

**City Council Meeting
June 28, 2022**

1. CALL TO ORDER:

Regular Meeting called to order at 6:00pm by Mayor LeBarre.

2. ROLL CALL:

City Council: Mike LeBarre, Council member Darlene Acosta, Carlos DeLeon, Mayor Pro Tem Carlos Victoria.

Council member Cullen is absent.

City Staff: Acting City Manager Keith Boyd; City Attorney Roy Santos; Executive Admin. Asst./Deputy City Clerk, Erica Sonne.

3. FLAG SALUTE:

The flag salute was led by Mayor LeBarre.

4. CLOSED SESSION ANNOUNCEMENTS:

None

5. PRESENTATIONS:

None

6. PUBLIC COMMUNICATIONS:

None

7. COUNCIL COMMUNICATIONS:

Council Member DeLeon stated he had nothing to report tonight.

Council Member Acosta stated she had nothing to report tonight.

Mayor Pro Tem Victoria stated he had nothing to report tonight.

Mayor LeBarre stated his meeting schedule is in the packet.

8. CITY STAFF REPORTS AND COMMENTS:

Acting City Manager Keith Boyd stated the project HomeKey documents were signed, and funding should be issued soon. Doreen Liberto will keep us informed when the funds are released.

9. CONSENT AGENDA

- A. Consideration: Meeting Minutes of June 14, 2022, Council Meeting
- B. Consideration: City of King Check Register June 1, through June 15, 2022
- C. Consideration: King City Community Power (KCCP) Register May 1, 2022 through May 31, 2022
- D. Consideration: FY 2022-23 Job Classification Plan
- E. Consideration: Confirmation of Election of King City Volunteer Fire Department Officers and Engineers

- Chief: Russ Nichols
 - First Assistant Chief: Matthew Owens
 - Second Assistant Chief: Michael Hearne
 - Secretary/Treasurer: Tom Nuck
 - Chief Engineer: Steve Rianda
 - First Assistant Engineer: John Nuno
 - Second Assistant Engineer: Carlos Perez, Jr.
 - Third Assistant Engineer: Mark Silveira
 - Fourth Assistant Engineer: Ty Caulk
 - Fifth Assistant Engineer: Joseph Kerr
 - Sixth Assistant Engineer: Cole Lambert
- F. Consideration: Fifth Amendment to the Employment Agreement for City Manager Services
- G. Consideration: Support for the State Route 46 Multi-Modal Corridor Improvement Project

Mayor commented on 9(E) reading officers and engineers into the record. He stated that the city is fortunate to have these individuals in the Fire Department.

Action: Motion to approve consent agenda items A--G by Victoria and seconded by Acosta.

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

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

10. PUBLIC HEARINGS:

- A. Consideration: An Ordinance Amending Noise Restrictions in the City

Acting City Manager Boyd introduced this item.

Mayor Pro Tem Victoria brought this to the Council's attention because of constituents feeling that they were being targeted for noise. Mayor Pro Tem Victoria feels that this change will help on action being taken.

Mayor LeBarre read the ordinance title into the record.

Mayor LeBarre opened the public hearing.

Acting City Manager Boyd read Council member Cullen's comments into the record "I think cleaning up the conflicting sections will help, and I'm glad that the Fairgrounds is addressed in the staff report. In my district the majority of complaints I hear is from their events. I also like that it's proposed to continue the rule of no amplified music from 10 PM to 9 AM"

Seeing and hearing no one further come forward Mayor LeBarre closed the public hearing.

Action: Motion to introduce an Ordinance repealing Chapter 7.24 and 7.25 of the King City Municipal Code pertaining to prohibited noise making conduct and replacing it in its entirety with Chapter 7.25 Noise Control Standards to be read by title only, open the hearing, allow for public testimony, close the hearing, waive first reading of the Ordinance, and approve the introduction of the Ordinance by Victoria and seconded by DeLeon.

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

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

- B. Consideration: The 2022 Engineering and Traffic Survey and Adjustment to Speed Limits, Including Adopting Finding of a Categorical Exemption, Pursuant to Section 15301 of the CEQA Guidelines

Acting City Manager Boyd introduced City Engineer Octavio Hurtado.

City Engineer Octavio Hurtado introduced this item.

Mayor LeBarre asked if anyone from the public that would like to speak on this item.

Acting City Manager Boyd read Council member Cullen's comments into the record "No major concerns, though in an ideal world I'd want the speed limit for San Antonio to be the same all the way from Broadway to Metz. Seems like it'll be confusing for drivers when it goes from 35 to 30 once they pass Willow."

Seeing and hearing no one come forward Mayor LeBarre brought it back to council.

Action: Motion to 1) adopt Resolution 2022-4887 approving the 2022 Engineering and Traffic Survey results for the establishment of posted speed limits within the City of King including adopting finding of a categorical exemption, pursuant to section 15301 of the CEQA guidelines; and 2) introduce an Ordinance modifying speed limits for portions of San Antonio Drive, Canal Street and Bitterwater Road. by Acosta and seconded by Victoria.

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

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

11. REGULAR BUSINESS:

- A. Consideration: King City Community Power Annual Budget and Rate Setting Review

Acting City Manager Boyd introduced Kelly Foley.

Kelly Foley further introduced this item.

Mayor LeBarre is a big proponent of molten salt reactors.

Acting City Manager Boyd read Council member Cullen's comment during public comment "All makes sense. If I was at the Council meeting, I'd ask "is it time for us to look at doing a wind turbine again?" We looked at the option around 10 years ago and decided not to proceed. But with technical advancements it may be worthwhile to take a look again."

Ms. Foley said she could look into molten salt reactors and wind turbines.

Action: adopt a Resolution approving the King City Community Power (KCCP) Annual Budget and rates for FY 2022-23. by DeLeon and seconded by Victoria.

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

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

B. Consideration: Provide Guidance to Staff to Draft a Tobacco Retail License Ordinance Banning the Sale of Flavored Tobacco Products and Single-Use Electronic Devices

Acting City Manager Boyd introduced this item. He stated that we could have encounter opposition from businesses that currently sale flavored tobacco products and single-use electronic devices.

City Attorney Shannon Chaffin stated that there are some legal risks, and restraints in abilities to do certain things without potentially resulting in payments or liabilities to the city. He suggested that the City Council request the city attorney's office to prepare a confidential memo and provided it to them to know all the information regarding legal risks, approaches, advantages and tactical considerations to be able to have an informed decision as they move forward.

Acting City Manager Boyd read Council member Cullen's comment during public comment "I 100% support the drafting of an ordinance to ban. And to state the obvious, I'd hope that we reach out to the affected businesses to invite them to the meeting when we review & discuss the proposed ordinance"

Lila Sildon sent a memo via email "Dear Honorable Mayor and City Council Members, I would like to support King City's amendment of the Tobacco Retail License Ordinance to include the prohibition of flavored tobacco products and single-use electronic cigarettes.

I am a volunteer and resident of Pacific Grove and can proudly say that Pacific Grove now has strong TRLO which includes a ban of flavored tobacco products and single-use e-cigarettes and smoke free indoor, outdoor and multi-unit housing ordinances.

These ordinances protect the health and wellbeing of our residents and youths and support education of the public and visitors of our very fragile environment. Secondhand smoke can severely affect the lungs of everyone exposed, including the elderly and youth.

As a volunteer, I help pick up our shoreline in Pacific Grove and Monterey. We find litter of cigarette butts and discards of electronic cigarettes along our national marine sanctuary. Our last yearly data collection listed over 32,000 cigarette butts and e-waste found along our shoreline. Additionally, the microplastic that comes from this litter can devastate our marine life and sanctuary."

Michelle House, Monterey County Health Department, the county applauds you and is happy that you are moving forward with banning flavored tobacco. She wanted to mention that even if the state passed the ban that the City ordinance is stronger.

Kendra Howell, Blue Zones Project Monterey County, she stated that support the City moving forward with banning the sale of flavored tobacco products and single-use electronic devices.

Sheila Phan, Project coordinator representing Breathe California, they support the City moving forward with banning the sale of flavored tobacco products including menthol and single-use electronic devices.

Action: Motion the City Attorney's office draft a confidential memo and City Council direct staff to draft a tobacco retail license ordinance banning the sale of flavored tobacco products and single-use electronic devices by DeLeon and seconded by Victoria.

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

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

C. Consideration: Authorization to Enter Into 2-Year Agreement With "The SPCA for Monterey County" For Animal Sheltering Services

Acting City Manager Boyd introduced this item.

Acting City Manager Boyd read Council member Cullen's comment during public comment "Many years ago we contracted with Dr. Cheney for this service. With the change in veterinarian there it'd be nice to gauge her interest in providing the service. I know this item is for a contract renewal of 6/30, and that the SPCA has agreed to extend to 9/30/22 while we consider this contract extension. Does that give us time to approach the new vet?"

Action: Motion to authorize the City Manager to execute a 2-year agreement with The SPCA for Monterey County in a form approved by the City Attorney for animal sheltering services.
by Victoria and seconded by LeBarre.

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

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

D. Consideration: City Council Consideration to Provide Direction to Staff on Community Naloxone (Narcan) Education and Distribution

Acting City Manager Boyd introduced this item.

City Council Member Acosta stated that they are also working on a special community event on July 25th which would give more outreach by doing both.

Acting City Manager Boyd read Council member Cullen's comment during public comment "Steve - when you first told me about doing the education as part of National Night Out I was both optimistic and nervous (nervous about logistics given how loud the event is). But I like the proposed idea of doing them in the PD. So I'm a thumbs up on this one"

Action: Motion City Council direct staff to conduct Narcan education training and distribution to members of the public during National Night Out festivities on August 2, 2022 and develop an ongoing community Narcan program by Acosta and seconded by Victoria.

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

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

12. CITY COUNCIL CLOSED SESSION

None

ADJOURNMENT:

Mayor LeBarre adjourned the meeting at 7:16p.m. on a motion by Victoria and second by DeLeon, approved 4-0.

Approved Signatures:

A handwritten signature in blue ink, appearing to read 'M LeBarre', written over a horizontal line.

Mayor, Michael LeBarre
City of King

City Clerk, Erica Sonne
City of King