

**CITY OF UKIAH
CITY COUNCIL MINUTES
Special and Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
February 19, 2020
5:00 p.m.**

REGULAR AND SPECIAL MEETINGS:

1. ROLL CALL

Ukiah City Council met at a Special Meeting followed by a Regular Meeting on February 19, 2020, having been legally noticed on February 14, 2020. Mayor Crane called the meeting to order at 5:06 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 (*arriving at 5:37 p.m.*); and Kristine Lawler, City Clerk.

MAYOR CRANE PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Crane.

5:00 - BUDGET WORKSHOP:

a. Mid-year Budget Report and Mid-Year Departmental Budget and Objectives Progress Review for Fiscal Year 2019-20 and Review of Draft Objectives for Fiscal Year 2020-21.

Presenters: Dan Buffalo, Finance Director and Daphne Harris, Finance Management Analysis.

Public Comment:

The following reports were received:

City Manager's Office:

City Council – Sage Sangiacomo, City Manager (5:20 p.m.)

City Manager – Sage Sangiacomo, City Manager (5:22 p.m.)

City-wide Admin – Sage Sangiacomo, City Manager (5:28 p.m.)

Community Outreach – Sage Sangiacomo, City Manager (5:30 p.m.)

City Clerk – Kristine Lawler, City Clerk (5:33 p.m.)

Economic Development – Shannon Riley, Deputy City Manager (5:35 p.m.)

Emergency Management – Tami Bartolomei, Community Services Administrator (5:38 p.m.)

Successor Agency – Sage Sangiacomo, City Manager (5:43 p.m.)

City Attorney – Sage Sangiacomo, City Manager (5:44 p.m.)

Community Development Department:

Planning Services – Craig Schlatter, Community Development Director (5:45 p.m.)

Building Services – Matt Keizer, Building Official (5:48 p.m.)

Housing Services – Craig Schlatter, Community Development (5:54 p.m.)

Note: The Electric Utility Department presentation was continued to the next budget workshop presentations.

RECESS: 5:58 – 6:02 P.M.

6:00 - REGULAR MEETING, Continued:

City Clerk, Kristine Lawler, announced that attendance remained the same with all councilmembers present.

URGENCY ITEM:

Motion/Second: Mulheren/Brown to accept an urgency item due to timelines, and place as agenda item 13b. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing March as Women's History Month

Presenter: Councilmember Mulheren.

Public Comment: Lynda McClure.

Proclamation was received by Lynda McClure, 37th Annual Women's History Gala Celebration Chair.

b. Proclamation Recognizing American Legion Lewis White Post 76 Centennial Day

Presenter: Mayor Crane.

Public Comment: *Ralph Paulin.*

Proclamation was received by Ralph Paulin, Post Commander.

c. Presentation Regarding Growth of Transient Occupancy Tax Revenue

Presenter: Shannon Riley, Deputy City Manager.

Public Comment:

Presentation was received.

4. PETITIONS AND COMMUNICATIONS

The Clerk stated that all communications received had been distributed.

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the February 5, 2020, Regular Meeting.

Motion/Second: Mulheren/Brown to approve Minutes of February 5, 2020, 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. Report of Disbursements for the Month of January 2020 – *Finance.*

b. Adoption of Resolution (2020-09) to Extend the Declaration of a Local Emergency Related to the 2019 Winter Storm Event – *Community Services.*

- c. Delegate City Manager Authority to Negotiate and Approve Assignment of the License Agreement (COU No. 1920-209) with AT&T and Sublicense Agreements (COU Nos. 1920-210 and 1920-211), Including an Agreement (COU No. 1920-212) with Verizon Wireless for Ground Space Use – *Administration*.
- d. Approval of Notice of Completion for Northwestern Pacific Rail Trail Project Phase 3, Specification No. 18-04 – *Public Works*.
- e. Adoption of Resolution (2020-10) Approving Records Destruction – *City Clerk*.
- f. Award a Three-Year Agreement (COU No. 1920-213) for Electric Utility Line Tree Trimming throughout the City of Ukiah's Electric Utility System to Family Tree Resource, Inc. – *Electric Utility*.
- g. Award the Purchase of a Manta All-in-one Protective Relay Tester to Associated Power Solutions, (APS) in the Amount of \$63,794.88 – *Electric Utility*.
- h. Authorize the City Manager to Negotiate and Enter into an Agreement (COU No. 1920-214) with the US Army Corps of Engineers for an Easement to Construct a Storage Facility on the Lake Mendocino Hydroelectric Plant Property – *Electric Utility*.
- i. Authorize the City Manager to Execute a Municipal Lease Agreement (COU No. 1920-215) with Financial Pacific Leasing, Inc., DBA Umpqua Bank Equipment Leasing & Finance to Finance the Purchase of a Skeeter Type V Wildland Fire Engine, and Approve Corresponding Resolution (2020-11) – *Fire*.
- j. 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 – *Water Resources*.

Motion/Second: Mulheren/Scalmanini to approve Consent Calendar Items 7a-7j, 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: Susan Sher and Ann Kelly – Wagenseller Neighborhood; John McCowen, Mendocino County 2nd District Supervisor – Orr Creek Bridge, Camping Ordinance.

9. COUNCIL REPORTS

Presenters: Councilmembers Mulheren and Brown.

10. CITY MANAGER/CITY CLERK REPORTS

Presenter:

- Homeless Encampment Tour – Sage Sangiacomo, City Manager.

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

- a. Possible Adoption of Ordinance Amending City Parks and Recreation Facilities to Include the Great Redwood Trail and the Outdoor Grounds of the Civic Center.

Presenter: Darcy Vaughn, Assistant City Attorney.

Public Comment: Liz Sadlier; John Johns; Neil Davis, Walk & Bike Mendocino; and John McCowen, Mendocino County 2nd District Supervisor.

Motion/Second: Mulheren/Brown to adopt the Ordinance amending Chapter 12, in Division 1 of the City Code to regulate use of the Great Redwood Trail and Outdoor Grounds of the Ukiah Civic Center as city parks. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

ORDINANCE NO. 1199

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING CHAPTER 12 IN DIVISION 1 OF THE CITY CODE TO REGULATE USE OF THE GREAT REDWOOD TRAIL AS A CITY PARK

b. Award a Contract for the Downtown Streetscape and Road Diet, Specification #19-18, to Ghilotti Construction in the Amount of \$6,448,215.95 and Approve Corresponding Budget Amendment

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

Public Comment: Laura Fogg; Carol Misseldine; Pinky Kushner; Mary Misseldine; Ann Kelly; Teel Gordon; Tarney Sheldon; Liz Sadlier; Ellen Sizemore; Neil Davis, Walk & Bike Mendocino; David Burton, Museum Director; Susan Sher; John McCowen, Mendocino County 2nd District Supervisor; Michelle Hablitzel; John Johns; and Ross Christensen.

Motion/Second: Brown/Mulheren to award a contract (COU No. 1920-216) for the Downtown Streetscape and Road Diet, Specification #19-18 to Ghilotti Construction in the amount of \$6,448,215.95 plus City Engineer approved change orders up to 10% of the original Bid, \$644,822, for a total of \$7,093,037.54 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.

c. Award a Contract for the Downtown Utility Upgrade and Electrical Underground, Specification #19-17 to Wahlund Construction Inc., in the amount of \$3,934,856.50.

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

Public Comment: Bob Crittenden, Wahlund Construction Project Manager/Estimator.

Motion/Second: Brown/Mulheren to award a contract (COU No. 1920-217) for the Downtown Utility Upgrade and Electrical Underground, Specification #19-17 to Wahlund Construction Inc. in the amount of \$3,934,856.50, plus City Engineer approved change orders up to 10% of the original Bid \$393,486 for a total of and associated budget amendment \$4,328,342. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. 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).

No reports were received.

RECESS: 7:19 – 7:35 P.M.

b. Urgency Item: Status report, Discussion and Possible Action Regarding Refunding of 2006 Wastewater Revenue Bonds.

Presenter: Sage Sangiacomo, City Manager.

RECESS: 7:40 – 7:54 P.M.

Motion/Second: Scalmanini/Orozco to continue this item to Thursday, February 20, 2020, at 4:00 p.m. 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 7:56 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: 002-192-14-00 (280 E. Standley)

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Onetogogether Solutions

Under Negotiation: Price & Terms of Payment

f. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

Direction was given to staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:38 p.m.



Kristine Lawler, City Clerk

