

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
May 16, 2018
6:00 p.m.

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

Ukiah City Council met at a Regular Meeting on May 16, 2018, having been legally noticed on May 11, 2018. Mayor Doble called the meeting to order at 6:01 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. Receive Presentation of First Quarter Employee Recognition Awards.

Presenters: Chris Dewey, Police Chief; Tim Eriksen, Public Works Director/City Engineer; and Mayor Doble.

Staff Comment: Isabel Madrigal and Ben Kageyama.

Presentation was received.

b. Presentation on 10th Annual Ukiah Airport Day June 2, 2018.

Presenter: Greg Owen, Airport Manager.

Presentation was received.

c. Proclamation Recognizing May 13 - 19, 2018, as Police Week in the City of Ukiah.

Presenter: Mayor Doble.

Public Comment: Noble Waidelich and Chief Dewey.

Proclamation was received by Noble Waidelich and Chief Dewey.

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 May 2, 2018, Regular Meeting Minutes**

Motion/Second: Brown/Scalmanini to approve Minutes of May 2, 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. Approval of Report of Disbursements for the Month of April 2018 – *Finance*.
- b. Report to City Council Regarding Contract (COU No. 1718-211) for Band Performance at the 2018 Sundays in the Park Concert Series in the Amount of \$12,000 – *Community Services*.
- c. Report to City Council Regarding Payment (COU No. 1718-218) to City of Light Sound and Recording for Sound Equipment and Sound Technician Services for the 2018 Sundays in the Park Concert Series in the Amount of \$12,696 – *Community Services*.
- d. Approval of Change Order #2 to Granite Construction, Inc. (COU No. 1718-085-CO2) in the Amount of \$176,351 for Additional Work Related to the North State Street Intersection - Low Gap Road/Brush Street Storm Drain & Signalization Improvements Project, Specification No. 18-01, and Approval of Corresponding Budget Amendment – *Public Works*.

Motion/Second: Brown/Scalmanini to approve Consent Calendar Items 7a-7d, 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: Maria Barragan – utility bill.

9. **COUNCIL REPORTS**

Presenter: Councilmembers Crane, Scalmanini, and Brown.

RECESS: 6:25 – 6:30 P.M.

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

Presenter: Kristine Lawler, City Clerk.

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

12. **UNFINISHED BUSINESS**

a. **Discussion and Possible Introduction by Title Only of an Amended Cannabis Related Business Ordinance**

Presenter: Darcy Vaughn, Assistant City Attorney.

Motion/Second: Brown/Mulheren to introduce the ordinance by title only. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING SECTION 9261 OF THE UKIAH CITY CODE TO AMEND THE USE PERMIT APPLICATION PROCESS AND OPERATIONAL STANDARDS FOR CANNABIS RELATED BUSINESSES

Motion/Second: Brown/Mulheren to introduce the Amended Cannabis Related Business Ordinance with the following modifications:

1. Second "D" added to the word "STANDARDS" in the third line of the Ordinance Title.
2. On page 2, in Section 3 of the Ordinance, change to UCC Section 9174.1.B, last line, the phrase "9174.2 through 9174.3 of this Code" changed to "9174.2 through 9174.9 of this Code"
3. On page 4, in Section 3 of the Ordinance, subsection r, fourth line, the phrase "the property lines of any dispensary" changed to "the property lines of any Cannabis Related Business"
4. On page 4, in Section 3 of the Ordinance, subsection w, second and third lines, the phrase "demonstrate compliance with this Chapter including all City and State codes, including operating requirements established in this chapter" changed to "demonstrate compliance with this Section including all City and State codes, including operating requirements established in this Section".
5. On page 7, in Section 3 of the Ordinance, subsection 12.c, third line, the last word, "Retailer", should be changed to "Business".
6. On page 8, in Section 3 of the Ordinance, subsection F.2, first line, the phrase, "the provisions in subsections 1a through b of this section", should be changed to "the provisions in subsections F.1.a through F.1.b of this section".

Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

b. Consider a Memorandum of Understanding (MOU) with the County of Mendocino Regarding the Request for Proposal Process to Establish an Exclusive Operating Area (EOA) for Emergency Ambulance Services for Inland Mendocino County

Presenter: Sage Sangiacomo, City Manager.

Motion/Second: Crane/Scalmanini to approve the memorandum of understanding (COU No. 1718-219) with the County of Mendocino regarding the request for proposal process to establish an exclusive operation area for emergency ambulance service for inland Mendocino County. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Discussion and Possible Action Regarding Adopting in Concept, Mendocino County's Homeless Needs Assessment and Action Steps by Marbut Consulting

Presenter: Justin Wyatt, Police Captain.

Public Comment: Rick Johnson, James Marmon, Roy Krausen, Charlie Vaughn, John McCowen, 2nd District County Supervisor, Susan Knopf, Toni Ford, and Carol Rosenberg.

Motion/Second: Crane/Mulheren to adopt in concept the Mendocino County Homeless Needs Assessment and Action steps, direct staff to continue to pursue collaborative implementation with the County of Mendocino and community partners, and appoint Brown and Scalmanini to the corresponding ad hoc committee. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 7:35 – 7:41 P.M

b. Consideration and Approval of Response to Grand Jury Report – Ukiah Streets

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

Motion/Second: Brown/Mulheren to approve the Response to Grand Jury Report – Ukiah Streets.
Motion carried by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

c. Capital Improvement Project (CIP) 101 Presentation and Discussion of CIP Draft for the 2018-19 Fiscal Year

Presenters: Dan Buffalo, Finance Director; Daphine Harris, Finance Management Analyst; and Mary Horger, Procurement Manager.

Presentation was received.

d. Review and Consideration of Budget Development Schedule, Fiscal Year 2017-18

Presenter: Dan Buffalo, Finance Director.

Council Consensus directs staff to calendar the following dates for budget meetings:

- June 6 4:00 – 6:00 p.m. Operational and Capital Budget Overview
- June 7 & 8 4:00 p.m. Detail on Capital Discussion
- June 11 & 12 4:00 p.m. Continued discussion of Capital detail and Departmental Budget Review.
- June 20 (*regular meeting*) 6:00 p.m. Possible Adoption of Budget.

e. Receive Updates on City Council Committee and Ad Hoc Assignments.

Presenter.: Vice Mayor Mulheren.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:43 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. Public Employee Performance Evaluation

Government Code Section 5495

Title: City Manager

No report out was received.

15. ADJOURNMENT

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



Kristine Lawler, City Clerk