

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
May 1, 2019
6:00 p.m.

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

Ukiah City Council met at a Regular Meeting on May 1, 2019, having been legally noticed on April 26, 2019. Mayor Mulheren called the meeting to order at 6:03 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Jim O. Brown, Stephen G. Scalmanini, Douglas F. Crane, and Maureen Mulheren. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney (*arriving at 6:07 p.m.*); and Kristine Lawler, City Clerk.

MAYOR MULHEREN PRESIDING.

The Pledge of Allegiance was led by Mayor Mulheren.

URGENCY ITEM

Presenter: Sage Sangiacomo, City Manager.

Motion/Second: Crane/Brown to accept the urgency item due to timelines and place as agenda item 13e. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Presentation and Discussion of the Third Quarter Financial Report for the City of Ukiah

Presenter: Dan Buffalo, Finance Director.

Presentation was received.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Minutes of April 17, 2019, Budget Workshop and Regular Meeting.

Motion/Second: Brown/Crane to approve Minutes of April 17, 2019, a Budget Workshop and a Regular Meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

- a. Consideration of Approving Five Landmark Tree Nominations for Landmark Tree Status – *Community Services.*

- b. Council Approval of a Budget Amendment to Complete the Balance of Expenditures Necessary to Close Out the National Oceanic and Atmospheric Administration National Geodetic Survey Grant – *Community Services*.
- c. Approve Change Order to Purchase Order 45968 Issued to Redwood Ford in the Amount of \$13,147.75 to Add a Van Box to the Cutaway Cab and Chassis for the Camera Truck – *Water Resources*.
- d. Renewal of an Agreement (COU No. 1819-210) between the City of Ukiah and the Pub for the Ukiah Sports Complex Concession Services – *Community Services*.
- e. Adoption of Resolution (2019-20) to Extend the Declaration of a Local Emergency Related to the 2019 Winter Storm Event – *Community Services*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comment was received.

9. COUNCIL REPORTS

Presenter: Mayor Mulheren.

10. CITY MANAGER/CITY CLERK REPORTS

Presenter: Sage Sangiacomo, City Manager.

City Manager Sangiacomo informed the Council that per resolution 2018-45 (legislative policy) a letter to Governor Gavin Newsom regarding funding for vegetation management along the North Coast Railroad Authority corridor, would be given to the Mayor for consideration and possible signature.

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

a. Discussion of Whether the City Should Authorize and Regulate Cannabis Special Events within the City Limits.

Presenters: Darcy Vaughn, Assistant City Attorney and Tami Bartolomei, Community Services Administrator.

Public Comment: Hrant Ekmekjian.

Motion/Second: Crane/Scalmanini to appoint Mayor Mulheren and Councilmember Brown to serve on an ad hoc for cannabis events. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

b. Consideration of a Financial Contribution and Corresponding Budget Amendment in the Amount of \$50,000 to the Inland Water and Power Commission for a Feasibility Study of a Potential Licensing Proposal and Other Related Costs for the Potter Valley Project.

Presenter: Sean White, Water Resources Director.

Motion/Second: Brown/Crane to approve budget amendment and Deposit \$50,000 with Inland Water and Power Commission (IWPC) for a feasibility study of a potential licensing proposal for the Potter Valley Project and other related costs, on the condition that all five members of the IWPC also contribute equal amounts. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

c. Approve Plans and Specifications for Northwestern Pacific Rail Trail, Phase 2, Specification No. 17-12 and Direct Staff to Advertise for Bids.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Brown/Scalmanini to approve Plans and Specifications for Northwestern Pacific Rail Trail, Phase 2, Specification No. 17-12 and Direct Staff to Advertise for Bids. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Approve Plans and Specifications for Northwestern Pacific Rail Trail, Phase 3, Specification No. 18-04 and Direct Staff to Advertise for Bids.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Brown/Scalmanini to approve Plans and Specifications for Northwestern Pacific Rail Trail, Phase 3, Specification No. 18-04 and Direct Staff to Advertise for Bids. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Approval of Plans and Specifications for the 2019 Street Rehabilitation Project and Authorize Staff to Issue Bids for Specification No. 19-08.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Crane/Scalmanini to approve Plans and Specifications for the 2019 Street Rehabilitation Project and authorize Staff to issue bids for Specification No. 19-08. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

Mayor Direction for Staff to look at crosswalks and see if they can be added to bid.

b. Adoption of Resolution Supporting Draft Master Plan and Environmental Assessment for Lake Mendocino and Coyote Valley Dam, and Authorization for Mayor to Execute Corresponding Letter to Congressman Huffman.

Presenters: Mayor Mulheren and Sage Sangiacomo, City Manager.

Motion/Second: Brown/Crane to adopt resolution (2019-21) supporting the Draft Master Plan and Environmental the corresponding letter to Congressman Huffman. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

c. Consideration of and Authorization for the Mayor to Sign a Letter of Support for AB 437, the Move-in Loan Program.

Presenter: Craig Schlatter, Community Development Director.

Motion/Second: Crane/Orozco to authorize the Mayor to sign a letter of support to Assemblymember Jim Wood for AB 437, the Move-in Loan Program. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

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).

Presenters: Mayor Mulheren and Various Councilmembers.

Motion/Second: Crane/Brown for Councilmembers Scalmanini and Orozco to serve on a Street Construction Related ADA Compliance ad hoc. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

Staff Comment: Sean White, Water Resources Director.

Motion/Second: Crane/Scalmanini for Vice Mayor Crane and Councilmember Brown to serve on an Upper Russian River Water Discussions ad hoc. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

e. Urgency Item to Review Emergency Repair of Backwash Basins at Water Treatment Plant.

Presenter: Sean White, Water Resources Director.

Motion/Second: Brown/Crane to determine that emergency conditions continue to require the repair of the backwash basins without competitive bidding. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 7:55 P.M.

14. CLOSED SESSION

a. Conference With Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d))

A. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (Number of potential cases: 1.)

B. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Number of potential cases: 1)

b. 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*

c. 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

d. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 003-040-77; 003-040-78; 003-040-79

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Shapiro/Danco

Under Negotiation: Price & Terms of Payment

e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-273-19-00 and 002-273-30-00

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Bank of America

Under Negotiation: Price & Terms of Payment

f. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-192-14-00 (280 E. Standley)

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Onetogether Solutions

Under Negotiation: Price & Terms of Payment

No report out was received.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 p.m.



Kristine Lawler, City Clerk