

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
March 7, 2018
6:00 p.m.**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on March 7, 2018, having been legally noticed on March 2, 2018. Mayor Doble called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Jim O. Brown, Stephen G. Scalmanini, Douglas F. Crane, Maureen Mulheren, and Kevin Doble. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR DOBLE PRESIDING.

The Pledge of Allegiance was led by Vice Mayor Mulheren.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing March as Women's History Month.
Presenter: Maureen Mulheren, Vice Mayor.

Proclamation was received by Val Muchowski.

b. Introduction of New Employee – Jordan Beebe, IT Specialist I, Finance Department – Information Technology Division.

Presenter: Scott Shaver, I.T. Administrator.

Public Comment: Jordan Beebe, IT Specialist I.

Introduction was received.

c. Presentation of GFOA's Distinguished Budget Presentation Award to the City of Ukiah
Presenter: Mayor Doble.

Public Comment: Dan Buffalo, Finance Director.

Award was received.

d. Status Report, Discussion and Possible Action Regarding the Ukiah Valley Sanitation District's Litigation Against the City of Ukiah Related to the Operation of the Sanitary Sewer System.

Presenter: Sage Sangiacomo, City Manager.

Presentation was received.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Approval of the February 21, 2018, Regular Meeting Minutes.

Motion/Second: Brown/Scalmanini to approve Minutes of February 21, 2018, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Request Approval of Budget Amendment for Granicus Portable Encoder, Camera and Accessories – *Information Technology*.
- b. Notification of Purchase (PO No. 45084) for Replacement and Installation of Batteries of APC Battery Back-ups from Schneider Electric in the Amount of \$19,866 – *Information Technology*.
- c. Consideration of Award of Purchase (PO No. is forthcoming) to SHI International Corp. for the Annual Software Renewal for the City of Ukiah's Checkpoint Perimeter Firewall in the Amount of \$32,657 – *Information Technology*.
- d. Approval of Notice of Completion for the Wastewater Treatment Plant Barscreen Installation, Specification No. 17-06 and Notification of Contract (COU No. 1617-219) Exceedance in the Amount of \$10,064.49; and Approval of Corresponding Budget Amendment – *Water Resources*.
- e. Notification of Acquisition of Professional Services (COU No. 1718-134) from GHD, Inc. for Implementation Assistance and for Use of ProCore Construction Management Software for the Transportation Improvements for Redwood Business Park and Talmage Road Interchange Projects, Specification Nos. 17-09 and 17-07 in the Amount of \$17,218 – *Public Works*.
- f. Approval of Acquisition of Professional Services (COU No. 1718-187) from Carollo Engineers for Implementation Assistance and for Use of ProCore Construction Management Software for the Recycled Water Project, Phases 1-3, Specification No. 17-08 in the Amount of \$35,233 – *Water Resources*.
- g. Authorize the City Manager to Negotiate and Execute an Easement Agreement (COU No. 1718-188) with the North Coast Railroad Authority for the Construction of the Recycled Water System and Approval of Payment of Corresponding Fee – *Water Resources*.
- h. Approve Professional Services Contract Amendment (COU No. 1718-128-A1) with Crawford & Associates for On-Call Planning Services in Amount Not to Exceed \$30,000 – *Community Development*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Edward Haynes – Marbut Report - homelessness, police reports.

9. **COUNCIL REPORTS**

Presenter: Vice Mayor Mulheren.

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

Presenters: Sage Sangiacomo, City Manager; Tim Eriksen, Public Works Director/City Engineer; and Shannon Riley, Deputy City Manager.

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

12. **UNFINISHED BUSINESS**

a. Discussion and Direction Regarding Proposed Adult Use Cannabis Retail Ordinance.

Presenters: Sage Sangiacomo, City Manager and Darcy Vaughn, Assistant City Attorney.

Public Comment: Michael Taylor, Sherry Byrd, and Phil Baldwin.

Council Consensus gave the following direction to staff:

- Not allow adult use dispensaries in the Neighborhood Commercial (CN) zone.
- Permits to be allowed for Special events without on-site consumption.
- Allow both adult and medical use dispensaries in the Public Facilities (PF) zone.
- Provide various scenarios with the Presentation that comes back.
- Bring back a map to shows possible dispensaries locations.
- Allow both adult and medical use on the same premises.

13. **NEW BUSINESS**

a. Consideration of Adoption of Resolution Supporting Approval of Agricultural Conservation Easement Grant Funding from the California Department of Conservation Sustainable Agricultural Lands Conservation Program to the Mendocino Land Trust for One Property within the City's Sphere of Influence.

Presenter: Craig Schlatter, Community Development Director.

Councilmember Crane recused himself due to a conflict of interest.

Public Comment: Ann Cole, Mendocino Land Trust Executive Director; Lisa Rey; John McCowen, Mendocino County 2nd District Supervisor; Phil Baldwin; and Ann Cole, Mendocino Land Trust Executive Director.

Motion by Brown to adopt a resolution supporting approval of Agricultural Conservation Easement Grant Funding from the California Department of Conservation Sustainable Agricultural Lands Conservation Program to the Mendocino Land Trust for one property within the City's Sphere of Influence.

Motion dies for lack of a second.

Motion/Second: Brown/Doble adopt resolution. Motion **failed** by the following roll call votes: AYES: Brown. NOES: Scalmanini, Mulheren, and Doble. ABSENT: None. ABSTAIN: Crane.

RECESS: 7:41 – 7:45 P.M.

- b. Consider Approval of a Resolution Authorizing the Water Resources Department to Pay for Certain Uses of Real Property Comprising of the Ukiah Valley Golf Course Enterprise within the Community Services Department for the Storage and Distribution of Potable and Recycle Water, and Consider Authorizing the City Manager to Negotiate and Execute a Third Addendum to the Tayman Park Golf Group Lease with Corresponding Budget Amendments.**

Presenters: Tim Eriksen, Public Works Director/City Engineer; Maya Simerson, Project & Grant Administrator; and Emmett Jones, Consultant/CPA.

Public Comment: Faye Hefte, Matt Froneberger, Nancy Rudig, and Roger Vincent.

Motion/Second: Crane/Brown adopt the proposed resolution (2018-08) and approve the third addendum to the Tayman Park Golf Group Lease Agreement (COU No. 1617-112-A3), and all corresponding budget amendments. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

- c. Report of a Regional Government Services Contract and Approve and Authorize Changes to Personnel Allocations in Finance Department and Corresponding Budget Amendment.**

Presenter: Dan Buffalo, Finance Director.

Motion/Second: Brown/Crane to approve the reduction of an unfilled, half-time Customer Service Representative (CSR) position and the addition a full-time Financial Services Specialist (FSS) position; and approve the corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

- d. Receive Updates on City Council Committee and Ad Hoc Assignments.**

Presenter: Mayor Doble.

Council and Staff Comment: Mayor Doble; Sage Sangiacomo, City Manager; Councilmember Brown; Vice Mayor Mulheren; Councilmember Scalmanini; and Councilmember Crane.

Public Comment: Matt Froneberger.

Council Consensus directs staff to schedule this item once a month.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:35 P.M.

14. CLOSED SESSION

- a. 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

- b. Conference with Legal Counsel – Existing Litigation**

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

Name of case: *Ukiah Valley Sanitation District v. City of Ukiah*, Sonoma County Superior Court, Case No. SCV 256737 (UVSD)

c. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: 341 Norgard Lane, Ukiah, CA 95482 (APN's 184-080-27,28; 184-090-01,07; 184-100-04; 180-090-05-00; 180-120-04-44; 180-120-05-00; 180-120-06-00; 184-080-01-00; 184-080-25-00; 184-080-26-00; 180-110-03-00; 180-100-03-00)

Negotiators: Sage Sangiacomo, City Manager; Sean White, Water Resources Director;

Negotiating Parties: City of Ukiah and Tim Norgard;

Under Negotiation: Price & Terms of Payment

THE CITY COUNCIL RECONVENED IN OPEN SESSION AT 10:01 P.M.

Mayor Doble reported out of Closed Session that the Council took the following actions:

In respect to agenda item 14a – Vichy Springs Resort v. City of Ukiah, Et Al, Council appointed Councilmember Scalmanini and Councilmember Brown to serve on an ad hoc committee to meet with the County.

In respect to agenda item 14b – Ukiah Valley Sanitation District v. City of Ukiah, Council authorized the issuance of a letter to the Sanitation District requesting that both full bodies meet at the upcoming mediation on March 14th, to be sent out tomorrow, March 8th.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:06 p.m.



Kristine Lawler, City Clerk

