

**City Council Meeting
March 13, 2018**

1. CALL TO ORDER:

Regular Meeting called to order at 6:05pm by Mayor LeBarre.

2. FLAG SALUTE:

The flag salute was led by Council Member Cullen.

3. ROLL CALL:

City Manager Adams conducted roll call.

City Council: Darlene Acosta, Robert Cullen, Carlos DeLeon, Mayor Michael LeBarre, Mayor Pro Tem Carlos Victoria.

City Staff: City Manager Steven Adams; City Attorney Shannon Chaffin; Admin. Asst./Deputy City Clerk, Erica Sonne.

4. CLOSED SESSION ANNOUNCEMENTS:

None

5. PRESENTATIONS:

Legal Services for Seniors – Rena Shaw, Ms. Shaw spoke to office hours and locations stating they are weekly (every Tuesday) at Leo Meyer Center on Queen St. She went over what issues they help seniors with such as Consumer Fraud, Wills, Identity theft, Scams, Advance Health Care Directives. Legal Services for Seniors provides legal assistance and representation by licensed California attorneys and legal advocates to Monterey County seniors (60 years of age and above) at no cost. She explained that they are a nonprofit agency receiving funding from federal, municipal and state grants, private foundations, the State Bar of California, private individuals, and local businesses.

6. PUBLIC COMMUNICATIONS:

Residents who live in Rio Plaza Mobile Home park had a question about the garbage price going up and it was an \$80 increase. They want to know if the council can help them with this issue. Council explained that they were unable to comment on this and directed staff to look into it.

Motion to change the order of the agenda items, Staff Communications before Council Communications by Council member Cullen, seconded by Mayor Pro Tem Victoria. Passed unanimously.

7. COUNCIL COMMUNICATIONS:

Council Member DeLeon stated nothing to report at this time.

Council Member Acosta stated nothing to report at this time.

Council Member Cullen stated he will not be here for the 2nd meeting in April. He also reported that the annual Chamber Awards dinner was a good time. Live auction raised \$19,000 and silent auction \$5,000 after expenses it will be about \$10,000 fund raiser. Aerial Fireworks show is July 3rd around 9:30p.m.

Mayor Pro Tem Victoria stated he was invited to a meeting a couple of days ago at San Antonio Gardens apartment complex. More than half of the tenants got to vote for their reps so they have a new President and Vice President.

Mayor LeBarre thanked Karen Jernigan and her husband John for inviting him to a dinner for the mission walkers. Citizen of the year dinner was great! He will be gone the 17th thru the 20th for the APTA Legislative Conference in Washington DC. On March 21st there is the Fort Hunter Liggett Town Hall meeting. On the 6th of this month he did an interview with a NBC Bay Area television regarding our cannabis industry.

8. CITY STAFF REPORTS AND COMMENTS:

City Manager Adams stated that at the last meeting Council member Victoria brought up the issue of the waste management at Rio Plaza. The billing that the residents are speaking of is coming from the property management not waste management. Waste Management is trying to work with property management. City Manager Adams stated that he is looking into it but he doesn't have any answers yet. The city will do anything they can to help.

Ribbon cutting for the entrance sign is March 23rd at noon. Scheduling District Watch meetings being set for late April.

Assistant City Attorney Roy Santos had nothing at this time.

9. CONSENT AGENDA

- A. Meeting Minutes of February 27, 2018 Council Meeting
- B. City Check Register
- C. Successor Agency Check Register
- D. Consideration: Cancellation of July 24, 2018 Meeting
- E. Consideration: Appointment to the Parks and Recreation Commission
- F. Consideration: Appropriation for Amgen Tour of California Expenses
- G. Consideration: Appropriation for New Race Pool Heater

Council member DeLeon would like to pull item G.

Action: Motion to approve consent agenda A- F by Victoria and seconded by Cullen.

AYES: Council Members: Mayor LeBarre, Acosta, DeLeon, Cullen and Mayor Pro Tem Victoria

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

Mayor LeBarre thanked Evette Wheeler for stepping up and participating. Council member Acosta thanked her for participating on the Recreation Commission.

Council member DeLeon would like more information on the Race Pool Heater need. City Manager stated that staff has exhausted all the avenues and the only alternative is to get a new heater.

Council member Acosta is surprised that the heater that is there has lasted 22 years and she feels it is a necessary expenditure.

Action: Motion to approve consent agenda item G by DeLeon and seconded by Cullen.

AYES: Council Members: Mayor LeBarre, Acosta, DeLeon, Cullen and Mayor Pro Tem Victoria

NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

10. PUBLIC HEARINGS:

None

11. REGULAR BUSINESS:

A. Consideration: King City Energy Innovation Project Update

City Engineer Octavio Hurtado introduced this item.

Dave Baldwin, ENGIE (Opterra), went over his PowerPoint and gave an update on the solar energy which produced a lot of environmental benefits equivalent of 167 tons of CO2 annually also removing 132 cars from the road, created jobs, and put in new street lights.

Mayor LeBarre asked for clarification on the months that were counted. Mr. Baldwin stated From October 1st through February the production is at 124%.

Council member Cullen asked about the expense side and if they were on point. Mr. Baldwin stated that there was one change order for the street lighting, so he feels that it is on point.

Karen Jernigan appreciates the council receiving updates and monitoring this as it is a huge project with lots of expense, she appreciates the monitoring station in the back to keep track of what is being generated and since this is a 30-year project and having transparency that we are really saving money she thinks is important.

City Manager stated that there will be annual reports.

B. Consideration: Amending the Municipal Code to Authorize Permits for Type 10 Cannabis License Activities Restricted to Non-Storefront Retail

Mayor LeBarre introduced this item with is PowerPoint. He is proposing a virtual type 10 license.

Council member Cullen would like to know the logistics of how it is being distributed. Mayor LeBarre stated that truck comes in and then the truck drives to whatever dispensary it is going to. When it gets to the retailer it goes for on-line sales or counter side. It only allows them to funnel thru our city for tax.

City Attorney clarified that you cannot stop a delivery truck from entering town. The type 10 license is for deliveries in city limits. The City can authorize deliveries within the jurisdiction or limit it to just outside the jurisdiction. The ordinance would need to change to have deliveries with in the City limits.

Mayor LeBarre would like to keep the ban on deliveries in the City limits.
Mayor LeBarre stated that it would depend on the medicinal tax.

Council member Acosta asked the City Attorney if this would leave the City open to a lawsuit for changing our limitations. City Attorney doesn't believe that it will be an issue because the attorneys can tailor the ordinance to our needs. Council member Acosta would like to know if the Council would go for referendum and she feels that this is letting a crack in the door where dispensaries will be allowed. She feels that online sales are hard to regulate.

Council member Acosta feels taking more from this pie will sacrifice our youth.

Council member Cullen stated that this proposal does not allow a store front or dispensary. He stated that you have to have proof to purchase on line. He asked the City Attorney if we changed our ordinance to allow online sales would we take the tax to the voters. City Attorney stated yes that, that would be the preferred method.

Council member Acosta is adamantly opposed to this type 10 license.

City Attorney Santos stated that there may be away to do this without issuing a type 10 license. Mayor stated that it is a revenue driven.

Council member DeLeon feels that this may hurt the business in King City and they will want to leave King City and go somewhere else.

Mayor LeBarre explained the dispensaries tax is on top of what they pay. The tax that they pay thru online is lower.

Council member DeLeon would like to have more information.

Brandon Gesicki, represents people (cannabis) who are interested in this on-line ordering that they do not want to have a store front or dispensary. They would like to be able to sale direct to customers. He explained that they want harder restrictions. They have to take a picture of their ID and it needs to be presented when it is delivered. They want people who play by the rules. He further explained it will be revenue for the City.

Renata, Hartnell College, had a question about a call center. The Mayor explained that it is just like any other product sold on line.

Karen Jernigan, 206 N. Mildred, she recalls that the council was against store fronts. She feels that this is complicated, and she hears a lot of costs for City Attorney's and staff and that this takes time away from what the City Manager does.

Consensus by council to give staff direction to collect more information and bring it back for more discussion at the next meeting. The mayor would like to make sure that the cost would be passed on to the applicants.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor LeBarre adjourned the regular meeting at 7:34pm.

Approved Signatures:



Mayor, Michael LeBarre
City of King



City Clerk, Steven Adams
City of King