



CITY COUNCIL MEETING

Tuesday, September 06, 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 regular meeting to order at 6:00 pm.

ROLL CALL - Council Members Greg Ponciano, Daniel Vaca, Denise Conrado, Josh Hill and Mayor Reische were present.

PUBLIC COMMENTS – None.

CLOSED SESSION MEETING – 5:30 PM

- Public Employee Performance Evaluation (§ 54957) Title: City Manager

REGULAR MEETING – 6:00 PM

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

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS – Lanny Winberry, Attorney spoke on behalf of “Neighborhoods West of Tenth Street” and provided a copy of his comments to the council. He stated his purpose was to be involved in the analysis and discussion of any development project proposed for the area west of 10th Street.

Ben King spoke about fresh water, access to river water and keeping that access.

Connie Aden suggested keeping the city pool opened a few more weeks for senior swim.

John Rogers stated his request on the number of cannabis companies allowed in the city was not on tonight’s agenda. He requested the public be notified when the Cannabis Ad Hoc Committee meets.

PRESENTATIONS

Mayor Reische provided Bo Salazar’s award and gift card to the City Clerk as he was not in attendance.

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** - August 2 Draft Council Minutes

3. **Receive and File** - Police Department July Report
4. **Receive and File** - Treasurer's June Report
5. **Approve** - Application for the Fall Street Dance on September 10
6. **Approve** - Application for the Puptoberfest Event at Memorial Park on October 22
7. **Approve** - Application for the Hoblit Motors Bags for Cancer event on September 17
8. **Receive and File** - HDL Sales Tax and Trends
9. **Adopt - Ordinance 555** approving a Development Agreement between the City of Colusa and RHF Partnership, LLC relative to the operation of a Cannabis Manufacturing Facility located at 2881 Niagara Avenue in Colusa

ACTION: Motion by Council Member Conrado, seconded by Council Member Vaca to approve the Consent Calendar. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

ABSENT: None.

COUNCIL MEMBER /CITY MANAGER REPORTS AND STAFF COMMENTS

Council Members provided updates on meetings they attended.

City Attorney Jones discussed SB 1100. He will meet with Police Chief Fitch to develop a plan for council.

City Manager Cain provided updates on meetings he attended.

Finance Director Aziz-Khan provided updates on odor complaints received.

Grant Writer Vanetta explained how the community could help by voting for Colusa to be a Levitt AMP finalist which would bring matching funds for a bigger Summer Concert series.

Police Chief Fitch provided an update on the homeless situation. He stated there was a swearing-in ceremony this morning for Sergeant Hogan and Officer Rios.

City Engineer Swartz provided an update on Sunrise Landing and the Pirelli Building.

Sadie Ash provided updates on future projects, wrapping up end-of-summer events and cannabis research work.

City Clerk Kittle commented about recommendations to move council meetings to a larger venue for more seating.

PUBLIC HEARINGS

10. 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 2959 Davison Court.

Public Hearing opened at 6:30 pm

Ed Hulbert requested approval for this indoor cannabis grow facility. The construction was underway, however would not be in operation until the Ordinance was updated. Patrick Griffith was in attendance.

Public Hearing closed at 6:32 pm

ACTION: Council Member Conrado made a motion, seconded by Mayor Reische to introduce, read by title only, and waive the full first reading of **Ordinance 558:** An Ordinance of the City Council approving a Development Agreement between the City of Colusa and XO Cannabis / Organic Crop Solutions LLC relative to the operation of a cannabis manufacturing facility located at 2959 Davison Court in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSENT: None.

ACTION: Mayor Reische made a motion, seconded by Council Member Vaca to adopt **Resolution 22-56** approving a Special Use Permit and a Regulatory Use Permit, relative to the establishment and operation of a cannabis manufacturing/business facility located at 2959 Davison Court. in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano

ABSENT: None.

11. 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 2857 Niagara Avenue

Public Hearing opened at 6:39 pm

Ed Hulbert explained the location of the facility. Steve with 5D1S answered questions about hoop houses.

Public Hearing closed at 6:40 pm

Council asked specific questions to Steve and the City Manager about the smell from hoop houses.

ACTION: Council Member Conrado made a motion, seconded by Mayor Reische to read by title only and waive the full first reading of **Ordinance 557:** An Ordinance of the City Council approving a Development Agreement between the City of Colusa and 5D1S Patrick Barros relative to the operation of a cannabis manufacturing facility located at 2857 Niagara Avenue in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSENT: None.

ACTION: Mayor Reische made a motion, seconded by Council Member Vaca to adopt **Resolution 22-57** approving a Special Use Permit and a Regulatory Use Permit, Relative to the Establishment and operation of a cannabis manufacturing/business facility located at 2857 Niagara Avenue in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSENT: None.

COUNCIL CONSIDERATION

12. Re-introduction of proposed first reading of an Ordinance approving a Development Agreement for cannabis manufacturing uses at 2876 Niagara Avenue.

City Attorney Jones reported the adoption at the last council meeting, however, due to the Development Agreement (DA) missing in the agenda packet, he wanted Council to have the DA prior to their vote.

Public Comment: Owner, Joel Gonzales requested a company name change from Genesis Extracts to Joel Gonzalez Extracts. He provided details of the operation, security, and procedures. He stated there would be no retail sales. City Attorney Jones confirmed name change from Genesis Extracts to Joel Gonzalez Extracts could be done during the motion.

ACTION: Mayor Reische made a motion, seconded by Council Member Conrado to re-introduce, read by title only, and waive the full first reading of **Ordinance 556:** An Ordinance of the City Council of the City of Colusa approving a Development Agreement between the City of Colusa and Joel Gonzalez Extracts relative to the establishment and operation of a cannabis manufacturing/business facility located at 2876 Niagara Ave. in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSENT: None.

13. US Department of Transportation (DOT) Reconnecting Communities Pilot (RCP) Planning Grant

Grant Writer Vanetta reported details on the submittal of a planning grant to reconnect our community to the River Front.

Public Comments: Someone from the audience asked about matching funds.

John Rogers asked if property owners were notified on Main Street.

Ben King commented on his support of the project.

ACTION: Council Member Hill made a motion, seconded by Council Member Ponciano to adopt **Resolution 22-58** to submit a grant bid to the DOT for a planning grant for the Development on a Main Street Project that would repave Main Street and develop the area to reconnect it to the community. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

ABSENT: None.

14. Update Plan and Budget for Approved City Events 2022

Sadie Ash and Grant Writer Venetta proposed having the third approved sponsored event be a Fall Harvest Event rather than Country in Colusa. They suggested the date coincide with the Lions Club Bike Event on October 8th. They stated a smaller event would be a savings of approximately \$86,000 over the approved and forecasted budget.

Public Comments: JP Cativilla stated he was a proponent of this event.

ACTION: Council Member Vaca made a motion, seconded by Council Member Hill to approve the revised budget and revised event idea for events in October 2022. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

ABSENT: None.

15. Update the Water Master Plan and produce a Capital Improvement Plan and Drought Mitigation Plan for the City with projects that can be targeted and used by the City Grant Writer to apply for and seek grants.

City Manager Cain stated the Water Master Plan done in 2007 needed to be updated but was waiting for funding. A Request For Proposal (RFP) was sent, and three companies provided bids. Cain stated all Department Heads went through the bids and selected California Engineering Company.

Public Comments: Ben King commented on his letter with exhibits. He urged council to obtain grant funding for additional research and discussed arsenic levels and contamination.

Susan Meeker, Editor Pioneer Review inquired why the three responsive bids and amounts were not in the agenda packet.

JP Cattivella expressed his concerns why the bid amounts and details were not included in the agenda packet.

ACTION: There was council consensus to bring back this item with the three bids for the next council meeting. No action was taken.

16. Ordinances 519,551(Chapter 12F), 452 (Chapter 12C), and Article 21 'Cannabis Manufacturing Use Regulations' of the zoning code and other related codes to cannabis

Sadie Ash reported her findings and research on the Ordinances. She discussed the process and procedures. She provided handouts of forms and applications to council for their review. Cain stated the Planning Commission would need to review because of zoning. Then, there would be a Public Hearing at a regular council meeting.

ACTION: No action taken. Council Members will review the handouts and communicate to Sadie Ash on their individual recommendations.

17. Council to consider a request for fee reduction from Generation Communities on the Tennant Estates Subdivision Development

City Engineer Swartz reported on the letter received.

Public Comments: Steve recommended waiting.

JP Cattivella asked why the city recommended the 50% reduction.

John Rogers commented he was not in favor of the reduction.

Ed Hulbert stated he sold this land in 2006. He stated CIP received similar relief at the beginning of the project.

Vicky Willoh recommended keeping money local.

ACTION: There was no motion made.

DISCUSSION ITEMS

18. Police Department Hiring and Retention

Sergeant Jackson discussed the lack of personnel, recruitment, and retention issues at the

Police Department. Police Chief Fitch explained how other jurisdictions were offering a signing bonus and there were more opportunities. The contract for negotiations for the Police Department opens October 1, 2022.

FUTURE AGENDA ITEMS

Budget and adding Police Officers

Colusa Field of Dreams (the acreage set aside at the end of Will S. Green).

City Manager Cain will bring back three separate resolutions for Council on Commission boundaries.

ADJOURNED at 8:55 pm

THOMAS REISCHE, MAYOR

Shelly Kittle