

CITY OF MONTAGUE CITY COUNCIL MEETING MINUTES
NOVEMBER 2, 2023
6:30 P.M.
Council Chambers, 230 S. 13th Street, Montague, CA 96064

PARTICIPATION: Participants can attend in person, online, and/or by telephone, as follows:

- In-person at: **Montague City Council Chambers, 230 S. 13th St.**
- Online via Zoom at: <https://us02web.zoom.us/j/6722621496?pwd=STQxMG94em1CejZwbCthNmNnem1Tdz09>
- Telephone at: 1(669)444-9171, When prompted, enter **Meeting ID:** 672 262 1496 **Passcode:** *89335983 *9 to **Raise Hand *6** to **unmute**

AGENDA PACKET: Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection 72 hours before each regularly scheduled meeting at the City Clerk's office at City Hall, located at 230 S. 13th Street, Montague, California, during normal business hours. Any writing that is subject to disclosure that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at the City Clerk's office during normal business hours. Materials distributed to a majority of councilmembers less than 72 hours before a meeting will be available for public inspection on the City's website at www.cityofmontagueca.com.

SPEAKERS: Speakers, please stand at the podium and speak loudly so the entire room can hear you. The chairman will recognize you and ask that you state your name and mailing address so that the City Staff can follow up on any issues requiring City action, or provide you with information, if appropriate.

Please silence your cell phones. Thank you!

CITY COUNCIL AGENDA:

- I. CALL TO ORDER: @ 6:30 PM**
- II. ROLL CALL: Vela, Murakami, Dooley, and Jackson present**
- III. PLEDGE OF ALLIGIANCE:**
- IV. PUBLIC COMMENTS:** "This time is set aside for the public to address the City Council on matters listed on the Consent Agenda as well as other items not included on the Regular Agenda within the authority of the City Council. If your comments concern an item noted on the Regular Agenda, please address the City Council when that item is open for public comment." (The Brown Act requires the public be given the opportunity to address the City Council before action is taken. If there is a Consent Agenda, there is no other opportunity for public comment on items on the Consent Agenda.) The City Council has the right to reasonably limit the duration of each speaker to three minutes. Speakers may not cede their time. The City Council may ask questions but may take no action during the Public Comments portion of the meeting, except to direct staff to prepare a report, or to place an item on a future agenda.
Chief Vela presenting. Asks to add item to agenda for cost of the repair of engine 510.
- V. AGENDA APPROVAL: Council moves forward with adding new business item 6 consideration of payment for repair of engine number 510. Approved. Motion made by Dooley, seconded by Jackson. All Ayes.**
- VI. CONSENT CALENDAR:** Discussion/possible action - All matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion, or a member of the audience wishes to comment on an item. The City Clerk recommends approval of the following consent calendar items:
 1. Approval of City Council Meeting minutes for 10/5: Approved. Motion made by Jackson, seconded by Vela. All Ayes.
- VII. DEPARTMENT REPORTS:**
 1. Sheriff's update for October 2023: Nowdesha presenting. Report included.

2. City Engineer's update for October 2023: Jose presenting. 6th Street report 10/3 was the start date. A change order was submitted to add 4 inches of base to the road, \$33,000 left so Dave decided to do an overlay on King Street. About \$2000 was left after everything was complete on 10/22. Caltrans says the road needs to be widened so that will be addressed before ending the contract.
3. Planning Commission's update for October 2023: Robinson absent. Dunn presenting. Report attached.

VIII. NEW BUSINESS:

1. Consideration for use of city lot behind Community Hall for New Year Celebration by Chaki Vang: Mayor states that you do not need permission. Dismissed.
2. Consideration of approval for the proclamation of the 16th Annual "Read Across Siskiyou" event: Approved. Motion made by Jackson, seconded by Dooley. All Ayes.
3. Public Hearing – City of Montague Housing Element Update: Proposed Update of the General Plan Housing Element for the 6th Cycle Planning Period (2023-2031) (Discussion/Action)
 - i. Finding that the project would not have a significant effect on the environment and is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. (Discussion/Action) Approved. Motion made by Vela, seconded by Dooley. All Ayes.
 - ii. Approve Resolution 23-07, A Resolution of the City Council of the City of Montague Adopting the 2023 Housing Element Update. (Discussion/Action) Approved. Motion made by Dooley, seconded by Jackson. All Ayes.
4. Consideration of approval for budget corrections for FY 23/24: Approved. Motion made by Jackson, seconded by Dooley. All Ayes.
5. Consideration of the delegation of funds from Happy Camp Complex Fire Camp: Dunn presenting. Public Works has a mower that was made in 1995 and they have a loader that you must go to a wrecking yard to find parts for because they are not made anymore. The City will be receiving funds from CalFire for loaning them city property and Public Works would like to put the \$79,820 into a separate Public Works fund in LAIF to buy equipment to replace the others that were mentioned. Council counters with stating Public Works can have the money that was made from renting the property but the money that was made from use of drinking and potable water will go into the general LAIF for Parks and Recreation projects. General Consensus.
6. Consideration of payment for repair of engine number 510: Chief Vela reporting. 2002 engine donated to the Montague Fire Department from May 10 Fire crew. After a couple uses the engine blew up. Found a mechanic in Medford OR that can fix it for \$32,179.50. The fire department will be selling another engine 511 for \$40,000. The city will need to send a wire transfer of \$16,000 as soon as possible. The rest of the bill will be paid when the engine is finished. Approved. Motion made by Vela, seconded by Dooley. All Ayes.

COUNCIL AND STAFF REPORTS for October 2023

1. Fire Department:
2. Public Works:
3. City Administrator:
4. Animal Control/ Code Enforcement:
5. City Clerk:
6. Treasurer:
7. Library:
8. Commissioner/ Council Statements and Requests: Members of the council may now make brief announcements, reports, or request staff to report to the council on any matter at a subsequent meeting.

7. ADJOURN: @ 9:01 PM

Motion to adjourn made by Dooley, seconded by Jackson. All Ayes.

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a publicly accessible place, 72 hours in advance of the meeting.

Public Hearings: If you wish to challenge in court any of the matters on an agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing. Any person seeking to challenge a Planning Commission decision made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the Planning Commission, shall be required to commence that action 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6. Please refer to Code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes “final.”

CHALLENGING DECISIONS OF CITY ENTITIES The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of Montague is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing. If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Montague, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

The City of Montague does not discriminate on the basis of race, color, national origin, religion, age, gender, sexual orientation, disability, or any other legally protected classes in employment or provision of services. In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the City Clerk 48 hours prior to the meeting at (530) 459-3030 or by notifying the Clerk at clerk@cityofmontagueca.com

AFFIDAVIT OF NOTIFICATION AND POSTING
STATE OF CALIFORNIA
COUNTY OF SISKIYOU
CITY OF MONTAGUE

I, Jessie Monday, City Clerk for the City of Montague, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the Regular City Council of the City of Montague, California, was delivered and/or notice by email not less than 72 hours, before the hour of 5:30 PM on October 26, 2023 to the members of the City Council, caused the agenda to be posted at the bulletin board found at City Hall, 230 S. 13th Street, Montague CA, and a copy to be place for review at the Office of the City Clerk.

POSTED: October 26, 2023 @ 12:00 PM