

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
February 4, 2009
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on February 4, 2009, the notice for which being legally noticed on January 30, 2009. Mayor Baldwin called the meeting to order at 6:00 pm. Roll was taken with the following **Councilmembers present:** Landis, Thomas, Crane, Rodin, and Mayor Baldwin. **Councilmembers absent:** None. **Staff present:** City Manager Chambers, City Attorney Rapport, and Deputy City Clerk Currie.

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

None

4. PETITIONS AND COMMUNICATIONS

None

5. APPROVAL OF MINUTES [6:02:35 PM](#)

a. Regular Minutes of 1/21/09

M/S Thomas/Rodin to approve the Regular Minutes of 1/21/09 as amended at the request of Councilmember Landis to include the reason she was absent which was "on City business." **Motion carried** by an all AYES voice vote of the members present.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR [6:03:49 PM](#)

M/S Rodin/Landis to approve the Consent Calendar items 7a-7b:

- a. Rejection of Claim for Damages Received from Trinity Youth Service and Referral to Joint Powers Authority, Redwood Empire Municipal Insurance Fund
- b. Designate Human Resources Director as Director to the Redwood Empire Municipal Insurance Fund's (REMIF) Board of Directors and Designate the City Manager as the Alternate Director

Motion carried by the following roll call vote: AYES: Councilmembers Landis, Thomas, Crane, Rodin, and Mayor Baldwin. NOES: None. ABSENT: None. ABSTAIN: None.

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS [6:06:19 PM](#)

Joy Beeler, Ukiah Main Street Program, introduced the owners, Finn and Wynd Alden, of Alden Tech & Design, a new downtown business located at 203 South School Street.

John Graff, citizen, requests as the City Council hears the agenda items tonight and in the future, they streamline City staff and their responsibilities, speaking to the tough economic issues we face.

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

10. **UNFINISHED BUSINESS**

- a. **Consideration and Possible Introduction of Ordinance Amending Sections in the City Animal Control Ordinance, as it Pertains to Dogs and Cats, to Use the Term “Guardian” Instead of “Owner.”** [6:10:34 PM](#)

City Attorney Rapport presented the item. **Recommended Action:** Consider whether to introduce the proposed ordinance. If the City Council decides to make the amendments, it should pass a motion to introduce the ordinance by title only, request the Deputy City Clerk to read the ordinance title, and, then pass a motion to introduce the ordinance. If the ordinance is introduced, it will be brought back for adoption at the next City Council meeting.

Public Comment Opened 6:27 pm [6:27:12 PM](#)

Public Speaking in opposition to the item: Terri Vagt; John Graff, Employer’s Council of Mendocino County; Ann Koch; and Edward Haynes, DVM.

Public Speaking to the item: Lisa Mamma.

Public Speaking in support of the item: Megan Nguyen, 10th grader attending Developing Virtue Secondary School; Ron Epstein; Charlene Light; Heng Yin, City of Ten Thousand Buddhas; Jane Allegretti; and Katy Sommers, DVM, CVA who presented a letter of support from local veterinarians

Public Comment Closed 7:06 pm

Motion by Councilmember Crane to table the item. **Motion failed** due to lack of a second.

M/S Rodin/Thomas to change the wording from owner to owner/guardian in the City Animal Control Ordinance and bring this item back to a future meeting. **Motion carried** by the following roll call vote: AYES: Councilmembers Thomas, Crane, Rodin, and Mayor Baldwin. NOES: Councilmembers Landis and Crane. ABSENT: None. ABSTAIN: None.

Councilmember Crane left the dais 7:33 pm [7:33:44 PM](#)

By Consensus, City Council directed the City Attorney to draft a statement of intent for the Council to consider when the Ordinance is brought back for Introduction.

11. **NEW BUSINESS**

- a. **Discussion and Possible Appointment of Planning Commission Member.** [7:37:22 PM](#)

Councilmember Landis presented the item. **Recommended Action:** Councilmember Landis may nominate a Planning Commissioner and Council vote on the nomination.

Councilmember Landis nominated Linda Helland.

M/S Landis/Rodin to approve the nomination of Linda Helland to the Planning Commission. **Motion carried** by the following roll call vote: AYES: Councilmembers Landis, Thomas, Rodin, and Mayor Baldwin. NOES: None. ABSENT: Councilmember Crane. ABSTAIN: None.

- b. **Discussion on Possible Participation in a Call for an All-Cities Meeting in Mendocino County and Appointment of City Council Representative(s).** [7:40:42 PM](#)

Mayor Baldwin presented the item. **Recommended Action:** discuss possible participation and, if appropriate, appoint one or two Councilmembers to represent the City.

By Consensus, City Council approved Councilmembers Thomas and Landis to attend the All-Cities Meeting to represent the City of Ukiah and requested the City Manager determine if a staff member should attend.

- c. **Update Regarding Judicial Council of California, Administrative Office of the Courts (AOC): Status of Court Facilities Planning for Mendocino County Courthouse.** [7:43:52 PM](#)

City Manager Chambers presented the item. **Recommended Action:** Council appoint an Ad-Hoc committee to work with staff to address the site selection process necessary in order that a recommendation can be made to the AOC by May, 2009 on the location of a new Superior Court in Ukiah.

For the record Councilmember Baldwin stated Council is taking a vote on whether or not Councilmember Landis and Rodin will be a subcommittee working on the site of the courthouse in relation to State demands and budgets and requirements. [7:48:19 PM](#)

M/S Thomas/Landis to approve Councilmembers Landis and Rodin form the Ad-Hoc committee. **Motion carried** by the following roll call vote: AYES: Councilmembers Landis, Thomas, Rodin, and Mayor Baldwin. NOES: None. ABSENT: Councilmember Crane. ABSTAIN: None.

- d. **Consideration and Possible Introduction of City Sewer Ordinance Amending Sections 3798A, 3704.2 and 3706.7 and Updating References to Building and Related Codes in Sections 9277.A and J, 9278.B and 9543.A of the Ukiah City Code.** [7:51:05 PM](#)

City Attorney Rapport presented the item. **Recommended Action:** Consider whether to introduce the proposed sewer ordinance. If the City Council decides to make the amendments, it should pass a motion to introduce the ordinance by title only, request the Deputy City Clerk to read the ordinance title, and, then, pass a motion to introduce the ordinance.

M/S Rodin/Thomas to introduce the Ordinance by Title Only. **Motion carried** by the following roll call vote: AYES: Councilmembers Landis, Thomas, Rodin, and Mayor Baldwin. NOES: None. ABSENT: Councilmember Crane. ABSTAIN: None.

Deputy City Clerk Currie read the ordinance title.

M/S Landis/Rodin to introduce the Ordinance Amending Sections 3798A, 3704.2 and 3706.7 and Updating References to Building and Related Codes in Sections 9277.A and J, 9278.B and 9543.A of the Ukiah City Code. **Motion carried** by the following roll call vote: AYES: Councilmembers Landis, Thomas, Rodin, and Mayor Baldwin. NOES: None. ABSENT: Councilmember Crane. ABSTAIN: None.

- e. **Consideration and Possible Approval of Tolling Agreement Between the City of Ukiah and Mendocino County Regarding Property Tax Administration Fees.** [7:58:36 PM](#)

City Attorney Rapport presented the item. **Recommended Action:** Approve and authorize the City Manager to sign the tolling agreement.

M/S Landis/Thomas to approve the recommended action. **Motion carried** by the following roll call vote: Councilmembers Landis, Thomas, Rodin, and Mayor Baldwin. NOES: None. ABSENT: Councilmember Crane. ABSTAIN: None.

12. COUNCIL REPORTS

Councilmember Landis reported on her attendance to the new City Councilmember training provided by the League of California Cities. Councilmember Landis also attended the citizen tree ordinance committee meeting which Director of Planning and Community Development Stump chaired. At the meeting, the current City ordinances and guidelines were reviewed and Landis volunteered to facilitate the committee to evaluate what is currently in existence and how to edit it making it a more useful document to preserve the tree canopy; the next meeting is February 24, 2009.

Councilmember Thomas reported on his attendance to various meetings regarding potential water shortages.

13. CITY MANAGER/CITY CLERK REPORTS

None.

Reconvened as City Council and recessed to Closed Session for the Ukiah Redevelopment Agency and City Council at 8:09 pm.

14. CLOSED SESSION – Closed Session may be held at any time during the meeting

- a. Conference with Labor Negotiator (§54957.6)
Agency Representative: Jane Chambers, City Manager
Employee Organization: Electric Unit
- b. Conference with Real Property Negotiators (§ 54956.8):
Property: APN 001-020-09 and 11
Negotiator: Jane Chambers, City Manager
Negotiating Parties: City of Ukiah/County of Mendocino
Under Negotiation: Price and terms

Reconvened in Open Session with no reportable action at 10:12 pm.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:12 pm.

JoAnne M. Currie, Deputy City Clerk