

**EXETER CITY COUNCIL ACTION MINUTES
JUNE 22, 2021**

A closed session of the City Council, City of Exeter was held on Tuesday, June 22, 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, Shonna Oneal

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 6:30 p.m.

1. 54956.95 Consideration of Liability Claim (2 Cases)
Claimant(s): Enrique E. Mariscal Arista, claimed against: City of Exeter
Claimant(s): Frontier communication, claimed against: City of Exeter
2. 54957.6 Conference with Labor Negotiators
Agency Negotiator: Adam Ennis
Employee Groups: All represented and unrepresented employees

A regular session of the City Council, City of Exeter was held on Tuesday, June 22, 2021, at 7:04 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, 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 7:04 p.m. City Attorney Julia Lew reported on a motion made by Mayor Pro Tem Alves, seconded by Council Member Garver and unanimously carried to accept the claim submitted by Enrique E. Mariscal Arista up to \$1500. Ms. Lew also reported on a motion made by Mayor Pro Tem Alves, seconded by Council Member Mills and unanimously carried to reject the claim submitted by Frontier Communication.

E. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was given by Council Member Mills 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.

Aimee Payne addressed the Council to recommend they develop a process for residents who are installing drought tolerant plants be able to receive a temporary waiver from watering restrictions while those plants are being established. City Administrator Adam Ennis advised Council that staff was reviewing potential options to allow for this in the ordinance for consideration at a future meeting.

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G. SPECIAL PRESENTATIONS (if any):

- a. **Tulare County Economic Development Corporation Program Update** – Nathan Ahle of the TCEDC provided a PowerPoint presentation highlighting recent updates to the TCEDC program.

H. CONSENT CALENDAR:

City Administrator Adam Ennis pulled item 5 from the consent calendar. It was moved by Council Member Mills, seconded by Council Member Garver and unanimously carried that the items on the Consent Calendar except for item 5 be approved as presented.

1. Approve regular minutes of June 8, 2021
2. Payment of the Bills
3. Payroll: June 11, 2021
4. Treasurer's Report: March and April 2021
5. Approve Memorandum of Understanding with the Exeter Police Officers Association for the term July 1, 2021 to June 30, 2024 and authorize the City Administrator to execute the agreement. City Administrator Adam Ennis pulled this item from the consent calendar to provide a report for Council's review and consideration. Mr. Ennis advised Council that the Exeter Police Officers Association selected proposed package number 2, which included a 3-year term, 2.5% salary increase effective July 5, 2021; 2.0% salary increase effective July 4, 2022, 2.0% salary increase effective July 3, 2023; and increases of the uniform allowance of \$200 per year effective July 5, 2021, July 4, 2022, July 3, 2023. Following discussion, it was moved by Council Member Hails, seconded by Mayor Pro Tem Alves and unanimously carried to adopt the MOU with the changes as stated and to authorize the City Administrator to make those changes.
6. Approve Memorandum of Understanding with the California League Of City Employee Associations for the term July 1, 2021 to June 30, 2024 and authorize the City Administrator to execute the agreement.
7. Award and authorize the City Administrator to execute an agreement with the lowest responsible bidder, Galante Bros. Enterprises, Inc., of Visalia, CA in an amount not to exceed \$55,313.48, for construction of the 2021 Annual Asphalt Patch Repair Project.
8. Staff recommends that the City Council receive a COVID-19 status update and continue the state of emergency established by Resolution 2020-12 due to the Novel Coronavirus (COVID-19) for another 60 days.
9. Authorize the City Administrator to execute a one (1) year agreement extension with Self-Help Enterprises, Visalia, CA, to provide Loan Portfolio Management services for the City of Exeter in the amount of up to \$16,000 subject to final minor conforming changes of agreement language by the City Attorney.

I. INDIVIDUAL BUSINESS ITEMS

1. **Public Hearing to adopt Resolution 2021-12 establishing an FY 2021-2022 General Fund appropriation limit of \$9,603,054.** Financial Analyst Eekhong Franco provided a PowerPoint presentation highlighting the FY 2021/2022 General Fund appropriation limit. Mayor Sally opened the public hearing at 7:40 p.m., receiving no public comment, closed the public hearing at 7:40 p.m. Following a brief discussion, it was moved by Council Member Mills, seconded by Council Member Garver and unanimously carried to adopt Resolution 2021-12 as presented.
2. **Public Hearing to review and approve rates and fees and adopt Resolution 2021-13 approving the 2021/22 City of Exeter Rate and Fee Schedule.** Financial Analyst Eekhong Franco provided a PowerPoint presentation highlighting the updated rates and fees schedule. Mayor Sally opened the public hearing at 7:45 p.m., receiving no public comment, closed the public hearing at 7:45 p.m. Following brief discussion, it was moved by Council Member Hails, seconded by Council Members Mills and unanimously carried to adopt Resolution 2021-13 as presented.
3. **Public Hearing to consider amendments to the Exeter Municipal Code, adding Title 11, City Parks and Facilities, and subsequent sections; and introduce and give first reading of Ordinance 697 amending and adding Title 11, and all subsequent sections. The proposed ordinance will set the hours of operation for city parks and provide for various restrictions.** Chief Hall provided a report for Council's review and consideration. Mayor Sally opened the public hearing at 7:57 p.m., receiving no public comment, closed the public hearing at 7:57 p.m. Council posed questions and Chief Hall, City Attorney Julia Lew and City Administrator Adam Ennis provided responses thereto. Following discussion, it was moved by Council Member Mills, seconded by Council Member Garver and unanimously carried to give first reading of Ordinance 697, adding Title 11, Chapter 11.01 to the Municipal Code, and deleting Chapter 8.49 and Section 9.16.020 from the Municipal Code, read by title only, and waiving further reading in full.

4. **Authorize the Mayor or City Administrator to execute a three-year contract for legal services with the firm McCormick, Kabot, Jenner and Lew at a rate of \$180 an hour.** City Administrator Adam Ennis provided a report for Council's review and consideration. Following brief discussion, it was moved by Mayor Pro Tem Alves, seconded by Council Member Hails and unanimously carried to authorize the Mayor or City Administrator to sign a three-year contract for legal services with the firm of McCormick, Kabot, Jenner and Lew at a rate of \$180/hour.
5. **Consideration of appointment of Yun-Gyung "Rainbow" Park-Moore to the position of Finance Director/City Treasurer effective July 21, 2021 and authorization for the Mayor and City Administrator to execute a contract with Mrs. Moore to serve in that capacity for a term of 3 years beginning at Step D in the salary schedule for the position (currently at a monthly rate of \$8,631).** City Administrator Adam Ennis provided a report for Council's review and consideration. Following brief discussion, it was moved by Mayor Pro Tem Alves, seconded by Council Member Hails and unanimously carried to appoint Yun-Gyung "Rainbow" Park-Moore to the position of Finance Director/City Treasurer effective July 21, 2021 and authorize the Mayor and City Administrator to execute a contract with Mrs. Moore to serve in that capacity for a term of 3 years beginning at Step D in the salary schedule for the position (currently at a monthly rate of \$8,631).
6. **Approve and authorize the Mayor and City Administrator to execute an Employment Agreement with Public Works Director Daymon Qualls for a term of 3 years with the following new terms:**
 - 3% salary increase effective July 5, 2021 (monthly compensation \$8,694);
 - 2% salary increase effective July 4, 2022 (monthly compensation \$8,868);
 - 2% salary increase effective July 3, 2023 (monthly compensation \$9,046); and
 - **Once each calendar year the employee who will reach their maximum accrual in a pay period may redeem up to eighty (80) hours of vacation in pay (at the employee's current rate of pay) in that pay period so long as that employee has taken at least a forty (40) hour vacation leave during the previous eight (8) months.** City Administrator Adam Ennis provided a report for Council's review and consideration. Following brief discussion, it was moved by Council Member Garver, seconded by Mayor Pro Tem Alves and unanimously carried to approve and authorize the Mayor and City Administrator to execute an Employment Agreement with Public Works Director Daymon Qualls for a term of 3 years with the following new terms: 3% salary increase effective July 5, 2021 (monthly compensation \$8,694); 2% salary increase effective July 4, 2022 (monthly compensation \$8,868); 2% salary increase effective July 3, 2023 (monthly compensation \$9,046); and once each calendar year the employee who will reach their maximum accrual in a pay period may redeem up to eighty (80) hours of vacation in pay (at the employee's current rate of pay) in that pay period so long that employee has taken at least a forty (40) hour vacation leave during the previous eight (8) months.
7. **Approve and authorize the Mayor and City Administrator to execute a 4th Addendum to Police Chief John Hall's employment contract providing for:**
 - 3.0% salary increase effective July 5, 2021(\$10,972 per month);
 - 2.0% salary increase effective July 4, 2022 (\$11,191 per month); and
 - **Once each calendar year an employee who will reach their maximum accrual in a pay period may redeem up to eighty (80) hours of vacation in pay (at the employee's current rate of pay) in that pay period so long as that employee has taken at least a forty (40) hour vacation leave during the previous eight (8) months.** City Administrator Adam Ennis provided a report for Council's review and consideration including the addition of a one-time rollover of remaining Executive Leave for one year with no cash out. Following brief discussion, it was moved by Council Member Hails, seconded by Mayor Pro Tem Alves and unanimously carried to approve and authorize the Mayor and City Administrator to execute a 4th Addendum to Police Chief John Hall's employment contract providing for: 3.0% salary increase effective July 5, 2021(\$10,972 per month); 2.0% salary increase effective July 4, 2022 (\$11,191 per month); once each calendar year an employee who will reach their maximum accrual in a pay period may redeem up to eighty (80) hours of vacation in pay (at the employee's current rate of pay) in that pay period so long as that employee has taken at least a forty (40) hour vacation leave during the previous eight (8) months; and a one-time rollover of remaining Executive Leave for one year with no cash-out value.

8. **Authorize the following for the unrepresented “middle management group” consisting of the City Clerk/Human Resources Manager, Operations Manager, Financial Analyst and Police Lieutenant positions:**
 - 3% salary increase effective July 5, 2021;
 - 2% salary increase effective July 4, 2022;
 - 2% salary increase effective July 3, 2023; and
 - **Beginning July 1, 2021, once each calendar year an employee who will reach their maximum accrual in a pay period may redeem up to eighty (80) hours of vacation in pay (at the employee’s current rate of pay) in that pay period so long as that employee has taken at least a forty (40) hour vacation leave during the previous eight (8) months.** City Administrator Adam Ennis provided a report for Council’s review and consideration including the addition of a one-time rollover of remaining Executive Leave for one year with no cash out value. Following brief discussion, it was moved by Mayor Pro Tem Alves, seconded by Council Member Garver and unanimously carried to authorize the following for the unrepresented “middle management group” consisting of the City Clerk/Human Resources Manager, Operations Manager, Financial Analyst and Police Lieutenant positions: 3% salary increase effective July 5, 2021; 2% salary increase effective July 4, 2022; 2% salary increase effective July 3, 2023; beginning July 1, 2021, once each calendar year an employee who will reach their maximum accrual in a pay period may redeem up to eighty (80) hours of vacation in pay (at the employee’s current rate of pay) in that pay period so long as that employee has taken at least a forty (40) hour vacation leave during the previous eight (8) months; and a one-time rollover of remaining Executive Leave for one year with no cash out value.
9. **Approve and authorize the Mayor to execute an Employment Agreement for City Administrator Adam Ennis for a term of 3 years and a 3% salary increase effective July 5, 2021 (monthly compensation \$13,708), 2% salary increase effective July 4, 2022 (monthly compensation \$13,982), and 2% salary increase effective July 3, 2023 (monthly compensation \$14,262).** City Clerk/HR Manager Shonna Oneal provided a report for Council’s review and consideration. Following brief discussion, it was moved by Council Member Hails, seconded by Mayor Pro Tem Alves and unanimously carried to approve and authorize the Mayor to execute an Employment Agreement for City Administrator Adam Ennis for a term of 3 years and a 3% salary increase effective July 5, 2021 (monthly compensation \$13,708), 2% salary increase effective July 4, 2022 (monthly compensation \$13,982), and 2% salary increase effective July 3, 2023 (monthly compensation \$14,262).
10. **Adopt Resolution 2021-14 amending Fiscal Year 2021/2022 Salary Schedule for all Regular and Part-time Employees, City Council Members, and Seasonal/Temporary Employees, which includes a 3% pay increase effective July 5, 2021 for Exeter Police Officer Association (EPOA) employees, California League of City Employees Associations (CLOCEA) employees, unrepresented Middle Managers, Department Heads, and City Administrator.** City Clerk/HR Manager Shonna Oneal provided a report for Council’s review and consideration. Following brief discussion, it was moved by Council Member Mills, seconded by Mayor Pro Tem Alves and unanimously carried to adopt Resolution 2021-14 reflecting the change in salary to the EPOA members from 3.0% to 2.5% pursuant to the terms of their Memorandum of Understanding and allowing for non-substantial changes as required by CalPERS.

J. CITY COUNCIL ITEMS OF INTEREST

Council Member Garver reported on attending the TCRTA Board meeting. Mayor Pro Tem Alves reported on upcoming meetings he will be attending. Mayor Sally reported on attending a GSA meeting and two recent mixers.

K. CITY ADMINISTRATOR/DEPARTMENT COMMENTS

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

L. ADJOURN REGULAR MEETING

Mayor Sally adjourned the regular meeting at 8:31 p.m.