

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue, Ukiah, CA 95482
Virtual Meeting Link: <https://us06web.zoom.us/j/82680771960>

Ukiah, CA 95482
September 4, 2024
5:15 p.m.

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on September 4, 2024, having been legally noticed on August 30, 2024. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/82680771960>. Mayor Dueñas called the meeting to order at 5:22 p.m. Roll was taken with the following **Councilmembers Present:** Mari Rodin (*arriving at 5:29 p.m.*), Juan V. Orozco, Susan Sher, Douglas, F. Crane, and Josefina Dueñas. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR DUEÑAS PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by David Rapport, City Attorney.

Councilmember Sher led a moment of silence to honor the recently departed ChonTravis, who ran for a City Councilmember seat in 2018, and was a beloved member of the community.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing September 16-23, 2024, as Pollution Prevention Week and September 22-29, 2024, as Creek Week in the City of Ukiah.

Presenter: Councilmember Orozco.

Proclamation was received by Jessica Reid, Mendocino County Resource Conservation District.

b. Proclamation of the Ukiah City Council Recognizing September as Hispanic Heritage Month in the City of Ukiah.

Presenter: Mayor Duenas.

Public Comment: Ignacio Ayala, Jackeline Orozco.

Proclamation was received by Ignacio Ayala, School of Performing Arts and Cultural Education (SPACE) Deputy Director and Latino Director.

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 August 21, 2024, Regular Meeting.

Motion/Second: Crane/Sher to approve Minutes of August 21, 2024, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

7. RIGHT TO APPEAL DECISION

Mayor Duenas read the right to appeal.

8. CONSENT CALENDAR

- a. Report of Disbursements for the Month of July 2024 – *Finance*.
- b. Council to Consider Entering into an Agreement (2425-107) with ChargePoint for the Proposed Ukiah Electric Vehicle Charging Stations Project and Authorize City Manager to Execute the Agreement – *Electric Utility*.
- c. Award of Purchase (PO No. 48670) of Three (3) Stryker Power Pro 2 Gurneys – *Fire*.
- d. Award of Purchase (PO No. 48671) of Three (3) Stryker MTS Power Load Systems – *Fire*.
- e. Award of Purchase (PO No. 48672) of Three (3) Lifepak 15 V4 Cardiac Monitor/Defibrillators – *Fire*.
- f. Adoption of an Ordinance Amending Various Sections of the Ukiah City Code to Update the City's Approval Process for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) – *Community Development*.

ORDINANCE NO. 1244

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING AND AMENDING VARIOUS SECTIONS OF THE UKIAH CITY CODE REGULATING ACCESSORY DWELLING UNITS

- g. Approval of Contract (2425-108) with Stone Creek Environmental Consulting for Engineering Services Related to the Municipal Separate Storm Sewer Systems Permit Issued by North Coast Regional Water Quality Control Board – *Public Works*.
- h. Receive Report of Contract (2324-104-CO1) Change Order for Gregg Simpson Construction for the Work Related to the Orr Street Bridge Project, and Approve of Corresponding Budget Amendment – *Public Works*.

Motion/Second: Sher/Rodin to approve Consent Calendar Items 8a-8h, as submitted. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comments were received.

10. COUNCIL REPORTS

Presenter: Councilmember Sher,

11. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; and

- **FEMA Floodplain Update** – Tim Eriksen, Public Works Director / City Engineer.

RECESS: 5:52 – 5:59 P.M. to address technical difficulties.

- **FEMA Floodplain Update, continued** – Tim Eriksen, Public Works Director / City Engineer.
- **Construction Update** – Tim Eriksen, Public Works Director / City Engineer.
- **Palace Hotel Update** – Shannon Riley, Deputy City Manager.

12. PUBLIC HEARINGS (6:15 PM)

a. Possible Introduction by Title Only of an Ordinance to Approve a General Plan Amendment from Low-Density Residential (LDR) to Community Commercial (CC) and a Rezone from Low-Density Residential (R1) to Community Commercial (C1), to Allow for Tenant Improvements to an Existing Structure for Use as a 'Professional Office' at 195 Low Gap Road (APN 002-080-39); File No. 24-9265.

Presenter: Jesse Davis, Chief Planning Manager.

PUBLIC HEARING OPENED AT 6:36 P.M.

Public Comment: Ed Eversole (*applicant*).

PUBLIC HEARING CLOSED AT 6:41 P.M.

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

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

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP AND GENERAL PLAN LAND USE MAP BY ESTABLISHING THE COMMUNITY COMMERCIAL (C1) ZONING DISTRICT AND COMMUNITY COMMERCIAL (CC) LAND USE DESIGNATION AT 195 LOW GAP ROAD (APN 002-080-39).

Motion/Second: Crane/Rodin to introduce the Ordinance to approve a General Plan Amendment from Low-Density Residential (LDR) to Community Commercial (CC) and a Rezone from Low-Density Residential (R1) to Community Commercial (C1) to allow for tenant improvements to an existing structure for use as a 'Professional Office' at 195 Low Gap Road (APN 002-080-39); File No. 24-9265. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

b. Proposed Sewer Rate Adjustments for Fiscal Year 2024-2025: Public Hearing and Consideration for Adoption.

Presenters: Dan Buffalo, Finance Director and Mark Hildebrand, Hildebrand Consulting, LLC.

PUBLIC HEARING OPENED AT 7:27 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 7:28 P.M.

Motion/Second: Rodin/Crane to approve the proposed sewer rate adjustments effective October 1, 2024, as outlined in the 2024 Sewer Financial Plan (Sewer Rate Study). Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, and Crane. NOES: None. ABSENT: None. ABSTAIN: Dueñas.

NOTE: 34 protest letters were received.

13. UNFINISHED BUSINESS

14. NEW BUSINESS

a. Possible Introduction, by Title Only, of Ordinance Establishing Procedures for Adopting and Imposing Development Mitigation Fees on behalf of the Ukiah Valley Fire District.

Presenter: Darcy Vaughn, Assistant City Attorney.

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

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ESTABLISHING AND IMPLEMENTING A FIRE DISTRICT DEVELOPMENT MITIGATION FEE.

Motion/Second: Rodin/Crane to introduce the Ordinance establishing procedures for adopting and imposing development mitigation fees on behalf of the Ukiah Valley Fire District. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

b. Possible Introduction, by Title Only, of an Ordinance Amending Chapter 11, Division 3 of the City Code to Require the Manager of a Private, Commercially-Zoned Property to Abate Nuisance Conditions on the Property.

Presenter: Darcy Vaughn, Assistant City Attorney.

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

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING CHAPTER 11, DIVISION 3 OF THE CITY CODE TO REQUIRE THE MANAGER OF A PRIVATE, COMMERCIALLY-ZONED PROPERTY TO ABATE NUISANCE CONDITIONS ON THE PROPERTY.

Motion/Second: Sher/Rodin to introduce the Ordinance amending Chapter 11, Division 3 of the City Code to require the manager of a private, commercially-zoned property to abate nuisance conditions on the property. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

c. Award of Contract with BKF Traffic Engineers for Design and Engineering Services Related to a Roundabout Design at Low Gap Road and North Bush Street, and Approve Corresponding Budget Amendment.

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

Motion/Second: Crane/Rodin to approve of contract (2425-109) award to BKF Traffic Engineers in the amount of \$250,030 for design and engineering services related to a roundabout design at Low Gap Road and North Bush Street, and approve corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

Council gave direction to Staff.

d. 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).

No reports were received.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:11 P.M.

15. CLOSED SESSION

a. Conference with Legal Counsel – Anticipated Litigation

(Government Code Section 54956.9(d)(4))

Initiation of litigation (3 cases)

b. Conference with Legal Council - Anticipated Litigation

Government Code Section 54956.9(d)(2)

Significant exposure to litigation (1 case)

c. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9)

Name of case: Ukiah v. Questex, Mendocino County Superior Court Case No. 15-66036

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. SCUК-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. SCUК-CVPT-20-74612

f. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 180-110-07

Negotiator: Shannon Riley, Deputy City Manager

Negotiating Parties: GMB Realty Partners, Inc.

Under Negotiation: Price & Terms of Payment

g. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-232-05 and 002-282-02

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Bartolomei Trustees

Under Negotiation: Price & Terms of Payment

h. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN No: 170-150-10-00

Negotiator: Sage Sangiacomo, City Manager

Negotiation Party: Twenty Years of Bliss LLC

Under Negotiation: Price & Terms of Payment

i. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

No action reported; direction provided to Staff.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 9:45 p.m.



Kristine Lawler, CMC