

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
Virtual Meeting Link: <https://zoom.us/j/97199426600>
Ukiah, CA 95482
May 18, 2022
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on May 18, 2022, having been legally noticed on May 13, 2022. The meeting was held virtually at the following link: <https://zoom.us/j/97199426600>. Mayor Brown called the meeting to order at 6:04 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Douglas, F. Crane, Mari Rodin, Josefina Dueñas, and Jim O. Brown. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR BROWN PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Rodin.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Stormwater Permit Requirements Presentation.

Presenters: Tim Eriksen, Public Works Director/City Engineer and Colleen Hunt, Stone Creek Environmental Consulting.

Presentation was received.

b. Local Roadway Safety Plan (LRSP) Presentation.

Presenters: Tim Eriksen, Public Works Director/City Engineer; Divya Gandhi, TJKM Consultants.

Presentation was received.

4. PETITIONS AND COMMUNICATIONS

The City Clerk stated that all communications had been distributed.

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the May 4, 2022, Regular Meeting.

Motion/Second: Crane/Rodin to approve the corrected of Minutes of May 4, 2022, a regular meeting. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

a. Report of Disbursements for the Month of April, 2022 – Finance.

- b. Adoption of Resolution (2022-28) of the City Council Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for City Council and Board and Commission Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic – *City Attorney*.
- c. Consideration of Adoption of Resolution (2022-29) Approving Records Destruction for the Community Services and Human Resources/Risk Management Departments – *City Clerk*.
- d. ~~Annual Report on Mobilehome Park Stabilization Fees and Activities, and Approval to Waive Fees for the FY 2021-22 – City Clerk. Pulled by Staff.~~
- e. Consideration of Adoption of Resolution (2022-30) Appointing Zhao Qiu to the Diversity and Equity Standing Committee – *City Clerk*.
- f. Report of Purchase Order No. 47885 Issued to JM Integration for the Emergency Purchase of Repair Parts for the Waste Water Treatment Plant in the Amount of \$36,192.57 – *Water Resources*.
- g. Letter of Interest to the State Water Resources Control Board (SWRCB) Regarding Consolidation of Municipal Water Providers – *Water Resources*.
- h. Approval of the Purchase (COU No. 2122-238) of Professional Design Engineering and Construction Management Services for the Suspended Air Floatation (SAF) and Screw Press at the Waste Water Treatment Plant from West Yost in the Amount of \$522,087 – *Water Resources*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comment was received.

9. COUNCIL REPORTS

Presenters: Councilmembers Rodin and Crane; and Sean White, Water Resources Director.

10. CITY MANAGER/CITY CLERK REPORTS

Presenter:

- **Leadership Academy** – Sage Sangiacomo, City Manager.
- **Board of Supervisors Consideration of Sales Tax Measure for Fire Protection and Water Resiliency Projects** – Sage Sangiacomo, City Manager.
- **Implementation of New Ambulance Unit and Emergency Response** – Sage Sangiacomo, City Manager.

11. PUBLIC HEARINGS (6:15 PM)

- a. **Consideration of 1) Adoption of an Initial Study and Mitigated Negative Declaration; and 2) Authorization to Issue a Demolition Permit for a Structure Over the Age of 50 Years Old at 101 South Main Street; File No. 21-6155 and 21-6623 - Continued Item from the May 4, 2022, Council Meeting.**

Presenters: Michelle Irace, Planning Manager and Craig Schlatter, Community Development Director.

PUBLIC HEARING OPENED AT 7:55 P.M.

Public Comment: Dennis Crean, Pinky Kushner, Todd Schapmire.

PUBLIC HEARING CLOSED AT 8:55 P.M.

Motion/Second: Rodin/Crane to approve a revised mitigation measure CUL-2: The 101 South Main Street building shall not be demolished until there is a development proposal approved in accordance with the Ukiah City Code and, specifically, the Downtown Zoning Code. At the time of demolition, the pressed metal siding on the west and north portions of the building shall be salvaged. If the pressed metal siding is not able to be salvaged, similar pressed metal siding may be used. Any new development will incorporate into the design all, or a portion, of the pressed metal siding of the existing building to pay homage to the agricultural commercial function of the original building. New development shall require review by the Design Review Board and the Planning Commission, in accordance with the Downtown Zoning Code. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, and Brown. NOES: Dueñas. ABSENT: None. ABSTAIN: None.

Motion/Second: Rodin/Crane to adopt the Resolution (2022-31) adopting the ISMND with the substituted mitigation – approved in previous motion, based on the Findings in Attachment 4 (*see below*) with the minor edit (*changing 'for' to 'with' in first sentence of No. 13*) as discussed. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, and Brown. NOES: Dueñas. ABSENT: None. ABSTAIN: None.

Motion/Second: Rodin/Crane to authorize issuance of the Demolition Permit for 101 South Main Street, based on the market analysis information provided by the applicant indicating that a viable market does not exist and consistent with Findings in Attachment 4 (*shown below*), including the minor edit from the above motion. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, and Brown. NOES: Dueñas. ABSENT: None. ABSTAIN: None.

Findings – as seen in Attachment 4:

1. The City of Ukiah, as the Lead Agency, prepared an Initial Study and Mitigated Negative Declaration (ISMND) for the Project (SCH No. 2022030389) under the California Environmental Quality Act (CEQA).
2. The Lead Agency (City) consulted with all applicable responsible agencies and trustee agencies.
3. The Draft ISMND was circulated for public review from March 14, 2022 through April 15, 2022. No public comments on the ISMND were received during the public review period.
4. The ISMND analyzed areas of potential impacts and based on the conclusions reached within it, the Project would not significantly impact any environmental resources for the following reasons:
 - a. Temporary ground disturbing activities associated with demolition would have an impact on Air Quality and Cultural/Tribal Cultural Resources. However, mitigation measures identified within the Mitigation, Monitoring and Reporting Program (Section VIII of the ISMND) would adequately reduce all impacts to less than significant.
 - b. The Project would result in a less than significant impact to Aesthetics, Biological Resources, Energy, Geology and Soils, Greenhouse Gases, Hazards Materials, Land Use, Mineral Resources, Noise and Public Services.
 - c. The Project would have no impact on Agriculture and Forestry Resources, Hydrology and Water Quality, and Population and Housing.
5. Based on the findings and conclusions contained in the ISMND, the proposed Project would not have environmental effects which would cause substantial adverse effects on humans, either directly or indirectly; and there is no substantial evidence in light of the whole record before the

City of Ukiah (including the ISMND and any comments received) that the Project would have a significant effect on the environment.

6. Based upon the analysis, findings, and conclusions contained in the ISMND, the Project will not result in impacts that are individually limited, but cumulative considerable.
7. The Notice of Availability for the public review period, and the Notice of Intent to adopt the ISMND and conduct a public hearing was provided in the following manner, in accordance with the Ukiah City Code and California Environmental Quality Act (CEQA) Guidelines Section 15073: Provided to property owners within 300 feet of the Project parcel, as well as agencies and departments with jurisdiction or interest over the project on March 14, 2022; provided to interested parties who submitted written comments on the Draft ISMND during the public review period on March 14, 2022; posted on the City's CEQA webpage on March 15, 2022 and March 7, 2022; published in the Ukiah Daily Journal on March 16, 2022; posted on the Project site on March 16, 2022; and posted at the Civic Center (glass case) 72 hours prior to the public hearings.
8. The ISMND and record of proceedings of the decision on the Project are available for public review at the City of Ukiah Community Development Department, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA.
9. On December 28, 2021, the City's Demolition Review Committee (DRC) held a public meeting and reviewed the Demolition Permit, in accordance with Ukiah City Code Section 3016(e). The DRC meeting was properly noticed in accordance with 3016(d). The DRC determined that the two buildings do not meet the criteria outlined in UCC 3016(e), and as such, recommended that City Council authorize issuance of the Demolition Permit to demolish the two structures.
10. On May 4, 2022, the City Council held a public hearing in accordance with UCC 3016(g) to receive public comment and consider the DRC's recommendation, as well as approval of the ISMND for the Project.
11. At the May 4, 2022 Council meeting, Council considered authorization to issue the Demolition Permit for 101 and 105 South Main Street, as well as approval of the Initial Study and Mitigated Negative Declaration (ISMND) for the Project. At this meeting, Council determined that the 105 South Main Street building has no historic significance (5-0 vote) under UCC Section 3016. As such, no further action by Council is needed for 105 South Main Street and the Demolition Permit for that building may be issued.
12. Regarding 101 South Main Street, the Council determined that the following UCC 3016(e) criteria applies to the building: 1) Has special or particular quality such as oldest, best example, largest, or last surviving example of its kind-in this case the metal clad; and 2) Exemplifies or reflects special elements of the City's cultural, social, economic, political, or architectural history because it is the only remaining building to tell the story of how this block functioned as a service hub for agricultural commerce. Consideration of the Demolition Permit for this building and adoption of the ISMND were continued to the May 18, 2022 City Council meeting.
13. Because of these findings, at the May 18, 2022 Council meeting, Mitigation Measure CUL-2 (requiring an educational plaque to be erected) was substituted with a new CUL-2, requiring salvaging of the metal clad siding. If the pressed metal siding is not able to be salvaged, similar pressed metal siding may be used. Any new development will incorporate into the design all, or a portion, of the pressed metal siding of the existing building to pay homage to the agricultural commercial function of the original building. The substituted CUL-2 is found to be more effective in mitigating impacts related to demolition of the 101 South Main Street building and would not itself have any adverse environmental impacts. The substitution of this mitigation measure was completed in accordance with CEQA Guidelines Section § 15074.1, *Substitution of Mitigation*

Measures in a Proposed Mitigated Negative Declaration, and does not require recirculation of the ISMND.

14. At the May 18, 2022 Council meeting, in accordance with UCC 3016, Council determined that a viable market does not exist for the 101 South Main Street building based on information submitted by the Applicant. Per UCC 3016, the Building Permit shall be stayed for 90 days while the City and Applicant determined if alternatives exist to salvage the building. However, the 90-day stay was effectively waived by the Council and the Applicant agreeing to implement Mitigation Measure CUL-2. As such, the Council authorized issuance of the Demolition Permit subject to the condition that any site development or building permit issued for new construction on the subject property shall require compliance with CUL-1 and CUL-2 and adopted the ISMND and via Resolution Number 2022-; this decision reflects the City Council's independent judgment and analysis.

RECESS: 9:08 – 9:21 P.M.

12. UNFINISHED BUSINESS

- a. Receive Report on 2019-2027 Housing Element Implementation Program 2c, Monitoring of the Conversion of Single-Family Residential Homes to Commercial Uses, and Provide Direction to Staff as Necessary.**

Presenter: Mireya Turner, Planning Manager.

Motion/Second: Crane/Rodin to receive report and direct Staff to bring item back on a regular basis. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

- b. Review and Update, if Warranted, the Ukiah City Council Strategic Plan.**

Presenter: Traci Boyl, Management Analyst.

Council Consensus to accept the changes that have been made.

- c. Review of the Five-Year Capital Improvement Plan.**

Presenter: Mary Horger, Financial Services Manager.

Presentation was received.

13. NEW BUSINESS

- a. Discussion and Possible Action Regarding the Cancellation of the July 6, 2022, Regular City Council Meeting, with the Option for the Mayor and/or City Manager to Call for a Special Meeting on an Alternate Date if Time Sensitive Business Arises.**

Presenter: Sage Sangiacomo, City Manager.

Motion/Second: Crane/Orozco to approve the cancellation of the July 6, 2022, Regular City Council Meeting, with the option for the Mayor and/or City Manager to call for a special meeting on an alternate date if time sensitive business arises. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

- b. 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).**

No reports were received.

14. CLOSED SESSION

a. Conference with Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d)(2 & 3))

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)(Number of potential cases: 1)

b. Conference with Legal Counsel – Existing Litigation

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

Name of case: Roofing & Solar Construction, Inc. v. City of Ukiah et al., Mendocino County Superior Court Case No. 22CV00048

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

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

Name of case: Russian River Keepers et al. v. City of Ukiah, Case No. SCU-K-CVPT-20-74612

e. Conference with Legal Counsel – Existing Litigation

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

Name of case: Siderakis v. Ukiah, et al, Mendocino County Superior Court, Case No. 21CV00603

f. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

No Closed Session was held.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:55 p.m.



Kristine Lawler, City Clerk