

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
April 5, 2017
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on April 5, 2017, having been legally noticed on March 31, 2017. Mayor Brown called the meeting to order at 6:05 p.m. Roll was taken with the following **Councilmembers Present:** Stephen G. Scalmanini, Douglas F. Crane, Maureen Mulheren, Kevin Doble, and Jim O. Brown. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Ashley Cocco, Deputy City Clerk.

MAYOR BROWN PRESIDING.

2. **PLEDGE OF ALLEGIANCE**

URGENCY ITEM

Presenter: Shannon Riley, Senior Management Analyst.

Motion/Second: Crane/Doble to accept urgency item due to timelines and place as agenda item 12e, Unfinished Business. Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Introduction of New Employee – Alicia Tlelo – Finance.

Presenter: Lori Martin, Billing and Customer Service Manager.

Presentation was received.

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.

Report was received.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Minutes of March 15, 2017, a Regular Meeting – City Clerk.

Motion/Second: Mulheren/Crane to approve Minutes of March 15, 2017, a Regular Meeting as submitted. Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

b. Minutes of March 29, 2017, a Special Meeting – City Clerk.

Motion/Second: Crane/Mulheren to approve Minutes of March 29, 2017, a Special Meeting as

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

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Update on the Ukiah Valley Golf Course and Request Approval for the City Manager to Execute an Extension of the Amendment to the Lease Agreement (COU No. 1617-112-A1) for the Upcoming Fiscal Year – *Community Services*.
- b. Adoption of Resolution (2017-17) Making Reappointments to the Design Review Board and Planning Commission – *City Clerk*.
- c. Adoption of Resolution (2017-18) Authorizing Access to Criminal History Information for Marijuana Dispensary Licensing – *Police*.
- d. Receive Report Regarding the Annual Software Renewal and Enterprise Support Agreement (COU No. 1617-183) for the City of Ukiah's Checkpoint Perimeter Firewall in the Amount of \$28,099 – *Information Technology*.
- ~~e. Award Professional Services Agreement in the Amount of \$39,586, to Omni Means, Ltd., to Complete an Update of the City of Ukiah's Speed Zone Surveys and Approve Budget Amendment – *Public Works*. - Pulled by Councilmember Mulheren placed as Agenda Item 13g.~~
- ~~f. Award Professional Services Agreement in the Amount of \$5,276 to EBA Engineering to Prepare Bid Documents for Well Abandonment and for Removal of the Remediation System and Approve Budget Amendment – *Public Works*. - Pulled by Vice Mayor Doble placed as Agenda Item 13i.~~
- g. Notification of Purchase of Replacement Pump for the Percolation Pond Distribution Structure at the Wastewater Treatment Plant from Cascade Pump Company in the Amount of \$28,593.75 – *Public Works Water and Sewer*.
- ~~h. Notification of Acquisition of Professional Services from SHN Consulting Engineers and Geologist for Materials and Compaction Testing Services for the Sewer and Water Main Replacement Project, Specification No. 16-10 in the Amount of \$16,520 – *Public Works*. - Pulled by Councilmember Crane and placed as Agenda Item 13h.~~
- i. Reject Bid for Orchard Substation Power Transformer Repair and Testing, Specification No. 17-03 (EUD) – *Electric Utility*.
- j. Authorize Execution of Amendment to the Agreement (COU No. 1213-142-A9) with GHD in Professional Land Surveying Services for the Talmage Interchange Project and Approve Budget Amendment in the Amount of \$13,965 – *Public Works*.
- k. Discussion and Consideration of Adding North Coast Opportunities to the 2017 Council Special Assignment List and Appointing Tami Bartolomei as the Council's Appointed Representative for the City of Ukiah on the Governing Board – *City Clerk*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Margaret Silveira and Paul Harris.

9. COUNCIL REPORTS

Presenters: Councilmembers Mulheren and Scalmanini.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager and Jarod Thiele, Public Works Management Analyst.

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

a. Consider the Establishment of the Measure P Oversight Committee and Appointment of Committee Members – Public Safety.

Presenters: Chris Dewey, Police Chief and Kirk Thomsen, Interim Fire Chief.

Motion/Second: Doble/Mulheren to nominate and appoint the following committee members to the Measure P Oversight Committee for a two-year term ending April 2019:

- Julia Siderakis, At-Large
- Edward Eversole, At-Large
- Steve Oliveria, At-Large
- Noble Waidelich, Ukiah City Peace Officer
- Eric Singleton, Ukiah City Firefighter

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

b. Discussion and Direction Regarding Next Steps with the Downtown Hotel Feasibility Study – Administration.

Presenter: Shannon Riley, Senior Management Analyst.

Public Comment: Craig Strattman and Don Crawford.

Council Consensus directs staff to produce a request for qualifications and solicit developers for a downtown hotel on both public and private properties.

c. Approval of Amendment with Green Valley Consulting Engineers in the Amount of \$14,875 for Additional Design Services Related to the 2016 Sewer and Water Main Replacement Project, Specification No. 16-10, and Corresponding Budget Amendment – Public Works.

Presenters: Tim Eriksen, Director of Public Works and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Crane/Scalmanini to approve amendment (COU No. 1516-001-A1) with Green Valley Consulting Engineers in the amount of \$14,875 for additional design services related to the 2016 Sewer and Water Main Replacement Project, Specification 16-10, and corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren,

Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS 7:48 PM – 7:56 PM

d. Presentation and Approval of the Electric Utility Public Benefit Programs (EUD) – *Electric Utility.*

Presenters: Mel Grandi, Electric Utility Director; Lori Martin, Billing and Customer Service Manager; and Diann Lucchetti, Administrative Secretary.

Motion/Second: Crane/Scalmanini to approve the Electric Utility Public Benefit Programs including changes and additions, as submitted (EUD). Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

e. URGENCY ITEM: Approval of Resolution of the City Council of the City of Ukiah Authorizing the Incurring of an Obligation, Payable to the California Infrastructure and Economic Development Bank, for the Financing of a Capital Improvement Project, Declaration of Official Intent to Reimburse Certain Expenditures from the Proceeds of Obligation, and Approving Certain Other Matters in Connection Therewith – *Administration.*

Presenter: Shannon Riley, Senior Management Analyst.

Motion/Second: Crane/Mulheren to approve Resolution (2017-19) of the City Council of the City of Ukiah authorizing the incurring of an obligation, payable to the California Infrastructure and Economic Development Bank, in an amount not to exceed \$4,000,000 for the financing of Redwood Business Park Infrastructure Improvements, declaration of official intent to reimburse certain expenditures from proceeds of obligation, and approving of certain other matters in connection therewith. Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Authorize City Manager to Execute a Memorandum of Understanding Between the County of Mendocino, the City of Ukiah and the Ukiah Valley Trail Group Regarding the Maintenance and Improvement of Low Gap Regional Park and Adoption of the Ukiah Valley Trail Group 2015 Low Gap Park Trail Plan – *Administration.*

Presenter: Tami Bartolomei, Community Services Administrator.

Public Comment: Neil Davis.

Motion/Second: Crane/Mulheren to authorize City Manager to execute a Memorandum of Understanding between the County of Mendocino, the City of Ukiah, and the Ukiah Valley Trail Group regarding the maintenance and improvement of Low Gap Regional Park (COU No. 1617-165); and adopt the Ukiah Valley Trail group's 2015 Low Gap Park Trail Plan. Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

e. Presentation and Discussion of the Ukiah Fire Department and Ukiah Valley Fire District Operations Quarterly Reports Resulting in a "True Up" for Payments to Ukiah Valley Fire District – *Fire.*

Presenter: Kirk Thomsen, Interim Fire Chief.

Presentation was received.

b. Discuss and Introduce, by Title Only, an Ordinance Amending Chapter 1, Division 9, Adding a New Section of the Ukiah City Code Entitled "Corrections, Amendments, or Modifications" Related to Subdivisions – Planning.

Presenter: Kevin Thompson, Interim Planning Director.

Motion/Second: Crane/Scalmanini to introduce, by title only, an Ordinance amending Chapter 1, Division 9, adding a new Section of the Ukiah City Code entitled "Corrections, Amendments, or Modifications". Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

Deputy City Clerk, Ashley Cocco, read the following title into the record:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING A NEW ARTICLE 22 TO CHAPTER 1 IN DIVISION 9 OF THE UKIAH CITY CODE, ENTITLED "MODIFICATIONS TO FINAL OR PARCEL-MAP."

Motion/Second: Crane/Scalmanini to introduce the Ordinance amending Chapter 1, Division 9, adding a new Section of the Ukiah City Code entitled "Corrections, Amendments, or Modifications". Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

c. Receive and File 2015-16 Comprehensive Annual Financial Report (CAFR) and Related Auditor Communication – Finance.

Presenters: Dan Buffalo, Finance Director and Leigh Halvorsen, Senior Accountant.

Report was received.

RECESS 10:25 PM – 10:33 PM

d. Discussion of Interest in a Resolution Regarding Potential Loss of Federal Funds for Local Programs – Administration.

Presenter: Councilmember Scalmanini.

Council Consensus directs staff to prepare a letter for the Mayor's signature demonstrating the City's support for CDBG Funds and Meals on Wheels to be sent to the City's Federal and State representatives of Senate and House.

f. Discuss the Continued Reorganization of the City Manager's Office Including Consideration of the Reclassification of the Senior Management Analyst to Deputy City Manager as Included in the Fiscal Year 16/17 Budget and the Addition of a Communication Manager – Administration.

Presenter: Sage Sangiacomo, City Manager.

Motion by Councilmember Crane, seconded by Vice Mayor Doble, to approve the reclassification of the Senior Management Analyst to Deputy City Manager and to continue the discussion regarding the addition of a Communication Manager to a date uncertain.

*After further consideration, Councilmember Crane **withdrew** his motion.*

Council directed staff to bring back to Council for further discussion as two individual items.

g. Award Professional Services Agreement in the Amount of \$39,586, to Omni-Means, Ltd., to Complete an Update of the City of Ukiah's Speed Zone Surveys and Approve Budget Amendment – Public Works. – From Consent Calendar Agenda Item 7e.

Presenters: Tim Eriksen, Director of Public Works and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Mulheren/Doble to award professional services agreement (COU No. 1617-184) to Omni-Means, Ltd., in the amount of \$39,586, to complete an update of the City of Ukiah's speed zone surveys and approval of proposed budget amendment. Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

h. Notification of Acquisition of Professional Services from SHN Consulting Engineers and Geologist for Materials and Compaction Testing Services for the Sewer and Water Main Replacement Project, Specification No. 16-10 in the Amount of \$16,520 – Public Works. – From Consent Calendar Agenda Item 7h.

Presenters: Jarod Thiele, Public Works Management Analyst and Tim Eriksen, Director of Public Works.

Motion/Second: Crane/Doble to receive report regarding the notification of acquisition of professional services from SHN Consulting Engineers and Geologist for materials and compaction testing services for the Sewer and Water Main Replacement Project, Specification No. 16-10 in the amount of \$16,520 Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

i. Award Professional Services Agreement in the Amount of \$5,276 to EBA Engineering to Prepare Bid Documents for Well Abandonment and for Removal of the Remediation System and Approve Budget Amendment – Public Works. – From Consent Calendar Agenda Item 7f.

Presenters: Tim Eriksen, Director of Public Works and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Doble/Crane to award professional services agreement (COU No. 1617-185) in the amount of \$5,276 to EBA Engineering to prepare bid documents for well abandonment and for removal of the remediation system and approve budget amendment. Motion **carried** by the following roll call votes: AYES: Crane, Scalmanini, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL DID NOT ADJOURN TO CLOSED SESSION.

14. CLOSED SESSION

a. 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 (Palace Hotel)*

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 Legal Counsel – Existing Litigation

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: *Howard Jarvis Taxpayers Assn., et al. v. City of Ukiah*, Mendocino County Superior Court, Case No. SCU-K-CVG-17-68588 (Measure Y and Z)

d. Conference with Real Property Negotiators

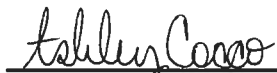
(Cal. Gov't Code Section 54956.8)

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 12:02 p.m.



Ashley Cocco, Deputy City Clerk