

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
January 15, 2020
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on January 15, 2020, having been legally noticed on January 10, 2020. Mayor Crane called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Maureen Mulheren, Jim O. Brown, Stephen G. Scalmanini, Juan V. Orozco, and Douglas F. Crane. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR CRANE PRESIDING.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Doug Hutchison, Fire Chief.

URGENCY ITEM

Presenter: Sage Sangiacomo, City Manager.

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

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Introduction of Olga Keough, Controller for the City of Ukiah Finance Department

Presenter: Dan Buffalo, Finance Director.

Public Comment: Olga Keough, Finance Controller.

Introduction was received.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Approval of the Minutes for the December 17, 2019, Special Meeting.

b. Approval of the Minutes for the December 18, 2019, Regular Meeting.

Motion/Second: Brown/Mulheren to approve Minutes of December 17, 2019, a Special Meeting; and December 18, 2019, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

a. Possible Adoption of Electric Vehicle Charging Station Parking Ordinance – City Attorney.

ORDINANCE No. 1197

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING ARTICLE 17 TO CHAPTER 1 AND AMENDING SECTION 7381 IN ARTICLE 3, CHAPTER 3 IN DIVISION 8 OF THE UKIAH CITY CODE TO REGULATE ELECTRIC VEHICLE CHARGING STATIONS.

- b. Consider Approval of Budget Amendment in the Amount of \$9,500 for Emergency Fuel for the Public Safety Power Shutoff Event that was not Anticipated – *Water Resources*.
- c. Consideration of Adoption of Resolution (2020-01) Appointing Diane Knox to the Paths, Open Space, and Creeks Commission – *City Clerk*.
- d. Adoption of Resolution (2020-02) to Extend the Declaration of a Local Emergency Related to the 2019 Winter Storm Event – *Community Services*.
- e. Notification of Acquisition of Professional Services (PO No. 46246) from Occu- Med for Medical Examinations in the Amount of \$10,472.00 – *Fire*.
- f. Adoption of Resolution (2020-03) Approving the City of Ukiah's Qualified Contractors List for 2020 – *City Clerk*.
- g. Approve Amendment 1 to Mead and Hunt Professional Services Agreement (COU No. 1617-158-A1) for the FAA Grant Funded Runway 15-33 Pavement Rehabilitation and Taxiway Realignment Design Project – *Airport*.
- h. Adoption of Resolution (2020-04) Approving the Final Subdivision Map for Gobbi Commons, Accepting the Offer of Dedication for Parcel B, and Authorizing the Mayor to Sign the Certification Page of the Final Map – *Community Development*.
- i. Approve Agreement (COU No. 1920-196) with The Reed Group, Inc. to Prepare a Water Rate Study – *Finance*.
- j. ~~Report of Disposition of Surplus Materials, Used Equipment, and Supplies – Finance. Pulled by Staff to be brought back at the February 5, 2020, meeting.~~
- k. Council will Receive a Report of the Contract Agreement with GHD, Inc. (COU No. 1819-110) for Consulting Services Related to Biological Monitoring for the Northwestern Pacific Rail Trail in the Amount Not to Exceed \$19,179, and approve Budget Amendment – *Public Works*.

Motion/Second: Brown/Mulheren to approve Consent Calendar Items 7a-i and 7k, 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

Public Comment: Eileen Mitro and Peter Good – parks management and appreciation.

9. COUNCIL REPORTS

Presenters: Councilmember Mulheren and Scalmanini.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager.

- **Measure Y Information** – Shannon Riley, Deputy City Manager.

11. PUBLIC HEARINGS (6:15 PM)

a. Consideration and Possible Adoption of a Resolution Amending the Fee Schedule for the Planning and Building Divisions of the Community Development Department; and Consideration of Community Development Department Request to Change from an Annual Fee Review to a Comprehensive Five-Year Fee Review with Annual Status Reports (Continued Public Hearing from 12/18/19).

Presenters: Craig Schlatter, Community Development Director; Matt Keizer, Building Official; Michelle Irace, Planning Manager.

PUBLIC HEARING OPENED AT 6:50 P.M.

Public Comment: Eileen Mitro, Dick Selzer, Lee Kraemer, Pinky Kushner, Judy Gloria, and John Rarick.

PUBLIC HEARING CLOSED AT 7:12 P.M.

Motion by Councilmember Scalmanini to keep the appeal fee at \$150.

Motion failed due to lack of a second.

CONTINUED PUBLIC HEARING OPENED AT 7:35 P.M.

Public Comment: Pinky Kushner.

PUBLIC HEARING CLOSED AT 7:42 P.M.

Motion/Second: Brown/Crane to adopt Resolution (2020-05) amending the Fee Schedule for the Planning and Building Divisions of the Community Development Department; and approve Department request to change from an annual fee review to a Comprehensive Five-Year Fee Review with annual status reports. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Orozco, and Crane. NOES: Scalmanini. ABSENT: None. ABSTAIN: None.

RECESS: 7:43 – 7:48 P.M.

13. NEW BUSINESS

d. Report Regarding Conversion of One Block of Stephenson Street to Two-Way and Adoption of Resolution to Remove On-street Parking on the North Side of West Stephenson Street Between South School Street and South Oak Street.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Public Comment: Stephan Oullette.

Staff Comment: Shannon Riley (*speaking as both staff and retail owner*).

Council Consensus to bring this item back after further analysis and consideration.

12. UNFINISHED BUSINESS

a. Receive a Ukiah Landfill Status Update and Approve Amendment of Contract with EBA Engineering for Professional Services.

Presenters: Tim Eriksen, Public Works Director / City Engineer and Jason Benson, Senior Civil Engineer.

Motion/Second: Brown/Mulheren to approve contract amendment (COU No. 1213-115-A6) with EBA Engineering and associated budget amendment. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS - Continued

a. Introduction of an Ordinance, by Title Only, to Adopt the 2019 California Fire Code as Amended.

Presenter: Doug Hutchison, Fire Chief.

Motion/Second: Scalmanini/Brown to introduced the Ordinance by title only. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

The City Clerk, Kristine Lawler, read the ordinance title into the record:

Motion/Second: Scalmanini/Brown to introduce the ordinance amending Division 6, Chapter 3, Articles 1, 2, and 3, of the Ukiah City Code, entitled: Fire Prevention Code, to adopt the 2019 Edition of the California Fire Code, including additions or amendments, as well as NFPA 1 Chapter 38 thereto to address local conditions. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Approve Ukiah Valley Fire Authority's Purchase of (2) Power Load Systems, (1) Power PRO XT Gurney and (1) Power PRO XT Upgrade Kit from Stryker Medical in the Amount of \$61,105.92 Plus Tax.

Presenter: Doug Hutchison, Fire Chief.

Motion/Second: Brown/Mulheren to approve Ukiah Valley Fire Authority's purchase of (2) Power Load systems, (1) Power PRO XT Gurney and (1) Power PRO XT Upgrade Kit from Stryker Medical in the amount of \$61,105.92 plus tax. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

c. Fiscal Year 2020-21 Budget Development Schedule.

Presenter: Dan Buffalo, Finance Director.

Motion/Second: Brown/Mulheren to approve the City's operating and capital budget development and adoption schedule for the 2020-21 fiscal year. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

e. 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 Mulheren.

No action was taken.

12. UNFINISHED BUSINESS - Continued

12b. URGENCY ITEM: Update on Emergency Repair of Percolation Pond Levees at the Wastewater Treatment Plant, and Determine that Emergency Conditions Continue to Require the Repair of the Percolation Pond Levees.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Brown/Scalmanini to determine that emergency conditions continue to require the repair of the Percolation Pond Levees at the Wastewater Treatment Plant without competitive bidding. 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 8:35 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: 2)

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. SCUK-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. SCUK- 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: Onetogether 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 9:50 p.m.



Kristine Lawler, City Clerk