLDEN PAINT-GRAFFITI	94.77
KIMBALL-MIDWEST	DRILL BIT	335.59
LAWRENCE TRACTOR CO	SAW REPAIR	82.40
MID VALLEY DISPOSAL, LLC	AUG MID VALLEY	84,915.92
MOORE TWINING ASSOCIATES, INC	TOTAL NITROGEN 10 DAY	1,274.00
MORRIS LEVIN & SON	CHROMACLAD BASE PAINT-SC	128.78
NATIONAL NOTARY ASSOCIATION	ANNUAL NOTARY MEMBERSHIP	69.00
PRUDENTIAL OVERALL SUPPLY	8/27/20 UNIFORM SERVICE	203.50
QUAD KNOPF ENGINEERING	200130 COMPLETE ST W/ADA	31,041.46
SELECT BUSINESS SYSTEMS	YELLOW/MAGENTA TONERS	314.65
SELF-HELP ENTERPRISES	AUG LOAN & GRANT-NAVARRO	44,436.75
SIMMONS TIRE SERVICE	FLAT/DM & M-17'-ALDRIDGE	20.00
SONIA DOWLING	BACKGROUND FEE-BELTRAN	600.00
SOUTHERN CALIFORNIA EDISON	9240C/7-27/20-8/25/20	32,881.59
SOUTHERN CALIFORNIA GAS CO.	7144/8-1/20-9/1/20	64.65
STANDARD INSURANCE CO.	SEP 2020 LIFE INSURANCE	2,180.49
SUNBELT RENTALS, INC.	HONDA JUMPING JACK	4,705.88

Approved on 9/10/2020 for Payments Through 9/10/2020

Vendor Name	Description	Amount
TF TIRE AND SERVICE	DEFENDER LXT-RAMIREZ	657.56
THE LEW EDWARDS GROUP	STRATEGIC ADVICE/CALL	5,000.00
TOLBERT/ GAVIN	REMOVED PEAR TREE-COUNTR	400.00
TROYAN/ JOHN	CABINETS/COUNTERTOPS	635.00
TULARE COUNTY	AUG MAIL-DELIQ/WATER	2,121.80
UNIVAR SOLUTIONS USA INC	WELL 6 SOD HYPO 12.5%	453.94
US BANK N.A.	AUG CUSTODY CHARGES	41.50
USA BLUEBOOK	BLUE-WHITE FOOT VALVE	127.27
VALLEY GREEN LANDSCAPE	AUG CITY PARK MAINTENANC	9,360.00
VALLEY PACIFIC PETROLEUM	PC PURITY FG AW HYD FLD	394.25
VAST NETWORKS	SEP 2020 UTILITY SYSTEM	1,000.00
VERIZON WIRELESS	6/29/20-7/28/20	2,655.24
4CREEKS, INC	CM PALM ST RECONSTRUCTIO	24,694.71

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Final Totals... 381,006.42

PAYROLL.....S BI-WEEKLY RUN-09/03/2020 11.24.35 PAGE 1  
 CHECK FORM..CHEK CHECK REGISTER PR311R-V14.09 Paymate

PERIOD 1 DATING 8/17/2020- 8/30/2020 CHECK DATE 9/04/2020  
 DIRECT DEPOSIT IS TURNED ON

CHECK NUMBER	CHECK AMOUNT	EMPLOYEE/BANK/VENDOR NAME	CODE	CHECK SEQ
1090	63.69	CA STATE DISBURSEMENT UN 2		1 VENDOR CHECK
1091	50.00	TULARE CO SHERIFF'S OFFI 9		1 VENDOR CHECK
1092	2,372.68	PHELPS/KEVIN M	429	1

TOTALS FOR CHECK FORM: CHEK	COUNTS
NEGOTIABLE CHECKS	
2,372.68 *EMPLOYEE CHECKS	1
113.69 *VENDOR CHECKS	2
0.00 *BANK CHECKS	0
2,486.37 **TOTAL NEGOTIABLE CHECKS	3

OTHER CHECKS	
0.00 *MANUAL CHECKS	0
0.00 *CANCELLED CHECKS	0
2,486.37 **TOTAL FOR CHECK FORM	

NON-NEGOTIABLE CHECKS	
0.00 *DIRECT DEPOSIT STUBS	0
0.00 *VENDOR DIR DEP STUBS	0

PERIOD 1 DATING 8/17/2020- 8/30/2020 CHECK DATE 9/04/2020  
 DIRECT DEPOSIT IS TURNED ON

CHECK NUMBER	CHECK AMOUNT	EMPLOYEE/BANK/VENDOR NAME	CODE	CHECK SEQ
403	160.00-	BRITO/ELISHA	403	2 MANUAL
517	160.00-	WACHTER/LINDA S	517	2 MANUAL
48175	180.00	CLOCEA	4	1 VENDOR STUB ONLY
48176	728.00	EXETER POLICE OFFICER AS	3	1 VENDOR STUB ONLY
48177	219.66	EXETER POLICE OFFICER AS	3A	1 VENDOR STUB ONLY
48178	662.21	BRITO/ELISHA	403	1 STUB ONLY
48179	4,427.10	ENNIS/ADAM	206	1 STUB ONLY
48180	2,478.71	ONEAL/SHONNA N	203	1 STUB ONLY
48181	1,323.68	HERNANDEZ/XOCHITL	306	1 STUB ONLY
48182	1,383.26	IBARRA/MARLENE	302	1 STUB ONLY
48183	508.89	SANCHEZ/CESILIA	307	1 STUB ONLY
48184	3,302.49	TAVAREZ/CHRISTOPHER	309	1 STUB ONLY
48185	1,999.39	SEE/EEKHONG	304	1 STUB ONLY
48186	1,196.41	CARRETERO/VANESSA	402	1 STUB ONLY
48187	1,746.50	CORREA/GABRIEL JR	436	1 STUB ONLY
48188	1,313.45	CULLUM/TRENT	444	1 STUB ONLY
48189	2,647.72	DURKEE/MARK	404	1 STUB ONLY
48190	1,551.71	ECHEVARRIA/TYLER J	443	1 STUB ONLY
48191	2,466.66	FERNANDEZ/CESAR	434	1 STUB ONLY
48192	2,075.43	FRICK/JOCELYNN LEANN	433	1 STUB ONLY
48193	0.00	GIEFER/MICHAEL DAVID	438	1 STUB ONLY
48194	1,507.18	GUZMAN/TIMOTHY CHARLES	410	1 STUB ONLY
48195	3,356.38	HALL/JOHN T	406	1 STUB ONLY
48196	1,153.00	HAMPTON/JUSTIN	446	1 STUB ONLY
48197	2,250.29	INGLEHART/BRETT A	411	1 STUB ONLY
48198	1,815.14	KNOX/MARK	442	1 STUB ONLY
48199	595.45	MACLEAN/JANET L	413	1 STUB ONLY
48200	1,469.13	SALINAS/ALEXANDER	419	1 STUB ONLY
48201	1,776.10	WALKER/PAUL	425	1 STUB ONLY
48202	2,404.79	YARBER/ISABEL	422	1 STUB ONLY
48203	899.10	ALDRIDGE/GARY	618	1 STUB ONLY
48204	1,389.47	ARROYO/MARIE	623	1 STUB ONLY
48205	1,429.42	BRASSFIELD/TRAVIS	619	1 STUB ONLY
48206	1,839.43	ESPINOLA/DANIEL M	602	1 STUB ONLY
48207	1,469.13	HUGGINS/KYLE AARON	621	1 STUB ONLY
48208	2,832.97	QUALLS/DAYMON	607	1 STUB ONLY
48209	1,522.81	RAMIREZ/JUAN	608	1 STUB ONLY
48210	426.70	WENDT/EDDIE	626	1 STUB ONLY
48211	1,235.15	CARTER/AMY JO	502	1 STUB ONLY
48212	1,234.82	MILLAN/MARCUS	622	1 STUB ONLY
48213	1,198.45	MILLER/JAMES	624	1 STUB ONLY
48214	734.97	MIRWALD/PHILIP	625	1 STUB ONLY
48215	1,179.07	QUIROZ/PATRICK P	512	1 STUB ONLY
48216	1,667.40	HAYES/CURTIS W	437	1 STUB ONLY

# CITY OF EXETER

PO BOX 237 - 137 N F STREET, EXETER 93221  
Phone 592-3710 - Fax 592-3556

## Treasurer's Report July 2020

Beginning Balance as of July 1, 2020		\$	940,543.21
<u>Deposits</u>			
wire Transfer	\$	300,000.00	
wire Transfer	\$	300,000.00	
#1472	\$	2,682.00	
#1473	\$	129,374.78	
#1474	\$	137,158.31	
#1475	\$	55,080.36	
Direct Deposit #1476	\$	457,562.30	
Covid Relief Deposit recorded 8/3/2020	\$	22,698.00	
			\$ 1,404,555.75
<b>TOTAL DEPOSITS</b>			
<u>Withdrawals</u>			
City Checks Processed	\$	390,144.68	
Payroll EFT	\$	136,642.64	
Payroll Checks	\$	5,844.40	
CalPERS Retirement costs	\$	389,792.99	
P/R Taxes	\$	25,612.98	
Def Comp	\$	1,458.93	
FSA Disbursements	\$	1,957.84	
Bank Charges/Misc	\$	114.90	
Chargebacks	\$	77.61	
State DU	\$	737.52	
Transfer to New Main Account	\$	300,000.00	
NSF Chargeback	\$	10.00	
Stop Payment Charge	\$	30.00	
<b>TOTAL WITHDRAWALS</b>			
			\$ 1,252,424.49
		<i>Ending Bank Balance as of July 31, 2020</i>	\$ 1,092,674.47
		<i>Undeposited cash on hand #1477</i>	\$ 21,493.85
Bank of the Sierra ending balance			\$ 1,114,168.32
<u>Outstanding Checks</u>			
General	\$	131,226.08	
Payroll	\$	390.65	
			\$ 131,616.73
		<i>Adjusted Bank Balance as of July 31, 2020</i>	\$ 982,551.59
<u>Investments</u>			
US Savings	\$	500,587.97	
Government Agency Bond	\$	246,375.00	
CD's	\$	1,482,000.00	
Local Agency Investment Fund	\$	5,078,082.95	
Fair Market Value Adjustment gain/(loss)	\$	31,909.61	
Charles Schwab	\$	0.23	
			\$ 7,338,955.76
Total City Funds 7/31/2020			\$ 8,321,507.35
		<i>Ratio of Invested Funds/Available Funds</i>	88%



# City of Exeter Agenda Item Transmittal

**Meeting Date:** September 22, 2020

**Agenda Item Number:** H5

**Wording for Agenda:** Adopt Resolution 2020-40 amending the City of Exeter's Conflict of Interest Code for designated employees, commissions and/or agencies and disclosure categories.

**Submitting Department:** Administration  
**Contact Name:** Adam Ennis, City Administrator  
Shonna Oneal, City Clerk  
**Phone Number:** 592-9244  
**Email:** [soneal@exetercityhall.com](mailto:soneal@exetercityhall.com)

**Department Recommendation:**

Staff recommends that Council adopt Resolution 2020-40 amending the City of Exeter's Conflict of Interest Code for designated employees, commissions and/or agencies and disclosure categories.

**Summary:**

The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if it is accurate or, alternatively, that the code must be amended. For local agencies, this review occurs in even-numbered years. Once the determination has been made, the code must be submitted to the reviewing body for approval. The City Council is the code reviewing body.

An amended conflict of interest code has been prepared with changes in the city's designated positions and disclosure categories, reflecting the following changes:

1. Addition of "Financial Analyst";
2. Revision of position title: "City Clerk/Personnel Officer" to "City Clerk/Human Resources Manager"; and
3. Correction of the position title: "City Manager" to "City Administrator".

Staff recommends the City Council amend the City of Exeter's Conflict of Interest Code as required by the Political Reform Act by adopting the proposed Resolution 2020-40.

**Background:**

The Political Reform Act requires every local government agency adopt a conflict of interest code that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. The individuals in designated positions must disclose their financial interests as specified in the agency's conflict of interest code.

The conflict of interest code must provide the following:

- Provide reasonable assurance that all foreseeable potential conflict of interest situations will be disclosed or prevented;
- Provide to each affected person a clear and specific statement of his or her duties under the conflict of interest code; and

**For action by:**  
 City Council

**Regular Session:**  
 Consent Calendar  
 Regular Item  
 Public Hearing

**Review:**

**City Administrator  
(Initials Required)**

- Adequately differentiate between designated employees with different powers and responsibilities.

The three components of a conflict of interest code are as follows:

1. **Incorporation Section** – This section designates where the Form 700s are filed and retained (i.e., the agency or the FPPC). This section also must reference Regulation 18730, which provides the rules for disqualification procedures, reporting financial interests, and references the current gift limit.
2. **List of Designated Positions** - The code must list all agency positions that involve the making or participation in making of decisions that “may foreseeably have a material effect on any financial interest.” This covers agency members, officers and employees, and it may include volunteers on a committee if the members make or participate in making government decisions.
3. **Detailed Disclosure Categories** - A disclosure category is a description of the types of financial interests officials in one or more job classifications must disclose on their Form 700s. The categories must be tailored to the financial interests affected, and must not require public officials to disclose private financial information that does not relate to their public employment.

**Fiscal Impact:** None

**Prior Council/Board Actions:** Resolution 2018-05

**Attachments:** 2020 Local Agency Biennial Notice  
Resolution 2020-40 with Exhibit A - City of Exeter Conflict of Interest Code

<b>Recommended motion to be made by Council/Board:</b> I move to adopt Resolution 2020-40 as presented.
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## 2020 Local Agency Biennial Notice

Name of Agency: City of Exeter  
Mailing Address: P.O. Box 237, Exeter, CA 93221  
Contact Person: Shonna Oneal Phone No. (559) 592-9244  
Email: soneal@exetercityhall.com Alternate Email: \_\_\_\_\_

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

**An amendment is required. The following amendments are necessary:**

*(Check all that apply.)*

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other *(describe)* \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

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### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

*(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)*

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

**RESOLUTION 2020-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER AMENDING THE CITY OF EXETER CONFLICT OF INTEREST CODE FOR, DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES**

WHEREAS, pursuant to Government Code, Title 9 (Political Reform), Chapter 7 (Conflicts of Interest), Article 3 (87300- 87505), §87300 every agency shall adopt and promulgate a Conflict of Interest Code pursuant to the provisions of this article, and incorporated herein by reference.

WHEREAS, the Exeter City Council previously adopted Resolution 2018-05, adopting the model Conflict of Interest Code set forth in §87300;

WHEREAS, the Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or needs to be amended;

WHEREAS, the City has reviewed the Conflict of Interest Code, including the designated positions and disclosure categories; and

WHEREAS, it has been determined that a new position needs to be added and titles of existing positions need to be revised.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EXETER, does resolve as follows:

SECTION 1. The Model Conflict of Interest Code of the Fair Political Practices Commission, provides for the filing of statements of economic interest and the review of same on a biennial basis.

SECTION 2. The City of Exeter's Conflict of Interest Code is hereby amended as set forth in Exhibit A attached hereto.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NOES:

ABSTAIN:

ABSENT:

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Mary Waterman-Philpot, Mayor

ATTEST:

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Shonna Oneal, City Clerk

## EXHIBIT A

### CITY OF EXETER CONFLICT OF INTEREST CODE

*Public Officials, Board, Commission, Committee Members, Consultants, and City Employees who have decision making authority or influence in recommendations for contracts for the purchase of goods and/or services are identified by the City of Exeter to complete and file a Form 700 as identified in the filer's list below.*

**To be used in conjunction with Disclosure Form 700 - Statement of Conflict of Interest**

#### DISCLOSURE CATEGORIES FACT SHEET

**CATEGORY 1 - (Schedule B)** - (if ownership interest 10% or greater; if interest in real property is \$2,000 or more Schedule A-2) - (as it applies to your category Schedule C, Schedule D, and Schedule F)

Investment or interests in real property which is located in whole or in part within the City Limits of Exeter or within two miles of the City Limits, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is greater than \$2,000.00.

(Interests in real property of an individual include a business entity's share of interest in the real property of any business entity or trust in which the designated employee or his or her spouse, or dependent children, own, directly, indirectly, or beneficially, a ten percent interest or greater.)

**CATEGORY 2 - (Schedule A)** - (if interest 10% or greater; if your pro rata share of the investment is \$2,000 or more Schedule A-2) - (if ownership is 10% or greater in a partnership or joint venture which owns rental property use Schedule A-1, Schedule A-2, and Schedule C) (as it applies to your category Schedule C, Schedule D, and Schedule F)

Investments in or income from any business entity which, within the last two years, has contracted, or in the future may foreseeably contract, with the City to provide services, supplies, materials or equipment to the City.

- (Investments Include:
1. Any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments, and any partnership interest or other ownership interest;
  2. A pro rata share of investments of any business entity or trust in which the designated employee or his or her spouse or dependent children, owns, directly, indirectly, or beneficially, a ten percent interest or greater.)

(Investment does not include:

1. A time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency;
2. Assets whose fair market value is less than \$2,000.00)

**CATEGORY 3**

Investments in or income from business entities which are contractors or sub-contractors which are or have been within the previous two-year period engaged in the performance of building construction or design within the City. Investments include interest described in Category 2.

**CATEGORY 4**

Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the City. Investments include interest described in Category 2.

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORY**

City Clerk/Human Resources Manager	1,2,3,4
<b>*Consultants</b>	1,2
Financial Analyst	1,2,3,4
Operations Manager	1,2,3,4
Police Chief	1,2,3,4
Police Lieutenant	2
Public Works Director	1,2,3,4
Recreation Supervisor	2

\* Consultant categories limited to any individual working for the city under contract who makes final government decisions and/or performs substantially all the same duties for the city that would otherwise be performed by an individual holding a position otherwise named in the list of covered positions of the City of Exeter.

**Mandatory Filers pursuant to Government Code, Title 9 (Political Reform), Chapter 7 (Conflicts of Interest), §87200 are as follows:**

City Council	1,2,3,4
Planning Commissioners	1,2,3,4
City Administrator	1,2,3,4
City Attorney	1,2,3,4
Finance Director/Treasurer	1,2,3,4

**City of Exeter  
Agenda Item Transmittal**

**Meeting Date:** September 22, 2020

**Agenda Item Number:** H6

**Wording for Agenda:** Award and authorize the City Administrator to sign a contract with Gavin Tolbert's Tree Service of Woodlake, CA in the amount of \$27,500 and appropriate this amount from the Landscape and Lighting District Fund (140) for tree trimming at various City Landscape and Lighting Maintenance Assessment Districts (LLMADs).

**Submitting Department:** Public Works  
**Contact Name:** Daymon Qualls  
**Phone Number:** 559.592.3318  
**Email:** 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 that the City Council award and authorize the City Administrator to sign a contract with Gavin Tolbert's Tree Service of Woodlake, CA in the amount of \$27,500. for tree trimming at various City Landscape and Lighting Maintenance Assessment Districts (LLMADs).

**Summary/Background:**

The City has eighteen (18) individual LLMADs in which each property owner within the respective district pays an annual assessment for maintenance and upkeep of common area landscaping amenities for the subdivision. While the City is responsible for the, management of these districts, the on-going maintenance services are funded by the homeowner assessments and provided by private landscaping contractors through contracts managed by the City. Although the City has contracted with Valley Green Landscape and Maintenance to provide landscape maintenance services for the said LLMAD's, that contract does not cover tree trimming for trees over eight feet tall. For that reason, it is periodically necessary to solicit bids for tree pruning services for larger trees within each LLMAD.

For those LLMADs which were in need of tree trimming and were able to have this work budgeted in this year's work plan, staff solicited bids for this year's tree trimming project and received three (3) responses. Exhibit "A" – Summary of Bids Received, shows the contractors who responded, along with their respective bid amounts. Gavin Tolbert of Woodlake, CA submitted the apparent low bid of \$27,500.

Staff will continue to monitor the financial condition of each remaining District and regular tree trimming will be performed as funds are available. Specific tree trimming to address safety concerns in all districts will continue to be performed on a case by case basis between tree trimming contracts.

**Fiscal Impact:** This project will be paid for from the City's Landscape Maintenance District Fund (140), with each district's assessments paying for their respective portion of the contract. Each LLMAD is individually tracked in the City's Landscape Maintenance District Fund (140).

**Prior Council/Board Actions:** None

**Attachments:** Exhibit "A" - Summary of Bids Received

**Recommended motion to be made by Council/Board:** I move to award and authorize the City Administrator to sign a contract with Gavin Tolbert's Tree Service of Woodlake, CA in the amount of \$27,500 and appropriate this amount from the Landscape and Lighting District Fund (140) for tree trimming at various City Landscape and Lighting Maintenance Assessment Districts (LLMADs).

Exhibit "A"  
Summary of Bids Received

Company Name	Aubrey Estates	Blossom Estates	Citrus Crest #1	Country View #1	Country View #2	Glen View #1	Glen View #2	Glen View #3	Maple Place	Park Place #1	Park Place #2	Wild Rose #2	Total
Valley Green	\$1,400	\$1,500	\$1,300	\$4,131	\$2,295	\$1,988	\$1,988	\$286	\$2,768.00	\$9,370	\$9,314.12	\$1,500	\$31,840
Gavin Tolbert Tree Service	\$850.00	\$1,150.00	\$1,050.00	\$2,600.00	\$1,450.00	\$1,950.00	\$1,950.00	\$150.00	\$1,550.00	\$9,200.00	\$5,550.00	\$1,250.00	\$27,500
West Coast Arborist	\$882.00	\$1,176.00	\$1,078	\$2,646.00	\$1,470.00	\$1,372.00	\$1,372.00	\$196.00	\$1,568.00	\$16,072	\$5,684.00	\$1,274.00	\$34,790
Haley's Tree Service													Did Not Respond
Sanchez Bros Tree Service													Did Not Respond
J and R Tree Service													Did Not Respond
Adams Tree Service													Did Not Respond

**City of Exeter  
Agenda Item Transmittal**

**Meeting Date:** September 22, 2020

**Agenda Item Number:** 11

**Wording for Agenda:** Adopt Resolution 2020-41 authorizing application for, and if received, appropriation of \$65,000 of Local Early Action Planning (LEAP) Support Grant Program Funds in the City's Storm Drain Fund to go towards a Storm Sewer Master Plan Update.

**Submitting Department:** Public Works  
**Contact Name:** Daymon Qualls  
**Phone Number:** 559.592.3318  
**Email:** 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 that the City Council adopt Resolution 2020-41 as presented.

**Summary:**

The California Department of Housing and Community Development (Department) released a Notice of Funding Availability (NOFA) for the Local Early Action Planning Grants Program (LEAP or Program). The Program provides funding to jurisdictions for the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance in implementing the sixth cycle of the regional housing need assessment (RHNA).

Funding is determined by jurisdiction population and is set at \$65,000 for Exeter. Applications are due by 5:00 PM on January 31, 2021. The Department will review applications within thirty (30) days and target award of applications within sixty (60) days, with subsequent Standard Agreements processed within sixty (60) days of award.

To facilitate future development, Exeter needs to evaluate its infrastructure systems that support development so that cost effective short, medium and long-term planning can provide for reliable future systems. This effort began over the last two years with the water system and staff are now looking to sanitary and storm sewer system evaluations. Sewer rate adjustments will eventually provide the necessary funding for a sanitary sewer master plan update, but the storm sewer system master plan is also in need of updating but very little funding is available for a master plan update and the cost of improvements. This grant opportunity could provide additional funding to satisfy this need for the storm water master plan update and potentially leave some storm drain development impact fee funding for needed improvements.

**Background:**

The California Department of Housing and Community Development (Department) released a Notice of Funding Availability (NOFA) for approximately \$119,040,000 as part of the Local Early Action Planning Grants Program (LEAP or Program). The Program provides funding to jurisdictions for the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance in implementing the sixth cycle of the regional housing need assessment (RHNA).

This State program provides a spectrum of support, incentives, resources and accountability to meet California's housing goals. Some specific elements include:

- Planning Support (local and regional planning grants)
- Incentives (Pro-housing preference and infill incentive grants)
- Funding Resources
- Accountability (penalties for noncompliant housing plans)
- Reform (collaborative processes to reform regional housing needs)

The Local Government Planning Support Grants Program provides one-time grant funding to regions and jurisdictions for technical assistance, preparation and adoption of planning documents, and process improvements. The over-arching goals of the Program are to (1) accelerate housing production; and (2) facilitate compliance to implement the sixth cycle of the regional housing need assessment (RHNA).

**Fiscal Impact:** If awarded, this grant makes available to the City of Exeter \$65,000 in LEAP funding which, in addition to funds from the City's Storm Drain Impact Fee Fund, could be used to update the City's Storm Drain Master Plan. The cost of the application preparation services for this grant is \$2,500 paid to Self-Help Enterprises which can be reimbursed from grant funds and the total projected cost for the Master Plan is estimated to be approximately \$75,000. There is currently about \$80,000 in the Storm Drain Impact Fee Fund, which this grant funding will help offset the use of these funds in order to accomplish more projects in the future and enhance the ability of housing development in the city. This funding of \$65,000 is proposed to be appropriated in the City's Storm Drain Fund (120).

**Prior Council/Board Actions:** None

**Attachments:** Resolution 2020-41

<p><b>Recommended motion to be made by Council/Board:</b> I move to adopt Resolution 2020-41 as presented.</p>
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**RESOLUTION 2020-41**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS**

**WHEREAS**, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

**WHEREAS**, the City Council of the City of Exeter desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

**WHEREAS**, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Exeter, State of California ("Applicant"), hereby resolves as follows:

**SECTION 1.** The City Administrator is hereby authorized and directed to apply for and submit to the Department the Application package;

**SECTION 2.** In connection with the LEAP grant, if the Application is approved by the Department, the City Administrator of the City of Exeter is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$65,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

**SECTION 3.** The Applicant shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

PASSED, APPROVED, AND ADOPTED this 22<sup>nd</sup> day of September, 2020 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Mary Waterman - Philpot, Mayor

ATTEST:

\_\_\_\_\_  
Shonna Oneal, City Clerk