

**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/83894331689>**

**Ukiah, CA 95482
October 2, 2024
5:15 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on October 2, 2024, having been legally noticed on September 27, 2024. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/83894331689>. Mayor Dueñas called the meeting to order at 5:17 p.m. Roll was taken with the following **Councilmembers Present:** Mari Rodin, 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 Councilmember Rodin.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing October as National Disability Employment Awareness Month in the City of Ukiah.

Presenter: Councilmember Sher.

Proclamation was received by Kristine Lewis, Mendocino County Office of Education.

Agenda Item 4b was continued to a later time in the meeting when the receiver would be present.

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 September 18, 2024, Regular Meeting.

Motion/Second: Sher/Orozco to approve Minutes of September 18, 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 rights to appeal a decision.

8. CONSENT CALENDAR

- a. Consideration of Adoption of Resolution (2024-39) Approving the Destruction of Outdated Records from the Finance Department and the City Manager's Office – *Administration*.
- b. Approve Budget Amendment in the Amount of \$140,000 for the Fire Department Operating Fund (105) – *Finance*.
- c. Consideration of Adoption a Resolution (2024-40) Approving Amendments to the Current Memoranda of Understanding Between the City of Ukiah and Department Head and Management Bargaining Units – *Human Resources*
- d. Award of Contract (2425-118) with GHD Inc. for Multimodal Transportation Study of School Street; and Approval of Corresponding Budget Amendment – *Public Works*.
- e. Approval of a Budget Amendment (2223-220-A1) in the Amount of \$280,893.50 for Additional Road Reconstruction Services from Ghilotti Construction Inc., on Low Gap Road Related to the Recycled Water Project Phase 4 – *Public Works*.
- f. Consideration of Execution of Amended and Restated Joint Exercise of Powers Agreement (2324-162-A1) for the Ukiah Valley Water Authority and Reaffirm the Continued Appointment of Vice-Mayor Crane and Councilmember Orozco as the Two Representatives to the Ukiah Valley Water Authority - *Water Resources*.
- g. Authorize the City Manager to Execute a Municipal Lease Agreement (2425-119) with Financial Pacific Leasing, Inc., DBA Umpqua Bank Equipment Leasing & Finance, to Finance the Purchase of Equipment on Order in Support of the Inter Facility Transport Agreement Between the Ukiah Valley Fire Authority and Adventist Health Systems West, and Approve Corresponding Resolution (2024-41) and Budget Amendments – *Finance-Fire*.

By Council request, the City Manager summarized Agenda Item 8f.

Motion/Second: Crane/Rodin to approve Consent Calendar Items 8a-8g, 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

Public Comment: Katrina Kesson, Greater Ukiah Business and Tourism Alliance Executive Director - Car Show.

10. COUNCIL REPORTS

Presenters: Councilmember Sher, Vice Mayor Crane, and Councilmember Rodin.

11. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; and

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

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS, Continued

b. Proclamation of the Ukiah City Council Recognizing October 14, 2024, as Indigenous Peoples' Day in the City of Ukiah.

Presenter: Councilmember Orozco.

Proclamation was received by Les Marston, Rapport and Marston.

Public Comment: Tracy Thieriot.

12. PUBLIC HEARINGS (6:15 PM)

a. Possible Introduction by Title Only of an Ordinance to Approve a Rezone from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as Approval of a Minor Subdivision Resulting in Two (2) Parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437); File No. #24-9277.

Presenter: Jesse Davis, Chief Planning Manager.

A PowerPoint presentation was given.

PUBLIC HEARING OPENED AT 6:07 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:09 P.M.

Motion/Second: Rodin/Orozco 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 BY REMOVING THE PLANNED DEVELOPMENT (PD) DESIGNATION AND REVERTING TO THE BASE MEDIUM DENSITY RESIDENTIAL (R2) DESIGNATION AT 960-979 MARLENE STREET; (APNs 003-100-24 - 003-100-437).

Motion/Second: Rodin/Sher to introduce the Ordinance to approve a Rezone from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as approve a Minor Subdivision resulting in two (2) parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437); File No. #24-9277. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

b. Possible Introduction of an Ordinance, by Title Only, Amending and Adding Various Sections of the Ukiah City Code to More Effectively Regulate 'Missing Middle Housing' Consistent with the Land Use Element of the Ukiah 2040 General Plan.

Presenter: Jesse Davis, Chief Planning Manager.

A PowerPoint presentation was given.

PUBLIC HEARING OPENED AT 6:32 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:32 P.M.

Motion/Second: Rodin/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 ADDING AND AMENDING VARIOUS SECTIONS OF THE UKIAH CITY CODE REGULATING 'MISSING MIDDLE HOUSING'.

Motion/Second: Rodin/Orozco to introduce the ordinance amending and adding various sections of the Ukiah City Code to more effectively regulate 'Missing Middle Housing' consistent with the Land Use Element of the Ukiah 2040 General Plan. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

c. Conduct a Public Hearing to Consider Adoption of a Resolution Approving the Submittal of a CDBG Application in Response to the 2024 State Community Development Block Grant Program Notice of Funding Availability; and Approve Corresponding Budget Amendments if Awarded Funding for the Application.

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

PUBLIC HEARING OPENED AT 6:53 P.M.

Public Comment: Marsha Lazaro.

PUBLIC HEARING CLOSED AT 6:54 P.M.

Motion/Second: Rodin/Sher to adopt a Resolution (2024-42) approving the submittal of a CDBG Application in response to the 2024 State Community Development Block Grant Program Notice of Funding Availability; and approve corresponding budget amendments if awarded funding for the application. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 6:55 – 7:05 P.M.

13. UNFINISHED BUSINESS

a. Receive Report Regarding the City's Response to the Updated FEMA Floodplain Maps, Provide Direction to Staff, and Take Any Other Action Deemed Necessary.

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

Public Comment: Tracy Thieriot (spoke twice).

Report was received.

14. NEW BUSINESS

a. Consideration of Resolution Provided by Cal Cities in Support of Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act.

Presenter: Sage Sangiacomo, City Manager.

Public Comment: Ferdinand Thieriot, Tracy Thieriot, Adam Gaska, and Tracy Thieriot (*speaking a second time*).

Motion/Second: Crane/Orozco to adopt a Resolution supporting Proposition 36, which appears on the November 5, 2024, ballot and proposes changes to current laws to allow increased penalties for certain theft and drug crimes, as well as measures for rehabilitation and treatment for drug-related offenses. Motion **failed** by the following roll call votes: AYES: Orozco and Crane. NOES: Sher. ABSENT: None. ABSTAIN: Rodin and Dueñas.

b. Receive and File Fourth Quarter Financial Report (Preliminary Unaudited Year-End Results).

Presenter: Dan Buffalo, Finance Director.

A PowerPoint presentation was given.

Report was received.

c. 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).

Presenter: Councilmember Sher.

Report was received.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:10 P.M.

15. CLOSED SESSION

a. Conference with Legal Counsel – Anticipated Litigation

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

Initiation of litigation (4 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. 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: 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 9:34 p.m.



Kristine Lawler, CMC/CPMC