

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
September 19, 2018
6:00 p.m.

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

Ukiah City Council met at a Regular Meeting on September 19, 2018, having been legally noticed on September 14, 2018. Mayor Doble called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Jim O. Brown, Stephen G. Scalmanini (*arriving at 6:01 p.m.*), Douglas F. Crane, Maureen Mulheren, and Kevin Doble. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR DOBLE PRESIDING.

The Pledge of Allegiance was led by Vice Mayor Mulheren.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. 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.

Presenter: Sage Sangiacomo, City Manager.

Public Comment: Don Crawford.

Presentation was received.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

- a. Approval of the September 4, 2018, Special Meeting Minutes.**
- b. Approval of the September 5, 2018, Regular Meeting Minutes.**

Motion/Second: Brown/Crane to approve Minutes of September 4, 2018, a special meeting; and September 5, 2018, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

- a. Report of Disbursements for the Month of August – *Finance.*
- b. Report to Council Regarding the 2018 Conflict of Interest Code Biennial Notice, and Direct the City Clerk to Modify the Conflict of Interest Code per Guidelines Provided by the Fair Political Practices Commission (FPPC) – *City Clerk.*

- c. Approval of Notice of Completion for North State Street Intersection - Low Gap Road/Brush Street, Storm Drain & Signalization Improvements, Specification No. 17-02 – *Public Works*.
- d. Approve the Repair and Rebuild of the Wastewater Treatment Plant's Floway 16DKH Vertical Turbine Pump from Weir Floway, Inc. in the Amount of \$24,706.64 and Approve the Corresponding Budget Amendment – *Public Works*.
- e. ~~Review Landfill Closure Financial Plan Update – Finance. Item was pulled by Councilmember Crane and moved to Agenda Item 13c.~~

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

9. **COUNCIL REPORTS**

Presenters: Vice Mayor Mulheren and Councilmember Scalmanini.

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

No public comment was received.

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

Presenters: Sage Sangiacomo, City Manager and Kevin Jennings, Acting Fire Chief.

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

a. Continued Public Hearing for the Appeal of Planning Commission Decision to Approve a Major Site Development Permit for the Construction of a 7,500± Square Foot Metal Building to House Support Services for Garton Tractor at 285 Talmage Road.

Presenters: Craig Schlatter, Community Development Director and Greg Owen, Airport Manager.

RECESS 6:42 – 6:44 P.M.

PUBLIC HEARING OPENED AT 6:50 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:51 P.M.

RECESS 6:58 – 7:03 P.M.

Motion by Crane, Seconded by Brown to approve Recommendation #3.

The maker and the second agreed to modify the language of Item B); the following motion reflects the amendment.

Motion/Second: Crane/Brown to approve Recommendation #3.

- A) Adopt a motion to amend the Final Conditions of Approval Project such that the proposed Garton Tractor building is reduced in size such that the entire building is located outside the Runway Protection Zone of the Ukiah Municipal Airport; and

- B) Adopt a finding that based on staff's review in consultation with Mead & Hunt, Inc., the project as proposed does not appear to encroach on the Avigation Easement granted to the City on the Garton Tractor property. Accordingly, the City may not rely on the Avigation Easement to prohibit development of the project; and
- C) Approve motion that the proposed Project be subject to the Overrule process, as described in the California Airport Land Use Planning Handbook; and
- D) Direct Staff and the City Attorney to prepare a proposed overrule decision, with specific findings; and
- E) Direct that Staff send a copy of the proposed overrule decision with accompanying specific findings to the California Department of Transportation, Division of Aeronautics at least 45 days prior to scheduling a public hearing in front of City Council to make a decision to overrule or not overrule the consistency determination decision of the Mendocino County Airport Land Use Commission; and
- F) Schedule a public hearing for City Council to make a decision to overrule or not overrule the decision of the Mendocino County Airport Land Use Commission upon expiration of the 45-day period; and
- G) If deciding to overrule the decision of the Airport Land Use Commission, City Council to approve actions listed in Recommendation #1.

Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, and Doble. NOES: Mulheren. ABSENT: None. ABSTAIN: None.

12. **UNFINISHED BUSINESS**

a. Review of Local Preference Purchasing Policy.

Presenter: Mary Horger, Procurement Manager.

Motion/Second: Brown/Scalmanini to continue the policy and eliminate the annual review. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

b. Final Approval of the Vehicle & Heavy Equipment Request & Justification Items for the 2018/2019 Fiscal Year Budget, Approve Recommended Budget Amendments, and Approve the Adoption of the 5-Year Capital Improvement Plan.

Presenters: Mary Horger, Procurement Manager and Dan Buffalo, Finance Director.

Motion/Second: Crane/Brown to approve the Vehicle & Heavy Equipment Request & Justification items for purchase for the 2018/2019 Fiscal Year Budget, approve recommended corresponding budget amendments, and approve the adoption of the 5-Year Capital Improvement Plan. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

13. **NEW BUSINESS**

a. Approval and Authorization of the City Manager to Execute Bridge Financing for the Recycled Water Project.

This item was pulled by Staff due to State financing having been acquired.

b. Receive Updates on City Council Committee and Ad Hoc Assignments.

Presenter: Councilmember Scalmanini.

c. Review Landfill Closure Financial Plan Update – From Consent Calendar Item 7e.

Presenter: Dan Buffalo, Finance Director.

Report was received.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 7:45 P.M.

14. CLOSED SESSION

a. 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. SCUK-CVPT-2018-70200

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 Labor Negotiator

(Government Code Section 54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

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

No report out was received.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:55 p.m.



Kristine Lawler, City Clerk