



City of Weed

550 Main Street
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Weed, CA 96094

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Historic Lumber Town Incorporated 1/25/1961

www.ci.weed.ca.us

CITY COUNCIL AGENDA

Regular Meeting

Date of Meeting: March 13, 2014
Time of Meeting: 5:30 p.m.
Place of Meeting: Council Chambers, 550 Main Street

The City of Weed does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk at (530) 938-5020. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35. 104 ADA Title II)

PUBLIC NOTICE:

*GOVERNMENT CODE, TITLE 5. LOCAL AGENCIES [50001. - 57550.] (Title 5 added by Stats. 1949, Ch. 81.)
DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000. - 55821.] (Division 2 added by Stats. 1949, Ch. 81.), PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000. - 54999.7.] (Part 1 added by Stats. 1949, Ch. 81.)*

CHAPTER 9. Meetings [54950. - 54963.] (Chapter 9 added by Stats. 1953, Ch. 1588.) 54954.2. (a) (2) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Council Members: Stacey Green, Ken Palfini, Dave Pearce and Chuck Sutton.
Mayor: Bob Hall

III. PUBLIC BUSINESS FROM THE FLOOR

Subject to Government Code §54954.3, members of the public have the opportunity to address the legislative body on specific agenda items or any item of interest that is within the Council's jurisdiction and not listed on this agenda.

This is the time set aside for those wishing to address the Council on matters that fall under the authority of Council. No action may be taken by the Council on matters not on this agenda except to set the matter presented for the next regular Council meeting. Please keep comments concise and observe time limits.

Individual speakers will be limited to 3 minutes each with a 20-minute maximum for public comment. Additional opportunity for public comment may be available at the end of the meeting at the discretion of the City Council.

IV. COUNCIL MEMBER ANNOUNCEMENTS, MEETING REPORTS AND COMMENTS

Pursuant to Government Code §53232.3(d) members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

V. PUBLIC HEARING(S)

All interested persons are encouraged to provide written and/or oral questions or comments concerning this agenda item. The City Administrator at P. O. Box 470, Weed, CA 96094 will accept written comments no later than February 13, 2014. If you challenge the project proposal in court, you may be limited to raising only those issues raised at the public hearing or in written correspondence delivered to the City Administrator at, or prior to, the public hearing.

- A. Zoning Ordinance Text Amendment: The Planning Commission has recommended the City Council consider amendment of the zoning ordinance as follows:
“Section 18.54 of the Weed Municipal Code is hereby adopted, to read as follows:
 18.54 Medical marijuana dispensaries. A medical marijuana (cannabis) dispensary – a facility where marijuana or its derivatives is made available for medical purposes in accordance with California “Compassionate Use Act”, Health and Safety Code 11362.5 (Proposition 215, 1996) or the “Medical Marijuana Program”, Health & Safety Code S11362.7, is a prohibited use of land within all zones of the City and may be abated as a nuisance.”

At conclusion of the hearing, the Council will consider introduction of Ordinance No. 415 for first reading, said ordinance titled An Ordinance Of The City Of Weed Adding Section 18.54 To The Municipal Code Prohibiting The Operation Of Cannabis Dispensaries Within The City Limits Of The City Of Weed

VI. REGULAR AGENDA

All items listed under the Regular Agenda below require action which may include any and/or all of the following: report, review, consideration, discussion, approval, disapproval, acceptance and rejection. Public input is invited. Individual speakers will be limited to 5 minutes each with a 20-minute maximum per item.

- A. Audit Presentation – Fiscal Years 2012/2013: Council will receive the drafted audit and consider acceptance for filing.
- B. Public Safety Department, Community Service Office -- Public Nuisance: 585 Florence Drive. Council will receive verbal status report of cleanup efforts. Action is continued from January 9 and February 13 2014 special meetings at which time property owner (or other persons of interest) was granted 30 days to continue cleanup efforts.
- C. Public Safety Department – Police Division: Administrative Citation Process. Council will consider second reading and adoption of Ordinance No. 414, An Ordinance Of The City Council Of The City Of Weed Authorizing The Issuance And Resolution Of Administrative Citations For Municipal Code Violations.
- D. Public Safety Department – Police Division: Drug Paraphernalia. Council will receive recommendation to amend Weed Municipal Code section 09.06.070 related to Zoning Districts for Displays and Distribution of Drug Paraphernalia.

Council will consider introduction of Ordinance No. 416-2014 for first reading, said ordinance titled An Ordinance of the City Council of the City of Weed Amending Section 09.06.070 Of The Weed Municipal Code Relating To Zoning Districts For Displays And Distribution Of Drug Paraphernalia.

- E. Public Health and Safety – Cultivation of Marijuana: Council will receive recommendation and request from the Planning Commission to enact an ordinance regulating the cultivation of marijuana. Council will consider scheduling a public hearing on the drafted ordinance.
- F. City Council Goals and Objectives: Council will consider approval of goals and objectives for 2014 – 2016.

VI. CONSENT AGENDA

All items listed under the consent agenda are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless Council or members of the audience request specific items be removed from the Consent Agenda for discussion prior to the time the Council votes on the motion. All resolutions on this agenda, or added hereto, shall be adopted by title only and the full reading thereof is hereby waived.

- A. City Clerk Division – Elections Department: Council will consider introduction and adoption of Resolution No. 05-2014 calling and giving notice of a general municipal election to be held on November 4, 2014 and requesting consolidation of this election with the statewide election.
- B. Administrative Services Department:
 - 1. To approve City of Weed Accounts Payable Check Registers dated February 10, 25, 2014 and March 5, 2014 in the amount of \$214,811.40
 - 2. To receive and file Financial Status Report for Month Ending February 28, 2014.

VII. ITEMS REMOVED FROM THE CONSENT AGENDA

- A. Warrant #48568 paid 2/25/14 to Dave Pearce in the amount of \$232.06 for reimbursement for mileage and/or other expenses related to Council appointments or Committee assignments.
- B. Warrant #48572 paid 2/25/14 to Bob Hall in the amount of \$1,400.10 for reimbursement of expenses incurred for attendance at League of California Cities' Annual Mayor and Council Members' Academy.

VIII. STAFF REPORTS

IX. ADJOURNMENT

- A. Sine Die.

Notations:

Additions to agenda (Government Code Section 54954.2(b)(2): Upon a determination by a two-thirds vote of the members of the board present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action, and that the need for action came to the attention of the district subsequent to the agenda being posted. The board shall call for public comment prior to voting to add any item to the agenda after posting.

Agenda staff reports: copies of staff reports and/or other written documentation pertaining to the items on the agenda are on file in the Office of the City Clerk and are available for public inspection during the hours of 9:00 a.m. to 4:00 p.m. Monday through Friday. Information may be obtained by calling (530) 3938-5020. City Council Minutes and agendas are also available on the City's web site on the internet: <http://www.ci.weed.ca.us>.

Supplemental reports: Agenda related writings or documents provided to a majority of the subject body after distribution of the agenda packet shall be made available for public inspection at the City clerk's office during normal business hours [privileged and confidential documents exempted].

Posting statement: On _____, a true and correct copy of this agenda was posted on the front door at 550 Main Street, (City Hall).
