550 Main Street
P. 0. Box 470
Weed, CA 96094

(530) 938-5020
(530) 938-5096 (FAX)
www. ci. weed. ca. us

City of Weed

Historic Lumber Town Incorporated 1/25/1961

CITY COUNCIL AGENDA
Regular Meeting

Date of Meeting: May 12, 2022
Time of Meeting: 5:30 p.m.
Place of Meeting: **City Hall Council Chambers 550 Main Street Weed, CA 96094**

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, Bob Hall, Ken Palfini, and Susan Tavalero.

Mayor: Kim Greene

III. NON-AGENDA PUBLIC COMMENT

The agenda is a lawful tool used by the City Council to conduct the public's business. Subject to Government Code §54954.3, members of the public have the opportunity to address the legislative body on any item of interest that is within the Council's jurisdiction and not listed on this agenda. Comments relating to items on this agenda will be taken at the time the item is heard.

No action may be taken by the Council on matters not on this agenda. The Council has the discretion to determine the appropriate disposition of the matter presented. Three members of the Council must agree to add the matter to a future agenda. Pursuant to open meeting laws, no discussion or action, other than a referral, shall be taken by the Council on any issue brought forth.

*The Council encourages public participation, but many members of the public will be denied the opportunity to speak and to have Council action taken at a reasonable hour, if at all, if limits on time and decorum are not placed on all speakers. 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.*

Please keep comments concise and observe time limits. *All remarks shall be addressed to the Council as **a** body and not to a single Council Member or to the audience. No person, other than the Council and persons having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer.* ***No question shall be asked of or by a Council Member or City staff except through and with the permission of the presiding officer***

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. PRESENTATION

A. Quintin Gaddy - Siskiyou Economic Development Council – present update on programs offered.

VI. CONSENT AGENDA

All items listed under the Consent Agenda are routine and will be approved by one motion with a vote. There will be no separate discussion of these items unless Council request specific items be removed prior to the time the Council votes on the motion. All resolutions, and ordinances on this agenda, or added hereto, shall be adopted by title only and the full reading thereof is hereby waived. Any items removed will be considered after the motion to approve the Consent Agenda.

A. Public Works – by **Motion**, approve Change Order Number 2 for the Vista Drive project.

B. Fire Department – by **Resolution,** declare certain property surplus and direct disposal**.**

C. Minutes – By **Motion** approve City Council Minutes for Work Session, and Regular Meeting Minutes from 4/14/2022.

E. Financial Report(s) – By Motion approve payment warrants dated from 04/07/22 through 04/12/22 including any voided warrants totaling $313,692.75.

VII. ITEMS REMOVED FROM CONSENT

VIII. COUNCIL BUSINESS

All items listed under the Council Business 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 3 minutes each with a 20- minute maximum per item. As a rule, and unless otherwise expressly permitted by the presiding officer, after a motion is made by a member of the Council on the matter under consideration, no member of the public shall address or be permitted to address the Council.

A. Public Works – PACE Engineering - Paul Reuter from PACE Engineering will present the Utility Rate Study.

B. Water/Sewer Rates – by **Resolution,** Council will consider setting a Public Hearing to adopt increased water and sewer rates for July 14, 2022.

C. Water/Sewer Rates – by **Resolution,** Council will consider setting guidelines for the submission and tabulation of protests in connection with rate hearings conducted pursuant to Article XIIID, Section 6 of the California Constitution.

D. Finance – by **Motion**, Council will consider whether to move forward with sales tax, and if so, propose whether is shall be a general or special tax.

E. Application for ABC License – by **Resolution**, Council will consider a Convenience or Necessity waiver for a Type 20 Off Sale Beer and Wine License located at 118 S. Weed Blvd.

F. Encroachment Permit/Road Closure – by **Motion**, Council will consider request by Weed Chamber to close Main Street from 5/20/22 through 5/22/22.

G. Fire – by **Motion**, Council will consider approval for Fire Chief Duncan to proceed in locating a Type III 4X4 Apparatus utilizing funds received from surplus vehicles 1212 and the 1948 Engine.

H. Administration– by **Resolution**, Council will consider requesting a public hearing for the consideration of reorganization of the Weed High School and Weed Union Elementary School Districts.

IV. STAFF REPORTS

X CLOSED SESSION

A. Conference with Legal Counsel; Existing Litigation (Gov. Code§ 54956.9(d)(1))
The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.
Name of Case: *City of Weed v. Weed Holdings, Inc. et al.* Names of Parties or Claimants:
Petitioner: City of Weed; Respondents: Weed Holdings, Inc., Does 1-20
Case No. or Claim No. Siskiyou Superior Court, No. CVPT 20-589

B. Conference with Labor Negotiators (§ 54957.6) Weed Police Officers Association (Sworn and Non-Sworn) Tim Rundel City Manager

XI ADJOURN TO OPEN SESSION

Announcement of any action taken by the City Council in Closed Session required by the Ralph.

M. *Brown Act (Gov. Code, §§ 54950 et seq.)*

XII. ADJOURNMENT

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 normal weekday business hours. Information may be obtained by calling (530) 938-5020. City Council Minutes and Agendas may also be available on the City's web site on the internet: http://www.ci.weed.ca.us.
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. *Privileged and confidential documents exempted.*

Posting statement: On Monday May 9, 2022 a true and correct copy of this agenda was posted on the front door at 550 Main Street, (city hall).