

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting**

Virtual Meeting: <https://attendee.gotowebinar.com/rt/4910662329263871245>

**Ukiah, CA 95482
September 2, 2020
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on September 2, 2020, having been legally noticed on August 28, 2020. The meeting was held virtually at the following link: <https://attendee.gotowebinar.com/rt/4910662329263871245>. Mayor Crane called the meeting to order at 6:03 p.m. Roll was taken with the following **Councilmembers Present:** Maureen Mulheren, Jim O. Brown, Stephen G. Scalmanini, Juan V. Orozco, and Douglas F. Crane. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR CRANE PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Scalmanini.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- a. Approval of the Minutes for the August 19, 2020, Special Meeting.
- b. Approval of the Minutes for the August 19, 2020, Regular Meeting.

Motion/Second: Brown/Mulheren to approve Minutes of the August 19, 2020, Special and Regular meetings, as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Request Authorization for the City Manager to Negotiate and Execute a Seventh Amendment to the Lease Agreement (COU No 1617-112-A7) with Tayman Park Golf Group – *Community Services*.
- b. Adoption of Resolution (2020-49) Approving Destruction of Records – *City Clerk*.
- c. ~~Award Contract to EIDIM Group, Inc. in the Amount of \$279,770.43 for the Council Chambers AV Replacement Project, Specification No. 20-09, and Approve Corresponding Budget Amendment – Finance & Information Technologies. Pulled by Councilmember Scalmanini~~

- d. Award Contract (*COU No. 2021-118 to Roofing & Solar Construction*) for the Roof Replacement at the Grace Hudson Museum, Spec. No. 20-10, and Approve Corresponding Budget Amendment If Necessary – *Community Services*.
- e. ~~Consider Adoption of Resolution Adopting a 2020 Advocacy Platform to Serve as Guidelines for Local, State, and Federal Legislative Matters—Administration. Pulled by Councilmember Scalmanini.~~

Motion/Second: Scalmanini/Orozco to approve Consent Calendar Items 7a, b, and d, as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

8. **AUDIENCE COMMENTS ON NON-AGENDA ITEMS**

No public comment was received.

9. **COUNCIL REPORTS**

Presenter:

10. **CITY MANAGER/CITY CLERK REPORTS**

Presenter: Sage Sangiacomo, City Manager.

- Construction Update – Tim Eriksen, Public Works Director / City Engineer.

11. **PUBLIC HEARINGS (6:15 PM)**

12. **UNFINISHED BUSINESS**

- a. **Receive Status Report and Consider Any Action or Direction Related to the Novel Coronavirus (COVID-19) Emergency Including Operational Preparedness and Response; Continuity of City Operations and Services; Community and Business Impacts; and Any Other Related Matters.**

Presenters: Tami Bartolomei, Office of Emergency Management Coordinator and Sage Sangiacomo, City Manager.

Report was received.

- b. **Receive Report Regarding Review of Ordinance for Development of Operating Standards for Community Gardens, Live Entertainment, Outdoor Dining, Sidewalk Cafes, and Specialty Food and Beverage Sales with Tasting; and Provide Direction to Staff as Necessary.**

Presenter: Craig Schlatter, Community Development Director.

Motion/Second: Brown/Mulheren to receive and approve the report. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

- c. **Receive Report Regarding Annual Review of Ordinance for the Regulation of Shopping Cart Containment and Retrieval and Provide Direction as Necessary.**

Presenter: Craig Schlatter, Community Development Director.

A PowerPoint presentation was given.

Motion/Second: Brown/Mulheren to direct the ad hoc and staff to review the compliance and enforcement, and provide further recommendations for Council consideration. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

d. Continued Discussion and Possible Adoption of Resolution Amending Procedures for Annual Appointment and Rotation of Mayor, Vice Mayor, and City Councilmembers.

Presenter: Kristine Lawler, City Clerk.

Upon further consideration, Councilmember Brown withdrew his motion made on August 5, 2020.

Motion/Second: Brown/Scalmanini to adopt Resolution (2020-50) for Option A. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

e. Discussion with Possible Direction to Staff Regarding Draft Objective Development and Design Standards and Flexible Parking Options for Multi-family Residential Development.

Presenters: Mireya Turner, Planning Manager and Craig Schlatter, Community Development Director.

Motion/Second: Mulheren/Orozco to appoint Councilmember Mulheren and Vice Mayor Orozco to serve on an Ad Hoc Committee to review the housing element and implementation. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Possible Introduction by Title Only of the Ordinance Amending Division 5, Chapter 2 of the City Code to Designate the Entity Authorized to Make Determinations on Livestock Permits.

Presenters: Darcy Vaughn, Assistant City Attorney and Craig Schlatter, Community Development Director.

Public Comment: George Hollister, Mendocino County Farm Bureau President (*read by clerk*); and Ruth Van Antwerp.

Motion/Second: Scalmanini/Mulheren to introduce the Ordinance by title only. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

City Clerk, Kristine Lawler, read the following title into the record:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING DIVISION 5, CHAPTER 2 OF THE CITY CODE TO DESIGNATE THE ENTITY AUTHORIZED TO MAKE DETERMINATIONS ON LIVESTOCK PERMITS.

Motion/Second: Scalmanini/Mulheren to introduce the Ordinance Amending Division 5, Chapter 2 of the City Code to Designate the Entity Authorized to Make Determinations on Livestock Permits. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Discussion and Possible Action to Determine the City's Position on the 2020 Resolution being Considered by the League of California Cities and Provide Corresponding Voting Instructions to the City of Ukiah's Voting Delegate.

Presenter: Sage Sangiacomo, City Manager.

Council Consensus to support the position related to the 2020 League of California Cities resolution, unless the delegate finds that it doesn't meet with the City's advocacy and legislative platform.

c. Possible Introduction of Ordinance by Title Only, Amending Sign Ordinance.

Presenter: David Rapport, City Attorney.

Motion by Councilmember Scalmanini for the recommended action.

Motion died for lack of a second.

Council Consensus to continue this item to the September 16th meeting.

d. Receive Updates on City Council Committee and Ad Hoc Assignments and, if Necessary, Consider Modifications to Assignments and/or the Creation/Elimination of Ad hoc(s).

Presenter: Councilmember Mulheren.

Report was received.

e. Award Contract to EIDIM Group, Inc. in the Amount of \$279,770.43 for the Council Chambers AV Replacement Project, Specification No. 20-09, and Approve Corresponding Budget Amendment (From Consent Calendar Agenda Item 7c).

Presenter: Sage Sangiacomo, City Manager.

Motion/Second: Brown/Mulheren to disregard Bid Protest Received by PCD, and award contract (COU No. 2021-117) to EIDIM Group, Inc. in the amount of \$279,770.43 for the Council Chambers AV Replacement Project, Specification No. 20-09, and approve corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

f. Consider Adoption of Resolution Adopting a 2020 Advocacy Platform to Serve as Guidelines for Local, State, and Federal Legislative Matters (From Consent Calendar Agenda Item 7e).

Presenter: Shannon Riley, Deputy City Manager and Sage Sangiacomo, City Manager.

Motion/Second: Mulheren/Brown to adopt resolution (2020-51) adopting a 2020 Advocacy Platform to serve as guidelines for local, state, and federal legislative, administrative, regulatory and court matters. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: Scalmanini.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:20 P.M.

14. CLOSED SESSION

a. **"Conference with Legal Counsel—Anticipated Litigation"**

(Government Code Section 54956.9(d)(2))

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)(Number of potential cases: 3)"

b. **"Conference with Legal Counsel—Anticipated Litigation"**

(Government Code Section 54956.9(d)(4))

Deciding whether to initiate litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (Potential Cases: 1)"

c. **"Conference with Legal Counsel – Existing Litigation"**

(Government Code Section 54956.9(d)(1))

Name of case: Vichy Springs Resort v. City of Ukiah, Et Al; Case No. SCU-K-CVPT-2018-70200"

d. **"Conference with Legal Counsel – Existing Litigation"**

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: City of Ukiah v. Questex, LTD, et al, Mendocino County Superior Court, Case No. SCU-K- CVPT-15-66036"

e. **"Conference with Labor Negotiator (54957.6)"**

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units"

f. **"Conference with Real Property Negotiators"**

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 157-050-03, 157-060-02, 157-050-04, 157-050-03, 157-030-02, 157-050-01, 157-050-02, 157-050-10, 157-050-09, 157-070-01, 157-070-02, 003-190-01

Negotiator: Sage Sangiacomo, City Manager; Negotiating Parties: Dave Hull and Ric Piffero
Under Negotiation: Price & Terms of Payment"

Direction was given to staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:47 p.m.



Kristine Lawler, City Clerk