



CITY COUNCIL MEETING

Tuesday, August 02, 2022

Regular Meeting - 6:00 PM

City Hall – City Council Chambers

425 Webster Street, Colusa, CA 95932

MINUTES

CALL TO ORDER

Mayor Reische called the meeting to order at 6:00 pm.

ROLL CALL

PRESENT

Council Members Greg Ponciano, Daniel Vaca, Denise Conrado, Josh Hill and Mayor Reische.

PUBLIC COMMENTS – None.

CLOSED SESSION - 5:30 PM

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Section 54956.9)

REGULAR MEETING - 6:00 PM

REPORT ON CLOSED SESSION – Mayor Reische stated there was no reportable action.

ROLL CALL- All Council Members were present.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA- Council Member Ponciano commented that the cannabis audit agenda item, he requested was not on this agenda. City Manager Cain stated it would be forthcoming.

PUBLIC COMMENTS - Francis Hickel commented on the cannabis odor. He recommended a designated phone number for complaints and a log.

Don Bransford discussed unprecedented times and struggling citizens in the community.

John Rogers inquired about his request for an agenda item on the number of cannabis facilities in the city. He asked for a hearing device for the next meeting. City Clerk Kittle replied hearing devices will be available at the next meeting.

Thomas Roach commented about a Planning Commission discussion item from Mr. Bransford's comments.

Ed Hulbert, CIP responded to Francis Hickel's comments on the cannabis facilities at CIP.

CONSENT CALENDAR - All items listed on the Consent Calendar are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Council member requests otherwise, in which case, the item will be removed for separate consideration.

2. **Adopt** - Resolution increasing the sewer rates 9% starting September 1, 2022.
3. **Adopt** - Resolution to approve waiving Request for Proposals process and enter into a contract with SF Metalworks for construction of a stainless-steel insert for the UV Channel
4. **Adopt** - Resolution approving the City Manager to sign the water services agreement with Colusa Industrial Properties.
5. **Adopt** - Ordinance 553 adopting a military equipment policy of the City of Colusa governing the use of military equipment

ACTION: Council Member Ponciano requested Items 2 and 3 be pulled for discussion. Motion by Council Member Conrado, seconded by Council Member Vaca to approve Consent Items 4 and 5. Motion passed unanimously.

Item 2: Council Member Ponciano asked for additional information. Finance Director Aziz-Khan and City Manager Cain explained why the 9% rate increase and pointed out the last increase was in 2019. Cain stated council approved the rate study in 2018. Cain further explained the state-mandated upgrades in order to have opportunities for loans and/or grants.

Public Comments: John Rogers and Don Bransford expressed opposition with the increase. Janice Bell commented about the State review process on the poverty rate in Colusa. Julie Garofalo asked if the increase was due to inflation and recommended 3% increase.

Action: Motion by Council Member Conrado, seconded by Mayor Reische to adopt **Resolution 22-48** approving the implementation of a 9% sewer rate increase for 22-23 Fiscal Year. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSTAIN: None.

ABSENT: None.

Item 3: Council Member Ponciano inquired why a Request For Proposal (RFP) wasn't published.

Public Comments: Susan Meeker, Pioneer Review stated an RFP was required on all Public Works projects.

JP Cativella concurred with Meeker's comment.

Action: Council directed City Manager Cain to advertise the Request for Proposal. No further action was taken.

COUNCIL MEMBER/CITY MANAGER REPORTS and STAFF COMMENTS

Council Members Ponciano and Vaca reported on the Homeless Ad Hoc meeting.

Council Member Conrado provided updates on meetings she attended.

Grant Writer Vanetta spoke about the Micro Assistance Program for local small businesses.

Fire Chief Conley provided update in his department.

PUBLIC HEARINGS

6. Public Hearing for a proposed first reading of an Ordinance approving a Development Agreement, and a Resolution for a Cannabis Business Regulatory Permit and a Cannabis Business Special Use Permit in support of cannabis manufacturing uses at 2949 Niagara Avenue.

Public Hearing opened: Don Bransford requested a completed audit on the current cannabis facilities before approving another Development Agreement.

Ed Hulbert, CIP explained the one-and-a-half-year project timeline and how the building template was similar to the RPTS Building.

Hunny Pot Farms stated the facility was owned and operated by Colusa residents.

Francis Hickel recommended waiting until other facilities' odor restrictions were enforced. He suggested council know the number of calls received on odor.

John Vaca expressed his opposition until the odor control was enforced.

John Davis, designer of Hunny Pot Farms discussed the mitigation and design process on how odor would be eliminated.

Council Member Ponciano stated Ordinance 519 was asked to be brought back for amendments. He asked to agendaize Ordinance 519 before any more Development Agreements are approved. The Ordinance doesn't define "odor". City Attorney Jones agreed Ordinance 519 needed to be updated.

Public Hearing closed.

Action: Motion by Council Member Conrado, seconded by Mayor Reische to introduce and read by title only Ordinance 554 - An Ordinance of the City Council approving a Development Agreement between the City of Colusa and Hunny Pot Farms relative to the operation of a Cannabis Manufacturing Facility located at 2949 Niagara Avenue in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano

ABSTAIN: None.

ABSENT: None.

Action: Motion by Mayor Reische, seconded by Council Member Vaca to adopt **Resolution 22-50** approving a Special Use Permit and a Regulatory Use Permit relative to the establishment and operation of a Cannabis Manufacturing Business Facility located at 2949 Niagara Avenue in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSTAIN: None.

ABSENT: None.

7. Public Hearing for a proposed first reading of an Ordinance approving a Development Agreement, and a Resolution for a Cannabis Business Regulatory Permit and a Cannabis Business Special Use Permit in support of cannabis manufacturing uses at 2876 Niagara Avenue.

Mayor Reische opened the Public Hearing to remain open until the August 16, 2022, regular council meeting.

Public Hearing: John Rogers expressed opposition to continuing the Public Hearing.

John Vaca asked about city revenue from the Development Agreements.

8. Public Hearing for the first reading of a proposed Ordinance approving a Development Agreement, and a Resolution for a Cannabis Business Regulatory Permit and a Cannabis Business Special Use Permit in support of cannabis manufacturing uses at 2881 Niagara Avenue.

Mayor Reische opened the Public Hearing to remain open until the August 16, 2022, regular council meeting.

9. Consideration of the Resolution approving to Authorize placement of solid waste liens from Recology on the 2022-23 County Property Tax Roll.

City Manager Cain and Finance Aziz-Khan stated the list was current and correct, stating this was a continuation from the last meeting.

Public Comments: John Rogers expressed his frustration with Recology.

Recology Customer Service Supervisor, Kaitlyn Park explained three delinquent letters were sent between from March 31, 2021 – March 31, 2022. She said she was available if anyone needed assistance with their account.

Public Hearing closed.

ACTION: Motion by Council Member Conrado, seconded by Council Member Ponciano to adopt **Resolution 22-51** authorizing delinquent solid waste liens on “Exhibit A” to be placed on the 2022-23 City Property Tax Roll with the County. Motion passed 3-1 with the following roll-call vote:

AYES: Ponciano, Conrado, and Reische.

NOES: Vaca.

ABSTAIN: Hill.

ABSENT: None.

10. Consideration to approve the right of way exchange with Amargit Chema and Mandeep Cheema, aka owners on and adjacent to the property known as APN 002-011-004

City Manager Cain stated this was brought before the Planning Commission. City Engineer Swartz stated this item was part of the Arco project along Highway 20. He discussed execution of the land swap and details of a future traffic signal.

ACTION: With no public comments, motion by Council Member Ponciano, seconded by Council Member Hill to adopt **Resolution No. 22- 52** authorizing both the acquisition and simultaneous relinquishment of land related to a property located along the east side of Wescott Road having assessor parcel no. 002-011-004. Motion passed 5-0 with the following roll-call vote:

AYES: Hill, Ponciano, Conrado, Vaca and Reische.

NOES: None.

ABSTAIN: None.

ABSENT: None.

COUNCIL CONSIDERATION

11. Council to consider adopting Resolution 22-__ Grand Jury Council response

City Manager Cain reported lessons were learned and policies were adopted to prevent issues on city-sponsored events from happening again.

Council Member Ponciano provided his concerns with the draft response.

PUBLIC COMMENTS:

Vicky Willoh provided her thoughts on the draft response letter.

John Vaca expressed his comments.

Sean Amsden expressed the importance of keeping the public informed.

Don Bransford stressed transparency and responsibility.

Francis Austin inquired if there was a District Attorney referral.

Susan Meeker, Editor of Pioneer Review pointed out errors and following policies

Jean Pierre Cativiela expressed his concerns with the draft letter and staff report.

City Clerk Kittle read City Treasurer Kelley's written comments.

ACTION: There was council consensus to form an Ad Hoc Committee. Council Members Ponciano and Conrado volunteered to serve on the Ad Hoc to update the draft letter.

DISCUSSION ITEMS

12. EVENTS UPDATE

Grant Writer Veretta provided an update on the Taco Fest event.

13. PIRELLI UPDATE

City Manager Cain provided information on the award letter received from CDBG for a grant on the
Pirelli building. Cain provided details about the grant.

FUTURE AGENDA ITEMS

Ordinance 519

Audits for cannabis companies.

Staffing Shortages and strategy for filling the positions.

ADJOURNED at 8:25

THOMAS REISCHE, MAYOR

Shelly Kittle, City Clerk