

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue, Ukiah, CA 95482
Virtual Meeting Link: <https://zoom.us/j/97199426600>
Ukiah, CA 95482
March 1, 2023
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on March 1, 2023, having been legally noticed on February 24, 2023. The meeting was held in person and virtually at the following link: <https://zoom.us/j/97199426600>. Mayor Rodin called the meeting to order at 6:01 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Susan Sher, Douglas, F. Crane, Josefina Dueñas, and Mari Rodin. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR RODIN PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Orozco.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing March as Women's History Month.

Presenter: Mayor Rodin.

Proclamation was received by Sharon Jean Marshall with the Women's Coalition.

5. PETITIONS AND COMMUNICATIONS

City Clerk, Kristine Lawler, stated that all communications had been distributed.

6. APPROVAL OF MINUTES

a. Approval of the Minutes for the February 15, 2022, Special Meeting.

b. Approval of the Minutes for the February 15, 2022, Regular Meeting.

Motion/Second: Crane/Sher to approve Special and Regular Minutes of February 15, 2023, as submitted. Motion **carried** by the following roll call votes: **AYES:** Orozco, Sher, Crane, Dueñas, and Rodin. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

7. RIGHT TO APPEAL DECISION

8. CONSENT CALENDAR

- a. Delegate City Manager Authority to Negotiate and Execute Addendum No. 1 to the License Agreement (COU No.2223-109-A1) with Pacific Gas and Electric for the Public Safety Power Shutoff Resource Center to be Located at the Ukiah Valley Conference Center to Support Other Emergency Events - Administration.

- b. Consideration and Approval to Reclassify One Part-Time, 32-hour Administrative Assistant Position in the Police Department into a Full-Time Position – *Human Resources*.

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

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

Public Comment: Adam Gaska – Great Redwood Trail meetings; Dennis Crean - Historic Building 101 South Main Street.

10. **COUNCIL REPORTS**

Presenters: Councilmember Sher, Vice Mayor Duenas, Councilmember Orozco.

11. **CITY MANAGER/CITY CLERK REPORTS**

Presenter: Sage Sangiacomo, City Manager.

- Application for [101 and 105 South Main].
- Tobacco Retail License Ordinance Status Update.
- Nitrous Oxide Ordinance Annual Report Status.

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

a. **Possible Introduction by Title Only of Ordinance Adopting and Approving Ukiah Police Department Policy 708, Military Equipment Use Policy, in Compliance with California Assembly Bill No. 481**

Presenters: Darcy Vaughn, Assistant City Attorney and Thomas Corning, Patrol Lieutenant.

PUBLIC HEARING OPENED AT 6:52 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:54 P.M.

Motion/Second: Sher/Duenas to introduce the Ordinance by title only. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

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

UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADOPTING AND APPROVING UKIAH POLICE DEPARTMENT POLICY 708, MILITARY EQUIPMENT USE POLICY, IN COMPLIANCE WITH CALIFORNIA ASSEMBLY BILL NO. 481

Motion/Second: Sher/Orozco to introduce an Ordinance adopting and approving Ukiah Police Department Policy 708, Military Equipment Use Policy, in compliance with California Assembly Bill No. 481. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 7:00 – 7:04 P.M. DUE TO TECHNICAL DIFFICULTIES.

13. UNFINISHED BUSINESS

a. Update on FEMA's Effort to Adjust the Flood Maps that Affect the City of Ukiah Property Owners and Provide/Authorize Any Other Direction as Might be Deemed Necessary.

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

Public Comment: Susan Knopf and Dick Seltzer.

Motion/Second: Crane/Sher to give authorization for the Mayor and Public Works department Staff to draft a letter under the Mayor's signature to be sent to any appropriate agency and/or official, including the city's federal representatives. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

b. Status Update Regarding Phase 4 of the Ukiah Segment of the Great Redwood Trail.

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

Report was received.

14. NEW BUSINESS

a. Adoption of Resolution Authorizing Submittal of an Application to the California Department of Housing and Community Development for Funding under the Prohousing Incentive Pilot Program; and if Selected, the Execution of a Standard Agreement, Any Amendments Thereto, and Any Related Documents Necessary to Participate in the Prohousing Incentive Pilot Program, as well as Authorization of the Corresponding Budget Amendments

Presenters: Craig Schlatter, Community Development Director and Jim Robbins, Grants Manager.

Public Comment:

Motion/Second: Duenas/Sher to adopt resolution (Reso 2223-11) authorizing submittal of an application from the City of Ukiah to HCD for \$455,000 in funding under the Prohousing Incentive Pilot Program; and if the City is selected for award, authorize the City Manager to execute the standard agreement (COU No. 2223-172), any amendments thereto, and any related documents necessary; and authorize any corresponding budget amendments. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

Council Consensus directs Staff to leave both options* open.

**Options referenced are listed in the Staff Report as follows:*

- 1) *Development of low- and moderate-income multifamily rental housing.*
- 2) *Affordable rental and ownership housing for individuals and households with incomes up to 120 percent of area median income (AMI).*

RECESS: 8:00 – 8:07 P.M.

b. Approve Plans and Specifications for the Downtown Streetscape and Road Diet Phase 2 Specification 21-01, and Authorize Staff to Issue Bids.

Presenters: Tim Eriksen, Public Works Director/City Engineer and Andrew Stricklin, Associate Engineer.

Staff Comment: Shannon Riley, Deputy City Manager.

Public Comment: Dick Selzer, Steve Scalmanini, Pinky Kushner.

Staff Comment: Cindy Sauers, Electric Utility Director.

Motion/Second: Duenas/Sher to approve Plans and Specifications for the Downtown Streetscape and Road Diet Phase 2, and Authorize Staff to Issue Bids for Specification Number 21-01. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

c. Adoption of Resolution and Approval of Letter Opposing Initiative No. 21-0042A1.

Presenter: Sage Sangiacomo, City Manager.

Motion/Second: Crane/Orozco to adopt Resolution (Reso 2223-12) and approve letter opposing initiative No. 21-0042A1. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

d. Introduction and Overview of the Five-Year Capital Improvement Plan.

Presenter: Mary Horger, Financial Services Manager.

Report was received.

e. Review and Update, if Warranted, the Ukiah City Council Strategic Plan.

Presenter: Shannon Riley, Deputy City Manager.

Update was received.

f. 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 Rodin, Councilmember Orozco, Craig Schlatter, Community Development Director; Shannon Riley, Deputy City Manager.

Mayor Directive to appoint Vice Mayor Duenas to the Sun House Guild ex officio on the City Council Special Assignments.

Public Comment: Susan Knopf.

Motion/Second: Orozco/Rodin to nominate and appoint Councilmember Sher and Vice Mayor Duenas to serve on a Climate Action Plan ad hoc to coordinate with the Community Development Director to identify and assign representation to each of the identified categories, and also coordinate with the Community Development Director and the Climate Action Plan Working Group related to other outreach efforts during the development of the draft municipal Climate Action Plan related to the 2040 General Plan. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 10:03 P.M.

15. CLOSED SESSION

- a. **Conference with Legal Counsel – Anticipated Litigation**
(Government Code Section 54956.9(d)(2))
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (2 cases)
- b. **Conference with Legal Counsel – Anticipated Litigation**
(Government Code Section 54956.9(d)(2) or (3))
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (1 case)
- c. **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
- d. **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
- e. **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
- f. **Conference with Real Property Negotiators**
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 003-190-11
Negotiator: Sage Sangiacomo, City Manager
Negotiating Parties: Dave Hull
Under Negotiation: Price & Terms of Payment
- g. **Conference with Real Property Negotiators**
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 003-260-01, 003-500-14
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Eric Crane and Francine Selim
Under Negotiation: Price & Terms of Payment
- h. **Conference with Labor Negotiator (54957.6)**
Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: All Bargaining Units
- i. **Public Employee Performance Evaluation**
(Government Code Section 54956)
Title: City Manager

No action reported; direction provided to Staff.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 11:15 p.m.


Kristine Lawler, CMC