

EXETER CITY COUNCIL ACTION MINUTES
December 8, 2020

A regular session of the City Council, City of Exeter was held on Tuesday, December 8, 2020, at 7:00 p.m., in the Exeter City Council Chambers, 137 North F Street.

COUNCIL PRESENT: Barbara Sally, Frankie Alves, Dave Hails, Justin Mills, Mary Waterman-Philpot

COUNCIL ABSENT: None

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

A. CALL TO ORDER REGULAR SESSION

Mayor Waterman-Philpot called the regular session to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was given by Council Member Hails 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.

No public comments were presented.

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 administered the Oath of Office to Dave Hails, District A; Barbara Sally, District B; and Justin Mills, District E.
2. **Comments by elected Council Members** – Council Members made brief comments following the administering of the Oath of Office.
3. **Reorganization of the City Council – Mayor and Mayor Pro Tem Selection** – City Administrator Adam Ennis provided a report for Council's review and consideration. Mayor Waterman-Philpot nominated Mayor Pro Tem Sally for Mayor. With no further nominations, it was moved by Mayor Waterman-Philpot, seconded by Council Member Alves and unanimously carried to appoint Mayor Pro Tem Sally as Mayor. Mayor Sally nominated Council Member Alves as Mayor Pro Tem. With no further nominations, it was moved by Mayor Sally, seconded by Council Member Waterman-Philpot and unanimously carried to appoint Council Member Alves to Mayor Pro Tem.
4. **Review, discussion, selection and update of City Council Representation to Various Committees, Commissions, and Boards** – City Administrator Adam Ennis provided a report for Council's review and consideration. Council discussed potential changes to the representatives on the Boards and Committees. Mayor Pro Tem Alves suggested the Council consider forming an ad hoc committee with the Exeter Unified School District. City Attorney Julia Lew recommended the discussion of a new formal ad hoc committee be discussed at a future meeting. Requirements for representatives were raised for the alternate position of Council of Cities and Tulare County Regional Transit Agency Board being the Mayor. Ms. Lew suggested an item be brought back to Council to change the selected positions if needed. City Clerk Shonna Oneal clarified the selections made by Council. Following discussion, it was moved by Mayor Pro Tem Alves, seconded by Council Member Waterman-Philpot and unanimously carried to update the City Council Representation to various Committees, Commissions, and Boards as follows:

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<u>Board/Committee</u>	<u>Representative</u>
Council of Cities	Primary: Frankie Alves Alternate: Barbara Sally Staff Representative: Adam Ennis
Chamber of Commerce Liaison	Justin Mills
San Joaquin Valley Air Pollution Control District Special Selection Committee	Primary: Dave Hails Alternate: Public Works Director Daymon Qualls
Tulare County Association of Governments Board & Tulare County Transportation Agency	Primary: Frankie Alves Alternate: Dave Hails
Tulare County Regional Transit Agency Board	Primary: Mary Waterman-Philpot Alternate: Dave Hails
Greater Kaweah Sustainable Groundwater Agency- Rural Communities Committee	Primary: Barbara Sally Alternate: 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 provided a report for Council's review and consideration. Following discussion, it was moved by Council Member Hails, seconded by Council Member Waterman-Philpot to re-appoint Jim Tyler and Joe Stewart to Planning Commission for a new 4-year term.

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 provided a report for Council's review and consideration. Following discussion, it was moved by Council Member Waterman-Philpot, seconded by Mayor Pro Tem Alves and unanimously carried to adopt Resolution 2020-45 as presented.

F. CONSENT CALENDAR:

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

- 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

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.** Planning Director Greg Collins provided a report for councils review and consideration. Mayor Sally opened the public hearing at 7:44 p.m., receiving no public comment, closed the public hearing at 7:44 p.m. Following discussion, it was moved by Mayor Pro Tem Alves, seconded by Council Member Waterman-Philpot and unanimously carried to Adopt Resolution 2020-49 as presented; and introduce and give first reading of Ordinance 695 amending Ordinance 246 of the Exeter Zoning Ordinance, read by title only, and waiving further reading in full.
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 Tavaréz provided a PowerPoint presentation to the City Council regarding Fiscal Year 19/20 Audited Financial Statements. Following discussion, no action was requested, or taken.
3. **Discussion of development of the Citizen's Oversight Committee and Initial Expenditure Plan for Measure P – City Administrator Adam Ennis.** City Administrator Adam Ennis provided a report for Council's review and consideration. Following discussion, no action was requested, or taken.
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.** City Administrator Adam Ennis provided a report for Council's review and consideration. Following discussion, it was moved by Council Member Hails, seconded by Council Member Waterman-Philpot 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.

H. CITY COUNCIL ITEMS OF INTEREST

Mayor Pro Tem Alves reported on upcoming meetings and events. Council Member Waterman-Philpot reported on the Tulare County Regional Transit Agency Board meeting and it's development. Council Member Hails welcomed Council Member Mills and extended congratulations to the Mayor and Mayor Pro Tem. Mayor Sally reported on attending the Greater Kaweah Groundwater Sustainability Agency meeting.

I. CITY ADMINISTRATOR/DEPARTMENT COMMENTS

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

J. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S): Mayor Sally adjourned to Closed Session at 8:28 p.m. after noting no public comment was presented.

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

Mayor Sally reconvened from Closed Session at 8:52 p.m. City Attorney Julia Lew advised there were no reportable actions.

L. ADJOURN REGULAR MEETING

Mayor Sally adjourned the regular meeting at 8:52 p.m.

Shonna Oneal City Clerk