

City of Williams
Council Special Meeting Minutes

810 E Street / P.O. Box 310, Williams, CA 95987

CITY COUNCIL OF THE CITY OF WILLIAMS,
Williams Community Center
860 C Street, Williams CA. 95987
WEDNESDAY, JULY 5, 2017

OPEN SESSION
6:00PM

CALL TO ORDER:

At 6:00 pm, Mayor Sellers Jr., called the special meeting to order.

ROLL CALL:

Council Members Present: John Troughton, Jr., Alfred Sellers, Jr., Roberto Mendoza, Santos Jauregui and Charles Bergson.

PLEDGE OF ALLEGIANCE: Mayor Sellers Jr., invited all in attendance to join in the Pledge of Allegiance.

PUBLIC COMMENT: None.

City Administrator Frank Kennedy invited and introduced Gary Price, a Planning Consultant for the City of Williams. Mr. Kennedy stated he wanted to have Mr. Price get City Council up to speed on the Specific Plan that the City is working on for the Margurite Street Business Park.

Planning Consultant Gary Price said a staff meeting was held last week to look at the Specific Plan and to develop a project description for it. The meeting was very productive, staff came up with some concepts of how to approach land use, development and how to accommodate the Canna Hub Project.

The Specific Plan process will involve development of an Environmental Impact Report which can take months to complete. In this case they would fast track to move this project forward as quickly as possible. Staff is looking at the opportunity to do full sourcing and contract with a consultant and many of the subconsultants that have done work for the truck stop and the hotel project in the City of Williams. The City would be utilizing the biologist, traffic consultant, cultural and others that are familiar with that territory. Perhaps with their experience and knowledge, potentially can lower the cost of the production of the EIR.

City Administrator Kennedy wanted to point out to City Council that this process should have been done a couple of years ago. The property owners should have done this so that when Margurite Street was completed that ground would have been ready for development. An

example Mr. Kennedy gave was if an auto dealer wanted to come to the Business Park they would have to go through this process on their own. By doing a Specific Plan, it can be laid out for the entire Business Park. In this case if an auto dealer wanted to come they would only have to follow the Specific Plan, the EIR would be done and the approval process is very simple. He explained to Council that there is an expense to develop this plan, but that would be recuperated from other fees and people that are coming in to the Business Park.

Planning Consultant Price explained that the next step would be to have a workshop with the public which staff is planning to have the first week of August. Mr. Price said this is a chance to have the public's input and then develop a plan around what they would like to see.

Council Member Bergson asked the City Administrator if maybe in future conversations with the land owners would there be a possibility they would contribute. City Administrator Kennedy said that was a hard question to answer. He has had multiple conversations with the land owners and their representative and believes they see the value there to some extent. One of their goals through the entire process has been to keep it as blank a slate as possible. They feel if one person comes in and buys all 320 acres and they walk away from it then they have made their money and that is all they want. City Administrator Kennedy said he would not count on them to help financially.

Council Member Troughton believes it is good to develop the Specific Plan because when the truck stop is up that will put a spotlight on that road and that will help sell land. One thing that he would love to see is a sign on Margurite Street that points this out to passing motorist which might be somebody that can be interested in that location.

Council Member Bergson asked Mr. Price how long the Specific Plan would be good for. Mr. Price said the Specific plan goes along with the General Plan and is as long as the General Plan.

Council thanked Mr. Price for providing them with an update.

NEW BUSINESS

Introduce and waive the First Reading of Ordinance 219-17, An Ordinance of the City Council of the City of Williams, California Amending Section 17.01.030 and Table 17.01.030.6, 17.01.030.8, 17.01.030.10 of the Williams Municipal Code Creating a Cannabis Overlay Zone to allow the Establishment of Commercial Cannabis Uses for the Cultivation, Manufacturing, Transportation, Distribution and Testing of Cannabis Products.

DISCUSSION: City Administrator Frank Kennedy explained that a few months ago Canna Hub came to staff and wanted to use about eighty acres at full build out over at the business park for commercial marijuana growing. The City has had a long standing zero tolerance policy on commercial marijuana grows. Mr. Kennedy also mentioned that last November they approved Prop 64, whether the City likes it or not marijuana is legal. City Administrator Frank Kennedy said staff is not asking to open up a dispensary. Marijuana will not be more available to the Citizens of Williams post Canna Hub than pre- Canna Hub. Mr. Kennedy has done a lot of

research on commercial marijuana businesses and the thing that he likes the best is that it is a secure location. There will be various businesses inside one location. The overlay zone that will be presented tonight is for eighty acres and they will all be contained and sealed.

City Attorney Siprelle said there is an Ordinance in place now that prohibits all cannabis uses within the City. The Ordinance before Council creates an exception to that on the eighty acres where cannabis uses can be permitted with a conditional use permit. The City Council will consider each conditional use permit and be able to impose conditions and approve or disapprove. The Ordinance also requires that no conditional use permit can be issued unless the applicant has entered into a development agreement with the city or until a cannabis tax is approved by the voters. This is intended to make sure that every cannabis user that is approved in the City has to pay either through a development agreement or pursuant to a voter approved tax.

This Ordinance sets up the specific kinds of cannabis uses that can be approved and those don't include dispensary or any retail uses. Staff is asking for Council to take any public comment and introduce and waive the first reading. A notice will be published for a public hearing to be scheduled at the next City Council Meeting and it would be adopted at that point. The Ordinance will then take effect thirty days after the day of adoption.

Council Member Troughton said that marijuana is allowed under Prop 64 and it is coming to town. There is nothing the City could do about that. The City cannot stop the individual grow because of Prop 64.

City Administrator Kennedy said Council Member brings up a good point because to think that marijuana is not here already is naïve on the City's part. There will be people in the City that will have it and that will be growing. Mr. Kennedy is not trying to say that it is right or wrong he only wants to point out that it is here.

Council Member Bergson had question on Section 4 Paragraph A which talks about the transportation of the cannabis. He also points out that in Section 3 it also talks about the transportation and states that deliveries are prohibited. City Administrator Kennedy explained that transportation by law cannot be stopped from transporting the marijuana through the City. If they want to transport it legally down I5 or Highway 20 the City cannot prevent that. Section 3 talks about deliveries and this mean marijuana cannot be delivered to a resident and that is the distinction between the two sections.

City Planner Stegall mentioned to City Council that the draft ordinance before them had been to the Planning Commission on June 26, 2017 and recommended that Council approve the draft Ordinance as written.

At this time Mayor Sellers Jr. opened the session for public comment.

Robin Gabbard expressed her opposition to the proposed Canna Hub Project and asked the City Council to reconsider. She stated that Council Member Troughton had made a comment about Prop 64 and that there was nothing the City could do to prevent it. She said that was the biggest lie to all mankind because the moment we say there is nothing we can do nothing changes, nothing gets better.

Pastor Pete Rodriguez also spoke in opposition. He said the problem he has is that the City says it will receive three million dollars to allow this project to go in and that the streets are going to be fixed. He feels like the City is taking a bribe to say yes, and that is the big issue. The other thing is, everything they do has to be handled in cash and cannot go through the banks and asked how the City was going to receive the money if they can't put it in the bank. City Administrator Frank Kennedy responded by saying that Canna Hub does have relationship with banks and there are many people who are growing legally here in California that have relationship with bank that are taking their money. The problem with it is, every time that ten thousand dollars or more are deposited into the bank it has to be scrutinized to make sure it is coming from a legal source. So, there is a process that needs to occur.

Mike Noisat asked if the public will have a vote in the process or will this be decided amongst the Council. City Administrator Kennedy said that Ordinance is a City Council decision. Mr. Noisat thinks that when the vote is being made Council really needs to think about what they are really voting for.

Dixie LaGrande is also a citizen of Williams and stated she echoes the previous comments made. She stated that we are such an underserved City and County it's sad. She understands that it is a really good opportunity for resources that the City is desperate for and wishes it was from a completely different source.

City Administrator Frank took some time to clarify things that were said during public comment.

Council Member Troughton said when he first got on the City Council he expressed that he would do what is best for the City whether he likes it or not. He is not a fan of this, but during public comment it was said that this was a bribe. Council Member Troughton stated he does not take bribes, this is for the City. Council Member Troughton said this is about the money and he is not going to sit there and deny it. He stated Prop 64 was passed, marijuana whether the City approves this project or not it is here to stay and the city has to contend with it.

Council Member Troughton said this here is against his morals, but he will not rule this by his morals and nobody else should either because Williams has to provide for itself. He stated this is because the State of California has said they are not coming with the money here they are giving the money to higher populated areas.

Council Member Bergson also had some comments on things that were brought up during public comment. He said he believes that Council Member Troughton concurs with him on this being a good thing for the City of Williams. The benefit to the City is commerce, employment and improving the City's economy. Council Member Bergson stated that in regard to cash and how the City can get the dollars from these businesses, he called down to Sacramento and the marijuana places do take credit card therefore they will find a way to get the money situation squared away.

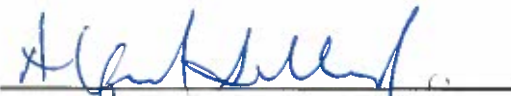
With respect to the City allowing this business to be done, the City has to look for businesses to come to that business park.

Council Member Jauregui agrees with Council Member Troughton that this is a benefit to the City of Williams and its citizens because revenues will help better the City in many aspects.

Mayor Sellers Jr., told the public that Council will be holding a public hearing on July 19, 2017 at 6:00 pm and he encouraged everyone to participate. Mayor Sellers Jr., said Council is aware that this is a sensitive matter.

ACTION: Council Member Bergson made a motion, seconded by Council Member Troughton to Introduce and Waive the First Reading of Ordinance 219-17, An Ordinance of the City Council of the City of Williams, California Amending Section 17.01.030 and Table 17.01.030.6, 17.01.030.8, 17.01.030.10 of the Williams Municipal Code Creating a Cannabis Overlay Zone to allow the Establishment of Commercial Cannabis Uses for the Cultivation, Manufacturing, Transportation, Distribution and Testing of Cannabis Products.

Mayor Seller Jr., adjourned the Special City Council Meeting at 7:25 pm.


ALFRED SELLERS, JR., MAYOR

ATTEST:


Mariana Pineda, City Clerk

