

MEETING MINUTES



80 Watt District/PBID General Meeting- Board of Directors

Wednesday, May 11, 2023, @ 11:00 am to 12:30 pm

In-Person: 4636 Watt Ave. 2nd Floor SAFE Conf RM and Zoom

= Votable Agenda Item

ROLE CALL

Executive Board of Directors Attending: Trena Ellis – Vice Chair; David Kuhnen -- Treasurer; Vanessa McCarthy-Olmstead –Secretary;

Directors Attending: Jon Nidiffer-- ACS Controls; Tina Dover—B&Z Properties

Board Absent: Sam Wingard, Jadi Howard

Executive Director: Jhason Wint

Vendors/Partners: Security- 2 officers from SPS

Closed Session: N/A

Call to Order, Introductions, and Public Comment:

- I. **Public Comment- 3 minutes:** Praise to Deputy Melissa Propps for expediting the removal of the illegally parked trailer on Winona Ave. AI asked if there are plans for any of the vacant buildings throughout the district as indications of growth. Nothing from the County. Chris, Owner of the Love Laundry building is touring 3 of his suites with hopes of bringing in national chains.
- II. **Consent Agenda**
 - a. Board Minutes; March 9th & April 19th, 2023 *Jon Nidiffer motion to accept. Dave Kuhnen 2nd. Vote: Trena-Yay; Dave-Yay; Vanessa-Yay; Jon-Yay; Tina-Yay= Unanimous*
 - b. Security Minutes; March 2nd & April 6th 2023 *Yay’s-Motion PASS!*
- III. **Executive Director Report/ Committee updates:**
 - a. Executive Director – Jhason Wint
 - i. Brown Act Training; Rick Heyer (11:00 am) *See Attached. Rick Answered clarifying questions at the conclusion of the presentation.*
 - ii. 2022 Annual Report received by Mike Middleton with minister changes. Changes made and resubmitted. *Noted.*
 - iii. Annual Report draft. *Draft accepted by County. Submission complete. Will now create a more animated presentation.*
 - iv. County Dump Voucher \$509.25 Saved in April! Report from Bissel Bro’s. *Vouchers not only saving money but time as well. Efficiency has improved. No more need to wait to get enough weight to make runs count.*
 - v. SHINE. *In the process of completing forms to receive funds.*
 - vi. Carmichael State of PBID/ Salute to Democracy Breakfast. *Jhason attended both events and feels it is important to increase cross-PBID collaborative efforts as well as represent 80 Watt PBID at events.*
 - vii. *Website almost ready to launch!*
 - b. Security Task Force: (Dave Kuhnen) *SPS Gave Report (Attached)*
 - c. Maintenance & Beautification: (David Kuhnen) *Deferred to report from Bissell Bros*
 - d. Marketing & Advocacy Update: (Trena Ellis & Vanessa McCarthy-Olmstead) *Going to schedule a meeting to replace banners.*
- IV. **NEW Business**
 - a. List of concerns regarding Safe Stay: *Jon Nidiffer had many questions. Vanessa instructed him to direct them to her. She also recommends that PBID does not get too involved in answering questions about the Safe Stay, as it is still early in the process.*
- V. **Board of Supervisors- Chief of Staff Vanessa McCarthy-Olmstead** *Safe Stay is likely not going to be operational until 2024, but will keep us apprised.*
- VI. **Additional Topics for the good of the order –**
 - a. Quick topics requiring little discussion. *Need to officially accept Sam Wingard’s resignation using his email communications as his notice of resignation*
 - b. Lengthy topics will be added to next month’s agenda:
- VII. **Adjournment:1:09 pm**
- VIII.

Jhason Wint, M.B.A, 32°
Executive Director | 80 Watt District/ PBID

P: 916-495-5599

Mailing: 4628 Watt Avenue #365 | North Highlands, CA 95660

W: 80WattDistrict.com

BROWN ACT NOTICE: Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. Action may not be taken on items not posted on the agenda. **ADA NOTICE** Meeting facilities are accessible to persons with disabilities. . If you require special assistance to participate in the meeting, notify Jhason Wint, M.B.A. at 916.495.5599 at least 48 hours prior to the meeting.

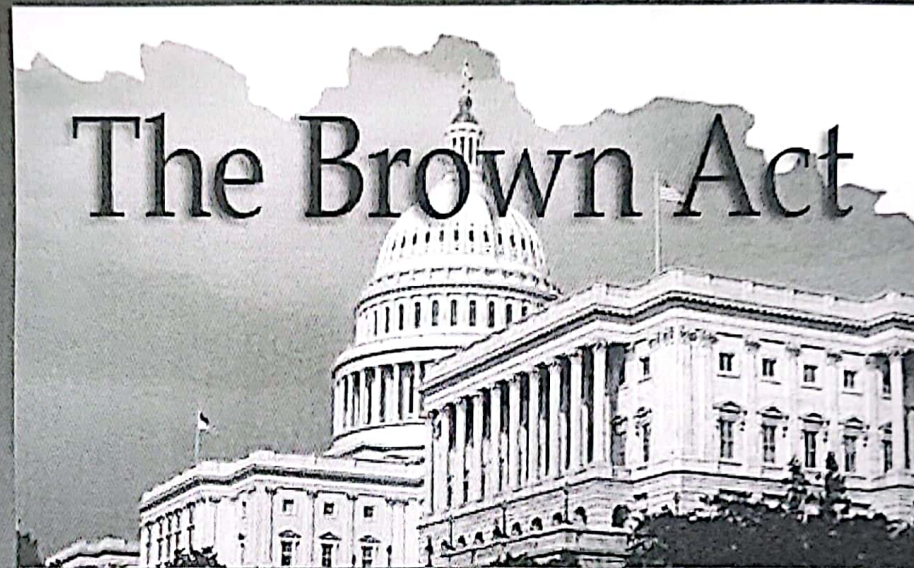
Executive Director Notes from Brown Act Training

- Emergency = flood, fire, etcetera. NOT any manner of emotional bias toward a topic that a director wished to discuss.
- Vendor contracts are a matter of public record and can be made available upon request, but not necessary to post.
- Contract negotiations can be discussed via ad hoc committee, this does not have to be noticed or publicized. It is for a limited time for a specific purpose, and the Brown Act does not apply. However, the creation of the ad hoc committee must be due to an agenda item necessitating its creation.
 - VOCAB- DETRIMENTAL RELIANCE (As pertaining to contracting with vendors)
 - Detrimental reliance occurs when a party is reasonably induced to rely on a promise made by another party. In many states, a detrimental reliance claim is actionable if the reliance itself caused the plaintiff to suffer some “detriment,” loss, or other harm.
- Public comment comes in two forms: on agenda, and off agenda. On agenda allows for back and forth discourse and brief discussion. Off agenda only allows the comment to be heard with no answer due to it not being on the agenda. If necessary, it can be added to the agenda of a future meeting allowing for discussion.
- Closed session meetings must have an attorney present to afford the board members privilege, and reduce exposure.
- Highly recommended that all votes carried out via roll call modality
- remote meetings are allowed up to three times per year for the following reasons: illness, family illness, traveling on government business, or in A room properly noticed to the public prior to the meeting-and also must be publicly accessible. That your mental

Brown Act Training Sign-in

5-11-2023

Name	Organization/ Role
Steve Borth	3610 Winona Way
Terry Howell	3550 Winona Way
Raleigh Annis	Bissell Bros
Elizabeth Cervantes	3537 Winona way / Lush Salon
Alfonso Cervantes jr	3537 Winona way
Vanessa Olmstead	mccartney-olmstead v @ sacounty.gov
Jon Nidiffer	Jon@ACScontrols.com
David Kuhn	dk@recyclingindustries.com
FRAN ELIS	SATECU - Board Chair
Tina Oover	PRID Board member HOA mgr. for Highlands 80
Jason Wm	Executive Director 80 with PRID jr



(GOVERNMENT CODE §§ 54950 – 54963)

RICK HEYER

SUPERVISING DEPUTY COUNTY COUNSEL

General Rule

- ▶ Provides legal minimums for transparency in decision-making
- ▶ Decision-making bodies must conduct business in open and in public meeting to ensure that the public is fully informed about local decisions
- ▶ Articles in San Francisco Chronicle title “Your Secret Government”

The Act Applies to Legislative Bodies of Local Agencies

- ▶ Governing bodies-Board of Supervisors/City Council/School Boards etc. etc.
- ▶ Subsidiary bodies-commissions, committees created by Statute, charter, ordinance, resolution or formal action of a legislative body
- ▶ Bodies like the CCP AB, created pursuant to WIC § 749.22 for limited purpose of creating plan are subject to Brown Act

WHAT IS A MEETING?

- ▶ A meeting is any situation involving a **majority** of a **decision-making body** in which business is transacted or discussed.
 - ▶ Does not require that action be taken
 - ▶ Majority of governing body cannot talk privately about an issue before the body no matter how the conversation occurs, whether by
 - telephone,
 - e-mail or
 - at a local coffee shop

Serial

Meetings Prohibited

- ▶ Serial meetings are prohibited
- ▶ Serial meeting is a series of meetings conducted through direct communications, intermediaries or technological devices **to develop a concurrence as to action to be taken.**
- ▶ Hub and spoke-A to B, A to C and A to D
- ▶ Sequential-A to B, B to C, C to D
- ▶ Simultaneous-A,B,C and D have joint conversation by phone or other means

Serial Meetings: Practice Tips

AVOID SUBSTANTIVE COMMUNICATIONS (DIRECTLY OR THROUGH OTHERS) WITH OTHER MEMBERS RE ITEMS THAT ARE ON AN AGENDA OR LIKELY TO BE PLACED ON A FUTURE AGENDA

DISCUSSING PROCEDURAL ISSUES (TIME, DATE AND ORDER OF MATTERS ON AN AGENDA) IS NOT PROHIBITED. BUT DO NOT DISCUSS SUBSTANTIVE COMMUNICATIONS

STAFF BRIEFINGS ARE PERMISSIBLE TO ANSWER QUESTIONS/PROVIDE INFORMATION TO MEMBERS IF STAFF DOES NOT COMMUNICATE THE COMMENTS OF MEMBERS TO OTHER MEMBERS OF THE LEGISLATIVE BODY

Permissible Gatherings

- ▶ Not every gathering of governing body members amounts to a violation
- ▶ Attendance at an educational conference or a social event is not a violation if a majority of the governing body does not discuss business at the event.

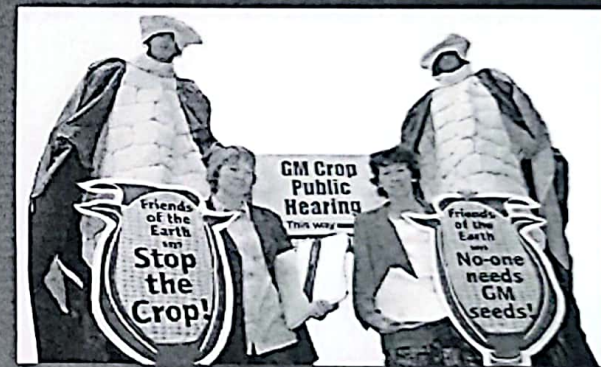
Types of Lawful Meetings

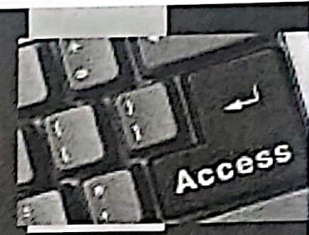


- ▶ Regular meetings-time and place established by ordinance, resolution or bylaws
- ▶ Special meetings-called 24 hours before meeting by the presiding officer or a majority of the board/legislative body
- ▶ Emergency meetings-crippling activity, work stoppage or other activity that severely impairs public health/safety-1 hour notice

Basic Rights of the Public

- ▶ To receive agenda materials
- ▶ To notice of meetings
- ▶ To attend meetings
- ▶ To record meetings
- ▶ To comment at meetings
 - ▶ Items on the agenda
 - ▶ Non-agenda matters





Access to Written Materials

- ▶ Agenda and any written materials related to items on agenda that are distributed to a member are public records
 - ▶ Emails or other written material relating to an agenda item that is sent by staff directly to a member must be provided to all members
 - ▶ Draft staff reports that are provided to individual members for comment/input must be provided to others
 - ▶ "On the agenda" includes items not only on upcoming agenda but items which are reasonably foreseeable to be on any future agenda
 - ▶ Draft staff reports provided to individual members for comment must be provided to other members.

- ▶ Documents provided less than 72 hours before meeting must be made available to the public at the same time as provided to majority of members

- ▶ Documents provided by others (public) must be made available promptly after the meeting

Agenda Requirements

- ▶ Agenda must contain a brief description of each item of business to be transacted or discussed
- ▶ Closed session must be on the agenda
- ▶ Must include time for public comment before or during agenda item



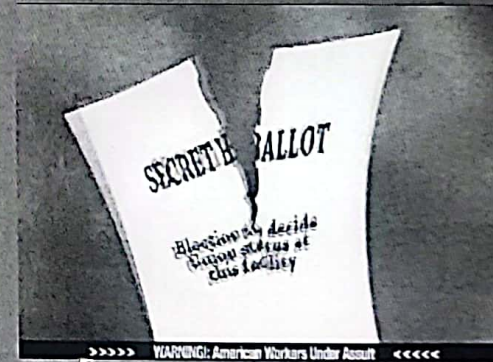
Right to Attend Meeting

- ▶ Accessible to disabled persons
- ▶ No precondition to attend
- ▶ If sign-in sheet, must clearly state that it is optional



Conducting Meeting

- ▶ Must permit audio/videotape recording by public and media unless disrupts meeting
- ▶ No secret ballots
- ▶ May use teleconferences for public comment



Right to Comment

- ▶ On each agenda item
 - ▶ Before conclusion of consideration of item (if discussion item) or before action taken (if action item)
- ▶ On any matter within the body's jurisdiction that is not an agenda item
 - ▶ May schedule for any time in meeting
 - ▶ Members may not discuss or respond substantively

Limits on Public Comment

- ▶ May limit amount of time for each item
- ▶ Reasonable limit on total public comment time on an item
- ▶ No right to disrupt
- ▶ No right to a response from body or its members

Consequences of Brown Act Violation

- ▶ Civil action
 - ▶ Injunction against violation
 - ▶ Decision voidable (right to cure)
 - ▶ Attorneys fees and costs
- ▶ Criminal sanctions
 - ▶ Misdemeanor



AB 361/2449

- ▶ Allows for virtual meetings to continue during declared emergency
- ▶ Sunsets possibly on January 31, 2023 (anticipated)
- ▶ AB 2449 and Remote Meetings
 - ▶ allows a member of a legislative body to attend meetings remotely in limited circumstances which are related to illness/dependent care. Only be used 2x a year
 - ▶ A quorum of the body must be physically present in the physical meeting place

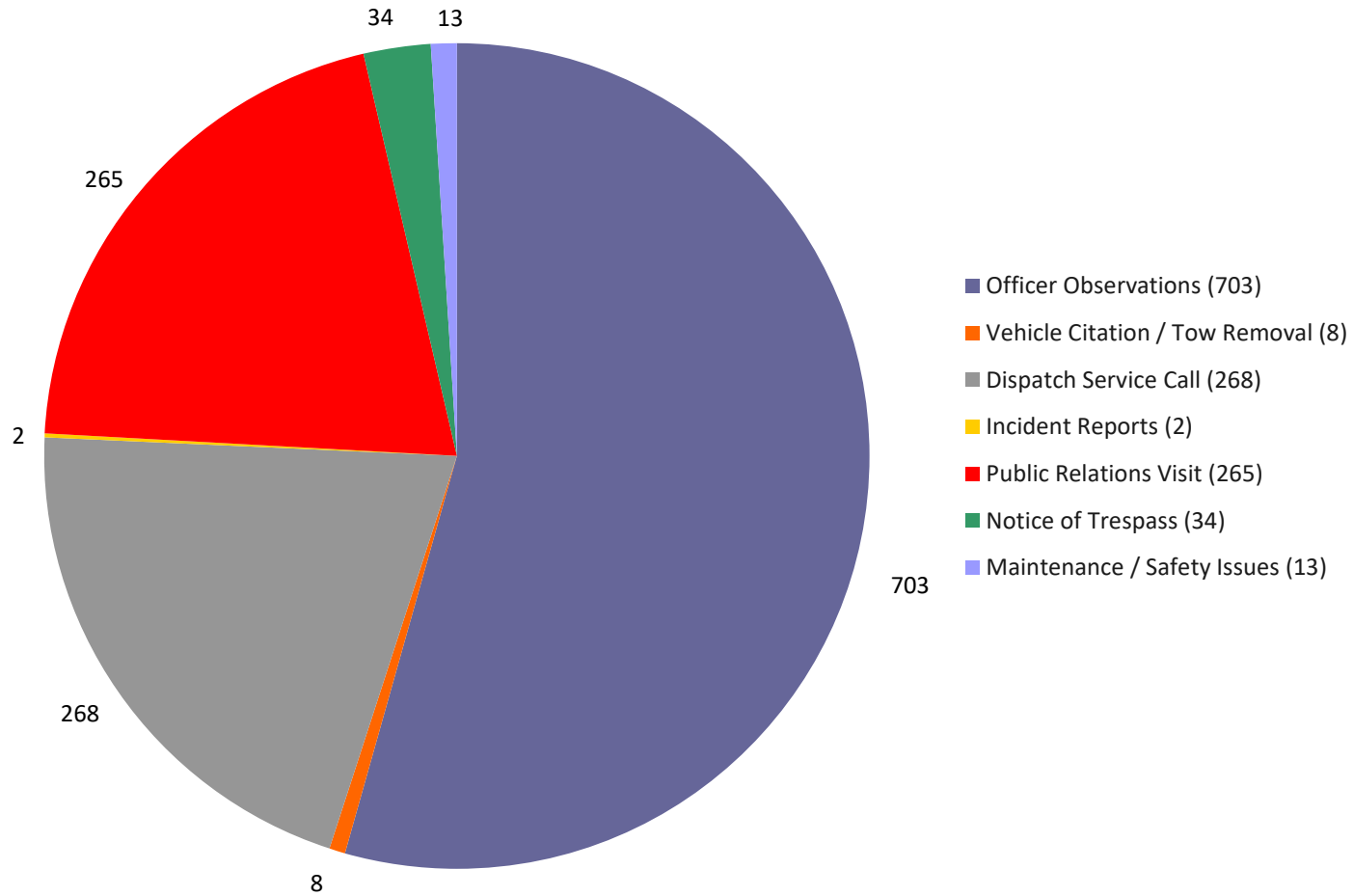
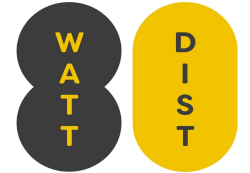
80 Watt- APR 2023

<u>WEEK</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>TOTAL</u>
Bags of Trash	66	25	53	39	183
Mattresses	6	4	3	2	15
Misc Items	53	31	55	22	161
Furniture Removed	3	2	3	1	9
Signs Removed	0	2	1	1	4
Shopping Carts	13	6	23	12	54
Tires Collected	14	6	13	3	36
Hazardous Items	24	9	21	11	65
Graffiti Removal	1	0	2	1	4
Dump Fee Savings	\$209.25	\$50	\$200	\$100	\$509.25
Net Weight	3280	1380	2080	1480	8220
Street Sweeping	4/15/2023				



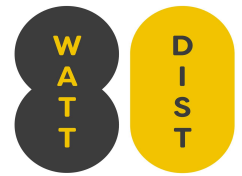
APRIL 2023

Report Entry Types

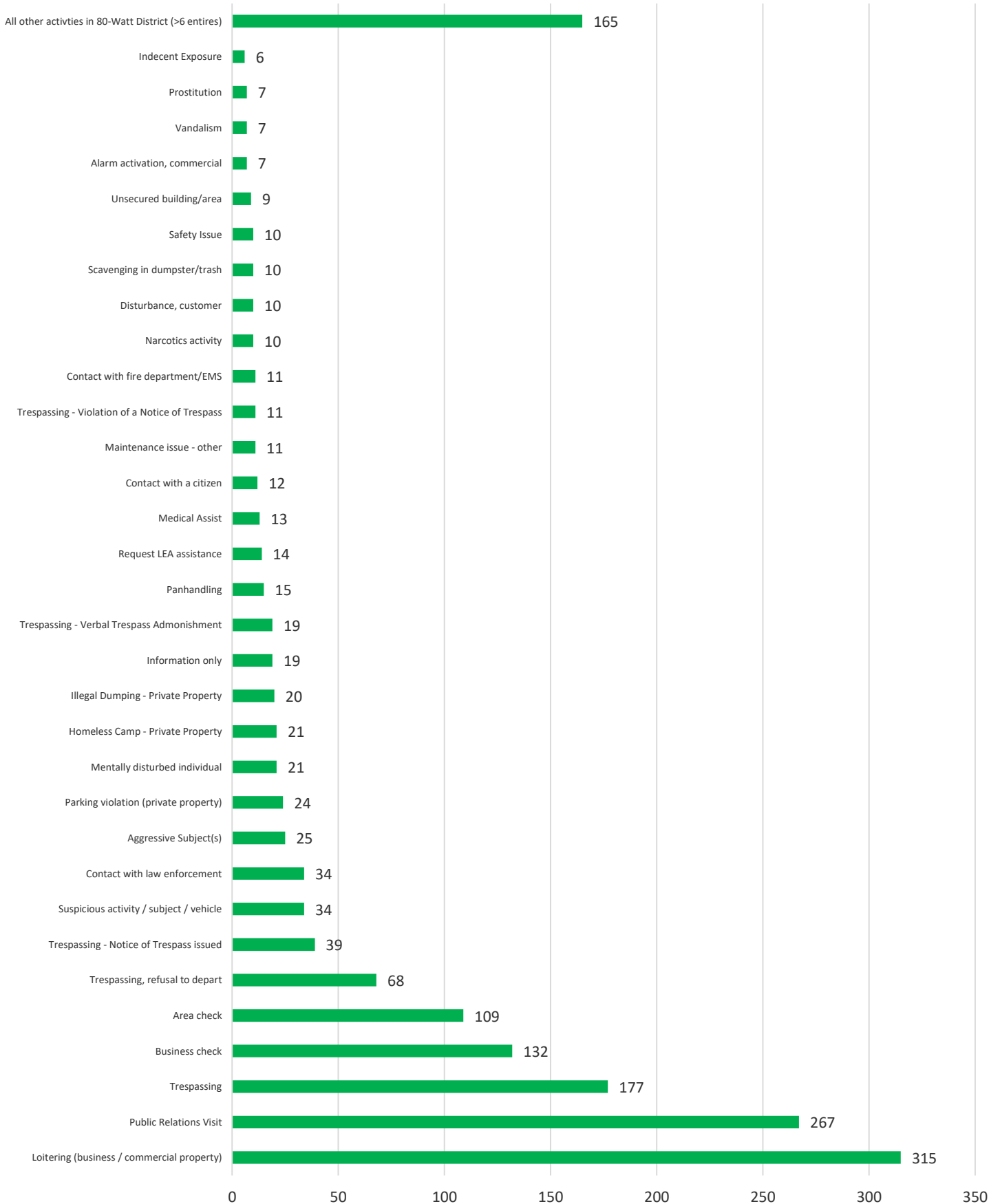




APRIL 2023



Activity Types

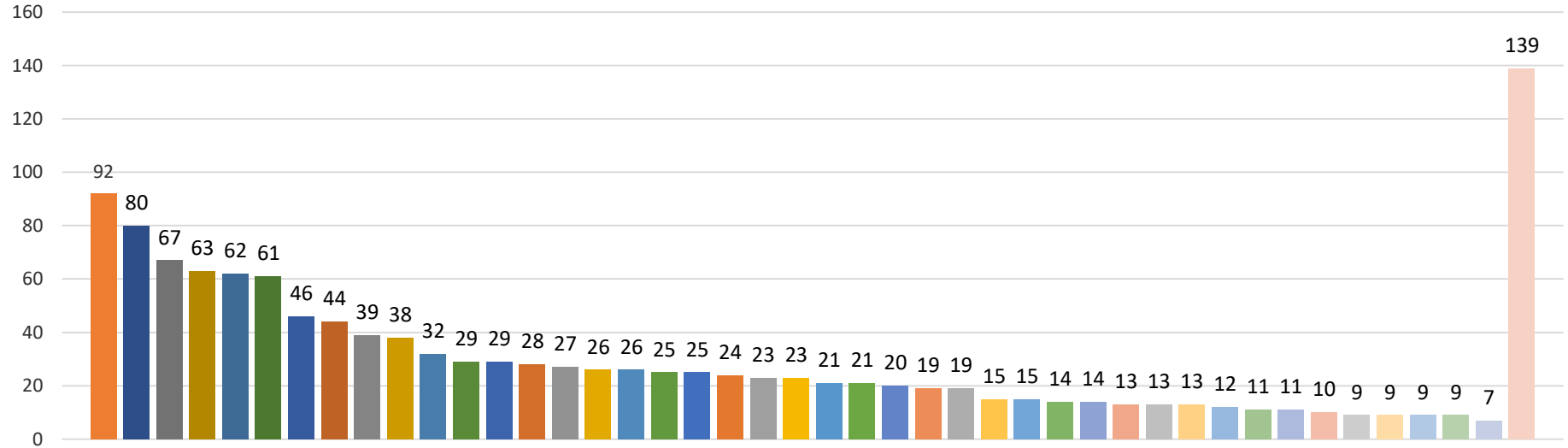




APRIL 2023



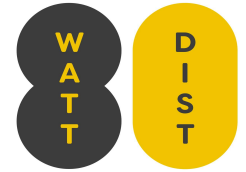
Entries by Location



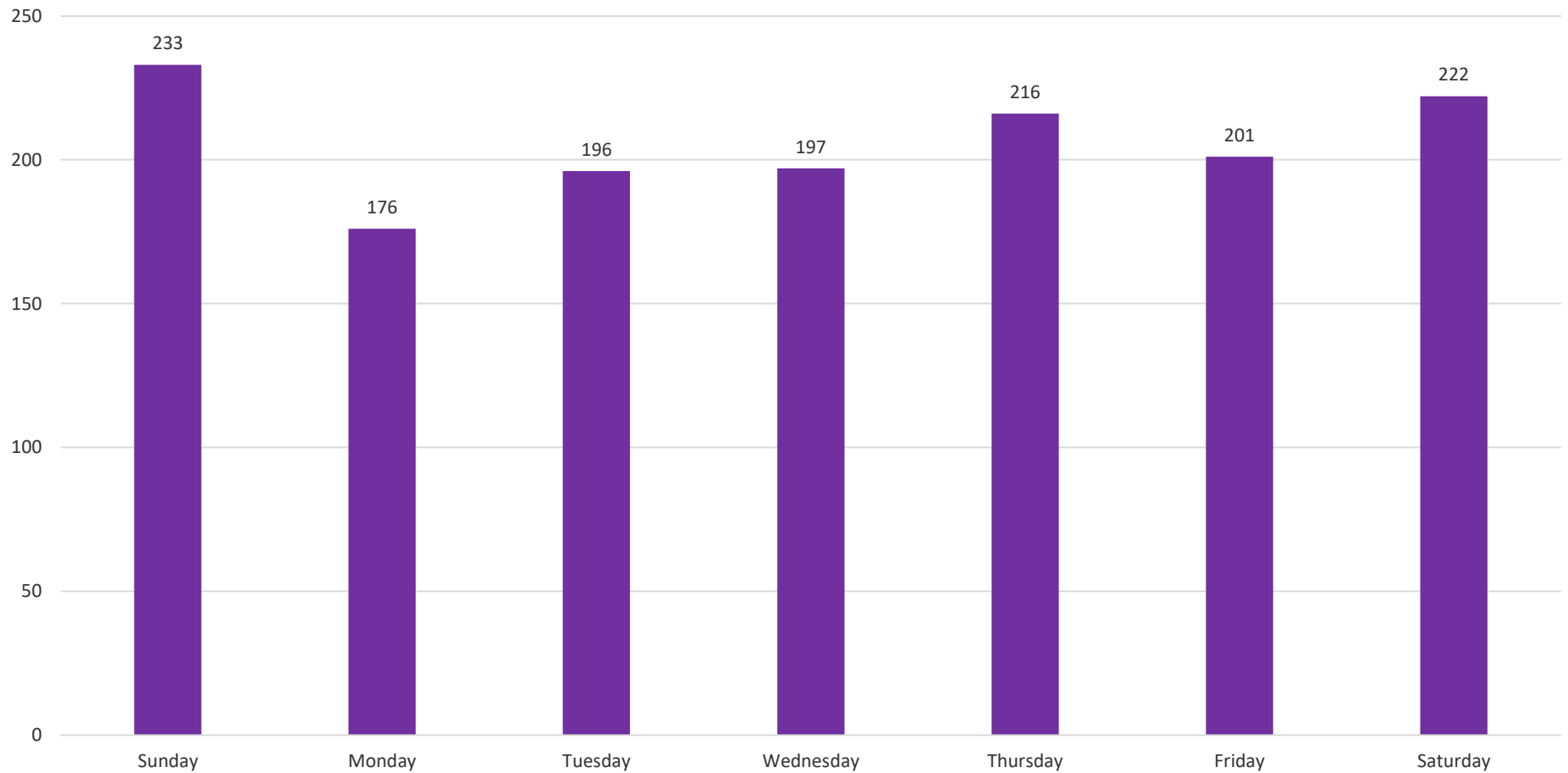
- 76 Gas Station (4631 Watt Ave)
- 7-Eleven (4900 Watt Ave)
- Chevron (4300 Watt Avenue)
- Smoke Shop & More (4641 Watt Ave, Ste. 130)
- Arco AM/PM (4745 Watt Ave)
- Highlands 80 Commerce Center (4600-4604-4608-4612-4616-4700-4704-4708 Roseville Rd)
- Love Laundry (4641 Watt Ave, Ste. 110)
- Starbucks Coffee (4332 Watt Ave Suite 20)
- Phat Jerry's Phillies (4332 Watt Ave Suite 30)
- Dollar Tree (4720 Watt Ave)
- SAFE Credit Union (4636 Watt Ave)
- Louisiana Fried Chicken (4332 Watt Ave Suite 40)
- Taco Bell (4915 Watt Ave)
- Walmart Super Center (4675 Watt Ave)
- Cube Smart Self Storage (4950 Watt Avenue)
- Wendy's Hamburgers (4320 Watt Ave)
- The Courtyards on Orange Grove (3425 Orange Grove Ave)
- McDonald's (4957 Watt Ave)
- Golden Corral (4940 Watt Ave)
- Popeyes (4601 Watt Avenue)
- San Juan School District Transportation (3050 Orange Grove Ave)
- Elica Health Centers (4815 Watt Ave)
- Starbucks Coffee (4981 Watt Ave, Suite 500)
- KFC (4801 Watt Ave)
- GPS Specialty Construction (4240 Roseville Rd)
- Vacant (4837 Watt Ave)
- Watt Rose Square (4980-4986-4990 Watt Ave)
- Tera Properties, LLC (4838-4840 Watt Ave)
- Internal Revenue Service (4330 Watt Ave)
- Oracle Properties (3451 Longview Dr Suite 140)
- Khyber Market (4620-4624 Watt Ave)
- Subway Restaurant (4845 Watt Ave, Ste. C)
- Blueberry Vape & Smoke (4630 Watt Ave)
- Jack in the Box (4990 Watt Ave)
- Geary Pacific Supply (4365 Jetway Ct)
- America's Best Value Inn (4600 Watt Ave)
- Sam's Furniture (4986 Watt Ave, Ste. B)
- Carl's Jr. (4805 Watt Avenue)
- Recycling Industries / SM Watt, LLC (4741 Watt Avenue)
- Sac Pet Vet (4336 Watt Ave)
- Metro PCS (4641 Watt Ave, Ste. 120)
- Madison, LLC (3720 Madison Ave)
- Panda Express (4985 Watt Avenue)
- All other locations in 80-Watt District (>6 entries)



APRIL 2023

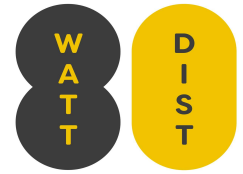


Report Entries (Day of the Week)

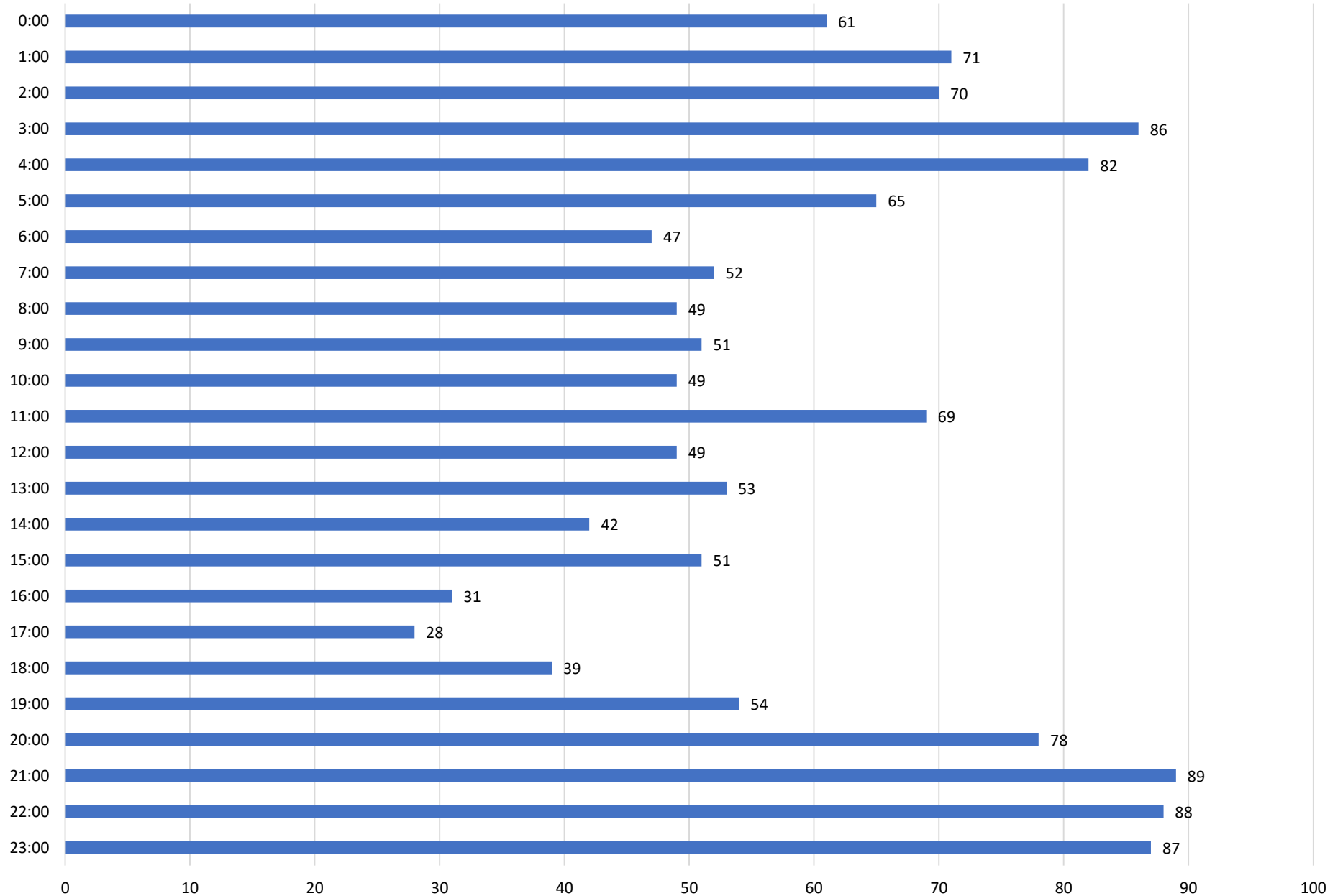




APRIL 2023



Report Entries (Hour of the Day)

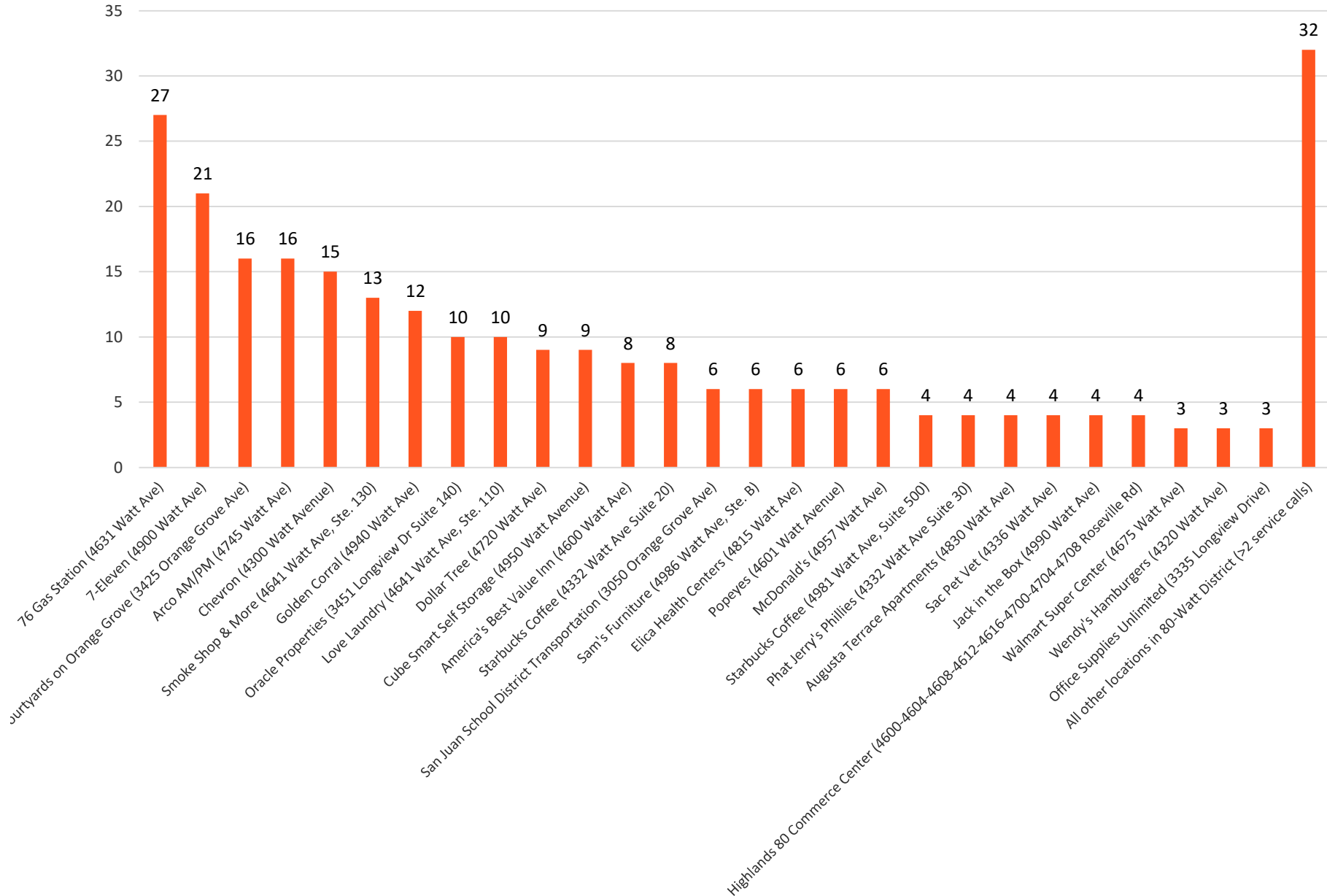




APRIL 2023



Dispatch Service Calls (by Location)

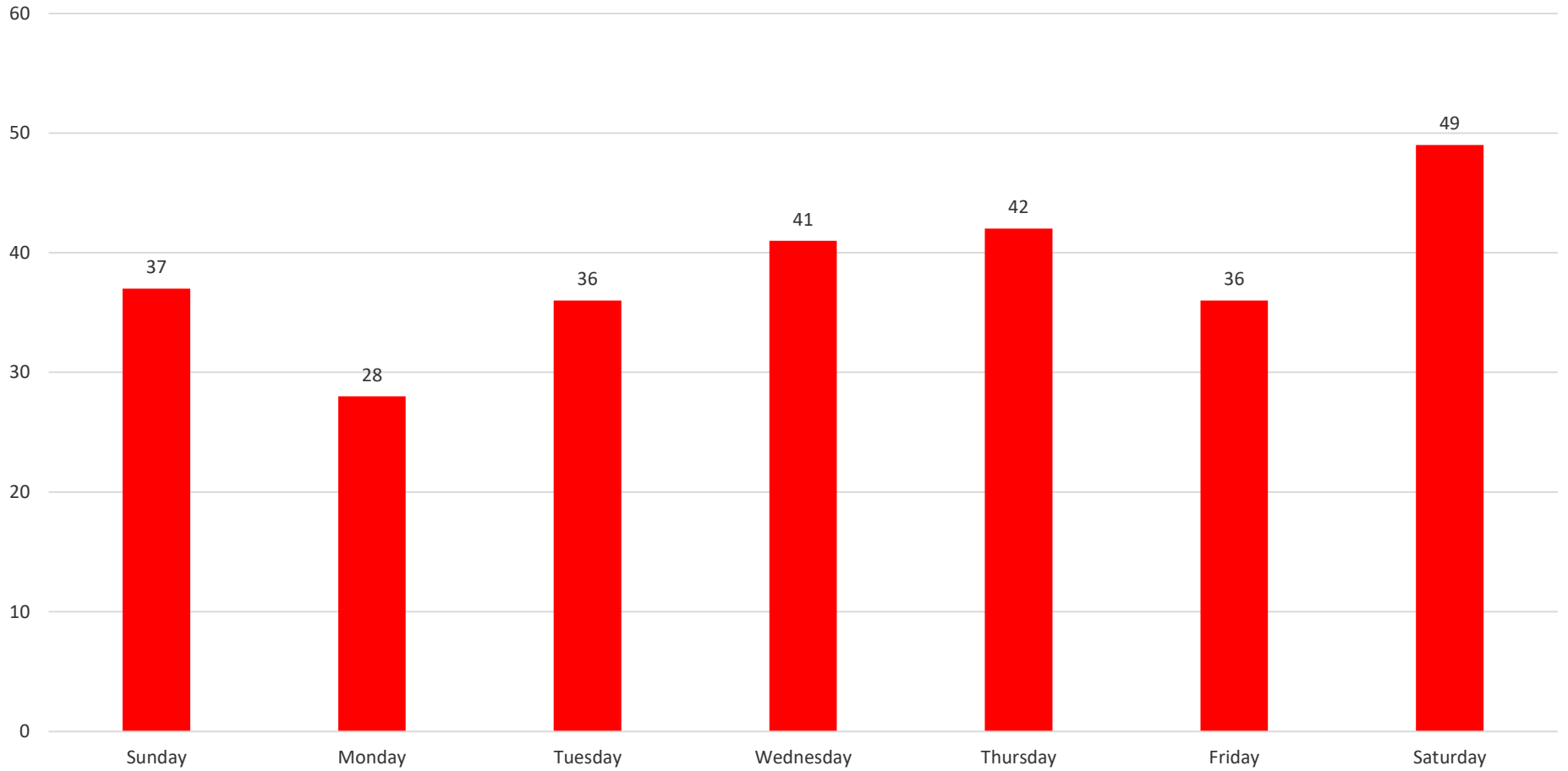




APRIL 2023

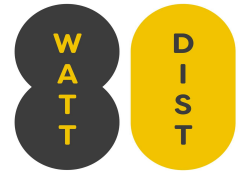


Dispatch Service Calls (Day of the Week)





APRIL 2023



Dispatch Service Calls (Hour of the Day)

