

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
March 15, 2017
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on March 15, 2017, having been legally noticed on March 10, 2017. Mayor Brown called the meeting to order at 6:02 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

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Darcy Vaughn, Assistant City Attorney.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. 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.

No action taken.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Minutes of February 27, 2017, a Special Meeting.

b. Minutes of March 1, 2017, a Regular Meeting.

Motion/Second: Mulheren/Crane to approve Minutes of February 27, 2017, a Special Meeting; and March 1, 2017, a Regular Meeting as submitted. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

a. Report of Disbursements for the Month of February 2017 – *Finance*.

b. ~~Annual Review of the Mobilehome Park Rent Stabilization Fees per Resolution 2012-17 and Approval to Waive Fees for 2017 Billing Cycle – City Clerk. Pulled by Councilmember Crane and placed as Agenda Item 13e.~~

- c. Authorize the City Manager to Execute Annual Renewal Agreement (COU No. 1617-175) with Liebert Cassidy Whitmore (LCW) for Legal Services as Needed, Notification of Exceeding \$20,000, and Approve Corresponding Budget Amendment – *Human Resources*.
- d. Request Approval of Adjustment to Principal Planner and Building Official Salary Range and Change Title of Principal Planner to Planning Manager – *Human Resources*.

Motion/Second: Crane/Mulheren to approve Consent Calendar Items 7a and c-d. 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

Presenter: Phil Baldwin.

9. COUNCIL REPORTS

Presenters: Vice Mayor Doble and Councilmember Crane.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager and Kristine Lawler, City Clerk.

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

a. Status Report of New Courthouse Project and Consideration of Memorandum of Understanding with North Coast Railroad Authority (NCRA) Regarding Future Improvements to the Rail Crossing at Clay Street – Administration.

Presenter: Shannon Riley, Senior Management Analyst.

Public Comment: Roger Vincent and Phil Baldwin.

Motion/Second: Crane/Mulheren to authorize the City Manager to negotiate and execute the Addendum to the Memorandum of Understanding (COU No. 1617-176) between the City of Ukiah and NCRA, and to include the Council discussion in the record. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

Note: The requested discussion can be heard in the audio/video portion of the record located at <http://www.cityofukiah.com/meetings>, under the March 15, 2017, Minutes, Agenda Item 12a.

13. NEW BUSINESS

a. Consideration and Possible Nomination to the City Selection Committee for an Alternate Cities Representative for LAFCo – City Clerk.

Presenter: Kristine Lawler, City Clerk.

Council Consensus to not put a nomination forward at this time and to support a coastal representative.

b. Presentation, Discussion and Consideration of Implications of AB 2299, SB 1069, and AB 2406 for City's Existing Second Unit Ordinance – Administration.

Presenter: Darcy Vaughn, Assistant City Attorney and Kevin Thompson, Interim Planning Director.

Public Comment: Phil Baldwin and Greg Foss, Les Marston, and Becky Thune.

Council Consensus directs staff to:

- Refer this presentation and related issues in the existing code to the Planning Commission for their input;
- Develop a fact sheet to help the public and council identify and explain complexities of the new legislation, and show a path for approval that clearly outlines available options; and
- Bring a proposed local ordinance back to Council for consideration.

c. Authorize the City Manager to Negotiate and Execute an Emergency Management Mutual Aid Memorandum of Agreement Between the City of Ukiah and the City of Lakeport – Administration – Administration.

Presenter: Sage Sangiacomo, City Manager

Motion/Second: Crane/Mulheren to Authorize the City Manager to negotiate and execute an Emergency Management Mutual Aid Memorandum of Agreement (COU No. 1617-177) between the City of Ukiah and the City of Lakeport. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

d. Discussion and Consideration of the Funding Allocation Agreement Between the County of Mendocino and the City of Ukiah Fire Department for a Portion of the County's Proposition 172 Funds – Fire.

Presenter: Kirk Thomsen, Interim Fire Chief, Sage Sangiacomo, City Manager, and Dan Buffalo, Finance Director.

Motion/Second: Scalmanini/Crane to not sign the Funding Allocation Agreement with the County of Mendocino. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

Council Consensus for Mayor Brown to attend and represent the City's interests at the Mendocino County Association of Fire Districts meeting on April 19, 2017.

e. Annual Review of the Mobilehome Park Rent Stabilization Fees per Resolution 2012-17 and Approval to Waive Fees for 2017 Billing Cycle – City Clerk. From Consent Calendar Agenda Item 7b.

Presenter: Kristine Lawler, City Clerk.

Public Comment: Phil Baldwin.

Motion/Second: Crane/Doble to approve waiving annual fee for mobilehome park rent stabilization fund and direct City Clerk to send a corresponding letter to the mobilehome park owners and direct staff to come back with anticipated current costs for Council's consideration by the end of the calendar year. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:44 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) (Coastside Settlement)

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. SCUK- CVPT-15-66036 (Palace Hotel)

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 (UVSD)

d. 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. SCUK-CVG-17-68588 (Measure Y and Z)

e. 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

THE CITY COUNCIL RECONVENED IN OPEN SESSION AT 8:57 P.M.

City Attorney Rapport reported out of Closed Session that in connection with agenda item 14a, the City and the contractor, Coastsides Construction, negotiated a proposed settlement agreement, which the Council considered in Closed Session and are prepared to consider a motion to approve the agreement.

Motion/Second: Crane/Doble to approve a proposed settlement agreement (COU No. 1617-180). Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL RETURNED TO CLOSED SESSION AT 8:59 P.M.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:17 p.m.



Kristine Lawler, City Clerk