

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
August 2, 2017
6:00 p.m.**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on August 2, 2017, having been legally noticed on July 28, 2017. Mayor Brown called the meeting to order at 6:00 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.

The Pledge of Allegiance was led by Tim Eriksen, Director of Public Works / City Engineer.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Presentation of Employee Recognition Awards.

Presenters: Sage Sangiacomo, City Manager; Jake Burgess, Recreation Supervisor; Sage Sangiacomo, City Manager (*speaking a second time*); and Kirk Thomsen, Interim Fire Chief.

b. Annual Update and Presentation Regarding Visit Ukiah.

Presenter: Shannon Riley, Deputy City Manager.

c. Introduction of New Employee – Kippi Dayton, Payroll Specialist.

Presenter: Leigh Halvorsen, Senior Accountant.

d. 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.

4. PETITIONS AND COMMUNICATIONS

Presenter: Ashley Cocco, Deputy City Clerk.

5. APPROVAL OF MINUTES

a. Minutes of July 19, 2017, a Regular Meeting, as submitted.

b. Minutes of July 27, 2017, a Special Meeting, as submitted.

Motion/Second: Doble/Crane to approve Minutes of July 19, 2017, a Regular Meeting, with edits and Minutes of July 27, 2017, a Special Meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Adoption of Ordinance (#1179) of the City Council of the City of Ukiah Adding Section 2002 to Division 1, Chapter 12 and Section 4502.5 to Division 5, Chapter 7, Article 2 of the Ukiah City Code, Prohibiting Smoking within Certain City Owned Parks and/or City Sponsored Events – *Community Services*.

ORDINANCE NO. 1179

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING SECTION 2002 TO DIVISION 1, CHAPTER 12 AND SECTION 4502.5 TO DIVISION 5, CHAPTER 7, ARTICLE 2 OF THE UKIAH CITY CODE, PROHIBITING SMOKING WITHIN CERTAIN CITY OWNED PARKS AND/OR CITY SPONSORED EVENTS.

- b. Adoption of Ordinance (#1180) Amending Division 1, Chapter 4, Article 4, Section 1153 Regarding Compensation to Planning Commission Members – *Community Development and Planning*.

ORDINANCE NO. 1180

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING UKIAH CITY CODE SECTION 1153 TO AUTHORIZE COMPENSATION TO PLANNING COMMISSIONERS.

- c. Authorization for the City Manager to Negotiate and Execute an Amendment to the Existing Contract (COU No. 1314-206-A1) with Borismetrics Inc. for an Additional Five Years to Assist the Ukiah Electric Utility with Regulatory Compliance and Market Analysis Support in the amount not to exceed \$50,000 per Year (EUD) – *Electric Utility Department*.
- d. Notification to City Council of the Contract #1617-220, and Subsequent Amendment 1 (COU No. 1617-220-A1), for the Inspection, Report and Repairs to the Hydro Unit #1 and Unit #2 Wicket Gates for the Electric Utility Department to Lee Mechanical, Inc. in the Total Amount of \$12,038.53 (EUD) – *Electric Utility Department*.
- e. Award Purchase of One New 2017 Toyota Highlander Hybrid to Thurston Auto Plaza, Ukiah, California in the Amount of \$43,500.00 (EUD) – *Electric Utility Department*.
- f. Award Purchase Order for Repair Services to Solomon Corporation of Solomon, Kansas to Repair Two (2), Cooper VFI9 Three Phase Switchgear for the Electric Utility Department for a Total Not to Exceed an Amount of \$30,000 Including all Taxes and Freight Charges (EUD) – *Electric Utility Department*.
- g. Authorize the City Manager to Negotiate and Execute a Visit Ukiah Contract (COU No. 1718-084) with Sunset – *Administration*.
- h. Adopt Resolution (2017-38) and Related Documents Authorizing Execution and Delivery of Site Lease (COU No. 1718-088) and Financing Lease (COU No. 1718-089) with California Infrastructure and Economic Development Bank ("I-Bank") – *Finance*.
- i. Notification to City Council of the Purchase of Professional Temporary Building Inspection Services from Coastland Civil Engineering, Inc. in the amount of up to \$20,000 and Authorize the City Manager to Negotiate and Execute an Amendment to Said Contract (COU No. 1617-223-A1) with Coastland Civil Engineering, Inc. to Extend the Contract Time of Completion to September 1, 2017 – *Community Development and Planning*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Presenters: Bill Smith – Aerial Fire Patrol; Edward Haynes – homeless shelter; Pinky Kushner – Bank of America closure; Bill Phasett – homeless shelter.

RECESS: 7:03 - 7:11 PM

9. COUNCIL REPORTS

Presenters: Councilmembers Mulheren, Crane, and Scalmanini.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; Tim Eriksen, Director of Public Works / City Engineer; Kirk Thomsen, Interim Fire Chief; Sage Sangiacomo, City Manager (*speaking a second time*).

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

a. Adoption of an Accessory Dwelling Unit Ordinance Adding and Amending Various Sections of the Ukiah City Code to Comply with California Government Code Section 65852.2 Regulating Accessory Dwelling Units.

Presenters: Kevin Thompson, Principal Planner; Darcy Vaughn, Assistant City Attorney; Craig Schlatter, Community Development and Planning Director.

Public Comment: Phil Baldwin, Susan Knopf, and Pinky Kushner.

Mayor Brown motioned to continue this matter to the August 16, 2017, Regular meeting.

Motion dies for lack of a second.

Motion/Second: Crane/Doble to correct the ordinance so that any remaining instances of the phrase "second unit" are corrected to read "accessory dwelling unit" and bring back to Council at the August 16, 2017, Regular meeting. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

b. Award Contract to Granite Construction Company for North State Street Intersection – Low Gap Road / Brush Street, Storm Drain and Signalization Improvements, Specification No. 17-02 and Approval of Corresponding Budget Amendment.

Presenters: Tim Eriksen, Director of Public Works / City Engineer; Mary Horger, Procurement Manager.

Motion/Second: Crane/Doble to award contract (COU No. 1718-085) for North State Street Intersection - Low Gap Road / Brush Street, Storm Drain and Signalization Improvements, Specification No. 17-02 base bid to Granite Construction Company, the lowest responsive, responsible bidder based on bids submitted on July 25, 2017, with authorization to perform nighttime work; and approve corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 8:48 - 8:53 PM

13. NEW BUSINESS

b. Consideration of Nominations and Possible Adoption of Resolution Making Appointments to the Airport Commission; Parks, Recreation, and Golf Commission (PRGC); and the Paths, Open Space, and Creeks Commission (POSCC).

Presenter: Ashley Cocco, Deputy City Clerk.

Motion/Second: Crane/Doble to approve the listed table of nominations and associated Resolution (2017-39) making appointments to the Airport Commission; Parks, Recreation, and Golf Commission (PRGC); and the Paths, Open Space, and Creeks Commission (POSCC). Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

a. Review and Consideration of a Draft Response to Grand Jury Report – Formula Business Restriction.

Presenter: Craig Schlatter, Community Development and Planning Director.

Motion/Second: Doble/Crane to approve response to Grand Jury report for transmission to the Grand Jury. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

c. Authorize the City Manager to Negotiate and Execute Agreement(s) for Temporary Building Inspection Services with up to Five Building Inspection Services Firms.

Presenter: Craig Schlatter, Community Development and Planning Director.

Public Comment: Mark Hilliker.

Motion/Second: Crane/Scalmanini to authorize the City Manager to negotiate and execute agreements (COU No. 1718090 - 4LEAF, INC. and COU No. 1718091 – Bureau Veritas) with selected building services firms. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO THE SUCCESSOR AGENCY TO THE UKIAH REDEVELOPMENT AGENCY AT 9:17 PM.

THE CITY COUNCIL RECONVENED THE REGULAR CITY COUNCIL MEETING AT 9:31 PM AND ADJOURNED TO CLOSED SESSION AT 9:31 PM.

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 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

d. Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Representative: Sage Sangiacomo, City Manager Employee

Organization: Administrative and Maintenance Unit

No action was taken in closed session.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:26 p.m.



Ashley Cocco, Deputy City Clerk