

**AGENDA**  
**SPECIAL MEETING OF THE ETNA CITY COUNCIL**  
**THURSDAY OCTOBER 5, 2017 7:30 PM**  
**ETNA CITY COUNCIL CHAMBERS, 442 MAIN ST**

*Availability of Public Records: All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 442 Main St, Etna CA 96027 at the same time that the public records are distributed or made available to the members of the legislative body. All supporting documentation is available for public review in the office of the City Clerk, located in the Etna City Hall 442 Main St., Etna CA 96027 during regular business hours, 8:00a.m. - 5:00 p.m., Monday through Thursday and 8:00a.m -3:00p.m Friday.*

**CALL TO ORDER**  
**FLAG SALUTE**  
**ROLL CALL**

***ORAL COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS***

*This is the time is set-aside for citizens to address the City Council on matters NOT on the agenda or that are on the consent agenda. Comments should be limited to matters within the jurisdiction of the City Council. If your comments concern an item noted on the agenda, please address the Council after that item is open for public comment. By law, the City Council cannot take action on matters that are not on the agenda. The Mayor reserves the right to limit the duration of each speaker to three minutes. Speakers may not cede their time*

**CURRENT BUSINESS**

- Discuss/Approve Resolution 903-17 A Resolution Authorizing the City Clerk to Sign and Administer the Master Agreement, Program Supplement Agreements, and any other documents relating to the State Transportation Improvement Program (STIP) Projects
- Discussion on Marijuana Ordinance Wording

**ADJOURNMENT**

*Parties with a disability as provided by the American Disabilities Act who require special accommodations or aides in order to participate in the public meeting should make the request to the City Clerk at least 48 hours prior to the meeting.*

RESOLUTION # 903-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ETNA AUTHORIZING THE CITY CLERK TO SIGN AND ADMINISTER THE MASTER AGREEMENT, PROGRAM SUPPLEMENT AGREEMENTS, AND ANY OTHER DOCUMENTS RELATING TO STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) PROJECTS.

WHEREAS, the Legislature of the State of California has enacted legislation by which certain State funds are made available for use on local transportation facility projects; and

WHEREAS, the City Council of the City of Etna has approved Master Agreement No. 0093S which provides funds for the STIP projects; and

WHEREAS, the Master Agreement requires the execution of numerous supplemental agreements and other documents and authorizes the City Council to delegate to an appropriate City Official the authority to execute such documents; and

WHEREAS, the volume and administrative nature of documents necessary for these projects makes delegation of responsibility for approving these documents on behalf of the City prudent; and

WHEREAS, E & S Engineering, the City's consultant, is available to review and assist the City with any documents relating to STIP projects; and

WHEREAS, the City Attorney will review all Master and Supplement agreements prior to approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Etna authorizes the City Clerk to accept and sign the Master Agreement and all documents required to implement the Master Agreement.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Etna at a Special Meeting thereof held on October 5, 2017 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Erik Ryberg, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Bennett  
Deputy City Clerk

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ETNA AMENDING CHAPTER 17.48 OF THE MUNICIPAL CODE RELATING TO MARIJUANA USES AND ACTIVITIES

The City Council of the City of Etna does hereby ordain as follows:

Chapter 17.48 of the City of Etna Municipal Code is amended to read as follows:

**Chapter 17.48 – Marijuana Products, Uses, and Activities**

17.48.010 Marijuana Activities Prohibited:

(a) Unless expressly permitted by the City Municipal Code or the California Health and Safety Code section 11362.1(a), all cultivation, manufacture, distribution, possession, storing, laboratory testing, labeling, transportation for distribution, delivery, or sale of marijuana or marijuana products is prohibited within the City.

(b) In addition to the prohibitions in subsection (a) of this section, all outdoor cultivation of marijuana is prohibited within the City.



**State of California**

**HEALTH AND SAFETY CODE**

**Section 11362.1**

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11362.1. (a) Subject to Sections 11362.2, 11362.3, 11362.4, and 11362.45, but notwithstanding any other provision of law, it shall be lawful under state and local law, and shall not be a violation of state or local law, for persons 21 years of age or older to:

(1) Possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis;

(2) Possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than eight grams of cannabis in the form of concentrated cannabis, including as contained in cannabis products;

(3) Possess, plant, cultivate, harvest, dry, or process not more than six living cannabis plants and possess the cannabis produced by the plants;

(4) Smoke or ingest cannabis or cannabis products; and

(5) Possess, transport, purchase, obtain, use, manufacture, or give away cannabis accessories to persons 21 years of age or older without any compensation whatsoever.

(b) Paragraph (5) of subdivision (a) is intended to meet the requirements of subsection (f) of Section 863 of Title 21 of the United States Code (21 U.S.C. Sec. 863(f)) by authorizing, under state law, any person in compliance with this section to manufacture, possess, or distribute cannabis accessories.

(c) Cannabis and cannabis products involved in any way with conduct deemed lawful by this section are not contraband nor subject to seizure, and no conduct deemed lawful by this section shall constitute the basis for detention, search, or arrest.

(Amended by Stats. 2017, Ch. 27, Sec. 129. (SB 94) Effective June 27, 2017. Note: This section was amended on Nov. 8, 2016, by initiative Prop. 64.)