

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
December 4, 2019
6:00 p.m.

A Mayor's Reception took place in the Civic Center Lobby 5:30 P.M.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on December 4, 2019, having been legally noticed on November 26, 2019. Mayor Mulheren called the meeting to order at 6:06 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 Mayor Mulheren.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Appointment of New Mayor and Vice Mayor, and Council Reorganization.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Brown/Scalmanini to nominate and appoint Douglas F. Crane as Mayor, and Juan V. Orozco as Vice Mayor. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

The Council took their new seats.

MAYOR CRANE PRESIDING

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Approval of the Minutes for the November 20, 2019, Special Meeting.

b. Approval of the Minutes for the November 20, 2019, Regular Meeting.

Motion/Second: Brown/Orozco to approve the Minutes of November 20, 2019, a special meeting, and the Minutes of November 20, 2019, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, and Orozco. NOES: None. ABSENT: None. ABSTAIN: Crane.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

- a. Approval of Amendment of Rental Agreement (*COU No. 1920-187*) for Generators for the Sewer Lift Stations and Water Wells to Peterson Power Systems for Three Months in the Amount of \$26,541.63 for the Public Safety Power Shutoffs, and Approve Associated Budget Amendment – *Water Resources*.

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

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

No public comment was received.

9. **COUNCIL REPORTS**

Presenters: Councilmembers Brown, Mulheren, and Scalmanini.

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

Presenters: Sage Sangiacomo, City Manager

- **Temporary Roadway Changes on Stevenson between School and Oak Streets** – Tim Eriksen, Public Works Director / City Engineer.
- **Progress on Long-range Planning Activities** – Craig Schlatter, Community Development Director.
- **North Coast Rail Authority (NCRA) Park Overlay** – Sage Sangiacomo, City Manager.

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

12. **UNFINISHED BUSINESS**

- a. **Discussion and Possible Direction to Staff Regarding a Mendocino County Rezoning and General Plan Amendment, Case #GP_2019-0002/R_2019-0003.**

Presenter: Craig Schlatter, Community Development Director.

Public Comment: Susan Era and Frank McGarvey.

Motion/Second: Brown/Scalmanini to reaffirm the concerns expressed in the May 2, 2019 letter, and other concerns that staff is able to identify with regards to inconsistencies of the Ukiah Valley Area Plan. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

- b. **Adopt Resolution Approving Award of Contract to Ghilotti Construction Company for the Emergency Repair of the Percolation Pond Levees at the Wastewater Treatment Plant in the Amount of \$318,620.00, and Approve Corresponding Budget Amendment.**

Presenter: Sean White, Water Resources Director.

Motion/Second: Brown/Scalmanini to adopt Resolution (2019-56) approving award of contract (*COU No. 1920-188*) to Ghilotti Construction Company for the emergency repair of the percolation pond levees at the Wastewater Treatment Plant in the amount of \$318,620.00, and approve corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

c. Review Proposed Design for the Audio/Visual Upgrade of the Council Chambers and Conference Rooms 3 and 5.

Presenters: Mary Horger, Financial Services Manager and Michael Ingwell, Information Technology Manager.

Motion/Second: Scalmanini/Mulheren to approve bid specifications to be developed and sent out to bid. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

d. Receive Year-end Financial Report for the 2018-19 Fiscal Year.

Presenter: Dan Buffalo, Finance Director.

Report was received.

RECESS: 8:44 – 8:49 P.M.

13. NEW BUSINESS

a. Authorize the City Manager to Negotiate and Execute an Amended Agreement with OpenGov.

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

Motion/Second: Brown/Scalmanini to authorize the City Manager to negotiate and execute an amended agreement (*COU No. 1718-201-A1*) with OpenGov. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Approve the City's Electric Utility Wildfire Mitigation Plan (WMP) in Response to Senate Bill 901.

Presenter: Cindy Sauers, Assistant Electric Utility Director.

Motion/Second: Scalmanini/Brown to approve the first annual Wildfire Mitigation Plan in response to Senate Bill 901. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

c. Discussion and Possible Action Regarding the Cancellation of the January 1, 2020, City Council Meeting with the Option for the Mayor and/or City Manager to Call for a Special Meeting on an Alternate Date if Time Sensitive Business Arises.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Crane/Orozco to approve the cancellation of the January 1, 2020, Regular City Council Meeting with the option for the Mayor and/or City Manager to call for a special meeting on an alternate date if time sensitive business arises. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

d. 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).

Presenter: Councilmember Brown.

Motion/Second: Mulheren/Scalmanini to appoint Councilmember Brown and Mayor Crane to serve on an Mayor rotation ad hoc. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:15 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—Anticipated Litigation

Government Code Section 54956.9(d)(2)

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (Number of potential cases: 1)

c. 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

d. 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*

e. 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

f. 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: Onetoegether Solutions

Under Negotiation: Price & Terms of Payment

g. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

No report out was received.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:32 p.m.



Kristine Lawler, City Clerk