CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
August 3, 2016
6:00 p.m.

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1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on August 3, 2016, having been legally noticed on July 29, 2016. Mayor Scalmanini called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Douglas F. Crane, Maureen Mulheren, Kevin Doble, Jim O. Brown, Stephen G. Scalmanini. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

4. PETITIONS AND COMMUNICATIONS

Council Consensus *to move Agenda Item 13d to be heard before Agenda Item 12a.*

5. APPROVAL OF MINUTES

a. Minutes of July 20, 2016, a Regular Meeting.

b. Minutes of July 25, 2016, a Special Meeting.

Motion/Second: Brown/Doble to approve Minutes of July 20, 2016, a Regular Meeting, as submitted, and July 25, 2016, a Special Meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Crane; Mulheren *for the July 25, 2016, minutes only*; Doble; Brown; Scalmanini. NOES: None. ABSENT: None. ABSTAIN: Mulheren *for the July 20, 2016, minutes only.*

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

a. Authorize City Manager to Assign Current Lease *(COU No. 1617-095)* with California Shock Trauma Air Rescue to Calstar Air Medical Services, LLC - *Airport.*

b. Adoption of Resolution *(2016-46)* Removing Ninety-Four (94') Lineal Feet of On-Street Parking and Establishing a Bus Loading Zone at 671 South Orchard Avenue – *Public Works.*

c. Report of Acquisition of Professional Services from Rau and Associates, Inc. *(COU No. 1213-180-A1)* for Additional Design Work for the Smith Street Sidewalk Reconstruction Project – *Public Works.*

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Susan Knopf, Alisha Marin, Cambria Milani, Phil Baldwin, Misty Washburn, and Deanna (surname illegible).

9. COUNCIL REPORTS

10. CITY MANAGER/CITY CLERK REPORTS

Sage Sangiacomo, City Manager; Sean White, Water and Sewer Director, and Kristine Lawler, City Clerk.

11. PUBLIC HEARINGS (6:15 PM)

13. NEW BUSINESS

City Attorney, David Rapport, recused himself from Item 13d due to a conflict of interest.

Public Comment: Phil Baldwin.

d. Discussion and Possible Introduction by Title Only of an Ordinance Amending Section 7154 in Division 8, Chapter 1, Article 10 of the Ukiah City Code to Allow Tow Trucks and Commercial Recovery Vehicles to Park in Residential Neighborhoods – *Public Works.*

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

Public Comment: Katheryn Hoffar, Linda Sanders, Beth Hale, Pinky Kushner, Roger Vincent, Susan Knopf, Keith Hewett, Wayne Hunt, (unidentified woman), Ruben Herrera, Phil Baldwin, David Rapport *(speaking as a private citizen)*, Paul Zellman, and Mark Hilliker.

Motion/Second: Crane/Brown to refer this item back to the Traffic Engineering Committee for further analysis and review, and bring back to Council at a future date. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 7:55 – 8:06 P.M.

12. UNFINISHED BUSINESS

a. Adopt Ordinance Adding Division 9, Chapter 2, Article 15.6 to the Zoning Code Related to Development and Operating Standards for Community Gardens, Live Entertainment, Outdoor Dining, Sidewalk Cafes, and Specialty Food and Beverage Sales with Tasting and Adding Definitions of Outdoor Dining and Sidewalk Cafes – *Planning and Community Development.*

Presenters: Kevin Thompson, Principal Planner and Michelle Johnson, Assistant Planner.

Public Comment: Susan Knopf.

Motion/Second: Crane/Brown to adopt Ordinance *(1167)* adding Division 9, Chapter 2, Article 15.6 to the Zoning Code related to development and operating standards for community gardens, live entertainment, outdoor dining, sidewalk cafes, and specialty food and beverage sales with tasting and adding definitions of outdoor dining and sidewalk cafes. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

Motion/Second: Crane/Brown to direct staff to bring ordinance back in a year for review with a specific focus on live entertainment. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

ORDINANCE NO. 1167

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING DIVISION 9, CHAPTER 2, ARTICLE 15.6, SECTIONS §9173, §9173.1, §9173.2, §9173.3, §9173.4, §9173.5, §9173.6 TO THE ZONING CODE RELATED TO DEVELOPMENT AND OPERATING STANDARDS FOR: COMMUNITY GARDENS, LIVE ENTERTAINMENT, OUTDOOR DINING, SIDEWALK CAFES, SPECIALTY FOOD AND BEVERAGE SALES WITH TASTING AND AMENDING SECTION §9278 ADDING DEFINITIONS OF OUTDOOR DINNING AND SIDEWALK CAFES

b. Adoption of Ordinance Amending the Maximum Fence Height from Six Feet to Seven Feet in All Zoning Districts; and Amending the Parking Lot Tree Shading Requirement from Ten Years to Fifteen Years Applicable in the R-2, R-3, C-N, C-1, C-2, P-D, P-F – *Planning and Community Development.*

Presenter: Michelle Johnson, Assistant Planner.

Motion/Second: Brown/Doble to adopt Ordinance *(1168)* amending the maximum fence height from six feet to seven feet in all zoning districts; and amending the parking lot tree shading requirement from ten years to fifteen years applicable in the R-2, R-3, C-N, C-1, C-2, P-D, P-F. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

ORDINANCE NO. 1168

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING DIVISION 9, CHAPTER 2, ARTICLE 3, SECTION 9016.A, AND ARTICLE 16, SECTION 9178.B RELATED TO FENCE HEIGHT; ARTICLE 4, SECTION 9037B.1.e, ARTICLE 5, SECTION 9052.B.1.e, ARTICLE 6, SECTION 9068.D.1.e, ARTICLE 7, SECTION 9087.D.1.e, ARTICLE 8, SECTION 9101.D.1.e, AND ARTICLE 15, SECTION 9170.7.E.5 RELATED TO TREE SHADING REQUIREMENTS

c. Award of Contract for a Feasibility Analysis for a Downtown Hotel to CBRE in the Amount of $25,000 and Approval of Corresponding Budget Amendments – *Administration.*

Presenters: Shannon Riley, Senior Management Analyst and Mary Horger, Purchasing Supervisor.

Motion/Second: Crane/Doble to award contract *(COU No. 1617-096)* to CBRE for development of a feasibility analysis for a downtown hotel in the amount of $25,000 and approval of corresponding budget amendments. Motion **carried** by the following roll call votes: AYES: Crane, Doble, Brown, Scalmanini. NOES: Mulheren. ABSENT: None. ABSTAIN: None.

d. Continued Discussion of the Development of Water Conservation Methods for the Todd Grove Recreation Area, Including the Ukiah Golf Course, and Request for Council to Consider Approval of up to $72,000 for Development of Water Efficient Irrigation System Plans for the Area – *Public Works.*

Presenter: Sean White, Water/Sewer Utilities Director.

Public Comment: Paul Zellman.

Motion/Second: Crane/Brown to approve up to $72,000 for the development of water efficient system plans for the Todd Grove Recreation Area. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

e. Fiscal Year 2016-17 Budget Status Update and Discussion – *Finance.*
Presenters: David Spilman, Interim Finance Director and Dan Buffalo, Finance Director.

Public Comment: Linda Sanders and Susan Knopf.

Report was received.

RECESS: 9:24 – 9:35 P.M.

13. NEW BUSINESS - Continued

a. Report of 2015-16 Activities from the Ukiah Main Street Program – *Administration.*
Presenters: Shannon Riley, Senior Management Analyst and Rick Hanson, Ukiah Main Street Program Executive Director.

Report was received.

b. Expansion of the Light Pole Banner Program to Include Airport Park Boulevard and East Perkins Street on Behalf of the Ukiah Main Street Program – *Administration.*
Presenters: Shannon Riley, Senior Management Analyst and Rick Hanson, Ukiah Main Street Program Executive Director.

Motion/Second: Crane/Mulheren to approve UMSP's request to expand light pole banner program to Airport Park Boulevard and East Perkins Street. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

c. Authorize Execution of Amendment to the Agreement with SHN in an Amount not to Exceed $32,380 for Supplemental 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.

Public Comment: Richard Shoemaker.

Motion/Second: Crane/Brown to authorize execution of amendment to the agreement with SHN *(COU No. 1516-229-A1)* in an amount not to exceed $32,380 for supplemental 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: Crane, Mulheren, Doble, Brown, Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

e. Review of Appointments and Discussion Regarding 2016 Council Assignments – *City Council.*

Presenter: Stephen G. Scalmanini, Mayor.

Council Consensus directs staff to agendize on the Consent Calendar an item for disbandment of the Homeless Shelter ad hoc, moving it to committee assignments, and changing the representative to Mayor Scalmanini; and to remove Councilmember Mulheren from the Health and Human Services Liaisons.

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

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

c. Conference with Legal Counsel – Existing Litigation
(Cal. Gov't Code Section 54956.9(d)(1))
Name of case: *County of Mendocino v. Solid Waste System, Inc. et al.,* Mendocino County Superior Court, Case No. SCUK-CVG-11-59459

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. SCUKCVPT 14-63579

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:54 p.m.

Kristine Lawler

Kristine Lawler, City Clerk