CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
October 19, 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 October 19, 2016, having been legally noticed on October 13, 2016. Mayor Scalmanini called the meeting to order at 6:01 p.m. Roll was taken with the following **Councilmembers Present:** Douglas F. Crane, Maureen Mulheren, Kevin Doble, Jim O. Brown, and Stephen G. Scalmanini. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Ashley Cocco, Deputy City Clerk.

MAYOR SCALMANINI PRESIDING.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council in Recognition of the Centennial Celebration of Mr. Donald Rones Sr. and His Many Years of Service to Our Community – *Administration.*

Presenter: Vice Mayor Brown.

City Manager Sangiacomo read a statement from Julie Dunn into the record, honoring Mr. Rones.

Public Comment and Proclamation received by: Mr. Donald Rones Sr.

b. 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.

Public Comment: Don Crawford, Faye Hefty, and Louis Eriksen.

Council Consensus directs staff to notice Ukiah Valley Sanitation District negotiation meetings in all cases except for when confidentiality is necessary for litigation purposes. Direction given for the UVSD Mediation Ad-hoc (Councilmembers Crane and Doble) to report back to Council regarding the negotiation meeting on the 28th at the Regular Council Meeting, November 2, 2016.

RECESS 7:05 to 7:10 P.M.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Minutes of October 5, 2016, a Regular Meeting – *City Clerk.*

Public Comment:

Motion/Second: Crane/Doble to approve Minutes of October 5, 2016, a Regular Meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Crane, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: Mulheren.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

a. **Report of Disbursements for the Month of September** – *Finance.*

b. ~~**Consideration and Possible Adoption of Resolution Establishing a Uniform Process of Minute Taking and Meeting Recordation for all City Boards and Commissions** – *City Clerk.*~~ *Pulled by Mayor Scalmanini and moved to Agenda Item 13b.*

c. **Approve a Budget Amendment to Account #22020200.80100 in the Amount $8,808.16, and Approve the Purchase of Forty Portable Radios from Motorola Solutions, Inc. in the Amount of $68,808.16** – *Police.*

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

9. COUNCIL REPORTS

Presenters: Councilmembers Doble and Mulheren, Vice Mayor Brown, and Mayor Scalmanini.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager and Ashley Cocco, Deputy City Clerk.

11. PUBLIC HEARINGS (6:15 PM)

a. **Discussion and Possible Adoption of a Negative Declaration and Discussion and Possible Introduction of a Marijuana Dispensary Ordinance Amending Chapter 8 in Division 6; Table 3 in Section 9223.1 of Article 18, Chapter 2 in Division 9; and Section 9254 in Article 19, Chapter 2 in Division 9 of the Ukiah City Code, Entitled "Medical Marijuana Dispensaries"** – *Planning.*

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

PUBLIC HEARING OPENED AT 7:18 P.M.

Public Comment: Tom Fletcher, Jason Brenner, Frank Johnson, Deborah Edelman, Chris Watt, Mary McClanahan-Calvert, Ross Liberty, Steely Inoue, Tom Fletcher (speaking a second time), and Robert Luna.

PUBLIC HEARING CLOSED AT 8:31 P.M.

Motion/Second: Crane/Brown to continue this item to November 16, 2016. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

12. UNFINISHED BUSINESS

a. **Approval of Notice of Completion for the Installation of New Well 9 and Replacement Well 4, Specification No. 16-01** – *Public Works.*

Presenters: Sean White, Director of Water and Sewer and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Crane/Doble to accept the work as complete and direct the City Clerk to file the Notice of Completion with the County Recorder for the Installation of New Well 9 and Replacement

Well 4, Specification 16-01. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

b. Approve Plans and Specification for 2016 Sewer & Water Replacement Project, Specification No. 16-10 and Direct Staff to Advertise for Bids – *Public Works.*

Presenters: Tim Eriksen, Public Works Director/City Engineer and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Crane/Brown to approve plans and specifications for the 2016 Sewer & Water Replacement Project, Specification No. 16-10 and direct staff to advertise for bids. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

c. Fiscal Year 2017-18 Budget Development Schedule – Finance.

Presenters: Daniel Buffalo, Finance Director and Daphine Harris, Management Analyst.

Motion/Second: Crane/Doble to accept the budget development and adoption schedule for the 2017-18 fiscal year. Motion carried by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Update on Sustainable Groundwater Management Act (SGMA) – *Public Works.*

Presenter: Sean White, Director of Water and Sewer.

Report received.

b. Consideration and Possible Adoption of Resolution Establishing a Uniform Process of Minute Taking and Meeting Recordation for all City Boards and Commissions – *City Clerk. From Consent Calendar Item 7b.*

Presenter: Sage Sangiacomo, City Manager

Motion/Second: Crane/Brown to adopt the resolution *(Resolution No. 2016-58)* that establishes the Action Minute style of taking minutes in conjunction with a digital audio or digital audio-video recording for the official recordation of the City Council and all City Boards and Commissions. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 10:46 P.M.

14. CLOSED SESSION

a. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to Cal. Gov't Code Section 54956.9(d)(2) Number of potential cases (1) (Landfill)

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

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

d. **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

e. **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

f. **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

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:59 p.m.

Ashley Cocco

Ashley Cocco, Deputy City Clerk