

CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
February 1, 2017
6:00 p.m.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on February 1, 2017, having been legally noticed on January 26, 2017. Mayor Brown called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Stephen G. Scalmanini, Douglas F. Crane, Maureen Mulheren, Kevin Doble, and Jim O. Brown. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR BROWN PRESIDING.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Introduction of Eric Singleton's Promotion to Fire Engineer – Fire.

Presenter: Kirk Thomsen, Fire Chief.

Presentation was received.

b. Presentation of Employee Recognition Awards – Administration.

Presenters: Sage Sangiacomo, City Manager; Tami Bartolomei, Community Services Administrator; and Kirk Thomsen, Interim Fire Chief.

Staff Comment: Kevin Thomsen.

Presentations were received.

c. 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 – Administration.

Presenter: Sage Sangiacomo, City Manager.

Public Comment: Don Crawford and John Sakowicz, Ukiah Valley Sanitation District Board Member.

Status Report was received.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Minutes of January 18, 2017, a Regular Meeting – City Clerk.

Motion/Second: Mulheren/Doble to approve Minutes of January 18, 2017, a Regular Meeting as submitted. Motion **carried** by the following roll call votes: **AYES:** Scalmanini, Mulheren, Doble, and Brown. **NOES:** None. **ABSENT:** None. **ABSTAIN:** Crane.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Adoption of Resolution (2017-11) Approving Records Destruction.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Presenters: John Portlock and Susie O'Shea.

9. COUNCIL REPORTS

Presenters: Councilmember Crane, Vice Mayor Doble, and Mayor Brown.

Council Consensus to send thank you letters to Congressman Huffman and Assemblyman Woods for the local town hall meeting held on January 27, 2017.

10. CITY MANAGER/CITY CLERK REPORTS

Presenter: Sage Sangiacomo, City Manager.

11. PUBLIC HEARINGS (6:15 PM)

- a. Discussion and Possible Adoption of a Mitigated Negative Declaration and Introduction of an Ordinance Amending the Zoning Map and Adoption of a Resolution Amending the General Plan Map in Accordance with the Proposed Rezone of 350 N. Orchard Avenue – Planning and Community Development.

Presenter: Kevin Thompson, Interim Planning and Community Development Director.

PUBLIC HEARING WAS OPENED AT 6:42 P.M.

Public Comment: Dan Thomas.

PUBLIC HEARING WAS CLOSED AT 6:48 P.M.

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

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

City Clerk, Kristine Lawler, read the title of the Ordinance into the record.

Motion/Second: Crane/Doble to adopt a Resolution (2017-12) amending the General Plan Map Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

12. UNFINISHED BUSINESS

- a. Proposed Minor Alteration of Proposed Marijuana Dispensary Ordinance and if Approved, Schedule Final Action for February 15th Council Meeting – Planning and Community Development.

Presenters: Kevin Thomsen, Interim Planning and Community Development Director and Darcy Vaughn, Assistant City Attorney.

Public Comment: Dr. Robert Werra.

Motion/Second: Scalmanini/Mulheren to approve the proposed alteration of the Marijuana Dispensary Ordinance, and direct the City Clerk to place the possible adoption of the Ordinance on the agenda for the February 15, 2017, City Council meeting. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

b. Receive Financial Report Regarding Ukiah on Ice 2016-17, the Outdoor Holiday Ice Rink, and Consider Hosting an Ice Rink in 2017-18 – Administration.

Presenters: Shannon Riley, Senior Management Analyst and Jake Burgess, Recreation Supervisor.

Motion/Second: Scalmanini/Mulheren to receive financial report regarding Ukiah on Ice 2016-17, the outdoor holiday ice rink, and authorize staff to move forward with planning hosting an ice rink in 2017-18. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 7:27 – 7:34 P.M.

c. Authorize Execution of Amendment to the Agreement with SHN in an Amount Not to Exceed \$14,160 for Additional Services for the North State Street - Low Gap Road Storm Drain and Traffic Signal Project and Approve Budget Amendment – Public Works.

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

Motion/Second: Crane/Mulheren to authorize execution of amendment to the agreement (COU No. 1516-229-A4) with SHN in an amount not to exceed \$14,160 for additional services for the North State Street - Low Gap Road Storm Drain and Traffic Signal Project and approve budget amendment. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

d. Authorize the City Manager to Negotiate and Execute an Amendment (Related to Financial and Administrative Services) to the Interim Agreement for Fire Protection and Emergency Medical Services Between Ukiah Valley Fire Protection District and the City of Ukiah – Fire.

Presenters: Dan Buffalo, Finance Director and Kirk Thomsen, Interim Fire Chief.

Public Comment: Mark Hilliker, Roger Vincent, and John McCowen (*speaking as a private citizen.*)

Motion/Second: Mulheren/Doble to authorize the City Manager to negotiate and execute an amendment (related to financial and administrative services) (COU No. 1314-198-A4) to the Interim Agreement for Fire Protection and Emergency Medical Services between Ukiah Valley Fire Protection District and the City of Ukiah. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 8:15 – 8:21 P.M.

13. NEW BUSINESS

- a. Receive and Consider a Status Report on the Strategic Plan and City Operations – Administration.**

Presenter: Sage Sangiacomo, City Manager.

Public Comment: Linda Sanders.

Council Consensus to direct staff to invite all Commissions to participate in a Cost Allocation Plan Workshop.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:02 P.M.

14. CLOSED SESSION

- a. Conference with Legal Counsel – Anticipated Litigation**

(Cal. Gov't Code Section 54956.9(d)(2))

Significant exposure to litigation (1 case)

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

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

Name of case: *City of Ukiah v. Questex, LTD, et al, Mendocino County Superior Court, Case No. SCU-K- CVPT-15-66036*

- c. 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*

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

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

Name of case: *Ukiah Citizens for Safety First v. City of Ukiah, Mendocino County Superior Court, Case No. SCU-KCVPT 14-63579*

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

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

Name of case: *Howard Jarvis Taxpayers Assn., et al. v. City of Ukiah, Mendocino County Superior Court, Case No. SCU-K-CVG-17-68588*

- f. Conference with Real Property Negotiators**

(Cal. Gov't Code Section 54956.8)

Property: 429 South Dora St. Ukiah, CA 95482

Negotiator: Sage Sangiacomo, City Manager; Negotiating Parties: City of Ukiah and Ukiah Unified School District; Under Negotiation: Price & Terms of Payment

No reportable action was taken.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:00 p.m.



Kristine Lawler, City Clerk