

**City Council Meeting  
May 12, 2020**

**1. CALL TO ORDER:**

Regular Meeting called to order at 6:01pm 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.

Mayor LeBarre announced that he would be adjourning the meeting in memory of Victor Avalos.

**4. CLOSED SESSION ANNOUNCEMENTS:**

None

**5. PRESENTATIONS:**

A. Recognition of National Public Works Week

Council member Acosta appreciates all the public works workers and all they do. Council member DeLeon feels that Public works is amazing, and they are a great asset to the city, it feels like there are more than the few that are working and keeping the city look good. Council member Cullen is very appreciative of them and their hard work early mornings and all types of weather they are out there.

Mayor Pro Tem Victoria stated that we have a great public works staff.

Mayor state that with all the additional tasks they have to perform they have a good heart and passion for our community, they are appreciated.

City Manager has never worked with a public works crew as good as this one, that are hard workers and very dedicated and focused on their job and doing the best that they can.

**6. PUBLIC COMMUNICATIONS:**

None

**7. COUNCIL COMMUNICATIONS:**

Council Member DeLeon stated that he got items (pens, t-shirts) from the Census and he distributed it out in his neighborhood and it was a big hit it helps remind people that the census is still happening and its very important to participate.

Council Member Acosta stated nothing to report at this time.

Council Member Cullen stated that the Salinas Valley Fair stated that with the paycheck protection plan they could continue to pay their staff. The money for the property has been allocated and budgeted. This would be fair week under normal circumstances. The kids will be turning in their animals and they will be processed and the auction on June 20th. Fall Carnival is still tentatively planned for September 24-27. Online auction there will be an insert on June 17<sup>th</sup>. Salinas Valley Solid Waste Authority canceled the last Friday meeting that they were supposed to have. Progress is not moving forward at this time.

Mayor Pro Tem Victoria thanked Council member Cullen for what he is doing with Salinas Solid Waste Authority. He received swag from Census and has passed out some of it. He is fielding a lot of questions about business being opened. He worked at the fairgrounds parking lot for the wifi providers for the from 1-5p.m. M-F and Chalone Peaks middle school and Del Rey children from 8a.m. to 7p.m.

Mayor LeBarre thanked Council member Cullen for what he is doing with the Salinas Solid Waste Authority and stated that he has a lot more zoom meetings and weekly briefings with Federal and State and Monterey County. He has been participating in Digital Equity Group and they are raising dollars for devices and access with wireless providers. Supervisor Lopez organized a business town hall this Thursday at 5:00p.m.

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

City Manager Steven Adams stated the City is trying to partner with the schools for a grant for wifi and devices. On the order it has changed since the last meeting on masks, staff has been able to get a mailer out to the community on the order. Masks and bandannas have been being passed out to stores. The County just acquired a large number of masks that we are coordinating with to get out to ag. Businesses opening for curbside service. Signage has been requested staff is working with Casey Printing on some nicer signs to post in the downtown and other businesses. City Hall is getting ready for re-opening even though we do not have a date. Purchasing temporary shields, more signage, and other things for maintain social distancing.

City Attorney Roy Santos stated no new developments right now.

#### **9. CONSENT AGENDA**

- A. Consideration: Meeting Minutes of April 28, 2020 Council Meeting
- B. Consideration: City of King Check Register April 16, thru April 30, 2020
- C. Consideration: Successor Agency Check Register April 16, thru April 30, 2020
- D. Consideration: Support for AB 2165

Action: Motion to approve consent agenda items A-D by Victoria and seconded by DeLeon.

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

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

#### **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

Mayor LeBarre read the title into the record.

City Manager Adams introduced this item.

Council member DeLeon clarified about wearing the face mask in public. He had an incidence where the community member stated that the police said they didn't have to wear one if they don't want to. Chief Masterson ask for more information and will look into it.

Council member Acosta feels that she is not for furthering this. She has nothing but respect for the King City Police Department and the City's position in this. She believes that it is time to equally put together a plan towards recovery for the business community and the social emotional needs of our children and the unemployed as well due to Covid 19 and to back a mutual plan to safely return to life. This order addresses repressive negative numbers that does not apply to King City or its citizenry. There is no clear end in sight as she reads everything that comes in or the needs of our community are not considered. There is an increase to alcohol, drug abuse and domestic violence. Monterey County of Behavior Health and the Monterey County Office of Education often meet with Monterey County homeless Coalition they have been working on solutions for the underserved children that do not have access to the internet. Many of the parents have returned to work in the field and which leaves the youth without parental oversite and prime for gang grooming. Without sports, swimming pools, or the ability to play at parks children are isolated which is a concern for suicide, drugs and other things. The very thing that we have fight so hard as this council to provide with ProYouth, our citizens violence abatement strategy committee that provides structure This is very difficult years for young people already and isolation is just adding to more problems. She believes that our responsibility to work as hard to establish a safe way of opening of the business community and not let their life work go for not.

Council member Cullen ask what the implications if we do not pass this ordinance. City Manager stated that it doesn't change that the City has to enforcement this order it just makes it more difficult to enforce the order for the Police Department and makes it more difficult to explain to the public how it works. Chief Masterson stated that he agrees with what the City Manager stated. We are duty bound to enforce this order. Chief Masterson likes the thought of local control. Council member Cullen agrees with all the comments that have been made. Yet we are bound to enforce the order.

Mayor LeBarre stated that there are great points on either side. He is concerned with the original draft with the ability to state as facts the where as' he hopes the rest of the council will consider this. He would be open to going to a two-week review. He is concerned with the order morphing into something different. He wants it to state facts accurately. He would like to bring back the City's emergency declaration for review to verify that the facts are still in existence. Recognizing that ultimately it is governed by the governor and the health officer.

City Attorney Santos stated the legal issue bringing the ordinance back before the expiration and explained the cost of republishing the ordinance every two weeks. City Manager ask if the council wanted to review and remove it would that be something they could do and if it didn't change not take action. City Attorney stated that could be a possibility.

Mayor LeBarre opened the public hearing, hearing no one come forward Mayor LeBarre closed the public hearing

Action: Motion to 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 with the edit the mayor made and the alteration as far as the vote goes for lifting the ordinance by Cullen and seconded by Victoria.

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

NOES: Council Members: Acosta,  
ABSENT: Council Members:  
ABSTAIN: Council Members:

## **11. REGULAR BUSINESS:**

### A. Consideration: Proposal for Cannabis Tax Measure

City Manager Adams introduced this item.

Council member Cullen wanted to remind everyone that he got an education from Hearne company and the manufacturing for hemp the bottom has dropped out. Need to be careful about taxing hemp. He supports all the other items.

Council member DeLeon agrees with Council member Cullen.

Mayor LeBarre recommends not having hemp on the ballot. Same concern on distribution. Have in place but not have it activated. He would like to have more discussion on distribution.

Council member Cullen agrees with the Mayor on the hemp not on the ballot. He feels that 2% for distribution on sales outside the city is ok. Council member Acosta agrees with Council member Cullen.

City Attorney Santos stated that the consultant was looking to the changes that will be happening in the dispensary that the hemp will be able to be sold just like the cannabis in the dispensary.

Council member Cullen would like to see the tax for hemp just for dispensaries.

Karen Jernigan's concern on this item is the cost to put this on the ballot and she would like to know how long it would take to recoup the \$10,000 in cost plus more for revenue. She feels it is too complicated to explain and difficult to understand, she is not sure people will vote for this and she is not sure they will make the money back.

Action: Motion to 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 to include hemp on the retail side only on dispensaries at same rate of 5% 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**

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

## **ADJOURNMENT:**

Mayor LeBarre adjourned the meeting in memory of Victor Avalos 7:08p.m. to closed session.

7:12p.m. went into closed session.

7:15p.m. back in regular meeting, with nothing to report out of closed session on a motion by Victoria and seconded by DeLeon, and unanimous vote Mayor LeBarre adjourned the meeting.

**Approved Signatures:**



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**Mayor, Michael LeBarre**  
**City of King**



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