



CITY COUNCIL MEETING

Tuesday, November 21, 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

- 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:

-Department Heads and Professional Firefighters Association

REGULAR MEETING – 6:00 PM

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

ROLL CALL – All present.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS - Citizen Sally Paul requested assistance with her water meter valve.

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.*

1. **Approve** - Council Draft Minutes of November 7th
2. **Receive and File** - Police Department October Report
3. **Receive and File** - Finance Department October Report
4. **Receive and File** - October Warrants List
5. **Approve**- Additional Street closure for Christmas Tyme in Colusa on December 1st.

6. **Adopt** - Resolution approving a 5-year contract with Hunters Service for the injection of the Elm and Hackberry trees.
7. **Adopt** - Resolution approving to waive the request for the proposal process and purchase a 2023 Ford Hybrid Truck from Hoblit Motors using Prop 64 Funds
8. **Adopt** - Resolution approving a 5-year tentative parcel subdivision map request for an extension on the Cheney-Wilson tentative subdivision map
9. **Adopt** - Ordinance 559 amending Appendix A-Zoning by repealing and replacing Sections 21.5 and 33.03 of the Colusa Municipal Code regarding Commercial Cannabis Regulations
10. **Adopt** - Ordinance 560 repealing Chapter 12E of the Colusa Municipal Code entitled "Medical Marijuana Cultivation" and reenacting Chapter 12E to be retitled "Personal Cannabis Cultivation"
11. **Adopt** - Ordinance 561 amending Section 12 by repealing and replacing Sections 12D and 12F of the Colusa Municipal Code regarding Cannabis Dispensaries and Cannabis Businesses Regulatory Permits

ACTION: Motion by Council Member Vaca, seconded by Council Member Codorniz to approve the consent items. Motion passed unanimously.

COUNCIL MEMBER /CITY MANAGER REPORTS AND STAFF COMMENTS

Council Members reported on meetings they each attended.

City Manager Cain reported on meetings he attended.

Code Enforcement Officer Manual Soto introduced himself and provided updates in his department.

Finance Director Aziz-Khan provided updates in her department.

Police Chief Fitch provided updates in his department.

City Engineer Swartz provided an update in his department.

Grant Writer Ash provided updates on grants and community events.

CONTINUED PUBLIC HEARINGS

12. Consideration of a Resolution approving a Conditional Use Permit/Cannabis Special Use Permit for special planning area #4 Located at the northeast corner of Colusa east of D street (between East Clay Ave and Sacramento River levee)

City Manager Cain and Mayor Ponciano reported the workshop was beneficial for all parties at was on November 15th. Applicant Mike Olivas was present if anyone had any questions.

Public Hearing Closed at 6:17 pm with no public comments.

ACTION: Motion by Council Member Conrado, seconded by Council Member Codorniz to adopt **Resolution 23-62** approving a Conditional Use Permit/Cannabis Special Use Permit for special planning area #4 located at the northeast corner of Colusa east of D Street (between East Clay Ave and Sacramento River levee). Motion passed 4-1 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca, and Ponciano.

NOES: Garofalo.

13. Consideration of an Ordinance approving the Development Agreement (“D.A.”) in support of cannabis manufacturing uses in the northeast corner of the city, bordered by the Sacramento River on the north, Clay Street on the south, and D Street on the west in Colusa on property zoned in the Light Industrial (M1) District

City Manager Cain reported the amended Development Agreement (DA) was an update to the DA in the agenda packet. Mayor Pro-Tem Garofalo noted a few minor changes to the amended DA. City Manager Cain will update the amended DA.

Public Hearing Comments: Applicant Mike Olivas requested a final copy of the DA.

Citizen John Stuck commented by thanking those involved for their prompt resolution.

Public Hearing closed at 6:23 pm

ACTION: Motion by Mayor Ponciano seconded by Council Member Conrado to introduce, read by title only, and waive the full first reading of the **Ordinance 562** approving the updated amended Development Agreement between the City of Colusa and Colusa Riverbend Estates L.P. and Pomona Rio Property, LLC relative to the operation of a Cannabis Center Business Park located at the Northeast Corner of the City, boarded by the Sacramento River on the North, Clay Street on the South and D Street on the West in Colusa. Motion passed 4-1 with the following roll-call vote:

AYES: Codorniz, Conrado, Vaca and Ponciano.

NOES: Garofalo

COUNCIL CONSIDERATION

14. Consideration of the Resolution approving the Commercial Cannabis application policy.

City Manager Cain reported how the new application policy would assist in managing future applications. Consultant Ash provided details and discussed the grading matrix.

ACTION: With no public comments, motion by Council Member Codorniz, seconded by Council Member Vaca with the noted changes to adopt **Resolution 23-63** approving the Commercial Cannabis application policy. Motion passed 5-0 with the following roll-call vote:

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

NOES: None.

15. Consideration of a Resolution to work on an agreement with Colusa Riverbend Estates L.P and Pomona Rio Property, LLC

City Manager Cain asked council if he could work with the applicant on a potential property swap and a general agreement within 90 days. City Engineer Swartz stated he would provide three to four different strategies, cost, and timing. He would also work with the applicant on a project description to meet the needs of the strategies.

Public Comments: Janice Bell and Cheryl Goodman said they were proponents of a potential swap.

ACTION: Motion by Council Member Vaca seconded by Council Member Garofalo to adopt **Resolution 23-64** to work on and enter into an agreement for a Property Exchange with Colusa Riverbend Estates L.P. and Pomona Rio Property LLC within 90 days of adopting this Resolution. Motion passed 5-0 with the following roll-call vote:

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

NOES: None.

FUTURE AGENDA ITEMS

FEMA

Noise Ordinance

ADJOURNED at 6:45 pm.

GREG PONCIANO, MAYOR

Shelly Kittle, City Clerk