

**EXETER CITY COUNCIL ACTION MINUTES
DECEMBER 14, 2021**

A closed session of the City Council, City of Exeter was held on Tuesday, December 14, 2021, at 6:30 p.m., in the Exeter City Council Chambers, 137 North F Street.

COUNCIL PRESENT: Barbara Sally, Frankie Alves, Steve Garver, Dave Hails, and Justin Mills

COUNCIL ABSENT: None

STAFF PRESENT: Adam Ennis, Julia Lew

A. CALL TO ORDER CLOSED SESSION

Mayor Sally called the closed session to order at 6:30 p.m.

B. PUBLIC COMMENTS REGARDING CLOSED SESSION MATTERS

Mayor Sally requested those who wish to speak on matters listed on the Closed Session Agenda to do so at this time.

There were no public comments presented.

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

Mayor Sally adjourned to closed session at 6:31 p.m.

1. 54956.9(d)(4) Potential Initiation of Litigation by the City: One Case
2. 54957.6 Conference with Labor negotiators
Agency Negotiator: Adam Ennis
Employee Groups: CLOCEA and unrepresented employees

A regular session of the City Council, City of Exeter was held on Tuesday, December 14, 2021, at 7:00 p.m., in the Exeter City Council Chambers, 137 North F Street.

COUNCIL PRESENT: Barbara Sally, Frankie Alves, Steve Garver, Dave Hails, and Justin Mills

COUNCIL ABSENT: None

STAFF PRESENT: Adam Ennis, Julia Lew, John Hall, Daymon Qualls, Rainbow Moore, Lisa Wallis-Dutra, Shonna Oneal, and Eekhong Franco

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

Mayor Sally called the regular session to order at 7:00 p.m. City Attorney Julia Lew reported on a motion made by Council Member Garver, seconded by Mayor Pro Tem Alves and unanimously carried to adopt Resolution 2021-35 authorizing the City's execution of participation forms for the City of Exeter to be eligible to receive settlement funds from national opioid litigation.

E. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was given by Council Member Hails and an invocation was given by Pastor Gabe Gary.

F. PUBLIC COMMENTS:

Mayor Sally 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.

G. SPECIAL PRESENTATIONS (if any):

- a. **Presentation of Resolution of Commendation to Rocky Hill Triathlon for installation of Disc Golf Course at Unger Park** – Mayor Sally presented a Resolution of Commendation to Rocky Hill Triathlon for installation of a Disc Golf Course at Unger Park. Public Works Director Daymon Qualls provided additional information regarding the ongoing support of Rocky Hill Triathlon.

H. 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 and special minutes of November 9, 2021, and November 18, 2021
2. Payment of Bills
3. Payroll: November 12, 2021 and November 26, 2021
4. Treasurer's Report: September 2021
5. Adopt Resolution 2021-30 In Support Of The Water Infrastructure Funding Act of 2022 that Assemblyman Mathis is planning to introduce next year.
6. Approval of, and authorization for the City Administrator to execute, a Carnegie Building facility use agreement with Community Services Employment Training (CSET) for their use in providing CSET managed senior services July 1, 2021 through June 30, 2023 subject to minor conforming and clarifying changes acceptable to the City Attorney.
7. Affirm emergency repairs on the City's water distribution system completed by Lyles Utility Construction, LLC of Fresno, CA and authorize payment in the amount of \$142,013.52 for said repairs.
8. Adopt Resolution 2021-31 Reaffirming Its Proclamation of a Local Emergency, Re-Ratifying the Proclamation of a State of Emergency by AB 361 issued on September 16, 2021, and Re-Authorizing Remote Teleconference Meetings of all Legislative Bodies of the City of Exeter for the Period of Thirty (30) Days Pursuant to Brown Act Provisions.
9. Update 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.
10. Award the purchase of two police vehicles in the amount of approximately \$105,365.66 and authorize the City Administrator to execute an agreement with Monarch Ford, piggybacking the Department of General Services California Multiple Award Schedules (CMAS) competitively bid agreements.
11. Approve a street closure request for the route along Rocky Hill to Pine to G to Industrial and Glaze, along with no parking on Pine, from 7:45 a.m. to 1:00 p.m. on March 12, 2022, for the Rocky Hill Triathlon event subject to the conditions presented.
12. Approve a Request of Street Closures for the Exeter Lions New Year's Eve Celebration including: 1) the Doo Dah Parade on Pine Street from F Street to the Oval on C Street and back from 6:00 p.m. to 7:00 p.m., 2) a beer garden, vendors, games and live music on E Street between Palm and Pine and children's activities between Pine and Maple, including Mixture Park, from 5:00 p.m. to 10:00 p.m. and 3) fireworks show on F Street between Palm and Pine from 9:00 p.m. to 10:00 p.m. on December 31, 2021 subject to the conditions presented by staff.
13. Adopt Resolution 2021-32 approving modifications to the 2021/22 fiscal year Personnel Allocation to reflect the following: 1) Removing the half-time Office Assistant from and adding a Deputy City Clerk/Personnel Officer to the Administration Department; 2) Removing the Recreation Supervisor and the Temporary Office Assistant from and adding a Recreation Coordinator to the Recreation Department; 3) Adding an Office Assistant to the Finance Department; and 4) Removing the half-time Office Assistant from and adding a Records Clerk to the Police Department; and adopt Resolution 2021-33 approving modifications to the 2021/22 salary schedule to reflect the following: 1) Adding the classification and setting the salary range of a Recreation Coordinator; 2) Adding a Recreation Leader to the hourly schedule and setting the rate of pay; and 3) Modifying the Clerk Dispatcher title to Records Clerk.

I. INDIVIDUAL BUSINESS ITEMS

1. **Public Hearing for proposed Solid Waste rate increases needed to comply with the new Organics Recycling Law (SB 1383) requirements which take effect January 1, 2022, and Adoption of Resolution 2021-34, Adjusting Solid Waste Rates for the City of Exeter.** Public Works Director Daymon Qualls provided a report for Council's review and consideration. Mayor Sally opened the public hearing at 7:21 p.m.

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Paul Evans addressed the Council regarding his request for a can replacement and to inquire about the replacement can being provided by Mid Valley by their damage is in writing. City Clerk Shonna Oneal reported that a written communication for the Council was received from Marie Salazar. With no further comments, Mayor Sally closed the public hearing at 7:24 p.m. Ms. Oneal reported that the City of Exeter has approximately 3,497 serviced properties and a 50% plus one, or 1750 protests would constitute a valid protest and prevent passage of the new solid waste rates. Ms. Oneal further reported that the City received 3 written protest letters, 7 mailings were returned as not deliverable, unable to forward, vacant, etc. for reasons stated in the summary spreadsheet available for review. Lastly, Ms. Oneal reported the number of protest letters received failed to meet the 50% & plus one threshold required to constitute a valid protest to prevent passage of the new solid waste rates. With no further discussion, it was moved by Council Member Mills, seconded by Mayor Pro Tem Alves and unanimously carried to adopt Resolution 2021-34 as presented.

2. **Receive the Fiscal Year 2020/2021 Audited Financial Statements for the City of Exeter, review the financial condition of the City, and provide feedback.** Finance Director Rainbow Moore provided a PowerPoint presentation highlighting the audit results for the 2020/2021 Fiscal Year. Following brief discussion, no action was requested, or taken.
3. **Authorize the City Administrator to execute an agreement with Mid Valley Disposal of Kerman, for Residential and Commercial Garbage, Recyclable Material, and Organics Waste Collections Services in the City of Exeter beginning January 1, 2022 for a term of 10 years (with two optional 5 year extensions), with potential annual increases based on the Consumer Price Index (a maximum of 5% annually), at an approximate initial annual cost of \$1,155,840 based on the current number and type of services provided subject to minor conforming and clarifying changes acceptable to the City Attorney.** Public Works Director Daymon Qualls provided a report for Council's review and consideration. City Attorney Julia Lew reported the reason for the minor clarifying change was due to potential insurance modifications that the City's insurance company is recommending. Following discussion, it was moved by Council Member Garver, seconded by Council Member Mills and unanimously carried to authorize the City Administrator to execute an agreement with Mid Valley Disposal of Kerman as presented subject to minor conforming and clarifying changes acceptable to the City Attorney.

J. CITY COUNCIL ITEMS OF INTEREST

Council Member Garver reported he drove by the City's parks and recommended the landscaping needs be reviewed. Council Member Mills reported the Tulare County Economic Development Corporation was cancelled last week, but he would be attending the rescheduled meeting tomorrow. Mayor Pro Tem Alves reported he attended the TCAG retreat last Monday, Spirit of the Holidays and the Christmas open houses. Council Member Hails reported he attended the Tooleville meeting. Mayor Sally reported on attending the Ambassadors luncheon.

K. CITY ADMINISTRATOR/DEPARTMENT COMMENTS

City Administrator Adam Ennis provided a brief update on City projects and upcoming events in the City.

L. ADJOURN REGULAR MEETING

Mayor Sally adjourned the regular meeting at 8:11 p.m.

Shonna Oneal City Clerk