

**Minutes  
City Council Meeting  
November 22, 2016**

**1. CALL TO ORDER:**

Meeting was called to order at 6:01 PM by Mayor Cullen.

**2. FLAG SALUTE:**

The flag salute was led by Mayor Cullen.

RJ Rivera announced that there are translating available.

**3. ROLL CALL:**

City Manager Adams conducted roll call.

City Council: Darlene Acosta, Mike LeBarre, Belinda Hendrickson, Mayor Pro Tem Karen Jernigan, Mayor Robert Cullen.

City Staff: City Manager Steven Adams, Interim Attorney Shannon Chaffin

**4. CLOSED SESSION ANNOUNCEMENTS:**

**5. PRESENTATIONS:**

None

**6. PUBLIC COMMUNICATIONS:**

None

**7. COUNCIL COMMUNICATIONS:**

Mayor Cullen stated a week from this Friday is the Christmas Parade and Happy Thanksgiving.

Council Member Acosta stated that October was supposed to be the month that Victim's services moved into the court house however they are still working on the building and wished everyone Happy Thanksgiving.

Council Member LeBarre wished everyone Happy Thanksgiving.

Council Member Hendrickson wished everyone Happy Thanksgiving.

Mayor Pro Tem Jernigan stated that she attended her last AMBAG meeting and she would be willing to attend one of the first meetings with the next representative. She would like to know if the City Council would be willing to do a group photograph for history of City Council.

**8. CITY STAFF REPORTS AND COMMENTS:**

City Manager Adams stated that the HR position has been filled and Sergio Samame will be starting on Monday November 28, 2016. Council member LeBarre asked about an update on Forden Park.

## **9. CONSENT AGENDA**

- A. Meeting Minutes of November 15, 2016 Special Council Meeting
- B. City Monthly Treasurer's Report- November 2016
- C. Successor Agency Monthly Treasurer's Report- November 2016
- D. Public Financing Authority Monthly Treasurer's Report- November 2016
- E. Consideration: Memorandum of Understanding to Sell PG&E Rule 20A Work Credits
- F. Consideration: Resolution Re-Establishing Staggered Terms for the Airport Advisory Committee.
- G. Consideration: Memorandum of Understanding to Support an AGTECH and Healthcare Employment Training Partnership Between the Cities of the Salinas Valley and Hartnell College
- H. Consideration: City Manager Employment Agreement

Mayor Pro Tem Jernigan pulled item G for discussion.

Action: Motion to approve consent A-F and H agenda by LeBarre and seconded by Acosta.

AYES: Council Members: Mayor Cullen, Acosta, LeBarre, Hendrickson and Mayor Pro Tem Jernigan

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

Mayor Pro Tem Jernigan gave corrections to the Deputy City Clerk on minutes. She thanked the City Manager Steve Adams for pursuing the sale of the PG&E credits. She appreciates the staggered terms of the Airport Advisory Committee she would like their pictures on the website. She feels that the last year under City Manager Adams leadership has been great.

Mayor Pro Tem Jernigan is concerned with the amount of money that Item G is costing and she would like them to have a way to track jobs. She is also concerned about City Staff and Council having to attend another meeting.

Council Member Acosta is in favor of Item G.

Action: Motion to approve consent G agenda by LeBarre and seconded by Hendrickson.

AYES: Council Members: Mayor Cullen, Acosta, LeBarre, Hendrickson

NOES: Council Members: Mayor Pro Tem Jernigan

ABSENT: Council Members:

ABSTAIN: Council Members:

## **10. PUBLIC HEARINGS:**

- A. Consideration: Revised and Restated Franchise Agreement with USA Waste of California (DBA Waste Management) for Solid Waste, Recycling and Organics Collection Services and Approving New Customer Rates.

Recommendation: approve finalized Revised and Restated Franchise Agreement with a 16.08% rate increase effective January 1, 2017 including a provision to implement street sweeping services at a future date for consideration by the City Council.

Patrick Mathews gave a presentation with his power point going over the rate increase of 16.08% with the street sweeping coming back at a later date.

Mayor Cullen opened the public hearing.

Carlos DeLeon is concerned that the public will not be aware of the rate increase. He feels it should be published better. He said people don't read the notice in the paper and the mailers in their bill.

Mary Hamilton is concerned that Waste Management putting a lean on the property owner through the property tax bills when it is the renters that are not paying the bill.

Mayor Cullen closed the public hearing.

Patrick Mathews explained the process of collecting fees from non-paying customers.

Action: Motion to approve finalized Revised and Restated Franchise Agreement with a 16.08% rate increase effective January 1, 2017 including a provision to implement street sweeping services at a future date for consideration by the City Council, giving the City Manager authority to approve the final route. by Acosta and seconded by LeBarre.

AYES: Council Members: Mayor Cullen, Acosta, LeBarre, Hendrickson and Mayor Pro Tem Jernigan

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

B. Consideration: Revision and Re-adoption of the 2015-2023 Housing Element

Recommendation: 1) review and consider revisions to Chapter 8 (Programs) of the previously Adopted Housing Element; 2) conduct Public Hearing; and 3) adopt the Revised Housing Element as presented.

Scott Bruce, Planner presented this item.

Mayor Cullen opened the public hearing.

Mayor Pro Tem Jernigan would like her letter be put in the document. Council is fine with this being included.

Action: Motion to adopt the Revised Housing Element as presented including Mayor Pro Tem Jernigan's letter in the appendix and adopting Resolution 2016-4550 by Jernigan and seconded by Hendrickson.

AYES: Council Members: Mayor Cullen, Acosta, LeBarre, Hendrickson and Mayor Pro Tem Jernigan

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

C. Consideration: Adjustments to Development Impact Fees

Recommendation: adopt a Resolution approving adjustments to the City's Development Impact Fees.

City Manager Adams presented this Item.

Mayor Cullen gave a brief interpretation and commended the City Manager.

Mayor Cullen opened the public hearing.

John Baucke spoke on the development impact fees supporting the City Managers decision.

City Manager stated that the fees are being deferred and will be revisited in 3 years.

Mayor Pro Tem Jernigan appreciates the attention to trying to attract business. He asked about Mike Nino.

The City Manager explained that Mr. Nino falls under the old fees.

Mayor Cullen closed the public hearing.

Action: Motion adopt a Resolution approving adjustments to the City's Development Impact Fees; by LeBarre and seconded by Hendrickson.

AYES: Council Members: Mayor Cullen, Acosta, LeBarre, Hendrickson and Mayor Pro Tem Jernigan

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

D. Consideration: Adjustments to Master Fee Schedule

Recommendation: adopt a Resolution approving the new Master Fee Schedule.

City Manager Adams introduced this item.

Mayor Cullen opened the public hearing.

Brandon Gesicki' stated that once again King City is above the fold and HdL is the gold standard in the industry and respected by many. He stated that this is another smart move by the City Manager. He feels that fees are more than fair.

Mayor Cullen closed the public hearing.

Council Member LeBarre would like to know how soon will the City be processing licenses.

Scott Bruce, Planner explained that two applications have been received, receiving one more soon. The first two have 10 license and the other is for 4 license all cultivation and one more application for a manufacturing license. Trying to run both tracks at once on the regulatory side as well as the CUP side. HdL has helped making the planning be the administrative effort and the City appreciates the help.

Mayor Cullen asked HdL where do the Cities fees compares to other Cities. David McPherson from HdL stated that King City is low in fees however we have HdL to help fix problems and helps the license move forward faster. Mayor Cullen asked if the way that the City decided to do the tax by permitted square foot will make it move faster and save money. Mr. McPherson stated yes.

Mayor Pro Tem Jernigan ask for clarification on the fees and the tax. City Manager stated that fees only reimburse the Cities cost directly associated with the regulation of the license. The tax means it will generate money for general fund and other City government purposes.

Action: Motion to adopt a Resolution approving the new Master Fee Schedule with adjustments presented by LeBarre and seconded by Hendrickson.

AYES: Council Members: Mayor Cullen, Acosta, LeBarre, Hendrickson and Mayor Pro Tem Jernigan

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

## **11. REGULAR BUSINESS:**

A. Consideration: Resolution of Intent to Participate in Governance and Financing Discussions for the Proposed Monterey Bay Community Power Joint Powers Authority

Recommendation: adopt a Resolution of Intent to participate in governance and financing discussions for the proposed Monterey Bay Community Power Joint Powers Authority.

City Manager Adams presented this item introducing Jenny Johnson.

Virginia Johnson, Monterey Bay Community Power, further presented this item.

Patrick Mathews spoke on the projects that Solid Waste Authority is looking at that would produce green energy.

Council Member LeBarre spoke against this item and corrected misinformation. He feels that it is not a choice. It is a method of opting out not opting in. PG&E does not have a voice.

Mayor Pro Tem Jernigan stated that it is complicated information. One option is to wait and participate in a couple of years. She would like to hear both sides of an issue.

Council Member Hendrickson stated that she feels we need to give the choice of opt in or opt out to the citizens and feels the City should move forward.

Council Member Acosta asked if the buy in is minimal then the payout would be minimal also. Ms. Johnson stated that it would lower costs to the customers. Council Member Acosta clarified that if the City waits to join in the City will have to pay a fee if they opt in at a later date.

Mary Hamilton ask about the board of consisting of 10 people and representing 18 municipalities.

John would like to see a choice and currently there is not a choice, it is either PG&E or be in the dark. He uses solar as much as possible.

Jerry Dudek chairperson of the pastoral council of the Catholic church relayed the thoughts of the church. The church strongly encourages signing the letter of intent.

Domingo Uribe feels this is a win win situation. He wants a choice for the citizens. Clean energy is a good thing.

Carlos DeLeon read a letter into the record from he and Carlos Victoria encouraging the council to adopt the Resolution of intent to give the citizens a choice and no put King City behind.

Monique Epps, teacher in King City, doesn't see a down side in a cleaner environment. She is very stingy with her electricity. She feels that they are being honest. She stated that we have the amazing wind blowing through King City and we should be using it. She sees it about taking care of our earth.

Alejandra Ponce student of Hartnell College, she co-founder Sustainable Earth Club at Hartnell College. She is here in support of renewable energy.

A petition was submitted from the church.

Mayor Cullen addressed Mary Hamilton's question.

Mayor Cullen, Council Member Hendrickson is in favor of this.

Mayor Pro Tem Jernigan is not in favor.

Council Member LeBarre is not in favor. He feels that Council should postpone until the next meeting so council elects can have a vote.

Action: Motion adopt a Resolution of Intent to participate in governance and financing discussions for the

proposed Monterey Bay Community Power Joint Powers Authority.  
by Acosta and seconded by Hendrickson.

AYES: Council Members: Mayor Cullen, Acosta, Hendrickson

NOES: Council Members: LeBarre , Mayor Pro Tem Jernigan

ABSENT: Council Members:

ABSTAIN: Council Members:

**12. CLOSED SESSION:**

1. Public Employee Performance Evaluation  
pursuant to Government Code Section 54957:  
Title: City Manager

**ADJOURNMENT:**

There being no further business to come before the City Council, Mayor Cullen adjourned the meeting at 7:43pm to closed session with the Mayor stating what would be discussed in closed session.

**Approved Signatures:**



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**Mayor, Robert Cullen**  
City of King



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**City Clerk, Steven Adams**  
City of King