

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
July 3, 2019
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on July 3, 2019, having been legally noticed on June 28, 2019. Mayor Mulheren called the meeting to order at 6:01 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Jim O. Brown, Stephen G. Scalmanini, Douglas F. Crane, and Maureen Mulheren. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR MULHEREN PRESIDING.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Tami Bartolomei, Community Services Administrator.

Mayor Mulheren made a statement in reference to the Rules of Order from the Council Handbook, and passed out a handout.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Presentation by the Clean River Alliance.

Presenters: Luca Szabo and Chris Brokate, Clean River Alliance.

Presentation was received.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Approval of the June 19, 2019, Regular Meeting Minutes.

Motion/Second: Crane/Brown to approve Minutes of June 19, 2019, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

a. Report of Disbursements for the Month of May 2019 – *Finance*.

b. Adoption of Resolution (2019-30) Approving Records Destruction – *City Clerk*.

c. Report of Acquisition of Professional Services (*P.O. No. 46107*) from Alpha Analytical Laboratories, Inc. in the Amount of \$17,160.85 for Quarterly Water Sampling and Completion of Chemical Examination Reports for the Ukiah Landfill – *Public Works*.

- d. Approve the Purchase of a Records Management System Software Upgrade with Trittech Software Systems in the amount of \$124,604 – *Police*.
- e. Approve Amending Contract No. 1718-224 (*COU No. 1718-224-A1*) with Axon Enterprise, Inc. for the Axon Body Cameras to Add Auto Tagging Services in the Amount of \$28,800 Over a Four-Year Contract Period – *Police*.
- f. Approve Amendment #1 in the Amount of \$25,000 to Contract No. 1819-153 (*COU No. 1819-153-A1*), with Hildebrand Consulting, in Collaboration with The Reed Group, Inc. to Perform a Joint Sewer Rate Study for the City of Ukiah and the Ukiah Valley Sanitation District – *Water Resources*.

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

8. **AUDIENCE COMMENTS ON NON-AGENDA ITEMS**

No public comment was received.

9. **COUNCIL REPORTS**

Presenter: Mayor Mulheren.

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

Presenter: Sage Sangiacomo, City Manager.

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

a. Conduct a Public Hearing and Adopt Resolution Establishing the State Street Underground District No. 4., State Street from Clay Street to Mill Street, Including its Boundaries and Proposed Schedule.

Presenters: Mel Grandi, Electric Utility Director and Cindy Sauers, Assistant Electric Utility Director.

PUBLIC HEARING OPENED AT 6:32 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:32 P.M.

Motion/Second: Brown/Crane to adopt Resolution (2019-31) establishing State Street Underground District No. 4, and approve boundaries and proposed timeline. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

b. Conduct a Public Hearing and Adopt Resolution to Establish the Oak Manor Dr. Underground District No. 5., Including Its Boundaries and Proposed Schedule.

Presenters: Mel Grandi, Electric Utility Director and Cindy Sauers, Assistant Electric Utility Director.

PUBLIC HEARING OPENED AT 6:33 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:33 P.M.

Motion/Second: Crane/Brown to adopt Resolution (2019-32) establishing Oak Manor Drive Underground District No. 5, and approve boundaries and proposed timeline. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

c. Annual Review and Possible Approval of a Resolution Amending the User Fee Schedule for the Community Services Department Including Recreation Programs, Sports Fields, Parks, Municipal Pools, Ukiah Valley Conference Center, and the Grace Hudson Museum.

Presenters: Jake Burgess, Recreation Supervisor and Tami Bartolomei, Community Services Administrator.

Staff Comment: David Burton, Museum Director.

PUBLIC HEARING OPENED AT 6:38 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:38 P.M.

Motion/Second: Crane/Orozco to adopt resolution (2019-33) amending the user fee schedule for Community Services Department Facilities, Programs, and Services. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

12. UNFINISHED BUSINESS

a. Receive Report Regarding One-time Review of Ordinance for the Regulation of Shopping Cart Containment and Retrieval, and Provide Direction as Necessary.

Presenter: Craig Schlatter, Community Development Director.

Report was received.

Council Consensus to continue to bring back report annually.

b. Possible Introduction by Title Only of Broadband Deployment Ordinance and Approval of Community Development Director Determination that Broadband Deployment Ordinance Qualifies for a CEQA Exemption.

Presenter: Darcy Vaughn, Assistant City Attorney.

Council Consensus to continue this item to the July 17, 2019, meeting.

c. Award of Bid to Ghilotti Construction Company in the Amount of \$1,061,380 for the 2019 Street Rehabilitation Project, Specification No. 19-08.

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

Motion/Second: Crane/Brown to award of Bid (COU No. 1920-001) to Ghilotti Construction Company in the Amount of \$1,061,380 for the 2019 Street Rehabilitation Project, Specification No. 19-08, and approve corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Award of Bid to Granite Construction in the Amount of \$1,491,456 for the Northwestern Pacific Rail Trail, Phase 2, Specification No. 17-12.

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

Motion/Second: Brown/Scalmanini to award of Bid (COU No. 1920-002) to Granite Construction in the Amount of \$1,491,456 for the Northwestern Pacific Rail Trail, Phase 2, Specification No. 17-12. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Discuss and Provide Direction for the Establishment of an Oversight Committee to Review Measure P Expenditures.

Presenters: Justin Wyatt, Police Chief and Doug Hutchison, Fire Chief.

Motion/Second: Brown/Crane to establish an Oversight Committee similar to the one previously formed, and bring back the member names to Council for final approval at the August 7th meeting. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

b. Adoption of Resolution Removing On-Street Parking Along Airport Road from Commerce Drive to the Railroad Tracks.

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

Public Comment: Carol Rosenberg and John McCowen, Mendocino County 2nd District Supervisor.

Motion/Second: Crane/Brown to adopt resolution (2019-34) removing on-street parking along Airport Road from Commerce Drive to the railroad tracks. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Crane, and Mulheren. NOES: Scalmanini. ABSENT: None. ABSTAIN: None.

c. Approval of Plans and Specifications for the 2019 Street Reconstruction Project and Authorize Staff to Issue Bids for Specification No. 19-09.

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

Motion/Second: Crane/Scalmanini to approve Plans and Specifications for the 2019 Street Reconstruction Project and Authorize Staff to Issue Bids for Specification No. 19-09, with the assurance that staff will implement the principal that if an ADA facility is within the rules to serve, then putting the funds towards other areas that are not serviceable is a better use of the dollar. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Authorize City Manager to Negotiate and Execute Contract with CivicPlus for Agenda and Meeting Management in the Amount of \$24,450.

Presenter: Kristine Lawler, City Clerk.

Public Comment:

Motion/Second: Crane/Brown to authorize City Manager to Negotiate and Execute Contract (COU No. 1920-003) with CivicPlus for Agenda and Meeting Management in the Amount of \$24,450. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

e. 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), including the appointment of a City Council Member and City Staff Liaison to Serve on the Executive Board of the Merged Chamber of Commerce, Main Street Program, and Visit Ukiah

Presenter: Shannon Riley, Deputy City Manager.

Motion/Second: Brown/Crane to appoint Councilmembers Orozco as member, and Mayor Mulheren as an alternate, to serve on the Executive Board of the merged Chamber of Commerce, Main Street Program, and Visit Ukiah. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

Council Consensus to bring item back at the July 17, 2019, meeting.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 7:35 P.M.

14. CLOSED SESSION

a. Conference With Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d))

A. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (Number of potential cases: 1.)

B. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Number of potential cases: 1)

b. 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

c. 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. SCU-K- CVPT-15-66036*

d. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 157-050-03, 157-060-02, 157-050-04, 157-050-03, 157-030-02, 157-050-01, 157-050-02, 157-050-10, 157-050-09, 157-070-01, 157-070-02, 003-190-01

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Dave Hull and Ric Piffero

Under Negotiation: Price & Terms of Payment

e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 003-040-77; 003-040-78; 003-040-79

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Shapiro/Danco

Under Negotiation: Price & Terms of Payment

f. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-273-19-00 and 002-273-30-00

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Bank of America

Under Negotiation: Price & Terms of Payment

g. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-192-14-00 (280 E. Standley)

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Onetogogether Solutions

Under Negotiation: Price & Terms of Payment

Direction was given to staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:10 p.m.



Kristine Lawler, City Clerk