



CITY COUNCIL MEETING

Tuesday, June 20, 2023

Regular Meeting - 6:00 PM

City Hall – City Council Chambers

425 Webster Street, Colusa, CA 95932

MINUTES

CALL TO ORDER – Mayor Ponciano called the meeting to order at 5:00 pm

ROLL CALL - Council Members Conrado, Vaca, Codorniz, Garofalo and Mayor Ponciano were present.

PUBLIC COMMENTS – None.

CLOSED SESSION MEETING – 5:00 PM

1. - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Section 54956.9) County of Colusa v. City of Colusa, et al - Case No 34-2022-80003851 – Superior Court

- PUBLIC EMPLOYEE PERFORMANCE EVALUATION (§ 54957) Title: City Manager

- CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6) Agency designated representatives: City Manager Jesse Cain and Ryan Jones, City Attorney. Memorandum of Understandings (MOU's) for:

Professional Firefighters Association

Peace Officers Association

Department Heads

Middle Management

Miscellaneous Unit

REPORT ON CLOSED SESSION – Mayor Ponciano stated no reportable action.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA – There was council consensus on the approval of the agenda.

PUBLIC COMMENTS – Susan Meeker thanked the city and all the volunteers who provided assistance with the Founders Day event.

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. **Receive and File** - Finance Department May Report
3. **Receive and File** - Recreation Department May Report
4. **Receive and File** - May Warrants List
5. **Adopt** - Resolution adopting direct assessment for delinquent solid waste liens for the Fiscal Year 2022-23 on the 2023-24 Property Tax Roll.

ACTION: Motion made by Council Member Conrado seconded by Council Member Vaca to approve the consent items. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

COUNCIL MEMBER /CITY MANAGER REPORTS AND STAFF COMMENTS

Council Members reported on meetings they each attended.

City Attorney Jones reported Measure B information.

City Manager Cain reported on meetings he attended.

City Engineer Swartz provided an update in his department.

Police Chief Fitch provided updates in his department.

Fire Chief Conley provided updates in his department.

Finance Director Khan-Aziz provided updates in her department.

Consultant Ash provided updates on grants and Prop 64.

City Clerk Kittle provided a reminder on the AB-1825 mandatory training.

City Treasurer Kelley discussed the proposal received from Tri-Counties.

PUBLIC HEARINGS

6. Consideration of a Resolution to approve the engineer's reports, confirm diagram maps, and order the levy on parcels for FY 2023-24 for the City of Colusa Parks, Trees & Pool Improvement District.

Public Hearing opened and closed at 6:27 pm with no public comments.

ACTION: Motion by Council Member Conrado, seconded by Council Member Vaca to adopt **Resolution 23-32** to approve the engineer's report which, confirms diagram maps

and parcels within the assessment district, and order the levy of assessment for FY 2023-24 for the City of Colusa Parks, Trees & Pool Improvement District. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

7. Consideration of a Resolution to approve the engineer's reports, confirm diagram maps, and order the levy on parcels for FY 2023-24 for the City of Colusa Community Facilities District (CFD) 2-2020.

Public Hearing opened and closed at 6:27 pm with no public comments.

ACTION: Motion by Council Member Conrado, seconded by Council Member Vaca to adopt **Resolution 23-33** to approve the engineer's report which, confirms diagram maps and parcels within the assessment district, and order the levy of assessment for FY 2023-24 for the City of Colusa CFD 2-2020. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

8. Consideration of a Resolution approving the engineer's report, confirming diagram maps, and ordering the levy on parcels for FY 2023-24 for the Walnut Ranch Assessment District.

Public Hearing opened and closed at 6:28 pm with no public comments.

ACTION: Motion by Council Member Vaca, seconded by Council Member Conrado to adopt **Resolution 23-34** to approve the engineer's report, confirming diagram maps and parcels within the assessment districts, and order the levy of assessment for FY 2023-24 for the City of Colusa Walnut Ranch Assessment District. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

9. Consideration of a Resolution to approve the engineer's reports, confirming diagram maps, and ordering the levy on parcels for FY 2023-24 for the Colusa Meadows West Public Facilities Assessment District and Hoblit Public Facilities Assessment District.

Public Hearing opened and closed at 6:29 pm with no public comments.

ACTION: Motion by Council Member Conrado, seconded by Council Member Codorniz to adopt **Resolution 23-35** to approve the engineer's reports which, confirm diagram maps and parcels within the assessment districts, and order the levy of assessment for FY 2023-24 for the Colusa Meadows West Public Facilities Assessment District and Hoblit Public Facilities Assessment District. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

10. Fiscal Year 2023-24 Comprehensive Fee Schedule Public Hearing

City Manager Cain reported the 2023-24 schedule would be effective July 1, 2023. He noted changes and answered questions. Fire Chief Conley discussed the abatement letters, violations, and code enforcement.

Public Hearing opened and closed at 6:35 pm

ACTION: Motion by Council Member Conrado, seconded by Council Member Vaca to adopt **Resolution 23-36** approving Fiscal Year 2022-23 Comprehensive Fee Schedule changes and additions. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

COUNCIL CONSIDERATION

11. Consideration of Resolution of the City Council of the City of Colusa to authorize the City Manager to sign the contract with Brewer Environmental Consulting.

City Manager Cain reported Brewer Environmental has been doing work for the city for many years. Since the consultant was familiar with Colusa and specializes in environmental and initial studies, Cain requested using Brewer Environmental Consultant on an as-needed basis, not to exceed \$25,000 from July 2023-July 2024.

ACTION: Motion by Mayor Ponciano, seconded by Council Member Vaca to adopt **Resolution 23-37** to delegate the City Manager authority to execute the contract with Brewer Environmental Consulting. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

12. Consideration of a Resolution to authorize the City Manager to sign the contract with NV5 for Geotechnical Engineering Service

City Manager Cain reported the need for geotechnical engineering services for the Waste Water Treatment Plant. Since the contract expired with NV5, Cain requested a new contract on an as-needed basis.

ACTION: Motion by Council Member Vaca, seconded by Council Member Codorniz to adopt **Resolution 23-38** to delegate the City Manager authority to execute the Contract with NV5. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

13. Consideration of a Resolution for the Community Sake Grant Program

Consultant Sadie Ash provided information and answered questions about the program.

PUBLIC COMMENTS: Susan Meeker inquired if different organizations could apply for the same event.

ACTION: Motion by Council Member Codorniz, seconded by Council Member Vaca to adopt **Resolution 23-39** authorizing the city to move forward with the Community Sake Grant Program. Motion passed 5-0 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, Garofalo and Ponciano.

NOES: None.

DISCUSSION ITEM

14. Hybrid Renewable Electric Energy Power Purchase Agreement with BC&E LLC

City Manager Cain stated BC&E representatives were present for questions. Cain explained BC&E owns the building at Colusa Industrial Properties and has about 90% of the equipment.

Wayne Herling with BC&E provided an overview of the business, providing detail about producing energy from biomass on a 24-hour basis. With the city's current utility, the city will need to be 100% renewable energy by the Year 2045. Herling discussed the 12 ½% ownership, the Inflation Reduction Act, the tax credits, and carbon credits. City Attorney Jones confirmed the letter received from their legal counsel.

PUBLIC COMMENTS: Susan Meeker inquired about the number of employees BC&E would employ.

John Stuck asked about PG&E charges to use their power lines and if the city inquired about the other energy company.

Don Bransford asked about the scale of the project, and if the council would be comfortable signing the guaranteed contract without knowing what PG&E would do.

Wayne Herling stated the scale and the operations would not be an issue. He anticipates 80-100 tons/per day of various materials. He provided details of how the materials are converted.

Sadie Ash asked about the carbon char, storage and the future.

Bob Norman from BC&E explained further the process, the containment, and how it would be odor-free.

Joe Taucher inquired about stockpiling, reliability of power, etc.

John Rogers asked who owns the facility.

Sean Amsden stated he was a proponent of this project.

Don Bransford asked questions about the agreement.

Council directed staff to bring back the Purchase Power Agreement, contract, and the 12 ½ % negotiated agreement to the next council meeting on July 18th.

FUTURE AGENDA ITEMS

Brush pickup/Tree maintenance, including responsibilities between the city and citizens.

Noise Impacts and City Ordinance

ADJOURNED at 8:20 pm.

GREG PONCIANO, MAYOR

Shelly Kittle, City Clerk