

AGENDA

**EXETER CITY COUNCIL
TUESDAY, DECEMBER 8, 2020
Regular Session 7:00 p.m.**

**Closed Session (Immediately following Regular 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

PUBLIC WORKS DIRECTOR
Daymon Qualls
CITY ATTORNEY
Julia Lew
CITY PLANNER
Greg Collins
CITY ENGINEER
Lisa Wallis-Dutra

IMPORTANT NOTICE REGARDING DECEMBER 8, 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/82229701316?pwd=SFFKVKI5SUZWNVZLSjRVaG40Z3ZHdz09>

Or via Telephone: 1 669 900 9128 Webinar ID: 879 4274 5849 Password: 865723

Submission of Public Comments: For those wishing to make public comments at the December 8, 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. 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 participate electronically 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 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.

7:00 p.m.

A. CALL TO ORDER REGULAR SESSION

B. PLEDGE OF ALLEGIANCE AND INVOCATION

C. SPECIAL PRESENTATIONS (if any): None

D. 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.

E. ACTIONS RELATED TO NOVEMBER 3, 2020, GENERAL ELECTION AND ADMINISTER OATH OF OFFICE TO ELECTED COUNCIL MEMBERS:

1. Administer Oath of Office to appointed in lieu of elected Council Members – City Clerk Shonna Oneal
2. Comments by elected Council Members
3. Reorganization of the City Council – Mayor and Mayor Pro Tem Selection – City Administrator Adam Ennis
4. Review, discussion, selection and update of City Council Representation to Various Committees, Commissions, and Boards – City Administrator Adam Ennis
5. Discussion and direction for appointment or re-appointment of Jim Tyler and Joe Stewart to Planning Commission due to current terms of these two positions expiring at the end of January of 2021 – City Administrator Adam Ennis
6. Adopt Resolution 2020-45 of the City Council of the City of Exeter Declaring Canvass of Returns and Result of General Municipal Elections – City Administrator Adam Ennis

F. 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 regular minutes of November 10, 2020
2. Payment of the Bills
3. Payroll: November 13, 2020 and November 27, 2020
4. Treasurer's Report – September & October
5. Adopt Resolution 2020-46 designating right of way for Visalia Road, over portions of various parcels of real property acquired by the City for the Visalia Road Improvement Project and dedicating these portions of property into public streets, right of way; and authorize the Mayor or City Administrator to execute all documents necessary to formally establish public right of way.
6. Authorize purchasing authority up to 10% (\$422,397) of the construction contract and utility relocation for contingency to the Public Works Director, contingent upon City Administrator approval, for potential change orders on the Visalia Road Improvement Project.
7. Affirm \$13,348.08 in emergency repairs performed on the Wastewater Treatment Plant screw pumps by Warren & Baerg Manufacturing, Inc. of Dinuba, CA, and approve an appropriation of that amount into project account 107.441.080.017.
8. Adopt Resolution 2020-47 authorizing the City Administrator to enter into agreements with the State of California Department of Tax and Fee Administration for collection and administration of revenues collected from Measure P, a 1 percent/cent sales tax approved by voters on November 3, 2020, for a preparatory cost not to exceed \$175,000; and adopt Resolution 2020-48 authorizing the Examination of Transactions and Use Tax Records by the City Administrator, Finance Director or staff designated by the City Administrator.

G. 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 consider an amendment to the Exeter General Plan, Land Use Element, and Exeter Zoning Ordinance on 0.72 acres of land (containing four parcels) located on the east side of South F Street north of Chestnut Street in Exeter (APNs 135-122-07, 08, 09 and 15); Adopt Resolution 2020-49 upholding the Planning Commission's recommendation on the approval of General Plan Amendment 2020-02, Service Commercial to Professional Office; and introduce and give first reading of Ordinance 695 amending Ordinance 246 of the Exeter Zoning Ordinance to reclassify the real property from, CS (Service Commercial) to PO (Professional Office) – Planning Director Greg Collins
2. Receive the Fiscal Year 2019/2020 Audited Financial Statements for the City of Exeter, review the financial condition of the City and provide feedback – Finance Director Chris Tavarez
3. Discussion of development of the Citizen's Oversight Committee and Initial Expenditure Plan for Measure P – City Administrator Adam Ennis
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

H. CITY COUNCIL ITEMS OF INTEREST

I. CITY ADMINISTRATOR/DEPARTMENT COMMENTS

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

1. 54956.9(d)(1) – Conference with Legal Counsel
County of Sonoma v. James Quail et alia
Supreme Court Case No. S265571

K. RECONVENE CLOSED SESSION AND CLOSED SESSION REPORT

L. 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 December ____, 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.