



CITY COUNCIL MEETING

Tuesday, August 16, 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.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

Ben King inquired if the city needed access to the river. He plans to divert water in mid-January for a conveyance.

Pete Moore commented on the lack of police enforcement.

John Rogers inquired about his requests on cannabis facilities in the city.

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** - July 19th Council Draft Minutes
2. **Receive and File** - July Finance Department Monthly Report
3. **Receive and File** - July Warrants List
4. **Adopt** - Ordinance 554 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.

ACTION: Mayor Reische recused himself from the Warrants List due to his financial interest with George L. Messick as President. 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.

ABSTAIN: None.

COUNCIL MEMBER AND CITY MANAGER REPORTS

Council Members provided updates on meetings they attended.

City Attorney Jones will be attending the League of California Cities.

City Manager Cain provided updates on meetings he attended.

Staff provided updates in their departments.

City Treasurer Kelley encouraged council to follow purchasing policy.

City Clerk Kittle stated Candidate Filing closed August 12th.

PUBLIC HEARING

5. 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.

DISCUSSION: City Manager Cain reported the Planning Commission approval and was brought to the Airport Land Use Commission (ALUC). Cain stated the applicant was present for questions.

Public Hearing opened at 6:23 pm:

Ed Hulbert, CIP explained the process complexities and the final development of the current projects. Hulbert confirmed the current projects would not be in operation before the Cannabis Ordinance was updated and that all new projects at CIP would be paused.

Joe Taucher, Colusa Rice Company expressed concerns about parking and odor management at the RHF facility and recommended reviewing their portfolio.

Devin Kelley, City Treasurer inquired about the Ordinance.

Ben King discussed concentrated risk and monitoring what would happen in Congress.

The applicant provided an explanation of their air scrubbing procedures and normal maintenance. He understood the zero tolerance for smell.

Police Chief Fitch explained fencing requirements.

Public Hearing closed at 6:45 pm

ACTION: Motion by Mayor Reische, seconded by Council Member Conrado to introduce, read by title only, and waive the full first reading of **Ordinance 555** - An Ordinance of the City Council of the City of Colusa approving a Development Agreement between the City of Colusa and RHF Partners, LLC Relative to the establishment and operation of a Cannabis Manufacturing / Business Facility located at 2881 Niagara Ave in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSTAIN: None.

ACTION: Motion by Mayor Reische, seconded by Council Member Vaca to adopt **Resolution 22-53** of the City Council approving a Special Use Permit and a Regulatory Use Permit, Relative to the establishment and operation of a Cannabis Manufacturing / Business Facility located at 2881 Niagara Ave in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSTAIN: None.

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 2876 Niagara Avenue.

DISCUSSION: City Manager Cain reported the Planning Commission approval. This was brought to the Airport Land Use Commission (ALUC) and was consistent with their compatibility plan.

Public Hearing opened at 6:49 pm with the following comments:

Ed Hulbert, CIP stated the location was next to the cold storage facility. He explained it was a sealed building inside of a building. He confirmed an extraction facility that would be fully fenced in.

Joe Traucher, Colusa Rice expressed concern about security.

Jake Kline, CIP clarified the hours of operation from 8:00 pm to 8:00 am.

Public Hearing closed at 6:55 pm.

Council Member Ponciano stated his vote was about the process, not about the applicants.

ACTION: Motion by Council Member Vaca, seconded by Mayor Reische to 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 Genesis Extracts relative to the establishment and operation of a cannabis facility located at 2876 Niagara Avenue in Colusa. Motion passed 4-1 by the following roll-call vote:

AYES: Hill, Vaca, Conrado and Reische.

NOES: Ponciano.

ABSTAIN: None.

ACTION: Motion by Council Member Vaca, seconded by Mayor Reische to adopt **Resolution 22-54** of the City Council approving Special Use Permit and Regulatory Use Permit, 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.

ABSTAIN: None.

COUNCIL CONSIDERATION

7. Procedure to track and report nuisance odors in the City of Colusa

DISCUSSION: Grant Writer Vanetta provided City Hall phone number 530-458-4947 to report odors. Cain stated there were three odor complaint calls received to date.

ACTION: There was council consensus to approve the reporting and tracking procedure of nuisance odors within the City of Colusa.

8. Possible planning and construction of Electric Vehicle (EV) charging infrastructure in the City of Colusa

DISCUSSION: Grant Writer Vanetta discussed grant opportunities and three levels of infrastructure for EV charging stations. She inquired about interested community members and/or local businesses interested to partner with the city. In order to obtain a grant there needs to be community involvement.

PUBLIC COMMENTS: Ben King suggested speaking with the county and solar facilities.

ACTION: Council provided staff direction to contact the county and send a mailing to current city businesses.

9. Council to consider the Resolution to provide the city's response for the 2021-22 Colusa County Grand Jury Final Report

DISCUSSION: Ad Hoc Committee Members Conrado and Ponciano rewrote the response letter. Council addressed some of the findings along with policies in force.

PUBLIC COMMENTS:

City Treasurer Kelley explained why she was disturbed by the first response and appreciated the second response. She recommended a policy that cash should never be withdrawn from a city bank account.

Melodie Johnson expressed her concerns and appreciated the Ad-Hoc Committee.

Ben King recommended moving forward.

JP Cativella expressed his appreciation for amending the letter.

Council Member Ponciano recommended a brief workshop with staff on Purchase & Credit Card policies.

ACTION: Motion by Council Member Vaca, seconded by Council Member Hill to amend the letter as discussed and adopt **Resolution 22-55** to provide the city's response for the 2021-22 Colusa County Grand Jury Final Report. Motion passed 5-0 by the following roll-call vote:

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

NOES: None.

ABSTAIN: None.

DISCUSSION ITEMS

10. Council Member needed for the GSA Groundwater Authority

Mayor Reische volunteered.

***Mayor Reische called for a five-minute recess. The meeting resumed at 7:56 pm.**

11. Cannabis Update

City Manager Cain provided handouts to council, stating there were seven operating facilities and six pending applications. Cain stated Request for Proposals to obtain an auditing company closes September 29. Cain discussed compliance forms for facilities. He requested staff and the Cannabis Ad Hoc Committee meet for input and to go through draft forms and Ordinances.

Council Member Ponciano requested the Ad Hoc Committee discuss application fees, the Development Agreement process for a sunset clause, and square foot fees.

12. Events Update

Grant Writer Vanetta provided an update on the Taco Fest and the names of the donors. She explained the QR Code on the handout that was distributed to obtain feedback on the event.

13. RACE Communications Update

City Manager Cain stated RACE Communications will repair the roads by the end of September to the middle of October from their damages.

14. Staff Vacancies

City Manager Cain asked council for direction on advertisement of positions. The Planning Department vacancy continues to be advertised.

FUTURE AGENDA ITEMS

Odor sniffer

Law Enforcement positions.

General Plan with amendments and consultant fees

ADJOURNED at 8:34 pm

THOMAS REISCHE, MAYOR

Shelly Kittle, City Clerk