

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
October 18, 2017
6:00 p.m.

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

Ukiah City Council met at a Regular Meeting on October 18, 2017, having been legally noticed on October 13, 2017. Mayor Brown called the meeting to order at 6:01 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 Ashley Cocco, Deputy City Clerk.

MAYOR BROWN PRESIDING.

The Pledge of Allegiance was led by Daphine Harris, Management Analyst / Finance Services Specialist.

A moment of silence was observed for the victims of the recent fires.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Update on the Mendocino Lake Complex Fire - Oral Presentation.

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

Report received.

b. Introduction of New Employee - Sarah Brown, Financial Services Specialist II.

Presenter: Daphine Harris, Management Analyst / Finance Services Specialist

Introduction 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.

Presenters: Sage Sangiacomo, City Manager and Dan Buffalo, Finance Director.

Report received.

d. Landfill Closure Financial Plan Update.

Presenter: Dan Buffalo, Finance Director

Report received.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Approval of Minutes of October 4, 2017 - a Regular Meeting.

Motion/Second: Mulheren/Doble to approve Minutes of October 4, 2017, 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 September 2017 – *Finance*.
- b. Notification of Purchase (P.O. #45027) for LifePak 15 from Physio Control – *Fire*.
- c. Adopt Resolution (2017-50) Appointing a Member to the Traffic Engineering Committee – *City Clerk*.
- d. Council will Receive Notification of the Acquisition of Professional Services from Alpha Laboratories in the amount of \$14,775 for Testing Services at the Water Treatment Plant – *Water Resources*.

Motion/Second: Doble/Scalmanini to approve to Approve Consent Calendar Items 7a - d, as submitted. 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**

Council Consensus to hear Agenda Item 13a.

13. **NEW BUSINESS**

- a. **Authorize the City Manager to Negotiate and Execute a Contract for Professional Services Between the City of Ukiah and North Coast Opportunities for Community Services Related Program Development.**

Presenters: Tami Bartolomei, Community Services Administrator; Patty Bruder, Executive Director of NCO; and Miles Gordon.

Motion/Second: Crane/Scalmanini to authorize the City Manager to negotiate and execute a contract (COU No. 1718-133) for professional services in the amount of \$30,000 between the City of Ukiah and North Coast Opportunities to more efficiently address community needs and develop strategies/programs that create community engagement. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

9. **COUNCIL REPORTS**

Presenters: Councilmember Mulheren and Vice Mayor Doble.

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

Presenter: Sage Sangiacomo, City Manager

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

- a. **Public Hearing to Consider Adoption of a Resolution Amending Fee Schedule for the Ukiah Police Department, Including Bike License Fees, Concealed Weapons Permits, Clearance Letters, Live-Scan Fingerprinting, Fees for Photographs, Second Hand Dealer Licensing, Taxi Permits and Fees Associated with Traffic Accident Reports.**

Presenter: Chris Dewey, Police Chief

Motion/Second: Crane/Scalmanini to continue the Public Hearing to the November 1, 2017, Regular 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. Discussion and Possible Introduction of Ordinance, by Title Only, of the City Council of the City of Ukiah Amending Various Sections of the Ukiah City Code Regulating Medical Marijuana Dispensaries.

Presenters: Darcy Vaughn, Assistant City Attorney and Sage Sangiacomo, City Manager.

PUBLIC HEARING WAS OPENED AT 7:13 P.M.

No public comment received.

PUBLIC HEARING WAS CLOSED AT 7:15 P.M.

Motion/Second: Doble/Scalmanini to introduce the Medical Marijuana Dispensary Ordinance Amendment by Title Only. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

Deputy City Clerk, Ashley Cocco, read the following title into the record:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING VARIOUS SECTIONS OF THE UKIAH CITY CODE REGULATING MEDICAL MARIJUANA DISPENSARIES.

Motion/Second: Doble/Scalmanini to introduce the Medical Marijuana Dispensary Ordinance Amendment. 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. 2017 Review of Ordinance Authorizing of a Hearing Officer for Appeal Hearings, Including; Number of Hearings, Cost of Hearings and Effectiveness.

Presenter: Chris Dewey, Police Chief

Report received.

b. Discussion and Request for Direction on Cannabis Cultivation Ordinance and Cannabis Business Ordinance.

Presenters: Darcy Vaughn, Assistant City Attorney; Kevin Thompson, Planning Manager; and Chris Dewey, Police Chief.

Council Consensus to bring this discussion back to be heard at the November 15, 2017, Regular City Council meeting for additional review and direction.

RECESS: 8:52 - 9:03 P.M.

Public Comment: Daniel D'Acona.

Council Consensus to accept the ad hoc's second recommendation and direct staff to return to the Planning Commission for further refinement on appropriate locations and level of review for the businesses.

13. NEW BUSINESS

b. Adoption of Resolution of the City of Ukiah City Council Adopting Administrative Program Guidelines for the Ukiah Housing Trust Fund.

Presenter: Craig Schlatter, Community Development Director

Motion/Second: Crane/Mulheren to adopt Resolution 2017-51, adopting Administrative Program Guidelines for the Ukiah Housing Trust Fund. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

c. Report from Staff Regarding the Passage of New Housing Bills by the State Legislature.

Presenter: Craig Schlatter, Community Development Director

Report received.

CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:45 P.M.

14. CLOSED SESSION

a. 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)

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. 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

CITY COUNCIL RECONVENED IN OPEN SESSION AT 10:12 P.M.

City Attorney reported out of Closed Session that in connection with Agenda Item 14a, the corporation and the City Council unanimously authorized its attorneys to sign a settlement agreement with the defendant, allowing the City to complete the receivership that is currently approved by the court and the City will dismiss the other causes of action in the case other than establishing the receivership. The defendant will pay \$75,000 in attorney's fees which will become a receiver's lien on the hotel entitling it to super priority status.

Additionally, the City Attorney reported out of Closed Session that in connection with Agenda Item 14b, the City Council unanimously authorized its attorneys to file a petition for hearing in the State Supreme Court from the Court of Appeals decision which upheld the trial court's order denying the City's motion to strike certain causes of action that had been filed by the plaintiffs in the case.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:16 p.m.



Ashley Cocco, Deputy City Clerk