

**AGENDA**  
**REGULAR MEETING OF THE**  
**CITY OF KING CITY COUNCIL**  
**AND**  
Sitting as **SUCCESSOR AGENCY OF**  
**THE RDA FOR THE CITY OF KING**

**TUESDAY MAY 12, 2020**  
**6:00 P.M.**

**CITY HALL**  
**212 S. VANDERHURST AVENUE**  
**KING CITY, CALIFORNIA 93930**

*\*Conference call services will be available for the meeting*

**+1 619-327-9987 (Toll)**  
**Conference ID: 246 054 533#**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting, Please contact the City Clerk's Office (831-386-5925) at least 48 hours prior to the Meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting.*

*\* Please submit all correspondence for City Council PRIOR to the meeting with a copy to the City Clerk.*

- 1. CALL TO ORDER**
- 2. ROLL CALL:** Council Members Darlene Acosta, Robert Cullen, Carlos DeLeon, Mayor Pro Tem Carlos Victoria, and Mayor Mike LeBarre
- 3. FLAG SALUTE**
- 4. CLOSED SESSION ANNOUNCEMENTS**
- 5. SPECIAL PRESENTATIONS**
  - A. Recognition of National Public Works Week
- 6. PUBLIC COMMENT**

Any member of the public may address the Council for a period not to exceed *three minutes'* total on any item of interest within the jurisdiction of this Council that is not on the agenda. The Council will listen to all communications; however, in compliance with the Brown Act, the Council cannot act on items not on the agenda. Comments should be directed to the Council as a whole and not to any individual Council Member. Slanderous, profane or personal remarks against any Council Member, staff member or member of the audience is not permitted.
- 7. COUNCIL COMMUNICATIONS & COMMITTEE REPORTS**

Individual Council Members may comment on Council business, his or her Council activities, City operations, projects or other items of community interest. Council Members may also request staff to report back at a subsequent meeting on any matter or take action to direct staff to prepare a staff report for a future agenda.

## **8. STAFF COMMUNICATIONS**

Comments presented by the City Manager, City Attorney or other staff on City business and/or announcements.

## **9. CONSENT AGENDA**

The following items listed below are scheduled for consideration as a group. The recommendations for each item are noted. Members of the audience may speak on any item(s) listed on the Consent Agenda. Any Council Member, the City Manager, or the City Attorney may request that an item be withdrawn from the Consent Agenda to allow for full discussion. The Council may approve the remainder of the Consent Agenda on one motion. Items withdrawn from the Consent Agenda may be considered by separate motions at the conclusion of the discussion of each item.

- A. Consideration: Meeting Minutes of April 28, 2020 Council Meeting  
Recommendation: approve and file.
- B. Consideration: City of King Check Register April 16, thru April 30, 2020  
Recommendation: receive and file.
- C. Consideration: Successor Agency Check Register April 16, thru April 30, 2020  
Recommendation: receive and file.
- D. Consideration: Support for AB 2165  
Recommendation: approve and authorize the Mayor to sign a letter of support for AB 2165.

## **10. PUBLIC HEARINGS**

- A. Consideration: Urgency Ordinance of the City Council of the City of King Extending the Enforcement and Appeals Procedures for the Orders of the Health Officer of the County of Monterey Related to the COVID-19 Pandemic Within the City of King  
Recommendation: adopt an Urgency Ordinance extending the enforcement and appeals procedures for the Orders of the Monterey County Health Officer related to the COVID-19 pandemic within the City of King.

## **11. REGULAR BUSINESS**

- A. Consideration: Proposal for Cannabis Tax Measure  
Recommendation: Direct staff to draft a measure for the November 3<sup>rd</sup> ballot modifying the existing cannabis tax ordinance to add a cannabis retail tax and to incorporate other recommended changes.

## **12. CITY COUNCIL CLOSED SESSION**

Announcement(s) of any reportable action(s) taken in Closed Session will be made in open session and repeated at the beginning of the next Regular City Council meeting as this portion of the meeting is not recorded.

- 1. Government Code Section 54956.95  
LIABILITY CLAIMS  
Claimant: Robert Ange  
Agency Claimed Against: King City

## **13. ADJOURNMENT**

# City of King

## Mayors Proclamation

In

### Recognition of National Public Works Week

*WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of King; and*

*WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings and other structures and facilities essential for our citizens; and*

*WHEREAS, it is in the public interest for the citizens, civic leaders and children in City of King to gain knowledge of and maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and*

*WHEREAS, the year 2020 marks the 60<sup>th</sup> annual National Public Works Week sponsored by the American Public Works Association be it now.*

*THEREFORE, BE IT PROCLAIMED on behalf of the City Council of the City of King the week May 17-23, 2020 as National Public Works Week, and the community is urged to join with representatives of the American Public Works Association and government agencies in activities and ceremonies designed to pay tribute to public works professionals, engineers, managers and employees and to recognize the substantial contributions they have made to our national health, safety, welfare and quality of life.*

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Mike LeBarre  
Mayor

**City Council Meeting  
April 28, 2020**

**1. CALL TO ORDER:**

Regular Meeting called to order at 6:02pm by Mayor LeBarre.

**2. FLAG SALUTE:**

The flag salute was led by Mayor LeBarre.

**3. ROLL CALL:**

City Manager Adams conducted roll call.

City Council: Mike LeBarre (by Phone), Darlene Acosta (by Phone), Rob Cullen (by Phone), Carlos DeLeon (by Phone), Mayor Pro Tem Carlos Victoria (by Phone).

City Staff: City Manager Steven Adams (by phone); City Attorney Roy Santos (by Phone); Executive Admin. Asst./Deputy City Clerk, Erica Sonne; Community Development Director, Doreen Liberto; City Engineer, Octavio Hurtado.

**4. CLOSED SESSION ANNOUNCEMENTS:**

None

**5. PRESENTATIONS:**

None

**6. PUBLIC COMMUNICATIONS:**

None

**7. COUNCIL COMMUNICATIONS:**

Council Member DeLeon stated the school board had their meeting and wanted to thank them for getting everything together so quickly for students.

Council Member Acosta stated nothing to report at this time.

Council Member Cullen stated update on the Salinas Valley Solid Waste Authority a small committee will be meeting on Fridays at 9:00a.m. on the City of Salinas getting out of the authority. Salinas Valley Fair will do an on-line virtual auction June 2<sup>nd</sup>. Commented on face covering coming from the County making sure everyone is wearing masks. He would like the City and County to get the education out.

Mayor Pro Tem Victoria stated that he was talking to the board president Susan King that they may continue having the meeting virtually so more people have more access to the board meeting.

Mayor LeBarre stated that he is proud of the work that the city is doing to work together and get through this together. He is feeling frustration over business' being closed and stated we need to try to get business' working again.

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

City Manager Steven Adams stated that starting tomorrow staff would be trying to get out as much education as we can. Census bandannas will be handed out to the local stores for them to distribute and working on identifying who is producing masks that we could get donated and also purchase some. We are beginning looking at the process when we can begin to reopen being proactive with a support structure. City Hall will be tented Thursday and Friday and aired out Saturday. Sunday will be washed down and back to work on Monday. Staff will be telecommuting. Phone calls will be forwarded.

City Attorney Roy Santos stated they continue tracking new items coming out from the State and Federal Government on Covid 19. They were able to provide some updated information on CEQA review timetables to staff.

## **9. CONSENT AGENDA**

- A. Meeting Minutes of April 14, 2020 Council Meeting
- B. City of King Check Register April 1, thru April 15, 2020
- C. Consideration: Local Early Action Planning (LEAP) Grant Application
- D. Consideration: An Ordinance of the City Council of the City of King Amending Chapter 7.09 of Title 7 Pertaining to Social Host Liability
- E. Consideration: Cancellation of July 28, 2020 Meeting
- F. Consideration: Memorandum of Understanding for Campus-Based Probation Officer
- G. Consideration: Cannabis Retail Storefront Dispensary Consultant Services
- H. Consideration: An Application for Federal Assistance Cares Act Funds (Form OMB SF-424) For Mesa Del Rey Airport

Mayor Pro Tem Victoria spoke in support of Item F.

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

AYES: Council Members: LeBarre, Acosta, Cullen, DeLeon and Victoria

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

## **10. PUBLIC HEARINGS:**

- A. None

## **11. REGULAR BUSINESS:**

- A. Consideration: Consultant Services Agreement for the King City Multimodal Transit Center Temporary Platform Project

City Manager Adams introduced Community Development Doreen Liberto and City Engineer Octavio Hurtado

Doreen Liberto, Community Development Director introduced this item with a powerpoint. Octavio Hurtado, City Engineer further introduced this item with the rest of the powerpoint.

Karen Jernigan thanked the council and staff for pursuing this. She feels it is historic. She feels it is a great thing for our town. To get people up and down the valley is a wonderful thing. She asked if the Hearne

warehouse would go away? Ultimately yes it will go away. She was wanting to know if a temporary platform would happen in 3 years. Staff couldn't say for sure just that this is a first step.

Action: Motion to approve and authorize the City Manager to execute a Consultant Services Agreement with Railpros to prepare final design for the King City Multimodal Transit Center Temporary Platform project and to apply for and negotiate necessary agreements and permits; and 2) authorize the City Manager to make non-substantive changes as necessary in a form approved by the City Attorney by Cullen and seconded by DeLeon.

AYES: Council Members: LeBarre, Acosta, Cullen, DeLeon and Victoria

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

## 12. CITY COUNCIL CLOSED SESSION

None

### ADJOURNMENT:

Mayor LeBarre adjourned the meeting 6:40p.m. on a motion by Victoria and seconded by DeLeon, and unanimous vote.

### Approved Signatures:

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Mayor, Michael LeBarre  
City of King

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City Clerk, Steven Adams  
City of King



Item No. 9(B)

**REPORT TO THE CITY COUNCIL**

**DATE: MAY 12, 2020**  
**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**  
**FROM: MIKE HOWARD, FINANCE DIRECTOR**  
**RE: CONSIDERATION OF CITY OF KING CHECK REGISTER APRIL 16 THRU APRIL 30, 2020**

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**RECOMMENDATION:**

It is recommended City Council receive and file.

**BACKGROUND:**

At least once a month, the City Treasurer shall submit to the City Council, a copy of the invoices paid for the previous month.

**DISCUSSION:**

The purpose of this item is to provide the Council an opportunity to review and monitor ongoing expenditures. These documents are attached.

**COST ANALYSIS:**

There is no fiscal impact as a result of this action.

**ENVIRONMENTAL REVIEW:**

No Environmental Review required for this item.

**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Receive and file the report; or
2. Provide other direction to staff regarding requests for additional information.

**CITY COUNCIL/CITY  
CONSIDERATION OF CITY OF KING CHECK REGISTER APRIL 16 THRU  
APRIL 30, 2020  
MAY 12, 2020  
PAGE 2 OF 2**

Exhibits:

1. Check Register Report

Submitted by:



Mike Howard, Finance Director

Approved by:



Steven Adams, City Manager

Check Register Report

April 16 - April 30, 2020

Date: 04/30/2020

Time: 7:50 am

KING CITY CITY HALL

BANK: WELLS FARGO BANK

Page: .2

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>WELLS FARGO BANK Checks</b>							
63642	04/17/2020	Printed		A & G PUMP	A & G PUMPING, INC	Portable Toilet for City Park.	86.13
63643	04/17/2020	Printed		AT&T-GA	A T & T	Telephone - Fire Dept	11.43
63644	04/17/2020	Void	04/17/2020			Void Check	0.00
63645	04/17/2020	Printed		KCTVHARD	ALCANTAR HARDWARE INC	Water Hose Nozzle-City Hall	358.71
63646	04/17/2020	Printed		ALVAREZ	ALVAREZ TECHNOLOGY GROUP INC	Officer Boyd IT -	175.50
63647	04/17/2020	Printed		AM SUPPLY	AMERICAN SUPPLY CO.	Janitorial Supply	906.10
63648	04/17/2020	Void	04/17/2020			Void Check	0.00
63649	04/17/2020	Void	04/17/2020			Void Check	0.00
63650	04/17/2020	Printed		HANNA	ASSOCIATED ENGINEERING-SURVEY	City Admin	33,006.25
63651	04/17/2020	Printed		GARDEN	SYLVIA KANANI BARBREE	Bark for Broadway	53.21
63652	04/17/2020	Printed		BENSON	RICHARD A. BENSON PLUMBING	Fix Toilet @ Creekbridge	192.00
63653	04/17/2020	Printed		BIG VALLEY	BIG VALLEY LABOR, LLC	Weeding @ First St Landscape.	2,261.03
63654	04/17/2020	Printed		CARMEL FIR	ART BLACK	Fire Inspections	1,250.00
63655	04/17/2020	Printed		BOYDK	KEITH BOYD	Reimbursement of Gloves	129.21
63656	04/17/2020	Printed		CAL WATER	CALIFORNIA WATER SERVICE CO.	Water - #4640266666	13,140.72
63657	04/17/2020	Printed		CONATSER	CONATSER WELDING & MACHINE,LLC	Field Drager for Baseball	625.32
63658	04/17/2020	Printed		CYCLONEF	CYCLONE FENCE & IRON, INC	Credit Memo	10,878.67
63659	04/17/2020	Printed		DEPT ACCNT	DEPARTMENT OF JUSTICE	Finger Prints	164.00
63660	04/17/2020	Printed		DEROTIC	DEROTIC LLC	Light Bulbs for Outside Panel.	19.58
63661	04/17/2020	Printed		DMV RENEW	DMV RENEWAL	Polaris Mule -	52.00
63662	04/17/2020	Printed		BAKERSUP	DOROTHY JUNE BAKER	Aerator for Ball Fields.	1,995.00
63663	04/17/2020	Printed		EIKHOF	EIKHOF DESIGN GROUP INC	P W Special Projects	3,377.50
63664	04/17/2020	Printed		FED EXP	FEDEX	Package - #8515-1933-5	116.00
63665	04/17/2020	Printed		FEHR	FEHR & PEERS	Local Road Safety Plan	8,711.22
63666	04/17/2020	Printed		FIRSTTA	FIRST TACTICAL LLC	Uniforms Captain/Chief	301.99
63667	04/17/2020	Printed		GOGGLE	GOGGLES FOR GUPPIES, INC.	Bathing Suits	150.00
63668	04/17/2020	Printed		GIS	GONZALES IRRIGATION SYSTEMS,	Irrigation Sprinkler	5.09
63669	04/17/2020	Printed		HARBIN	HARBIN CONSTRUCTION	Rec Center Raquet Ball Court	1,720.00
63670	04/17/2020	Printed		HDL	HDL SOFTWARE, LLC	Annual Business License	5,324.46
63671	04/17/2020	Printed		INDUSTRIAL	INDUSTRIAL CHEM LABS INC.	Sanitizer	740.89
63672	04/17/2020	Printed		JOLLEY/BRY	BRYANT L. JOLLEY	FY 18/19 Audit Services	28,518.52
63673	04/17/2020	Printed		TIRE KING	JOSE RODRIGUEZ	Car Wash	1,248.86
63674	04/17/2020	Printed		KC GLASS	KING CITY GLASS	Plexie Glass for Little	1,850.00
63675	04/17/2020	Printed		KC IND	KING CITY INDUSTRIAL SUPPLY	Supply for New Trash Cans on	1,327.78
63676	04/17/2020	Printed		LA HEARNE	L.A. HEARNE COMPANY	Tyvek Suites for Fire Dept.	173.65
63677	04/17/2020	Printed		LAFCO	LAFCO OF MONTEREY COUNTY	SOI Amendment Application	500.00
63678	04/17/2020	Printed		LOPEZK	KATHY LOPEZ	Soccer Refund	60.00
63679	04/17/2020	Printed		MARKG	MARK GRAHAM	Polygraph for Shaw	300.00
63680	04/17/2020	Printed		CYPRESSW	MILES CLIFFORD FARMER	Wastewater Treatment Plant	12,291.30
63681	04/17/2020	Printed		MO BAY SYS	MONTEREY BAY OFFICE PRODUCTS	Toner for Printer	78.39
63682	04/17/2020	Printed		MOENVIRON	MONTEREY ENVIRONMENTAL	Training Room MoCo	3,155.00
63683	04/17/2020	Printed		NEWSV	NEW SV MEDIA, INC	Public Notice Tree Trimming	100.00
63684	04/17/2020	Printed		OFFICE DEP	OFFICE DEPOT	Office Supplies -Covid 19	417.81
63685	04/17/2020	Printed		PARTS & SE	PARTS & SERVICE CTR- NAPA, INC	Black Paint to Mark	108.30
63686	04/17/2020	Printed		PURE WATER	PENINSULA PURE WATER INC.	Pure Water - KCPD	82.20
63687	04/17/2020	Printed		PAC	PG&E	Electricity & Gas	25,887.52
63688	04/17/2020	Printed		PRINTING	PRINTING SYSTEMS INC.	Payroll Checks	318.41
63689	04/17/2020	Printed		QUILL CORP	QUILL CORPORATION	Envelopes W/Window	138.49
63690	04/17/2020	Printed		RED SHIFT	RED SHIFT INTERNET SERVICES	Internet	30.90
63691	04/17/2020	Printed		WADSW	ROD WADSWORTH CONSTRUCTION	325 Broadway St Facade	1,320.00
63692	04/17/2020	Printed		RRM DESIGN	RRM DESIGN GROUP, INC.	Downtown Plaza Design	7,495.00
63693	04/17/2020	Printed		SALVALP	S & L INVESTMENT	Uniforms - J Partida	482.75
63694	04/17/2020	Printed		SLXINS	S L X INSURANCE AGENCY	Business License Overpayment	150.00
63695	04/17/2020	Printed		SEVENE	SEVEN ELEVEN	Business License Overpayment	101.00

Check Register Report

April 16 - April 30, 2020

Date: 04/30/2020

Time: 7:50 am

Page: 3

KING CITY CITY HALL

BANK: WELLS FARGO BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>WELLS FARGO BANK Checks</b>							
63696	04/17/2020	Printed		GEORGE L M	SO MO CO MEMORIAL HOSPITAL	Business License Overpayment	196.00
63697	04/17/2020	Printed		SMCFPD	SOUTH MONTEREY COUNTY FIRE	Pump Testing	350.00
63698	04/17/2020	Printed		SPEAK	SPEAKWRITE BILLING DEPT	Transcription Services	350.74
63699	04/17/2020	Printed		LEHR	STOMMEL INC	Cleaning Kits for Patrol Cars.	210.00
63700	04/17/2020	Printed		TORO	TORO PETROLEUM CORP.	Gas - Acct #1679	2,157.56
63701	04/17/2020	Printed		TRANSU	TRANSUNION RISK AND ALTERNATIV	TLO	101.30
63702	04/17/2020	Printed		4THOFJULY	SERGIO VILLEGAS	Back Flow Testing Parks	500.00
63703	04/20/2020	Printed		ACEVEDO	EDUARDO ACEVEDO	Cancellation of Youth Soccer	60.00
63704	04/20/2020	Printed		ADAMS	ADAMS ASHBY GROUP, LLC	CDBG Grant Admin	630.00
63705	04/20/2020	Printed		AGUILARS	SYLVIA AGUILAR	Cancellation of Youth Soccer	60.00
63706	04/20/2020	Printed		BARROSOA	ARIANA BARROSO	Cancellation of Youth Soccer	60.00
63707	04/20/2020	Printed		BENITEZ	JESUS BENITEZ	Applicant Withdrew Home	43.00
63708	04/20/2020	Printed		CAMACHOV	VIANNEY CAMACHO	Cancellation of Youth Soccer	60.00
63709	04/20/2020	Printed		CASEY PRIN	CASEY PRINTING, INC.	Public Education Info	820.01
63710	04/20/2020	Printed		CHAVEZC	CYNTHIA CHAVEZ	Cancellation of Youth Soccer	60.00
63711	04/20/2020	Printed		CHAVEZI	INGRID CHAVEZ	Cancellation of Youth Soccer	60.00
63712	04/20/2020	Printed		CNASUR	CNA SURETY DIRECT BILL	C M Public Official Bond	350.00
63713	04/20/2020	Printed		CSGCON	CSG CONSULTANTS INC	Building Plan Review Services.	375.00
63714	04/20/2020	Printed		FLORES D	DANIEL FLORES	Cancellation of Youth Soccer	60.00
63715	04/20/2020	Printed		GARCIATE	TERRY GARCIA	Cancellation of Youth Soccer	51.00
63716	04/20/2020	Printed		HERNANDEZ	SONIA HERNANDEZ	Cancellation of Youth Soccer	60.00
63717	04/20/2020	Printed		LIMONN	NANCY LIMON	Cancellation of Youth Soccer	60.00
63718	04/20/2020	Printed		XTEL	LS DE LLC	Internet Access	1,010.56
63719	04/20/2020	Printed		MANDUJANO	GISELA MANDUJANO	Cancellation of Youth Soccer	60.00
63720	04/20/2020	Printed		MANSFIELDG	GUADALUPE MANSFIELD	Cancellation of Youth Soccer	60.00
63721	04/20/2020	Printed		MOSQUEDAC	CRYSTAL MOSQUEDA	Cancellation of Youth Soccer	60.00
63722	04/20/2020	Printed		ORTEGAG	GUADALUPE ORTEGA	Cancellation of Youth Soccer	60.00
63723	04/20/2020	Printed		PACHECOJ	JESUS PACHECO	Cancellation of Youth Soccer	60.00
63724	04/20/2020	Printed		PROYOUTH	PROYOUTH	After School Program -	4,794.09
63725	04/20/2020	Printed		RODRIGUEZV	VANESSA RODRIGUEZ	Cancellation of Youth Soccer	60.00
63726	04/20/2020	Printed		SALDANAK	KRYSTAL SALDANA	Rec Center Rental	500.00
63727	04/20/2020	Printed		SALINASV	VANESSA SALINAS	Cancellation of Youth Soccer	60.00
63728	04/20/2020	Printed		SANCHEZM	MARISSA SANCHEZ	Cancellation of Youth Soccer	60.00
63729	04/20/2020	Printed		U.S. BAN	U.S. BANK CORP PAYMENT SYSTEM	Various Charges - #8380	635.94
63730	04/20/2020	Printed		VILLAGRANA	AGUSTIN VILLAGRANA	Cancellation of Youth Soccer	60.00
63731	04/20/2020	Printed		VILLAGRANF	FELIPE VILLAGRANA	Cancellation of Youth Soccer	60.00
63732	04/20/2020	Printed		VILLVIRD	VIRIDIANA VILLANUEVA	Cancellation of Youth Soccer	60.00
63733	04/27/2020	Printed		OCHOAS	SALVADOR OCHOA	219 Broadway St.	3,750.00
<b>Total Checks: 92</b>						<b>Checks Total (excluding void checks):</b>	<b>189,913.09</b>
<b>Total Payments: 92</b>						<b>Bank Total (excluding void checks):</b>	<b>189,913.09</b>
<b>Total Payments: 93</b>						<b>Grand Total (excluding void checks):</b>	<b>196,394.57</b>



Item No. 9(C)

**REPORT TO THE SUCCESSOR AGENCY TO THE FORMER KING CITY CDA**

**DATE: MAY 12, 2020**

**TO: HONORABLE CHAIR AND MEMBERS OF THE BOARD**

**FROM: MIKE HOWARD, FINANCE DIRECTOR**

**RE: CONSIDERATION OF SUCCESSOR AGENCY CHECK REGISTER FOR APRIL 16 THRU APRIL 30 2020**

---

**RECOMMENDATION:**

It is recommended the City Council acting as the Successor Agency Board receive and file.

**BACKGROUND:**

At least once a month, the City Treasurer shall submit to the Successor Agency Board, a copy of the invoices paid for the previous month.

**DISCUSSION:**

The purpose of this item is to provide the Council an opportunity to review and monitor ongoing expenditures. These documents are attached.

**COST ANALYSIS:**

There is no fiscal impact as a result of this action.

**ENVIRONMENTAL REVIEW:**

No Environmental Review required for this item.

**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Receive and file the report; or
2. Provide other direction to staff regarding requests for additional information.

**CITY COUNCIL/SUCCESSOR AGENCY  
CONSIDERATION OF SUCCESSOR AGENCY CHECK REGISTER APRIL 16  
THRU APRIL 30, 2020  
MAY 12, 2020  
PAGE 2 OF 2**

Exhibits:

1. Check Register Report

Submitted by:



Mike Howard, Finance Director

Approved by:



Steven Adams, City Manager

Check Register Report

April 16 - April 30, 2020

Date: 04/30/2020

Time: 7:50 am

Page: 1

KING CITY CITY HALL

BANK: SUCCESSOR AGENCY OF

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>SUCCESSOR AGENCY OF Checks</b>							
274	04/17/2020	Printed		JOLLEY/BRY	BRYANT L. JOLLEY	FY 18/19 Audit Services	6,481.48
				<b>Total Checks: 1</b>		<b>Checks Total (excluding void checks):</b>	<b>6,481.48</b>
				<b>Total Payments: 1</b>		<b>Bank Total (excluding void checks):</b>	<b>6,481.48</b>



Item No. 9(D)

**REPORT TO THE CITY COUNCIL**

**DATE: MAY 12, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: STEVEN ADAMS, CITY MANAGER**

**RE: CONSIDERATION OF SUPPORT FOR AB 2165**

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**RECOMMENDATION:**

It is recommended the City Council approve and authorize the Mayor to sign a letter of support for AB 2165.

**BACKGROUND:**

AB 2165 is State legislation introduced by Assembly Member Rivas, who has requested the City's support. AB 2165 would amend the Code of Civil Procedure Section 1010.6, which governs electronic filing and service in civil matters in the trial courts. AB 2165 intends to improve access to justice and overall efficiency by allowing trial courts to recover costs of electronic filing.

**DISCUSSION:**

Assembly Member Rivas and his staff believe it is vital the State of California continue to expand access to justice through digital avenues, especially for the remote parts of California where a trip to the courthouse is a daylong commitment. They believe it would benefit the underserved and rural communities in South Monterey County by saving residents a trip to a courthouse.

Electronic filing and service in the Superior Courts has been authorized since January 1, 2000. The State has made recent changes to improve digital access, but continued strides are necessary in order to digitize courts' processes to expand access to all Californians. AB 2165 would allow trial courts to recover the actual costs of electronic filing to reduce the cost burden to the courts. Allowing recovery of actual costs for electronic filing will result in the courts' improved accessibility and efficiency within the judicial system. As more make

**CITY COUNCIL  
CONSIDERATION OF SUPPORT FOR AB 2165  
MAY 12, 2020  
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electronic filing mandatory, courts can relieve the burden on litigants to retain paper records by allowing electronic signatures on electronically filed documents, reduce the travel requirements of Californians in the rural parts of the State, and ultimately increase access to the judicial system. For Californians in the remote and rural parts of the State, this is especially important. Courthouses are oftentimes hours away, resulting in litigants having to take time off of work to access services, thus creating a disincentive to access the judicial system.

A letter of support has been drafted. Authorization by City Council to submit the letter of support is recommended.

**COST ANALYSIS:**

There is no cost to the City from this action.

**ENVIRONMENTAL REVIEW:**

This matter is not a "project" for the purposes of the California Environmental Quality Act (CEQA) as it does not have the potential for resulting in either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment. No further action is required under CEQA for City Council action.

**ALTERNATIVES:**

The following alternatives are provided for City Council consideration:

1. Approve the letter of support;
2. Modify the letter and approve;
3. Do not approve support for AB 2165; or
4. Provide staff other direction.

Attachments:

1. Letter of Support

Prepared and Approved by:

  
\_\_\_\_\_  
Steven Adams, City Manager



May 12, 2020

The Honorable Mark Stone  
Chair, Assembly Judiciary Committee  
1020 N Street, Room 104  
Sacramento, CA 95814

**RE: AB 2165 (R.Rivas): SUPPORT**

Dear Chairman Stone:

On behalf of the City of King, we are writing to express our support for AB 2165, which will allow trial courts to recover the costs of electronic filing.

Electronic filing is available in about half of trial courts today. Allowing the recovery of actual costs for electronic filing will result in the courts' improved accessibility and efficiency within the judicial system. As electronic filing becomes increasingly mandatory, courts can relieve the burden on plaintiffs to retain paper records by allowing electronic signatures on electronically filed documents. This would reduce the travel requirements of Californians in the rural parts of the State and ultimately increase access to the judicial system.

For Californians in the remote and rural parts of the State, this is especially important. Courthouses are oftentimes hours away, resulting in litigants having to take time off work to access services, thus creating a disincentive to access the judicial system. Therefore, we believe this legislation will assist the residents of our community.

AB 2165 would amend Code of Civil Procedure Section 1010.6, which governs electronic filing and service in civil matters in the trial courts. This would allow trial courts to recover the actual costs of electronic filing to reduce the cost burden to the courts while expanding access to justice for California's residents.

We commend Assemblymember Rivas for his leadership in expanding access to justice, and urge the Assembly Judiciary Committee to pass this important measure.

Sincerely,

Mike LeBarre  
Mayor



Item No. 10(A)

**REPORT TO THE CITY COUNCIL**

**DATE: MAY 12, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: STEVEN ADAMS, CITY MANAGER**

**RE: CONSIDERATION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING EXTENDING THE ENFORCEMENT AND APPEALS PROCEDURES FOR THE ORDERS OF THE HEALTH OFFICER OF THE COUNTY OF MONTEREY RELATED TO THE COVID-19 PANDEMIC WITHIN THE CITY OF KING**

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**RECOMMENDATION:**

It is recommended the City Council adopt an Urgency Ordinance extending the enforcement and appeals procedures for the Orders of the Monterey County Health Officer related to the COVID-19 pandemic within the City of King.

**BACKGROUND:**

On March 4, 2020, the Governor of California declared a State of Emergency to make additional resources available, formalize emergency actions already underway, and help the state prepare for broader spread of the coronavirus (COVID-19). On March 13, 2020, the President declared a National State of Emergency. As a result, on March 16, 2020, the City Manager signed a Proclamation of Local Emergency in King City, which was ratified by the City Council on March 20, 2020.

On March 17<sup>th</sup>, the Monterey County Health Officer issued a Shelter in Place Order, which was reissued on April 3<sup>rd</sup> with increased restrictions. It should be noted that the Municipal Code designates the County Health Officer as the City's Health Officer. A similar order was issued by the Governor of California for the entire State of California on March 19<sup>th</sup>. The Order requires everyone to stay home except for essential needs. Residents may go out only to purchase food and essential supplies, medicine and medical care, exercise, gas or vehicle repair, or to work if they are employed with an exempted employer and job.

The City has been tasked with enforcing the Orders. The approach has been to seek voluntary compliance through public education and communication. Police

## **CITY COUNCIL**

### **CONSIDERATION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING EXTENDING THE ENFORCEMENT AND APPEALS PROCEDURES FOR THE ORDERS OF THE HEALTH OFFICER OF THE COUNTY OF MONTEREY RELATED TO THE COVID-19 PANDEMIC WITHIN THE CITY OF KING**

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officers have visited all business facilities on multiple occasions to educate business operators on the requirements of the Health Officer's Order. They have also patrolled the streets to discourage public gatherings and to ensure proper social distancing is maintained. Signs have been placed at business entrances and along sidewalks to educate the public and guidelines for best practices have been developed and delivered to each business. The City has also distributed a large volume of public education materials and announcements through multiple sources.

At the April 14<sup>th</sup> meeting, the City Council adopted an Urgency Ordinance establishing enforcement and appeals procedures for the orders of the County Health Officer related to the COVID-19 pandemic within the City of King. The Ordinance is due to expire on May 12<sup>th</sup>. The Health Officer extended the Shelter in Place Order on May 4<sup>th</sup>, which is now effective through May 31<sup>st</sup>. Therefore, staff has drafted a new Urgency Ordinance for Council consideration in order to continue the enforcement and appeals procedures while the Order is in effect.

#### **DISCUSSION:**

Most of the community has been very cooperative and voluntarily complied. At the April 14<sup>th</sup> meeting, staff communicated to Council that the purpose of the Ordinance is to serve as an effective deterrent and will not change the Police Department's approach of seeking voluntary compliance through education. Thus far, no citations have been issued. Since the Order does not set forth specific fines and any citations issued are dependent upon the District Attorney's Office to process, it is difficult to enforce effectively. Any citations processed by the District Attorney's Office have a 90-day waiting period. Since this is such a critical issue, staff believes the Ordinance is important simply to have a clear process for enforcement that can be communicated to the public when necessary. Therefore, it is designed to provide Police officers the tools they need to perform their assigned functions in an effective manner.

Voting against the Ordinance in order to eliminate the City's enforcement and appeals procedures will not eliminate the Police Department's authority and obligation to enforce the Order. It will also not eliminate the ability to issue citations. It would only replace a clear and timely process with an ambiguous one. Therefore, it would result in both less effective enforcement and a reduction in customer service by removing the ability to explain clearly to individuals how the process works.

**CITY COUNCIL**

**CONSIDERATION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING EXTENDING THE ENFORCEMENT AND APPEALS PROCEDURES FOR THE ORDERS OF THE HEALTH OFFICER OF THE COUNTY OF MONTEREY RELATED TO THE COVID-19 PANDEMIC WITHIN THE CITY OF KING**

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The new Shelter in Place Order issued by the Health Officer includes some first steps in beginning to allow additional businesses to reopen. At this point, they primarily include outside businesses, including construction, gardeners, and the golf course. The Urgency Ordinance has been updated to include these changes. Fines will continue to be set by the Ordinance in the maximum amount of \$1,000. It also enables the Police Department the option to cite the violation as a misdemeanor for those seriously egregious or repeat violators. Since it is an urgency ordinance, it will require a 4/5 vote to adopt and would take effect immediately.

The Ordinance is limited to provisions from the Health Officer's Order. Therefore, staff continues to rely entirely on medical experts for the provisions to be implemented consistent with all jurisdictions in the County. The only provisions unique to King City will be the enforcement mechanisms used to enforce the Order. The new Ordinance as drafted will now expire on June 9, 2020, which is the date of the first Council meeting following the current expiration date for the County Health Officer's Order of May 31, 2020. This will enable the Council to consider extending the Ordinance if the Health Officer extends the Order again at that time.

City staff and the Police Department propose to maintain its existing voluntary, collaborative and customer service-oriented approach to implementation of the restrictions in the Health Officer's Order. Staff does not anticipate the need to issue many, if any, citations. However, staff believes the existence of established penalties and the process for issuing citations that can be communicated to anyone in violation will be an effective deterrent. This is particularly important given that the Police Department has been assigned the responsibility for enforcing this substantial effort with limited staff and resources. Therefore, this Ordinance is designed to provide them with the tools necessary to accomplish that in an effective, fair and impartial manner in order to protect public health and respond to complaints from the public.

This week, the Governor announced that the State would now allow retail businesses to open with certain restrictions, but the decision will be left up to individual counties. Therefore, staff is waiting to see if the County Health Officer issues any changes to his recent Order in response to the Governor's action. As of the time this staff report was prepared, no changes have been announced yet. In order to ensure to proposed Ordinance is accurate, staff is waiting to finalize it, and it will be distributed separately by Monday, May 11<sup>th</sup>.

**CITY COUNCIL  
CONSIDERATION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF KING EXTENDING THE ENFORCEMENT AND APPEALS  
PROCEDURES FOR THE ORDERS OF THE HEALTH OFFICER OF THE  
COUNTY OF MONTEREY RELATED TO THE COVID-19 PANDEMIC WITHIN  
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**COST ANALYSIS:**

This action is designed to conduct current operations more effectively. Therefore, no change in the costs associated with these activities is anticipated from the proposed action.

**ENVIRONMENTAL REVIEW:**

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Statutory Exemption set forth in CEQA Guidelines, Pub. Res. Code 21080(b)(4), which exempts actions necessary to prevent or mitigate an emergency.

**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Adopt the Ordinance;
2. Modify the fine amount and adopt the Ordinance;
3. Make other modifications and adopt the Ordinance;
4. Do not adopt the Ordinance; or
5. Provide other direction to staff.

Prepared and Approved by:



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Steven Adams, City Manager



Item No. 11(A)

**REPORT TO THE CITY COUNCIL**

**DATE: MAY 12, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: STEVEN ADAMS, CITY MANAGER**

**RE: CONSIDERATION OF PROPOSAL FOR CANNABIS TAX MEASURE**

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**RECOMMENDATION:**

It is recommended the City Council direct staff to draft a measure for the November 3<sup>rd</sup> ballot modifying the existing cannabis tax ordinance to add a cannabis retail tax and to incorporate other recommended changes.

**BACKGROUND:**

At the November 26, 2019 meeting, staff presented a number of recommended changes to cannabis tax rates. Some were approved at that time. Others require approval by the voters. The City's current tax rate for cultivation is \$9.75 per square foot. Nurseries are \$5 per square foot for the first 5,000 square feet and \$2.50 per square foot above that. Manufacturing and testing businesses are charged a flat annual fee of \$31,170.

At the February 25, 2020 meeting, the City Council adopted an Ordinance to allow cannabis storefront retail dispensaries. Staff recommends placing a measure on the November 3<sup>rd</sup> ballot to modify the existing cannabis tax ordinance to establish a tax on cannabis retail dispensary businesses and incorporate other tax rate changes. The purpose of this report is to obtain direction on all proposed changes prior to drafting the tax measure in order to ensure it reflects Council's preferences. Staff intends to present the recommended tax measure to Council at the June 23, 2020 meeting for consideration.

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CONSIDERATION OF PROPOSAL FOR CANNABIS TAX MEASURE  
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**DISCUSSION:**

The following are the primary changes recommended to be included in the proposed tax measure or measures:

Cannabis Retail Dispensaries

A 5% tax on gross receipts for retail dispensaries is proposed, which would apply to storefront and non-storefront. This is a relatively standard practice and rate according to the City's consultant and independent research.

Distribution

It is proposed to establish a tax on distribution business licenses in the amount of 2% of gross revenues, but only on revenues from distribution of cannabis products generated from outside King City. This will eliminate the potential for taxing the same business for the same products twice. According to the City's consultants, most of their clients have included a distribution tax and the rate is typically in the range of 2% to 3%. Therefore, this recommendation would maintain what will likely be considered a relatively low rate.

Hemp

It is recommended the tax measure or a separate tax measure extend all the applicable tax rates to hemp. This would include manufacturing, distribution and retail. Staff received a mixed reaction from City Council when this was first discussed. If the City Council is reluctant to establish a tax on hemp products and activities at this time, it is still recommended to request voter authority for the tax. The City Council would maintain the ability to reduce or eliminate the tax at this time. However, as markets change and businesses structure their products to meet changing demands, it may substantially impact the City's tax revenues in the future. The State Legislature is also working on regulatory changes that will treat cannabis and hemp operations consistently. At that time, the City may find it necessary to tax hemp products and it would be helpful to have the authority in place.

Structure of Tax Measure

It is recommended the tax measure be structured to update the existing tax ordinance. There have been a number of legislative and regulatory changes since the City's tax measure was first approved. Therefore, this will be an opportunity to modernize the ordinance to incorporate changes in technology, references and terminology.

**CITY COUNCIL  
CONSIDERATION OF PROPOSAL FOR CANNABIS TAX MEASURE  
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Manufacturing

Staff originally recommended an increase in the manufacturing tax rate, which also received a mixed response. It was instead suggested that the rate could be increased over time through the annual CPI adjustments, which have begun to take effect. Staff believes this is an appropriate strategy to experience future growth in revenues while maintaining a competitive tax rate. Therefore, the increase is no longer recommended.

**COST ANALYSIS:**

The total cost of drafting the measure, placing it on the ballot, and providing public education is projected to be about \$10,000.

**ENVIRONMENTAL REVIEW:**

This matter is not a "project" for the purposes of the California Environmental Quality Act (CEQA) as it does not have the potential for resulting in either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment. No further action is required under CEQA for City Council action.

**ALTERNATIVES:**

The following alternatives are provided for City Council consideration:

1. Direct staff to prepare the tax measure for Council consideration and incorporate staff's recommended taxes and rates;
2. Incorporate staff's recommended taxes in the ballot measure, but modify the rates;
3. Direct staff to proceed in drafting a tax measure for cannabis retail businesses, but not others;
4. Do not direct staff to prepare a tax measure; or
5. Provide staff other direction.

Prepared and Approved by:

  
\_\_\_\_\_  
Steven Adams, City Manager