



City of Weed

550 Main Street
P. O. Box 470
Weed, CA 96094

(530) 938-5020
(530) 938-5096 (FAX)

Historic Lumber Town Incorporated 1/25/1961

www.ci.weed.ca.us

CITY COUNCIL AGENDA

Regular Meeting

Date of Meeting: May 8, 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 Thursday, May 8, 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.

PROTOCOL

1. Opening of the hearing by the Mayor.
2. Presentation of staff report, if any;
3. Presentation of correspondence which may be read, circulated or acknowledged and made part of the record;
4. Presentation of reports, arguments, or evidence by staff of other City departments or public agencies;
5. Proponent arguments and/or evidence; speakers will be limited to 3 minutes each.
6. Opponent arguments and/or evidence; speakers will be limited to 3 minutes each.
7. Public comments (The Council reserves the right to reasonably limit the length of time of individual comments and/or the total amount of time allotted to public comments)
8. Public Hearing is closed.
9. City Council Discussion of Project
10. Entertainment of motion and second;
11. Discussion of the question;
12. Decision.

- A. Planning and Community Development Department / Public Health and Safety Departments -- medical marijuana cultivation regulations: Council will consider Planning Commission recommendation, drafted ordinance, and take public input concerning the proposed ordinance.
- B. Minor Subdivision – Susan (Powell) Stone: The City Council will receive the application and the Planning Commission recommendation, accept public input on the project, and then consider adoption of the Mitigated Negative Declaration, and approval of the conditioned tentative map.

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. Public Safety Department, Police Division – zoning for sales of drug paraphernalia: Council will consider second reading and adoption of Ordinance No. 416-2014, 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
- B. Appointment -- Planning Commission: Council will receive Letters of interest from individuals interested in appointment to three unexpired Planning Commission terms. The Mayor will consider the appointment for Council confirmation. Letters have been received from Travis Starling, Paul Palfini, and John Oliver. Two terms expiring December 31, 2015 are available as well as one term expiring December 31, 2016. All Commissioners serve at the will of the Council.
- C. Public Works Department – Water System: Council will consider adoption of Ordinance No. 417-2014, An Ordinance authorizing the city administrator to sign contracts pursuant to Section 40602 of the California Government Code related to lease agreements for municipal water.
- D. Planning and Community Development Department -- Vacant property owner rules and regulations: The City Council has received recommendation for enactment of regulations related to maintenance and upkeep of vacant or abandoned buildings. Staff drafted regulations to use when commencing the review process.
- E. Public Safety Department, Police Division – Chapter 9.06 of the Weed Municipal Code entitled Drug Paraphernalia: The City Council will consider whether to amend the drug paraphernalia section of the Code to limit the lawful sale of drug paraphernalia to those items that can be used for the ingestion of marijuana. This matter is continued from the April 10, 2014 meeting on motion of the Council.

VII. 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. Public Safety Department -- Animal Control Division: Animal Permit at 780 S. Weed Boulevard. Approve application with conditions.

- B. Public Works Department – Water Systems: Award of contract for environmental assessment work on water project; City Administrator authorized to enter into agreement on behalf of the City. City Administrator Stock is authorized to execute the necessary documents on behalf of the City and to issue the Notice to Proceed when appropriate.
- C. Public Works Department – Streets and Roads Division: Adopt Resolution No. 08-2014, A resolution of the City council of the City of Weed Accepting a Grant Deed in and for consideration received from Sheba Vincent for Real Property to become Part of the Public Right of Way known as Black Butte Drive.
- D. Public Works Department – Streets and Roads Division: Adopt Resolution No. 09-2014 requesting the Installation of A “Business District” Sign On North Bound And South Bound California State Highway 97 At The Intersection Of Highway 97 And Main Street.
- E. Public Safety -- Fireworks Permit Application: Approve issuance of permit to Weed High School Athletics for location on Weed Boulevard with conditions.
- F. Planning and Community Development Department – Property Acquisition: Adopt Resolution No. 10-2014 accepting a deed-in-lieu of foreclosure from Rauland J. Perez and Authorizing the execution of related documents.
- G. City Clerk’s Department: Approve minutes for the meetings of April 10 and May 1, 2014.
- H. Administrative Services Department: Approve the payment of warrants as shown on City of Weed Accounts Payable Registers dated April 10, 25, and 29, 2014; and receive and file Financial Status Report for Month Ending April 30, 2014.

VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

IX. STAFF REPORTS

X. ADJOURNMENT

Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk’s Office at 550 Main Street during normal business hours.

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>.

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