

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
November 1, 2017
6:00 p.m.

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

Ukiah City Council met at a Regular Meeting on November 1, 2017, having been legally noticed on October 27, 2017. Mayor Brown called the meeting to order at 6:03 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 Councilmember Stephen G. Scalmanini.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Introduction of New Employee - Steven Oropeza, Public Works Engineering Technician.

Presenter: Tim Eriksen, Public Works Director / City Engineer

Steven Oropeza, Public Works Engineering Technician was introduced.

b. Introduction of New Employee - Matthew Keizer, Building Official.

Presenter: Craig Schlatter, Community Development and Planning Director

Matthew Keizer, Building Official was introduced.

c. Presentation of Donation to Cancer Resource Center of Mendocino County by the Recreation Department.

Presenter: Jake Burgess, Recreation Supervisor and Julie Webb, Sports Coordinator.

Presentation was received.

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 and Theresa McNerlin.

Report was received.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Approval of Minutes of the Regular Meeting of October 18, 2017.

Motion/Second: Mulheren/Doble to approve Minutes of October 18, 2017, 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. Notification to City Council of Purchase Order #45054 Issued to Lee Mechanical, Inc., for Emergency Hydraulic Repairs at the Hydroelectric Plant for the Electric Utility Department (EUD) in an Amount Not to Exceed \$20,000 – *Electric Utility*.
- b. Approval of Change Order #2 with California Pavement Maintenance Company for the Installation of Thermoplastic Street Markings for the 2017 Slurry Seal of Local Streets and Airport Service Roads Project, Specification Number 17-10, in the amount of \$4,707.15 – *Public Works*.
- c. Award of Contract (COU No. 1718-135) to SHN Consulting Engineers and Geologists in the Total Amount of \$45,911 for Materials and Compaction Testing Services for the Talmage Interchange, Specification No. 17-07 and Redwood Business Park, Specification No. 17-09 Projects – *Public Works*.
- d. Possible Adoption of Ordinance of the City Council of the City of Ukiah Amending Various Sections of the Ukiah City Code Regulating Medical Marijuana Dispensaries – *Community Development*.

ORDINANCE 1182

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING VARIOUS SECTIONS OF THE UKIAH CITY CODE REGULATING MEDICAL MARIJUANA DISPENSARIES

- e. Approve the Repair and Rebuild of Floway 16DK Close Coupled Pump from Weir Floway, Inc. in the Amount of \$29,490.31 – *Water Resources*.

Staff Comment: Jarod Thiele, Public Works Management Analyst

Motion/Second: Doble/Crane to approve Consent Calendar Items 7a-7e, 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

Public Comment: Theresa McNerlin – Ukiah Valley Sanitation District.

9. COUNCIL REPORTS

Presenter: Councilmember Mulheren

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; Tim Eriksen, Public Works Director / City Engineer; and Jarod Thiele, Public Works Management Analyst.

11. PUBLIC HEARINGS (6:15 PM)

- a. Continuation of Public Hearing to Consider Adoption of a Resolution Amending the Ukiah Police Department Fee Schedule, including; Bike Licenses, Concealed Weapons Permits, Civil Subpoenas, Local Criminal History Letters, Police Reports, Live-Scan Fingerprinting, Photographs, Second Hand Dealer Licensing, Stored Vehicles, Records Subpoenas, Taxi Permits, Traffic Accident Reports and Fees Associated with Vehicle Repossession Release.**

Presenter: Chris Dewey, Police Chief.

PUBLIC HEARING WAS REOPENED AT 7:07 P.M.

No public comment was received.

PUBLIC HEARING WAS CLOSED AT 7:07 P.M.

Motion/Second: Crane/Mulheren to adopt resolution (2017-52) increasing Ukiah Police Department fees, including; bike licenses, concealed weapons permits, civil subpoenas, local criminal history letters, police reports, Live-Scan fingerprinting, photographs, second hand dealer licensing, stored vehicles, records subpoenas, taxi permits, traffic accident reports and fees associated with vehicle repossession release. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

12. UNFINISHED BUSINESS

- a. Update Regarding Proposed Multi-Family Housing Development on City-Owned Property at 345 North Main Street and 215 Norton Street; Authorization for City Manager to Negotiate and Execute Lease-Option Agreement with Guillon, Inc.**

Presenters: Shannon Riley, Deputy City Manager and Sage Sangiacomo, City Manager.

Motion/Second: Crane/Doble to authorize the City Manager to negotiate and execute a lease-option agreement (COU No. 1718-136) with Guillon, Inc. 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 Ghilotti Construction Company, Inc. in the Amount of \$22,357,358 for the Construction of Phases 1 Through 3 of the Recycled Water System.**

Presenters: Tim Eriksen, Public Works Director / City Engineer and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Crane/Doble to award contract (COU No. 1718-138) to Ghilotti Construction Company, Inc. in the amount of \$22,357,358 for the construction of phases 1 through 3 of the recycled water system. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

- c. Introduction and Adoption of Urgency Ordinance Amending Section 9171 in Division 9, Chapter 2, Article 15.5 of the Ukiah City Code Regarding Operation of the Inland Emergency Winter Shelter During the Winter of 2017-2018.**

Presenter: Shannon Riley, Deputy City Manager

Public Comment: Camille Shrader (RCS)

Motion/Second: Crane/Scalmanini to introduce, by title only, an urgency ordinance of the City Council of the City of Ukiah amending Section 9171 in Division 9, Chapter 2, Article 15.5 of the Ukiah City Code regarding operation of the Inland Emergency Winter Shelter during the winter of 2017-

2018. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

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

Motion/Second: Crane/Scalmanini to introduce and adopt an urgency ordinance (1183) of the City Council of the City of Ukiah amending Section 9171 in Division 9, Chapter 2, Article 15.5 of the Ukiah City Code regarding operation of the Inland Emergency Winter Shelter during the winter of 2017-2018. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

ORDINANCE 1183

URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING SECTION 9171 IN DIVISION 9, CHAPTER 2 OF THE UKIAH CITY CODE REGARDING OPERATION OF THE INLAND EMERGENCY SHELTER DURING THE WINTER OF 2017-2018

13. **NEW BUSINESS**

a. Discussion and Possible Introduction of an Ordinance of the City Council of the City of Ukiah Amending Section 3951 of Article 1 to Chapter 6 in Division 4 of the Ukiah City Code, Regarding the Requirements for Notice of a Proposed Utility Rate Change.

Presenter: Darcy Vaughn, Assistant City Attorney

Motion/Second: Crane/Doble to introduce the Utility Rate Change Ordinance by Title Only. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING SECTION 3951 OF ARTICLE 1 TO CHAPTER 6 IN DIVISION 4 OF THE UKIAH CITY CODE, REGARDING THE REQUIREMENTS FOR NOTICE OF A PROPOSED UTILITY RATE CHANGE

Motion/Second: Crane/Doble to introduce the Utility Rate Change Ordinance. Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, Mulheren, Doble, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

b. Discussion and Possible Action Regarding Cancellation of the January 3, 2018, City Council Meeting Unless Otherwise Determined to be Needed by the City Manager for Time Sensitive Items.

Presenter: Ashley Cocco, Deputy City Clerk

Motion/Second: Doble/Crane to approve the cancellation the January 3, 2018, City Council Meeting unless otherwise determined to be needed by the City Manager or Mayor for time sensitive items. 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 closed session at 7:44 p.m.

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

(Government Code Section 54956.9(d)(1))

Name of case: *Operating Engineers Local 3 v. City of Ukiah, Public Employment Relations Board, Case No. SF-CE-1442-M*

d. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9(d)(1))

Name of case: *Matthew Black v. City of Ukiah et al., Mendocino County Superior Court, Case No. SCUK-CVPT-17-69780*

e. 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

The City Council reconvened in open session at 8:04 p.m.

The City Attorney reported out of closed session, regarding Agenda Item 14d, that the City Council approved a settlement agreement in the case of Matthew Black v. City of Ukiah (*Mendocino County Superior Court, Case No. SCUK-CVPT-17-69780*) both before the public employees relations board and a civil action that had been filed; and Council also approved a budget amendment.

Motion/Second: Crane/Doble to approve the settlement agreement and authorize its signature including the corresponding budget amendment. 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 closed session at 8:09 p.m.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:48 p.m.



Ashley Corco, Deputy City Clerk