



Business Frustrated with Trash

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Economic Recovery Blueprint

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City Accomplishments and Plan for Federal Funding

As new Salinas City Manager's first year ends, we look at key accomplishments

Steve Carrigan is finishing his first year as City Manager, the top executive position for the government of the City of Salinas. On November 5 he made an hour-long presentation to the Salinas Taxpayers Association about the city's accomplishments in 2021 and challenges for 2022. His comprehensive and frank comments deserve repeating for the business community in your Chamber's *Business Journal*.

A Priority for Outstanding Leadership

Mr. Carrigan identified his top priority for 2021 as building an "all-star team" of top management staff following several retirements. The City of Salinas now has a new police chief (Roberto Filice) and a new finance director (Mark Roberts). While he doesn't expect any more looming retirements in upper management, Mr. Carrigan is developing a succession plan for key leadership positions.

Achievements

Top achievements since the Salinas City Council appointed him on January 5, 2021 by the Salinas City Council:

- Closing the Sun Street Transfer Station & Recycling Center. Patrick Matthews, General Manager/Chief Administrative Officer of Salinas Valley Solid Waste Authority, was a key figure in difficult but ultimately successful negotiations.
- Ratification of a new "franchise agreement" with Republic Services for trash collection.
- Establishment of a new city neighborhood clean-up program with numerous partners. The program initially had a slow start with only a trickle of volunteers showing up, but momentum accelerated and the Natividad Creek Park clean-up on November 2, 2021 had 240 volunteers.

Identifying Top Resident Complaints

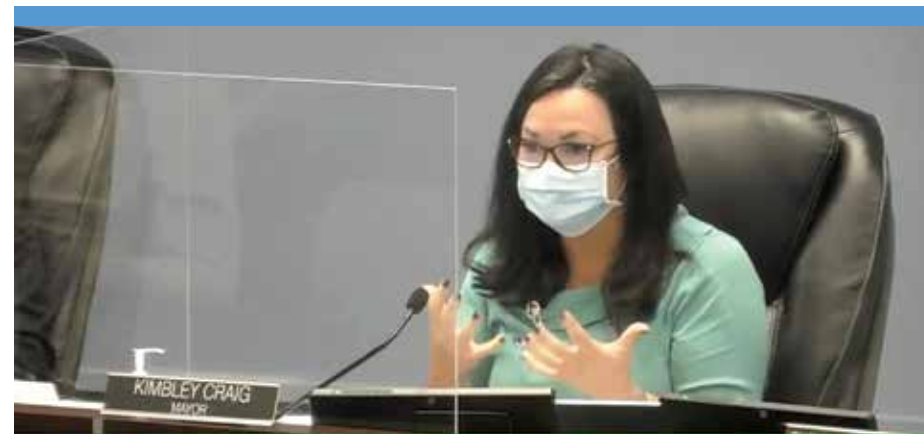
He hears the most complaints from residents about three issues:

- The prevalence of people in Salinas living outside without a home
- Deteriorating street conditions
- Deteriorating sidewalk conditions

Encampments and Addressing Waterway Pollution

The City of Salinas has a federal National Pollutant Discharge Elimination System (NPDES) permit enforced by the State Water Resources Control Board. It requires the city to keep waterways clear of debris and waste. Encampments have been a major source of pollutants that violate the conditions of this permit.

In response, the city has begun Public Health and Safety reviews of encampments in various locations, including Chinatown, Soledad Street, Sherwood Park, and

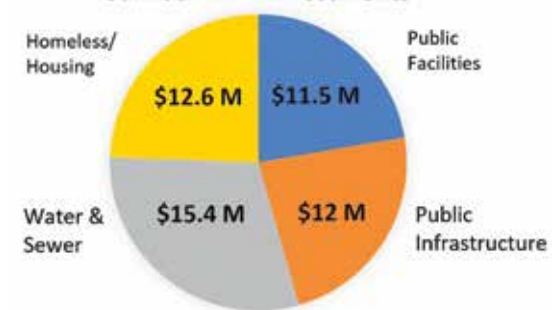


Consideration, ID# 21-403:
The American Rescue Plan Act of 2021
SALINAS CITY COUNCIL
SEPT 14, 2021

Mayor Kimbley Craig explains that the city's ARPA funding is limited to water, sewer, public safety and broadband

Casentini Street. Market Street has not yet been addressed. The process of clean-ups has become more refined over time. On November 16, the Salinas City Council voted 6-0 to approve a contract for professional cleanup services in conjunction with new and expanded notification procedures for residents of these encampments and close collaboration working with homeless services providers.

Salinas ARPA Investments



Spending of \$52 Million in Federal COVID-19 Relief Funds

The City of Salinas was allocated \$52 million in American Rescue Plan Act funds from the federal government. City staff prepared an expenditure plan with no frills, focusing on "needs" over "wants." Mr. Carrigan acknowledged that the city council made some changes to the spending plan when it voted to approve it on

CITY PLAN - Continued on page 4

Maggie Brings Peace to Ms. Bennett

by Jennifer Islas, Social Worker at Dorothy's Place

Ms. Bennett is much like any other middle-aged woman living alone. She has experienced homelessness three times in her lifetime. "The first time, I was nine years old and we were relocating to California. My father was still stationed in Vietnam and the Air Force didn't come through with their promise of housing, so we were homeless for about six months. We eventually did get a nice home in the suburbs. The second time was after my parents passed away. I sold that nice family home in the suburbs and tried to relocate to be near my two brothers, one of whom was terminally ill. That was a strain on the finances. I became homeless and I had to foster my dog at the time which was really stressful for me."

I asked Ms. Bennett, "What is the main reason you were homeless this time around?" She stated, "I was having some health care issues and at the same time I had a tax issue. Even though I made arrangements with them and withdrew the last out of my retirement accounts to pay my taxes, the Franchise Tax Board put a lean on my remaining account and it just wiped me out. Not having any money, I was living with my dog, Maggie, for about a year in the motor home. It was very rough. I wouldn't have survived without her because my health started to deteriorate."

House of Peace Transitional Living Program welcomes



emotional support animals, and for good reason. Ms. Bennett currently relies on Maggie to help maintain her mental health. "Maggie is a rescue I got after my last dog passed away. I did not intend to get a dog that soon, but I was having too many symptoms of paranoia and PTSD. Maggie just melted my heart. She's the sweetest creature and she's got such a calming influence."

What does Maggie mean to her? "She gives me a reason to wake up every morning. I take care of and Maggie takes care of me emotionally. She recognizes when I get into a manic stage, and she will make motions like, 'Let's go for a walk!' If she is asleep and I am talking to myself, getting wound up, she will make a noise, roll on her back, and put her paws over her muzzle, and 'side-eyes' me, like she is saying, "Shut up, calm down." Emotional support animals help people in distress feel safe.

Ms. Bennett expressed her appreciation for being a part of House of Peace. "I am very thankful and eternally grateful to the staff and everyone at House of Peace. I feel like sometimes I'm in church. The staff holds a moral standard and a standard of professionalism and that's amazing in the environment they have to work in. That really helped to turn me around in terms of looking at what could be done for people, and it gave me hope, so, many thanks." ■

*Everyone has a
Human Right
to Dignity and
Shelter.*



For chronically unsheltered people, transitional housing is a Godsend.

With our House of Peace program we are coordinating service teams comprised of health workers, social workers, behavioral health and housing specialists.

We need your help to end long-term homelessness in Monterey County. Please help us to assist people that work hard to overcome their circumstances.



Dorothy's Place

PO Box 2027
Salinas, CA 93902-2027
831-757-3838
Fed Tax ID #77-0081 240



Thank You for Your Support!

by Kristy Santiago, Board Chair



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I have been honored to serve as the Salinas Valley Chamber of Commerce Board Chair this year. This year had many challenges and many highlights. At the Chamber we embarked on a strategic plan three years ago. This year, we had many action items to get completed so we could move on to the more strategic items in our plan.

We added to our policies, four to be exact. The policy that I am most excited about is our new Diversity and Inclusion Policy, which will be used each year by our Nomination Committee to strengthen relationships and attract new Members who want to serve on the Board. The Board values a diversity of voices and sees the value that they can contribute to creative and innovative thinking within the organization.

year, including the mask mandate, Monterey One Water sewer rate increases, Share Navigation Center for homeless residents, Internet fiber for underserved communities, and identifying and helping resolve Monterey County's vaccine distribution disadvantage, when compared to other communities.

We had two very successful events, our Annual Awards Luncheon and our Legacy of Leadership. At both of these events we celebrated many local leaders and businesses. Thank you to all of our sponsors.

That leads me to say thank you, thank you to the Chamber Staff, led by our CEO, Paul Farmer. This staff is small but mighty and accomplishes a lot. Paul continues to be a strong leader and advocate for businesses in our community. Thank you to the Board, Liaisons, Ambassadors and to the Executive Board, who all volunteer their time and talents in support of the Salinas Valley Chamber, our members and the broader community. Thank you mostly to our members for your ongoing support.

Finally, I happily pass the baton onto Rodney Meeks who is our incoming Board Chair for 2022. Rodney has a plan in place to continue to serve our members and move the Chamber forward. I will continue to be here to support everyone in 2022. Thank you and enjoy the remainder of this year. ■

Kristy Santiago

thank you for your support

We established new checks and balances in our financial systems, including establishing an Audit Committee to assure the Chamber remains fiscally sound in the future, as it is now.

The Chamber Staff and Board invest a lot of time into perhaps our most vital function, government advocacy. Our Government Relations Committee had very topical meetings this year. Highlights including welcoming Anna Caballero and Jimmy Panetta on some of the calls. We advocated on behalf of local businesses on a variety of issues this

September 14, 2021. He didn't know much in advance about the plans of some councilmembers to alter the plan and regretted there wasn't more discussion among the mayor and councilmembers.

Top American Rescue Plan Expenditures by City of Salinas:

- affordable housing
- repairing deteriorating streets
- repairing deteriorating sidewalks
- repairing deteriorating park irrigation systems

Mr. Carrigan emphasized that two years ago the City of Salinas didn't expect to have this \$52 million, and it should not expect to see this kind of funding again.

Budget Outlook and Continuing a Tax

In November 2014, Salinas voters approved Measure G, a one-cent sales (transactions and use) tax for general services imposed for fifteen years. Measure G revenue for 2021 was \$30 million. Mr. Carrigan noted a disconnect between the 2014 intent of voters to spend Measure G funds on public safety and the 2021 interest of the Measure G Oversight Committee to spend funds on road and sidewalk repairs and tree trimming.

Measure G expires in 2030, but it's already an appropriate time to begin planning to ask voters if they want to extend the tax. A vote to renew Measure G may be scheduled as soon as the November 2024 election. The city will soon commission a polling company to determine what residents want for taxes and expenditures.

Street Repairs

The City of Salinas uses Pavement Management Program software to assess pavement conditions throughout the city and prioritize repairs. Even with all the planned work funded by the American Rescue Plan and the county Measure X sales tax and local funding, the overall Pavement Condition Index (PCI) number for the city will continue to decline.

"We built sidewalks and roads and we can't maintain them," Mr. Carrigan says bluntly. The city's growth patterns and practices in the decades before the 2010s did not dedicate enough money to prepare for today's costly repairs. Nowadays, it costs \$10,000 to fix a sidewalk damaged by roots in front of a house.

Law Enforcement

Mr. Carrigan says residents want to live in a safe, clean community, and the Police Department needs to be strong to fulfill that demand. Law enforcement officers will flee a force and avoid applying to work on a force that lacks community support or has a reputation for operating in unsafe conditions.

"The Salinas Plan" and More Efficient City Government

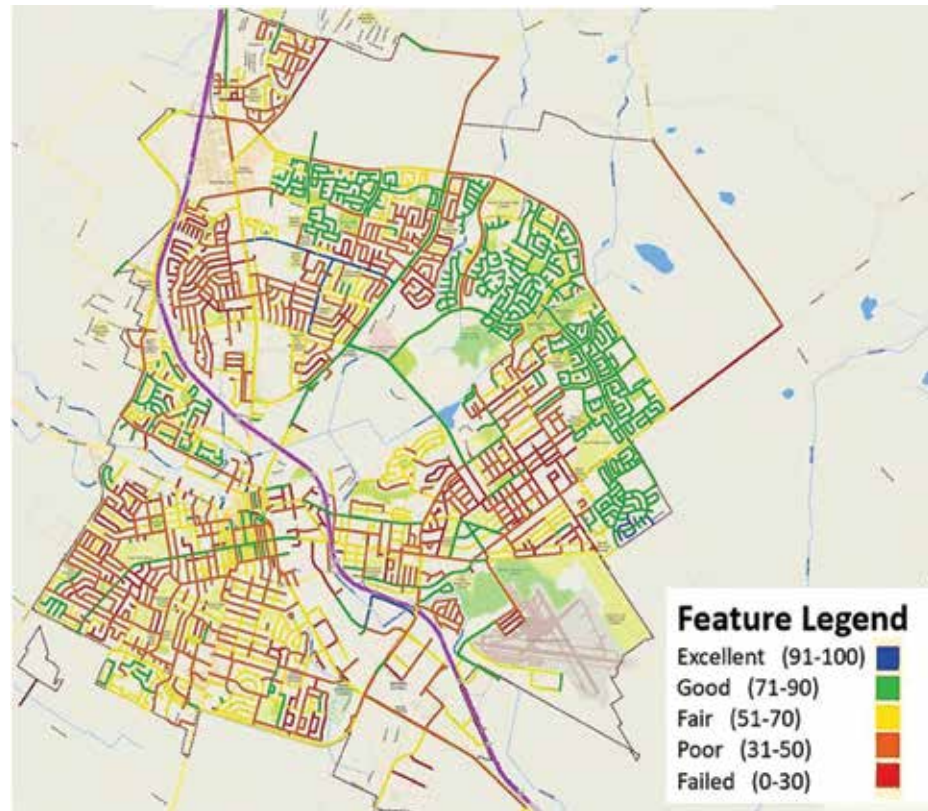
As reported in past editions of the *Business Journal*, "The Salinas Plan" is a 2018 report listing 32 actions to make the government of the City of Salinas more efficient while improving housing opportunities and conditions in the city. Mr. Carrigan answered many questions about The Salinas Plan when he applied for the City Manager position. The plan is controversial. City employee unions criticized The Salinas Plan, and business groups such as the Salinas Valley Chamber of Commerce have opposed some proposals in it. (The Salinas Taxpayers Association urged the city council to approve the entire plan promptly in one fell swoop before special interest groups undermined it.)

Staff has not presented a progress report to the Salinas City Council about The Salinas Plan since January 19, 2021, two weeks after Mr. Carrigan was appointed as City Manager. However, staff meets internally every two weeks to discuss their progress on various proposed actions in the plan, and staff is expected to bring a status report to the city council again in December. While Mr. Carrigan likes the plan and believes it remains relevant, he thinks it probably needs some "refreshing" in the post-COVID era.

Tax Increases

Mr. Carrigan made it clear to the fiscally-conservative Salinas Taxpayers Association

Salinas Current Pavement Conditions



that he does not regard continual tax increases as a wise strategy to generate more money for the government. Business prosperity, quality job creation, industrial and commercial development, and training and education will stimulate the economy and increase sales and property tax revenue at a faster rate than the spending demands put on the city by that economic growth.

He reports there is political pressure for a new tax to pay for parks. The polling company commissioned by the city will ask residents for their thoughts on this idea.

Pension Liability

For the next budget, the city may try to pre-pay its city employee pension obligations to CalPERS (California Public Employees' Retirement System). Selling "pension obligation bonds" (POBs) to investors are also an option that many other California cities are now doing. Mark Roberts, the new Finance Director, will bring up options to the city council as staff prepares the budget for fiscal year (FY) 2022-2023.

Residents Without a Home

In his previous position as City Manager for the City of Merced, Mr. Carrigan was chair of the committee that oversaw the county's "continuum of care" program. He is a regular visitor to the Salinas encampments. He credits the City of Salinas as a leader in Monterey County to encourage people into permanent supportive housing with its involvement in the SHARE Center (profiled in a past Business Journal) and the Good Nite Inn (and now the Sanborn Inn and Salinas Inn). Other cities are cooperating in a regional approach, including Seaside, Monterey, and King City. ■

*City Manager Steve Carrigan
Wants to Hear from You*

CONTACT INFORMATION

(831) 208-8693 (cell) • steveca@ci.salinas.ca.us

Please leave a message with Liz Soto if Mr. Carrigan does not answer the phone himself.

Businesses Frustrated With Trash

by Chamber Staff

Monterey County business owners have noticed an increased amount of litter and dumping tainting the stunning beauty of our communities. Some have asked the Salinas Valley Chamber to take a leadership role to “do something” to either curtail the trash or get it picked up promptly and routinely.

Business owners have reason to be frustrated. If the scenery is flecked with trash, tourists won't come back, and they'll tell others back home that Monterey County is filthy (“like the rest of California”). Potential business investors won't take risks with a community that doesn't seem to appreciate or respect its exceptional beauty. With our local military bases always high on the list for a future round of base closures, it's unfortunate that senior U.S. Department of Defense officials who visit from other parts of the country see a mess everywhere.

Potential employees who consider taking a job in Monterey County must weigh the beauty and climate against a burdensome cost of living. Reportedly some aren't impressed to see all the garbage scattered on the sides of roads and highways. It creates a bad image.

Trash everywhere means that local industries such as hospitality, agriculture, military, construction, and landscaping have to defend their reputations. As the litter problem has obviously grown, Monterey County residents have moved from annoyance to anger. Some residents are quick to assign blame and accuse certain industries and their workers and customers of driving the problem.

Other residents claim the garbage is a symptom of how our local governments allegedly fail to serve their communities. Why is trash always visible on the side of the roads and on every open space and vacant lot? They blame the government.

In response to your call for leadership and action, the Salinas Valley Chamber of Commerce has attempted to analyze the source of the garbage problem and compile a list of ideas to curb the problem. Below is an outline of likely causes and what could be done. (In our upcoming January issue of the *Business Journal*, we will explain what our various governments and non-governmental organizations are already doing and planning to do about litter and dumping.)

First, here are some presuppositions about trash in our community. Some of these assertions are controversial, but they need to be considered.

1. The litter and dumping problem is happening all over California, as shown by the number of counties recently establishing litter abatement committees. Governor Newsom has recently brought new attention to the problem.
2. Other states reportedly don't have a litter and dumping problem as severe as in California.
3. The apparent increase in trash may be related to the pandemic. Perhaps it is a result of lifestyle changes, the erosion of societal order and unity, or a feeling of powerlessness.
4. People decry the garbage everywhere, but this doesn't necessary mean they want to hand over more of their own money to reduce it. Few people want to pay more garbage fees or higher taxes for a problem that is caused by someone else and should therefore be someone else's responsibility.
5. People generally prefer their own garbage to disappear from their lives with minimal inconvenience. A trash can that requires a half-block walk to reach in Downtown Salinas may be too far away for someone to throw an empty coffee cup into it. Instead, the cup is dropped in the gutter for “the City” to pick up.
6. In the United States, We the People are the Government. But when garbage appears on public land, we assume it's someone else's job to pick it up - generally, someone employed by our government.
7. Many people wish the government would find the source of the trash problem and end the problem with one decisive enforcement action.
8. Many of the potential government solutions cost money and would require new taxes and fees, higher and more frequent fines, and other funding sources.
9. Americans buy, consume, and dispose of a lot of stuff, in an amount that would astound most people in human history. The best way to reduce waste is to make a deliberate effort to avoid producing it.

FOUR MAIN SOURCES OF LITTER

1. Unintentional small-scale litter (representing 20%)

Causes:

- Overstuffed household garbage cans.
- Overstuffed government (public) garbage cans, especially during events or on weekends.
- Animal intrusion into garbage cans. (Raccoons!)
- Material blown from garbage trucks during mechanical disposal or in transit to the dump.
- Unsecured or inadequately secured material blown from beds of light commercial vehicles.
- Events at which organizers aren't diligent about litter control.

Cures:

- Reduce waste - shop local!
- Inform garbage customers about the option to obtain a larger can. Promotional flyers could compare the higher cost of a larger can to an enforcement fine.
- Inform light commercial truck owners and drivers about their legal obligation to secure their loads and instruct them to secure the loads effectively. Perhaps incentives can be offered or free materials provided to encourage compliance.
- Post signs and information about securing loads, including in Spanish and other languages besides English.
- Arrange for local governments to hire more personnel to warn and cite customers who overstuff their cans (and incidentally, fail to properly sort recyclable items). Warnings and citations can also be given to event organizers who allow attendees to dispose of their trash in places other than proper receptacles.
- Arrange for local governments to provide more public cans and empty them frequently.
- Ask landlords to provide larger cans or inform their tenants to sort and dispose of their garbage properly.
- Encourage local governments to allow dumpsters in multi-tenant buildings.
- Organize clean-up groups or participate in existing clean-up groups.
- Urge people to get some exercise and help their community by taking ten minutes on occasion to independently pick up trash in their neighborhoods.
- Investigate new options for garbage truck design to reduce spillage in disposal and transit.

2. Intentional small-scale litter (representing 20%)

Causes:

- Habitually throwing packaging, waste, and cigarettes out vehicle windows or leaving them at the park, the beach, parking lots, streets, and other public property.
- Choosing not to pick up dog excrement.
- Exhibiting selfishness, laziness, or maliciousness by deliberately creating a mess and leaving it, knowing someone else will have to clean it up.

Cures:

- More public trash cans.
- A public education campaign to gently remind people that respect for others makes our community a better place. A special campaign oriented toward youth might pay dividends for decades to come.
- A public education campaign to gently remind tourists and short-term resident workers to respect the people who are welcoming and hosting them.
- Arrange for law enforcement and code enforcement personnel to warn or cite people who are caught deliberately littering or dumping. This strategy isn't desirable but may need adoption in certain environmentally sensitive locations



TRASH - Continued on page 6

notorious for littering.

- Much of the paper trash on roads, streets, and highways is imprinted with the names of their sources, and many of these sources do not have local ownership (or even local customers). Our community needs to ask business owners who live outside of our community to ensure their customers respect their host community.

3. Intentional large-scale dumping (representing 30%)

Causes:

- People make a deliberate choice - perhaps to save money or time - to dump their garbage and bulky waste on public or private property rather than taking it to the dump or disposing of it properly in some other way.
- Sometimes this kind of dumping is part of a criminal enterprise.

Cures:

- Publicize free drop-off days or “amnesty” days at the dump and increase the number of such days. Offer gift cards or other incentives for people to participate in the free drop-off days. As a condition of waiving the fees, people taking advantage of the program could be asked to fill out an anonymous and simple three-question form (in English or Spanish) on clipboards with attached pens asking why “other people” dump. This could provide some insights on the motivation for dumping.
- Publicize the option for curbside bulky item collection by garbage companies.
- Schedule community curbside bulky item pickup days. (Oddly, these events often end up being de facto community reuse events - one person’s unwanted cabinet on the street waiting for pickup become’s another person’s treasure.)
- Identify households and businesses that would typically have garbage service but do not. (Throwing out household or business trash in public trash cans to avoid paying for garbage service seems clever, but it’s unfair to everyone else. What if everyone did this?)
- Hire education and enforcement personnel to maintain and monitor surveillance cameras and warn people about the legal consequences of dumping.

- Offer rewards for people who report organized or habitual dumping operations.
- Establish permanent monitored year-round locations for disposal of problematic items: mattresses, electronics, household chemicals, prescription drugs, sharps, large plastic toys, Christmas trees, etc.
- Establish pop-up or mobile or traveling drop-off waste locations, including at farmworker housing or other locations with short-term residents. Identify leaders in these communities who can set an example about being respectful about not dumping trash in their host community.
- Maintain and release records to the public about the problem - incidents, cost of cleanup, weight of waste, Top-10 dumping locations, trends by month/season, etc.

4. People in encampments and other people who fall outside the system of structured government garbage service (representing 30%)

Causes:

- Lack of a convenient or accessible method to dispose of waste.
- People in this situation often have personal issues and challenges that don’t have easy solutions.

Cures:

- Routinely serve the encampments with garbage and other waste services (at the expense of taxpayers) as if they were legally-sanctioned neighborhoods.
- Conduct public health and safety sweeps to protect waterways and the environment.
- Support programs and policies that give people without a home an opportunity for a different life.

You may not be aware of the many public agencies and private organizations in Monterey County (such as the Salinas Valley Chamber of Commerce) that are now tackling the problem of litter and dumping. The January *Business Journal* will include a comprehensive list of projects and programs now implemented by these groups, along with information on how to get involved with them or how to reduce your own trash burden in a responsible way. ■

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Salinas Releases Economic Recovery Blueprint

On September 28, 2021, the Salinas City Council received "A Road to Recovery for Local Businesses Blueprint" developed by the city's Community Development Department in consultation with the City of Salinas Small Business Economic Recovery Taskforce. (See the Blueprint at <https://bit.ly/3x1xaEE>)

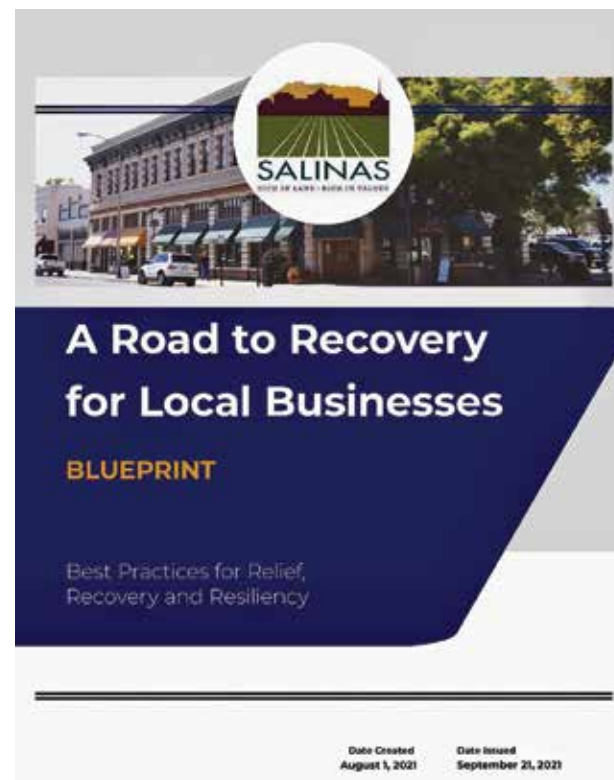
A staff report with the Blueprint noted that COVID-19 public health orders interfered with or suppressed the ability of many small businesses and non-profit groups to operate or engage in commerce. But, "the City has been proactive to help small local businesses get the assistance they need from local, state, and federal disaster relief and recovery programs...The Blueprint identifies small business challenges resulting from the pandemic and associated economic downturn, highlights actions taken by the City and Task Force partners to provide relief, and outlines recommended actions for relief, recovery and resiliency to support small business to rebound and be better prepared for navigating future disasters (natural, health, and/or economic)."

In April 2020, the late Salinas Mayor Joe Gunter appointed business owners and business association representatives to a Small Business

Support and Economic Task Force to assist staff with developing response, relief and recovery strategies to support small businesses. Appointees included Chamber members and your Chamber President and CEO Paul Farmer. In February 2021, the Salinas City Council extended the terms of Task Force members and authorized Mayor Kimbley Craig to appoint additional members, and your Chamber's Government Affairs Liaison Kevin Dayton was subsequently appointed to the Task Force.

City staff updated the Task Force about Blueprint implementation at its October 7, 2021 meeting, starting with assistance to small businesses with digital literacy & marketing. This project was done in coordination with El Pájaro Community Development Corporation, Cal Coastal Small Business Development Center, Salinas Public Library Community Services, and a CSUMB student.

The blueprint is supposed to be revised as new challenges and successes come up, so the task force will continue to meet quarterly to highlight and track implementation. Work groups will be established as necessary to study specific problems. Businesses are encouraged to provide input to refine it. ■



Business Expo Block Party

2021

December 16th
from 3-7pm



Happening in Oldtown Salinas. It's free to attend, all ages are welcome. Shop small and local this holiday season. Learn about various businesses and the goods and services they offer to consumers and businesses. No RSVP is needed. We hope to see you there! There will be entertainment, special deals, and fun holiday festivities.

Shop, dine, support!



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See the application, class schedule and more details at

www.leadershipmc.org.

Application deadline is January 7, 2022.

13% ROI: Economic Impact of Investing in Child Care

by Sonja Koehler, Bright Beginnings
Early Childhood Development Initiative

According to Nobel Prize winning economist James Heckman, there is a 13% return on investment in quality early education programs. How does it impact our economic prosperity?



Investing in affordable, quality child care allows the current workforce to return to work.

This is especially important as we recover from the pandemic and many parents can't return to work for lack of child care. It also allows people to earn the credentials and degrees needed to adapt and meet ever changing workplace needs. Studies show that employees who have safe, affordable child care are more effective in their jobs, have higher satisfaction, and stay longer. Furthermore, studies show that parents with children in affordable, quality care tend to increase their own financial self-sufficiency.

Investing in affordable, quality child care creates jobs. Currently, for the approx. 10,000 licensed child care spaces in Monterey County, we have a child care and early learning workforce of about 1,600. There are about 90,000 young children that potentially need child care at some point in the day. To meet that need, we must expand licensed care from its current state. That means not only adding child care jobs, but also the spillover effects of construction and maintenance of facilities. This means

adding thousands of jobs, if we do it right.

Investing in affordable, quality child care prepares our future workforce. Neuroscience shows that

the brain develops most in the first five years of life. Age and stage appropriate, comprehensive child care programs support the healthy social, emotional, cognitive and physical development of children into

adulthood. Longitudinal studies show that children in quality care have higher IQs, higher graduation rates, higher adult employment rates and income, lower adult blood pressure and hypertension, lower drug use, and lower crime rates.

According to the most recent school readiness assessment in Monterey County, only one in four children were ready for Kindergarten with the appropriate skills. This is in part due to the shortage of safe, affordable quality child care and early learning, and will affect their academic, career advancement and overall well being long-term. This impacts all of us.

Hear why child care is everyone's business, and why we need to increase public funding, from early childhood education champions Andy Stone (Santa Cruz Workforce Development Board, Francine Rodd (First 5 Monterey County), Sonja Koehler (Bright Beginnings Early Childhood Development Initiative), and the Chamber's very own Paul Farmer, at the Monterey Bay Economic Partnership's State of the Region last month, visit <https://bit.ly/3qRCaL4> ■



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Inflation and the Investment Markets

by Bill Hastie, MBA



conservative portfolios as has largely been the case in 2021.

Historically, stocks have faced a very different fate with inflation. According to FactSet, from 11/30/79 to 8/31/21 on a rolling 12-month average, stocks have generally performed well in the face of inflation – at certain levels. This study found that with inflation under 1.1% CPI, stocks, measured by the Russell 1000 (large cap), the Russell Midcap and the Russell 2000 (small cap), had negative performance with the exception of the Russell 1000 Growth but only had a small gain. It was further found that the markets performed best with inflation in a “sweet spot” between 1.1% - 4%. In fact, all the indices noted had double-digit returns during this period. Perhaps most applicable now is that the performance of these stocks dropped dramatically (but stayed positive) when inflation was over 4%.

While this may come as good news to more aggressive investors whose portfolios hold most if not all stocks, the U.S. economy as of October is experiencing inflation well in excess of that “sweet spot.” So, these investors may see positive gains going forward, but likely not as much as they might with lower levels of inflation. This, however, may not be the case for bond investors.

This leaves investors, especially those who are more conservative, with the choice of potentially receiving lower returns in the foreseeable future from their bonds or to take on more portfolio risk with a higher allocation in stocks in hopes of receiving additional return. Investors will need to closely consider their risk tolerance and time horizon before making that type of decision. ■

Bill Hastie, MBA is the Founder of locally-owned Hastie Financial Group. If you would like to discuss your personal or company's investment needs, please contact Bill at william.hastie@hastiefg.com



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Is SB 9 The End of Single-Family Zoning as We Know It?

by Heidi A. Quinn, Attorney, Noland, Hamerly, Etienne & Hoss



Senate Bill 9, much like the recent Accessory Dwelling Unit (“ADU”) law, is intended to create additional housing while preserving affordable units. Effective January 1, 2022, SB 9 makes it easier to build more than one housing unit in some neighborhoods reserved for single-family homes. Referred to as the “duplex law,” some predict entire single-family neighborhoods could transition to duplexes. Yet, the Turner Center for Housing at UC Berkeley estimates just 5.4% of single-family lots would be physically eligible and financially feasible under SB 9.

Prior to SB 9, a homeowner could have a maximum of three homes on their single-family zoned lot – the primary residence, an ADU, and an attached junior ADU (“JADU”). SB 9 allows for the development of new “for sale” homes, either on a newly subdivided lot or through the conversion of an existing single-family home into multiple units. Where allowed, an owner may split an existing lot into two lots, and build two new units on each lot – resulting in four homes. There is no affordability requirement.

Agencies will be required to ministerially approve development proposals that meet specified size and design standards (height, setbacks, and lot coverage), and may not preclude construction of at least two 800 square foot units. In certain circumstances, agencies may require parking, easements for public services, and access to a public right-of-way. When a lot is both created and developed with two units under SB 9, agencies are not required to also allow an ADU or JADU.

Agencies may deny a proposal if they find the proposed project would have a “specific, adverse impact” on “public health and safety or the physical environment” and there are no feasible and satisfactory mitigation options. Further,

local restrictions, such as a lack of water or a moratorium on new connections, will limit local development under SB 9.

SB 9 was drafted to limit the ability of developers to purchase multiple lots and negatively impact neighborhoods. For example, a lot may only be subdivided once and an owner may not split their lot if they have already subdivided an adjacent lot. Newly created lots must be at least 1,200 square feet, unless an agency adopts a smaller minimum lot size, and must be approximately equal in size. Further, a subdividing owner is required to occupy a unit as a primary residence for at least three years. New units may not be used as short-term rentals.

Additionally, certain properties will not be eligible for SB 9 development including non-urbanized properties, historic properties, farmlands, wetlands, high fire or flood zones. To protect housing stock, a proposed project cannot result in the demolition of affordable or rent-controlled housing or properties occupied by a tenant in the past three years.

These requirements, along with physical constraints (small lot sizes and local regulations), and the expense of subdivision and new construction will limit the number of homes developed under SB 9. Nonetheless, efforts to launch a ballot measure against SB 9 are underway. ■

This article is intended to address topics of general interest and should not be construed as legal advice.
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Ms. Quinn has over 25 years of experience in many aspects of California law, including contracts, water and land use, and construction law. She also provides legal advice to public and municipal agencies and nonprofit/mutual benefit corporations.

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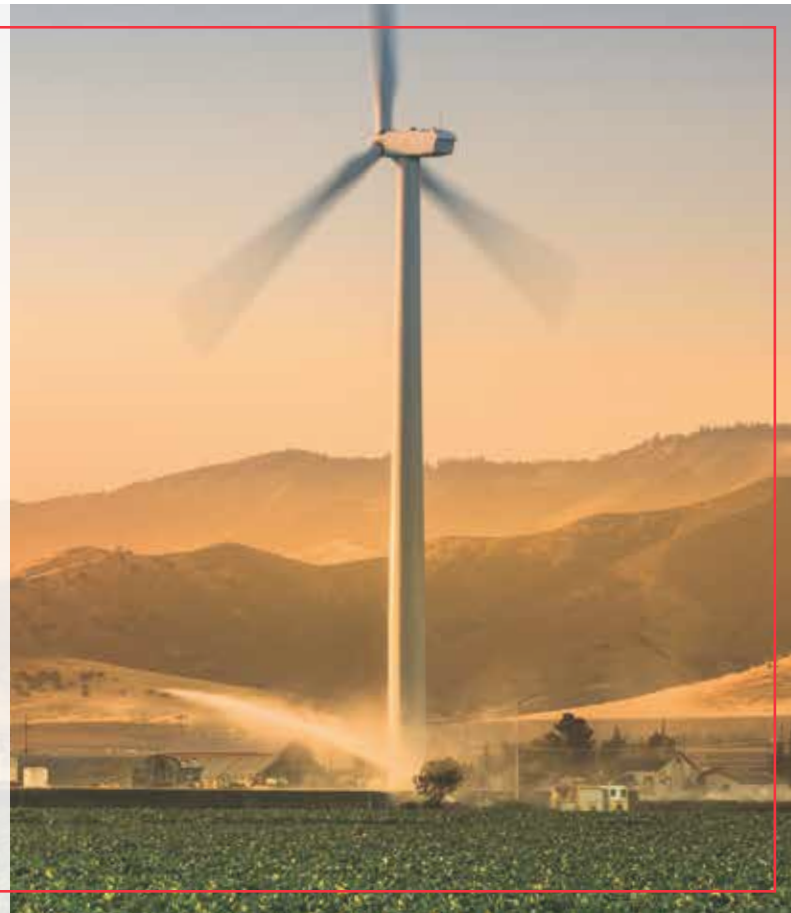
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Year-End Tax Planning

Year-End Tax Planning under California's New Passthrough Entity Elective Tax

The Tax Cuts and Jobs Act of 2017 (TCJA) limited individual taxpayer's deductions for state and local taxes paid to \$10,000 per year. In late July 2021, California approved thru Assembly Bill 150 a passthrough entity elective tax which potentially offers year-end tax savings to individual owners of businesses that are treated as partnerships or S-corporations. The elective tax is 9.3% of the owner's income from the business. This election is effective for tax years beginning January 1, 2021 and before January 1, 2026. The entity will make the election on a timely filed return and each individual partner or shareholder can then elect if they want to participate.

Once the business pays the elective tax, the business will issue a California tax credit to the owners. When the owners file their personal returns, this California tax credit can offset the income from the electing business. This California tax credit, however, cannot reduce California's version of the alternative minimum tax set at 7%. Any credit that is not used can be carried forward for 5 years.

If the business pays the elective tax by December 31, 2021, the IRS will consider this a tax deduction that will reduce the owner's business income for the 2021 year. If the business income is to subject to self-employment tax, it may also reduce the 15.3% tax on self-employment income.

The elective tax is automatically

repealed if the state and local tax limitation implemented thru the TCJA is reversed. There is pending legislation in Congress to increase the limitation to somewhere between \$72,000 and \$80,000 which would reduce the benefit of paying this elective tax. This legislation should be closely watched if considering paying this tax.

Following is an example:

Partnership has income of \$200,000 and 2 partners who each own 50% of the partnership. Partnership elects to pay the tax which is 9.3% of \$200,000 or \$18,600. Federal taxable income is now \$181,400 or \$90,700 each. California taxable income is still \$100,000 each, but each partner gets a tax credit of \$9,300 to offset the taxes they owe on the \$100,000 of income.

Some planning tips for businesses include choosing to pay the elective tax every other year so that all California tax credits are utilized. For example, an eligible business may elect to pay this tax before year-end to receive an immediate tax deduction. After owners file their personal taxes in April, owners can then reassess for 2022 as an estimated tax payment would be due on June 15, 2022. Considerations for each individual owner will be different depending on their other income and personal income situation.

Other considerations for businesses include the impact this elective tax may have on financial statements. Paying this elective tax may require an entry and additional tax disclosures to the financial statements. There are some businesses that will not be eligible to make the election due to their ownership structure. This election requires detailed analysis to determine each individual's potential benefit. Please consult your tax advisor for additional analysis. ■

Written by Ignacio Escamilla, CPA, MST and Gina Cochetti, CPA, MST at Hayashi Wayland. For more information regarding this new tax, contact us at iescamilla@hw-cpa.com, or ginac@hw-cpa.com.

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New Member Profiles

Asian Cultural Experience (ACE)

Asian Cultural Experience (ACE) in Salinas is a non-profit community-based organization whose goal is to preserve the history and culture of Salinas Chinatown, involving diverse ethnic groups that began in Chinatown. ACE documents the oral, visual and artifact history of the Chinese, Japanese, and Filipino residents of the Chinatown neighborhood for the future Asian Cultural Center and Museum on Soledad Street.

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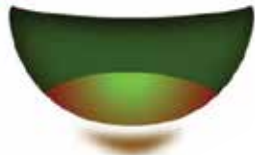
Todo Verde By Marie & Bruce aims to create herbal tea blends that enrich the environment, as well as the body, mind, and spirit. We believe that herbal tea blends should be protected and passed down to future generations. Many of the herbs in our teas are the same ones our *Abuelitas* would use to make our teas when we were kids. We are committed to raising awareness about herbal medicinal plants in our Mexican culture but also for herbs from other cultures.

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Happy Salads Offers Healthy Choices

Happy Salads



There is an interesting and inspiring story behind the local entrepreneurs who opened "Happy Salads," a new healthy eating option in Salinas. Co-owner Israel Fonseca previously owned popular taqueria "Los Gallos" for many years, in a shopping center in North Salinas. Faced with the challenges of running a small business, his health had gotten away from him.

His doctor told him he was pre-diabetic and needed to lose weight. "Israel, you need to start eating better and exercising." "But doctor, I don't have time for the gym." "If you're dead, you won't have time for anything." Israel was shocked to hear such blunt words, but they really struck a chord.

Fast forward not too long after and Israel ended his ownership of Los Gallos and started a new healthy restaurant with his business partner Leticia Saldivar. In August of 2021, they opened "Happy Salads" in the Sherwood Gardens Center, across from the Rodeo grounds. (The Blue Zones Project team will be delighted to add this to our list of local healthy eating options.)

Leticia had this to offer: "We believe in fresh foods and local ingredients, and we are happy to be able to share healthy options with our customers."

Salads and wraps are served to your liking in our cafe by people who care and are pleased to help you."

Customers can enjoy Happy Salads and healthy wraps in the store, or at your business meeting or next family gathering. Check them out online at HappySaladsUSA.com or on Facebook and Instagram. Phone (831) 272-3349. ■



Co-owner Israel has a healthy lunch waiting for you.

Israel says,

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Authenticating Electronic Signatures to a Contract

by Patrick Casey, JRG Attorneys



The use of electronic signatures in contracts has become almost ubiquitous in our society, especially during the COVID-19 pandemic. Electronic signatures are valid and enforceable under both federal and California law. However, if a party alleges that they did not, or do not remember, electronically signing a contract, then the other party must authenticate the first party's signature in order to enforce the contract. That authentication requirement was the subject of Fabian v. Renovate America, Inc. (42 Cal.App. 5th 162).

In Fabian, Renovate America called Rosa Fabian about installing solar panels on her home. Based on these discussions, Renovate America installed solar panels on her home. After installation, Fabian sued Renovate America alleging that they improperly installed the solar panels. Renovate America produced a written contract that was allegedly electronically signed by both Fabian and Renovate America that contained a binding arbitration clause. Fabian asserted that she did not remember signing the contract even though it contained her electronic signature and a DocuSign identity verification code. The trial court ruled that Renovate America failed to authenticate the validity of Fabian's electronic signature and did not enforce the arbitration clause.

Renovate America appealed and lost on appeal. Renovate America's only evidence that Fabian had electronically signed the contract

was the actual signed contract and a declaration by Renovate America's Director of Compliance that Fabian had signed the contract. This was not sufficient for the court. The court stated that Renovate America needed to explain the process used to authenticate Fabian's signature, such as (1) who sent the contract to Fabian, (2) how was it sent to her, (3) when did she sign it, (4) who at Renovate America received the signed contract, (5) when did they receive it, and (6) how was Fabian verified as being the person that signed it. It appeared from the contract that the DocuSign electronic signature process was used for signing, which does produce a record with some of this information. However, none of this information was presented to the court.

Electronic signatures are a valid and enforceable way to sign a contract. However, just because a contract is signed electronically does not mean that the validity of a party's signature cannot be challenged in court. That is exactly the same as any contract that contains a party's handwritten signature. The point of this case is that parties signing contracts electronically should keep a record of such signatures that includes all 6 items enumerated by the Fabian court. Granted, DocuSign does provide a digital record with some of this information, but that digital record alone would not be enough to satisfy the court in Fabian. As the use of electronic signatures continues to expand, the parties should keep accurate records of when and how all contracts are signed electronically. ■

This article is written by Patrick Casey, who is a business attorney with the JRG Attorneys At Law firm in Monterey. You may reach the author at (831) 269-7114 or at patrick@jrgattorneys.com.



Member News

TMD Creative Earns Awards

TMD Creative, an international marketing and design firm, announced the company has been presented with several awards by the Academy of Interactive and Visual Arts' 16th Annual w3



Awards. Receiving over 3,000 entries from across the globe, the w3 Awards honors outstanding websites created by some of the best digital content creators across the industry. TMD Creative is proud to be recognized for work that included the following clients: All U.S. Credit Union, D'Arrigo California Andy Boy, and Taylor Farms.

New COO at SCCB



Shamara van der Voort

Santa Cruz County Bank announced Shamara van der Voort has joined the Bank as Executive Vice President, Chief Operations Officer. Ms. van der Voort has a 25-year banking background with extensive experience in Branch and Banking Operations, Customer Service Management, Sales and Treasury/Cash Management Services. Most recently, Ms. van der Voort held an Executive role at Pacific Mercantile Bank. Her career includes extensive Management, Branch Operations, Customer Service, Risk Management and Treasury Management experience. She will be based out of the Bank's headquarters in Santa Cruz.

Garland Joins Balance PT

Ben Garland, PTA has joined Balance Physical Therapy's Salinas team. Ben grew up in Santa Cruz and graduated from CSU Monterey Bay with a BA in Human Communications with an emphasis in practical and professional ethics in 2014. He went on to graduate from Ohlone Community College with an Associates of Science degree as a physical therapist assistant in the summer of 2021. Welcome, Ben!



Ben Garland



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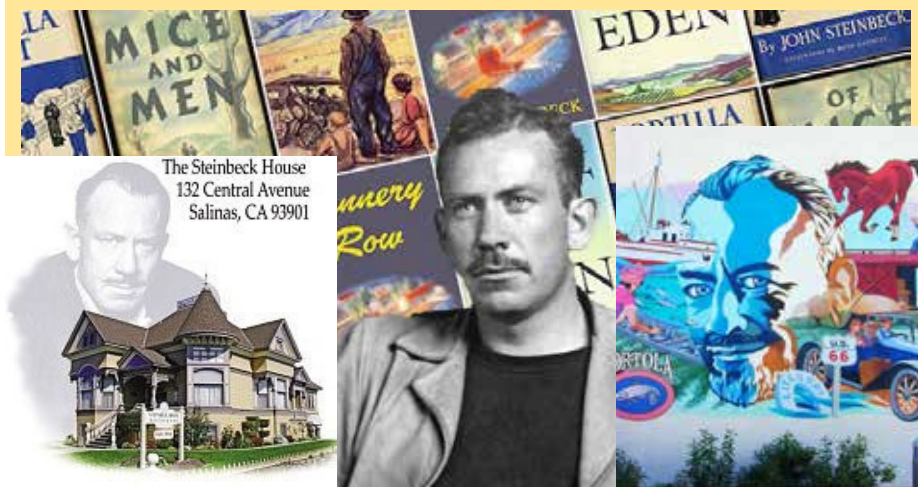
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The Steinbeck House

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business.salinaschamber.com/chamber-event-calendar



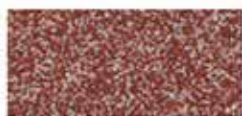
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