

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
October 7, 2020
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on October 7, 2020, having been legally noticed on January 10, 2020. Mayor Crane called the meeting to order at 6:11 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 Brown.

Council Consensus to hear Agenda Item 8 before Proclamations.

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Catheryn McKay.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation Recognizing the Month of October as Domestic Violence Awareness Month in the City of Ukiah.

Presenter: Councilmember Mulheren.

Public Comment given and Proclamation received by Dina Polkinghorne, Project Sanctuary.

b. Proclamation of the Ukiah City Council Recognizing California Clean Air Day as October 7, 2020.

Presenter: Councilmember Mulheren.

Public Comment given and Proclamation received by Jacob Mello, on behalf of the Ukiah High School Environmental Club.

c. Presentation on the Great Redwood Trail- Ukiah Master Plan Development Update.

Presenters: Neil Davis, Community Services Program Administrator and Sonja Bural, North Coast Opportunities, Inc.

Presentation was received.

4. PETITIONS AND COMMUNICATIONS

5. **APPROVAL OF MINUTES**

a. **Approval of the Minutes for the September 16, 2020, Regular Meeting.**

Motion/Second: Brown/Mulheren to approve Minutes of September 16, 2020, a regular meeting, 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. Approval of Plans and Specifications for the East Gobbi Street Traffic Signal Installation Project, Specification No. 20-11 and Direct Staff to Advertise for Bids - *Public Works*.
- b. Approval of Notice of Completion for the Electric Utility Department's Alex Thomas Plaza Improvement Project, Specification No. 20-06, and Approve Final Payment of the 5% Retention to Diamond D Construction, LLC - *Electric Utility*.
- c. Consideration of Adoption of Resolution (2020-56) Appointing Alyssa Ballard to the Demolition Permit Review Committee - *City Clerk*.
- d. Approve Memorandum of Understanding (COU No. 2021-132) Between City of Ukiah, County of Mendocino, and the Ukiah Valley Trail Group for Maintenance at Low Gap Park - *Community Services*.
- e. Approval of a Resolution (2020-57) for the Continuation of a Proclamation Declaring a Local Emergency Due to Extreme Heat Conditions - *Office of Emergency Services*.
- f. Approve Amending Contract (COU No. 1819-215-A2) with Thomas Hise, Architect, for Architectural Services for the Grace Hudson Museum in the Amount of \$12,310 - *Community Services*.
- g. Approve Memorandum of Understanding (COU No. 2021-133) with Mendocino County Arts Council and an Artists' Collective, Supervised by the Ukiah Valley Trail Group, for two Great Redwood Trail - Ukiah Art Installations - *Community Services*.
- h. Authorize City Manager to Negotiate and Execute an Amended and Restated Agreement (COU No. 2021-134) between the City of Ukiah and the Ukiah Valley Cultural and Recreation Center, and Request a Budget Amendment to the Alex Rorabaugh Recreation Center Fund to Adjust the Revenue Account to Reflect the Income Budgeted from Community Services Department for Rental Use in the Amount of \$8,000 - *Community Services*.

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

9. **COUNCIL REPORTS**

Presenter: Councilmember Brown

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

Presenter: Sage Sangiacomo, City Manager.

- **Construction Update** – Tim Eriksen, Public Works Director / City Engineer.
- **Bond Sale Update** – Sage Sangiacomo, City Manager

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

a. Receive Presentation on Americans with Disabilities Act Transition Plan and Adopt Resolution Approving the Plan.

Presenters: Tim Eriksen, Public Works Director/City Engineer; Nico Sumowiec and Brandon Guyton, Sally Swanson Architects, Inc.

Motion/Second: Scalmanini/Mulheren to adopt resolution (2020-58) adopting the American Disabilities Act (ADA) Transition Plan. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. 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.

Presenter: Tami Bartolomei, Office of Emergency Services

Report was received.

c. Receive Annual Report Regarding Review of Ordinance for Marijuana Dispensaries and Provide Direction as Necessary.

Presenter: Craig Schlatter, Community Development Director.

Motion/Second: Brown/Mulheren to receive report and to ensure issues regarding the location limitation waiver are addressed within the next year, direct Staff to discuss location limitation options with the marijuana ad hoc committee and bring back recommendations at a future Council meeting. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

d. Discuss and Direct Staff on Options for Amending Ukiah City Code Section 3224.C Concerning Political Signs.

Presenter: David Rapport, City Attorney.

Motion/Second: Brown/Mulheren to go with Option 4, changing the 60 days to 88 days (*shown below for reference*). Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Orozco, and Crane. NOES: Scalmanini. ABSENT: None. ABSTAIN: None.

OPTION 4: One political campaign sign on private property not exceeding four (4) square feet in area or four feet (4') in height. These signs shall be removed within ten (10) days following the elections. Such signs should not be erected prior to ~~sixty (60)~~ eighty-eight (88) days before the election. Property owners and residents are strongly encouraged to comply with this ~~sixty (60)~~ eighty-eight (88) day limit. The City shall post on the portion of its website where the City posts the "voluntary spending limit candidates/committees" list pursuant to Section 2081.D.7, a list of candidates and campaign committees who have committed in writing to distributing and posting campaign signs on private property no more than ~~sixty (60)~~ eighty-eight (88) days before the election.

13. NEW BUSINESS

a. Possible Introduction by Title Only of an Ordinance Amending Division 6, Chapter 2 of the City Code Regarding Emergency Management.

Presenters: Darcy Vaughn, Assistant City Attorney and Tami Bartolomei, Office of Emergency Services Coordinator.

Motion/Second: Brown/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.

Motion by Councilmember Brown, seconded by Councilmember Mulheren to introduce the ordinance.

Roll call was taken out of order making motion invalid.

City Clerk, Kristine Lawler, read the following ordinance title:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING CHAPTER 2, DIVISION 6 OF THE CITY CODE REGARDING EMERGENCY MANAGEMENT.

Motion/Second: Brown/Mulheren to introduce Ordinance Division 6, Chapter 2, of the City Code Regarding Emergency Management. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Consideration of Adoption of Resolution Establishing a Diversity and Equity Standing Committee.

Presenter: Traci Boyl City Manager's Office Management Analyst.

Motion/Second: Mulheren/Orozco to adopt a Resolution (2020-59) establishing a Diversity and Equity Standing Committee. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

c. 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 Scalmanini.

Motion/Second: Crane/Brown to appoint Vice Mayor Orozco and Councilmember Scalmanini to serve on an ad hoc to review economic tools to support development in line with the Council's Strategic Plan. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:44 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 given to Staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:04 p.m.



Kristine Lawler, City Clerk