



CITY COUNCIL MEETING

Tuesday, February 07, 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 5:30 pm

ROLL CALL - Mayor Ponciano, Council Members Garofalo, Conrado, and Codorniz – present.
Council Member Vaca – absent/excused.

PUBLIC COMMENTS – None.

CLOSED SESSION MEETING – 5:30 PM

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Initiation of litigation pursuant to Government Code § 54956.9(d)(4): (1 case)

REGULAR MEETING – 6:00 PM

REPORT ON CLOSED SESSION – Mayor Ponciano stated there was no reportable action.
Council Member Vaca arrived during Closed Session.

ROLL CALL – All Council Members were present.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS Janice Bell expressed concerns about the homeless residing under the bridge.

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. **Approve** - January 17 Council Draft Minutes

3. **Receive and File** - November Treasurer's Report

4. **Adopt** - Resolution authorizing the Master Services Agreement between Hinderliter de Llamas and Associate and the City of Colusa.

ACTION: Motion by Council Member Conrado seconded by Council Member Vaca to approve the Consent Calendar. Motion passed unanimously.

COUNCIL /CITY MANAGER /STAFF REPORTS AND COMMENTS

Council Members provided updates on meetings/events they attended.

City Manager Cain provided an update on the Splash Pad construction and a Request for Proposal (RFP) for State Park improvements.

City Attorney Jones updated Council about campaign contributions.

Grant Writer Vanetta discussed available grant funding for local small businesses. The City was awarded \$200,000 to develop a city-wide safety plan, cannabis money match will be used.

Finance Director Aziz-Khan provided updates in the Finance Department.

Police Chief Fitch provided updates in his department.

Fire Chief Conley provided updates in his department

City Engineer Swartz discussed the Colusa Industrial Park parcel map and meetings he attended.

City Planner Fontes introduced himself and provided an update in the Planning Department.

City Treasurer Kelley – nothing to report.

City Clerk Kittle stated applications were available for the (new) Citizens Oversight Committee. Council would make appointments at the February 21 council meeting.

PUBLIC HEARINGS

5. Public Hearing and adoption of the addendum to the City of Colusa Wastewater Upgrade / Water Recycled Project CEQA Initial Study Mitigated Negative Declaration.

DISCUSSION: City Manager Cain reported details of the project. There were no written public comments. He answered council questions.

PUBLIC HEARING opened and closed at 6:25 pm with no comments.

ACTION: Motion by Council Member Codorniz seconded by Council Member Garofalo to adopt **Resolution 23-03** adopting the addendum to the Colusa Wastewater Upgrade / Water Recycle Project CEQA Initial Study Mitigated Negative Declaration. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

6. Public Hearing on the Rebuilding American Infrastructure with Sustainability and Equity, or RAISE Discretionary Grant program

DISCUSSION: Grant Writer Vanetta provided details regarding road improvements around the three schools (sewer, sidewalks and roads). Vanetta encouraged everyone to attend the upcoming public meeting on February 9 at 5:30 pm. The application would be around twenty million.

PUBLIC HEARING opened at 6:30 pm with the following comments:

John Stuck commented on drainage issues.

Ed Duncan inquired about ADA compliance.

PUBLIC HEARING closed at 6:40 pm.

ACTION: Motion by Mayor Ponciano, seconded by Council Member Conrado to approve grant application as presented with a two million cash match, to be determined. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

7. Public Hearing Discussion of Community Development Block Grant (CDBG) – Coronavirus Response Round 1 (CV1).

DISCUSSION: Grant Writer Vanetta reported on the close-out request and requirements. The items are available to businesses to use for their outdoor activities and/or city events. Vanetta confirmed the city was reimbursed.

PUBLIC HEARING opened at 6:44 pm:

Joe Taucher inquired about the \$12,000 general administration expenditures.

Susan Meeker with Founders Day thanked the city for the use of the items and looked forward to using items again.

ACTION: Motion by Council Member Garofalo, seconded by Council Member Codorniz to approve close-out procedures for the CDBG-CV1 Grant in the amount of \$71,894. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

CONTINUED PUBLIC HEARINGS

8. Continued Public Hearing on the Conditional Use Permit/General Development Plan (GPD) Consistency Review located at the northeast corner of D Street and East Clay Street

DISCUSSION: Mayor Ponciano stated both Public Hearing Items 8 and 9 were still open to the public. The applicant requested to continue the Public Hearing off-calendar due to revisions and provisions on the documents.

City Attorney Jones recommended removing items off the calendar indefinitely until documents were completely ready for Council. Jones explained the posting requirements.

PUBLIC HEARING: Nancy Garr read the letter she sent to Council.

JP Cativiela commented on the recommended action of the two items.

Ben King commented on the Development Agreement, land infringements, drainage, seepage, the pumping plant, and future city protection. Mayor Ponciano asked Mr. King to provide staff his written comments he provided council earlier.

Janice Bell expressed concern on the “transfer” clause in the Development Agreement.

Craig Hill commented about land use rights.

Cheryl Goodman commented on the vote from the Planning Commissioners.

Planning Commissioner Duncan commented about undue influence and why he voted for the DA.

Ben King recommended, for transparency purposes, that the principal attend the meetings.

Council Members expressed their concerns with the Development Agreement.

ACTION: Motion by Mayor Ponciano, seconded by Council Member Codorniz to continue the Public Hearing off the calendar and to re-notice for a later date. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

9. Continued Public Hearing on the Ordinance approving a Development Agreement by and between the City of Colusa and Colusa Riverbend Estates L.P. and Pomona Rio Property, LLC a California Limited Liability Company, relative to the Development of a Cannabis Manufacturing Facility.

Recommendation: Council to take public comments and;

Council to introduce, read by title only, and waive the full first reading of an Ordinance of the City Council of the City of Colusa approving a Development Agreement by and between the City of Colusa and Colusa Riverbend Estates L.P. and POMONA RIO PROPERTY, LLC a California limited liability company Relative to the Development of a Cannabis Manufacturing Facility.

ACTION: After public comments were made, motion by Mayor Ponciano, seconded by Council Member Codorniz to continue the Public Hearing off the calendar and re-notice for a later date. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

COUNCIL CONSIDERATION

10. Consideration of a Resolution granting the issuance of a Public Facilities Permit to the applicants of “The Salty Pig” a.k.a. Brent Nobles and Thomas Cowser - in the C-G zoning district of a remodel and repurposing of an existing building located at 115 5th Street which

proposes to change the building use from Auto Parts to a Butchery, Deli/Market, and Eventually addition of a kitchen and bar.

DISCUSSION: City Manager Cain reported City Engineer Swartz worked on this item. A correction would be made to the Resolution, from public facilities to public necessities. Per the Ordinance, City Council must provide approval for the issuance of a public necessities permit. City Engineer spoke about this project and the various stages.

Council Member Garofalo noted possible corrections on the application. City Manager confirmed Council was not approving the application, just the the public necessities permit.

ACTION: With no public comments, motion by Council Member Conrado seconded by Mayor Ponciano to adopt **Resolution 23-04** (with an amendment) A Resolution of the City of Colusa City Council approving the issuance of a public **necessities** permit through the Department of Alcoholic Beverage Control for Thomas Cowser and Brent Nobles for use of the business called "The Salty Pig". Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

11. Levitt AMP Colusa Music Series – Award and Commitment

DISCUSSION: Grant Writer Vanetta provided a report on the grant update. She requested city match of \$15,000 (\$7,500 from the Parks and Recreation Department and \$7,500 from Economic Development). This request would be made annually for the next three years. There would be music every week rather than every other week. City Manager Cain discussed future upgrades to the stage, sound and lighting. This "Levitt AMP Music Series" would replace "Concerts in the Park.

PUBLIC COMMENTS: Nancy Garr asked about park maintenance.

John Stuck said how much enjoyed the music in the park.

JP Cativiela asked about having music on the weekends.

ACTION: Motion by Council Member Vaca seconded by Council Member Garofalo to approve the City of Colusa to become a presenting sponsor, as supported by Council Resolution 22-34 in the amount of \$15,000. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

12. Contract modification for Police Dispatch services with the County of Colusa.

DISCUSSION: Police Chief Fitch explained the fee increase and the value to the city. Fitch explained previous dispatch fees were reduced because the city reduced the impact fees for the county. The increase this year was \$64,000.

PUBLIC COMMENTS: City Treasurer Kelley said she appreciated this item was brought to council.

ACTION: Motion by Mayor Ponciano, seconded by Council Member Vaca to approve contract modification for Police Dispatch services with County of Colusa for Calendar Years 2023, 2024, 2025, and 2026. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

13. Contract modification for Animal Control services with the County of Colusa.

DISCUSSION: City Manager Cain stated this was their annual increase.

ACTION: With no public comments, Motion by Council Member Codorniz, seconded by Council Member Conrado to approve contract modification for Animal Control services with County of Colusa for Calendar Years 2023, 2024, 2025, and 2026. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

DISCUSSION ITEMS

14. Police Trainee position

Chief Fitch explained the possibility of reinstituting the cadet position. The salary with the academy would be about \$25,000. There was consensus to bring back at mid-year.

15. Discussion on Councilmembers' goals and priorities

Mayor Ponciano requested this item be on the agenda and asked each council member for their goals and priorities. He stated there would be future discussions at council meetings to review and prioritize the lists.

Council Member Conrado: Community Center, repair/replace roads, ADA compliant sidewalks, continue senior swim, more services and activities for seniors, continue/expand family-oriented events, dog park, purchase theater, improve the stage of Veterans Park, improve quality of water, limit cannabis businesses, mushroom plant smell, recruit more boutique downtown businesses to be more like Winters and add crosswalks to Bridge Street and Market Street.

Council Member Codorniz: street improvements, department necessities, more parks and recreation ideas for seniors, list of the grants on the website and where the city is at, the bike master plan brought before council and completion/ purchase of the Pirelli building.

Council Member Vaca: continued effort to build community focus on infrastructure both short and long-term, strategic spending with Measure B and ARPA funds.

Council Member Garofalo: increase water quality, a grant dashboard on the website and fill holes where trees were removed.

Mayor Ponciano: improved infrastructure, joint Planning Commission Meeting with Council, city-wide staffing level evaluation, ARPA funds, Discussion for city-wide cannabis tax, a complete asset list, and “no parking” spaces painted in red.

FUTURE AGENDA ITEMS

Update on Wescott Road improvement and Walnut Ranch

Discussion on Field of Dreams

Update on Pirelli Building

Update on the Wells/Funding

ADJOURNED 7:55 pm

GREG PONCIANO, MAYOR

Shelly Kittle, City Clerk