



## CITY COUNCIL MEETING

Tuesday, August 20, 2024

Regular Meeting - 6:00 PM

City Hall – City Council Chambers

425 Webster Street, Colusa, CA 95932

### MINUTES

**CALL TO ORDER-** Mayor Vaca called the meeting to order at 6:00 pm.

**ROLL CALL** – Council Members Markss, Ponciano, Conrado, Codorniz and Vaca were all present.

#### **PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA** – There was council consensus to move Item 5 to be the first item for Council Consideration.

**PUBLIC COMMENTS** – Citizen Margaret Roa discussed the Sunrise Landing project. Citizen Don Bransford commented on Sioc Street.

**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. **Adopt** - Resolution to terminate the Development Agreement with Compass Leaf

**ACTION:** Motion by Council Member Markss, seconded by Council Member Codorniz to approve the consent item. Motion passed unanimously.

#### **COUNCIL MEMBER /CITY MANAGER REPORTS AND STAFF COMMENTS**

City Council Members reported on their appointed committee and commission meetings.

City Manager Cain provided an update on current projects.

Fire Chief Conley provided updates at the Fire Department.

City Engineer Swartz provided project updates.

City Planner Tomey provided updates in the Planning Department.

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

#### **PUBLIC HEARING**

2. Public Hearing for the Wescott Subdivision which involves a General Plan Amendment, Rezone, Tentative Subdivision Map, and a Development Agreement and to hold an introductory reading of Ordinance 565 regarding Rezone

**Discussion:** City Manager Cain provided the history of the project. The Planning Commission adopted a Resolution approving the map. Jake Morley with Element Land Solution provided details of the map and answered questions from council. He noted a typo in the Resolution, it should state 16.23 acres, not 1,623 acres. Section 3.2 of the Development Agreement refers to a fee schedule of 2018 but will update it to the 2024 fee schedule.

**Public Hearing opened at 7:32 pm:** Commissioner Thomas Roach commented on the above.

Ed Hulbert, Colusa Industrial Properties said this could be a ten-year project. He confirmed there would be a park and it would be on the front end of the project.

Janice Bell expressed concern for additional services but expressed she was a proponent for the project.

Joe Taucher commented about the houses moving out closer to businesses.

Elizabeth Yerxa commented about the park, and about adding housing downtown.

Susan Gibbs expressed the need for more business in Colusa.

John Stuck commented about the smaller lot sizes and the increase in traffic in that area.

**Public Hearing closed at 7:57 pm**

Jake Morley addressed Council on their concerns regarding the smaller lot sizes in R-1.

**ACTION:** Motion by Council Member Conrado, seconded by Mayor Vaca to adopt **Resolution 24-55** adopting a modified mitigated negative declaration; 2) approving a General Plan Amendment, and 3) approving a Tentative Subdivision Map (Wescott Subdivision). Motion passed 5-0 by the following roll-call vote:

**AYES:** Markss, Ponciano, Conrado, Codorniz and Vaca.

**NOES:** None.

**ABSENT:** None.

**ACTION:** Motion by Council Member Conrado seconded by Mayor Vaca to Council to introduce and read by title only Ordinance 565: approving a Development Agreement and rezoning property identified as Assessor's Parcels Numbers: 017-130-107 and 017-130-050 (Portion of) from R-1 (Single Family Residential District to R-1/PD (Single Family Residential District/Planned Development), R-2/PD (Two-Family Residential District/Planned Development R-3/PD (Neighborhood Apartment District/Planned Development), CM/PD (Commercial Professional District/Planned Development), O-S (Open Space District) and P-F (Public Facility/Park District) (Westcott Subdivision). Motion passed 5-0 by the following roll-call vote:

**AYES:** Markss, Ponciano, Conrado, Codorniz and Vaca.

**NOES:** None.

**ABSENT:** None.

**COUNCIL CONSIDERATION**

3. Consideration of a Resolution to approve the City Manager to enter into the purchase agreement for the CD Semple Park Inclusive Playground Project

**Discussion:** City Manager Cain said PRT and Sadie Ash have been doing a lot of work on this. The equipment would be at the park on 3<sup>rd</sup> Street and Larson. The new equipment will replace the existing equipment.

**Public Comments:** PRT Commissioner Roach said PRT Commissioner Madison Martin said there was a great need to be ADA-compliant. PRT Commissioner Yerxa said this park would be open to all, people in wheelchairs, etc.

Sadie Ash commented PRT decided on the color.

**ACTION:** Motion by Council Member Codorniz seconded by Council Member Conrado to adopt **Resolution 24-56** to approve the City Manager to enter the purchase agreement for the CD Semple Park Inclusive Playground Project. Motion passed 5-0 by the following roll-call vote:

**AYES:** Markss, Ponciano, Conrado, Codorniz and Vaca.

**NOES:** None.

**ABSENT:** None.

4. Consideration of the Resolution approving the Grand Jury letter

**Discussion:** Mayor Vaca explained the draft letter that was written in response to the Grand Jury letter in June.

**Public Comments:** John Stuck commented about the Elected City Treasurer position.

Don Bransford commented on a 12-year-old policy and public perception. He stated, the more transparent on these issues, the easier their job would be.

Council appreciated the public comments and agreed to bring back this item for discussion and take action on any changes.

**ACTION:** Motion by Council Member Markss, seconded by Mayor Pro-Tem Codorniz to adopt **Resolution 24-57** approving the Grand Jury Letter from the Mayor. Motion passed 5-0 by the following roll-call vote:

**AYES:** Markss, Ponciano, Conrado, Codorniz and Vaca.

**NOES:** None.

**ABSENT:** None.

5. Consideration of the Resolution for the BC&E Colusa 1 LLC for tax credits and 12.5% ownership

**Discussion:** Applicant Wayne Herling, City Attorney Jones and Deputy City Attorney Hillebrand answered questions from the council. They discussed the Inflation Reduction Act, disbursements, insurance coverage, credits, the agreement on this 4-year project, and the additional steps.

**Public Comments:** Thomas Roach said he was a proponent of the project.

Elizabeth Yerxa inquired about the occupancy at the Pirelli Building.

Supervisor Janice Bell stated there was no Certificate of Occupancy at the Pirelli Building.

Citizen Don Bransford commented on liability and to be cautious.

**ACTION:** Motion by Mayor Pro-Tem Codorniz, seconded by Council Member Conrado to adopt **Resolution 24-58** for the BC&E Colusa 1 LLC for tax credits and 12.5% ownership. Motion passed 4-1 by the following roll-call vote:

**AYES:** Markss, Conrado, Codorniz and Vaca.

**NOES:** Ponciano

**ABSENT:** None.

6. Consideration of a Resolution for a Lease Agreement with BC&E USA Colusa1, LLC for part of the Pirelli Building

**Discussion:** City Manager Cain said this would confirm commitment to work on a lease for BC&E in the near future. The lease would come back for council's approval.

**Public Comments:**

**ACTION:** Motion by Mayor Pro-Tem Codorniz, seconded by Council Member Ponciano to adopt **Resolution 24-59** to work on a Lease Agreement with BC&E USA Colusa1, LLC for part of the Pirelli Building. Motion passed 5-0 by the following roll-call vote:

**AYES:** Markss, Ponciano, Conrado, Codorniz and Vaca.

**NOES:** None.

**ABSENT:** None.

## **DISCUSSION ITEMS**

7. Mushroom Plant update

City Manager Cain said he asked that she attend and staff thought she would be present. Council Member Conrado said she received an email from her that she didn't have anything new.

## **FUTURE AGENDA ITEMS**

Nuisance Ordinance

Animal Ordinance

Purchasing Policy for October 1st

**ADJOURNED to CLOSED SESSION at 8:54 pm**

**CLOSED SESSION MEETING**

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

**REPORT ON CLOSED SESSION** – At 9:33 pm, Mayor Vaca stated there was no reportable action.

  
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DANIEL VACA, MAYOR  
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Shelly Kittle, City Clerk