

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482

April 6, 2016
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on April 6, 2016, having been legally noticed on April 1, 2016. Mayor Scalmanini called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Maureen Mulheren, Kevin Doble, Vice Mayor Jim O. Brown, and Mayor Stephen G. Scalmanini. **Absent by Prearrangement:** Douglas F. Crane. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR SCALMANINI PRESIDING.

2. **PLEDGE OF ALLEGIANCE**

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

- a. Minutes of February 25, 2016, a Special Meeting.
- b. Minutes of March 16, 2016, a Regular Meeting.
- c. Minutes of March 31, 2016, a Special Meeting.

Motion/Second: Mulheren/Doble to approve the Minutes of February 25, 2016, a Special Meeting; Minutes of March 16, 2016, and a Regular Meeting as submitted as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

Motion/Second: Mulheren/Scalmanini to approve the Minutes of March 31, 2016, a Special Meeting. Motion **carried** by the following roll call votes: AYES: Mulheren and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: Doble and Brown.

Note: City Attorney Rapport clarified that votes in abstention are considered 'Yes' votes.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

- a. Adoption of Resolution (2016-16) Amending Resolution 2002-34 to Allow County-Wide Residency for the Historical Society Position, and Adoption of Resolution Appointing Paul Poulos and Estok Menton to the Demolition Permit Review Committee – *City Clerk*.
- b. Report of Contracts Entered into with Regional Government Services (RGS) (COU No. 1516-174 and 1516-183) on a Time and Expense Basis Due to the Vacancy of the Finance Director Position, and Approve Total Cost of Contracts to be Monitored in Accordance with Budget Authority Approved by Council in Corresponding Fiscal Year Budget – *Human Resources*.

- c. Annual Review of the Mobilehome Park Rent Stabilization Fees per Resolution 2012-17 and Approval to Waive Fees for 2016 Billing Cycle – *City Clerk*.
- d. Approve the Establishment of Fund 830 (*Resolution 2016-18*) for all Revenue and Expenses Related to the Construction, Operation and Maintenance of the Recycled Water System – *Public Works*.
- e. Approval of Notice of Completion for the Leslie Street Underground Extension Project, Specification No 15-05 (EUD) – *Electric Utility*.
- f. Approve Notice of Completion for Grace Hudson Museum Parking Lot and Storm Water Improvements Specification No. 15-09, and Approve Final Payment of 5% Retention to Gregg Simpson Trucking – *Community Services*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Don Rowe.

9. COUNCIL REPORTS

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; Sean White, Water and Sewer Director; and Kristine Lawler, City Clerk.

11. PUBLIC HEARINGS – 6:15 P.M.

- a. **Adoption of a Resolution of the City Council of the City of Ukiah Approving a Negative Declaration and Amendment/Update to the Housing Element of the Ukiah General Plan – *Planning and Community Development*.**

Presenter: Kevin Thompson, Principal Planner and Charley Stump,

PUBLIC HEARING OPENED AT 6:16 P.M.

No public comment was received.

Motion/Second: Mulheren/Brown to continue this item to May 4, 2016. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

12. UNFINISHED BUSINESS

- a. **Authorize the Director of Public Works/City Engineer to Execute Change Order No. 1 in an Amount Not to Exceed \$35,735 for Additional Paving, Pavement Grinding, Sidewalk Repair and Pole Removal for the Crosswalk Project at North State Street and Garrett Drive, Specification No. 15-11 and Approval of Budget Amendment –*Public Works*.**

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

Public Comment: Amanda Devereux, Gregg Simpson Trucking Manager.

Motion/Second: Doble/Brown to authorize the Director of Public Works/City Engineer to execute Change Order No. 1 (COU No. 1516-140-A1) in the amount not to exceed \$35,735 for the Crosswalk at North State Street and Garrett Drive and to approve budget amendment. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

b. Review of the Draft Request for Proposals for a Feasibility Analysis for a Downtown Hotel – Administration.

Presenter: Shannon Riley, Senior Management Analyst.

Public Comment: David Delgado and Phil Baldwin.

Motion/Second: Doble/Brown to review the Request for Proposals for a feasibility analysis for a downtown hotel and authorize its release. Motion **fails** by the following roll call votes: AYES: Doble and Brown. NOES: Mulheren and Scalmanini. ABSENT: Crane. ABSTAIN: None.

Motion/Second: Doble/Brown to approve the Request for Proposals (RFP) for release with the addition of language requesting that the consultant provide the city with feasible options in the context of how they fit within the downtown plans, ordinances, and general plan. Motion **fails** by the following roll call votes: AYES: Doble and Brown. NOES: Mulheren and Scalmanini. ABSENT: Crane. ABSTAIN: None.

Vice Mayor Brown made a request for staff to bring this item back to the April 20, 2016, City Council meeting.

c. Approve Material Purchase for Grace Hudson Museum Brush Arbor Interpretive Item from Menton Builders in an Amount Not to Exceed \$31,103, and Amend Contract for Specification No. 15-16 with Cupples & Sons Construction to Include Installation of Brush Arbor Interpretive Item in an Amount Not to Exceed \$39,950 – Community Services.

Presenters: Katie Marsolan, Project Analyst and Sherrie Smith-Ferri, Museum Director.

Public Comment: Estok Menton.

Motion/Second: Brown/Doble to approve material purchase for Grace Hudson Museum Brush Arbor Interpretive Item from Menton Builders in an amount not to exceed \$31,103 and to amend contract (COU No. 1516-156; Purchase Order No. 44195) for Specification No. 15-16 with Cupples & Sons Construction to include the installation of the Brush Arbor Interpretive Item for \$39,950. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

d. Discuss Bid Opening for Specification No. 15-17 Grace Hudson Museum Landscape Improvements, Receive Bid Protest, Conduct Bid Protest Hearing, Decide Whether to Reject the Apparent Low Bid as Non-Responsible, and Award Contract to Siri Grading and Paving in the Amount of \$1,115,512.50 Budgeted from Grant Funds – Community Services.

Presenters: Katie Marsolan, Project Analyst and Mary Horger, Purchasing Supervisor.

BID PROTEST HEARING OPENED AT 8:00 P.M.

Gregg Simpson Representatives: Amanda Devereux, Gregg Simpson Trucking Manager and Miguel Rodriguez, Gregg Simpson Trucking Foreman.

BID PROTEST HEARING CLOSED AT 8:06 P.M.

Public Comment: Cathy Monroe and Anne Baker, Anne Baker Landscaping.

Motion/Second: Brown/Doble to discuss bid opening for Specification No. 15-17 Grace Hudson Museum Landscape Improvements, receive bid protest from Gregg Simpson Trucking, and conduct Bid Protest Hearing and reject apparent low bid from Gregg Simpson Trucking as non-responsible and award contract (*COU No. 1516-187*) to Siri Grading and Paving in the amount of \$1,115,512.50. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

RECESS: 8:28 – 8:40 P.M.

e. Discussion and Provide Direction Regarding Proposed Street Repair and Maintenance Sales Tax Measure – Public Works.

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

Motion/Second: Brown/Mulheren to prepare the resolution (for the November ballot) for a ½ cent general sales tax with no sunset regarding the street repair. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

f. Request Authorization to Extend Existing Support Contract to Utility Design Services, LLC for an Additional Eighteen Months and Increase Contract Funding by an Amount Not to Exceed \$120,000 – Electric Utility.

Presenter: Mel Grandi, Electric Utility Director.

Motion/Second: Brown/Doble to request authorization to extend existing support contract to Utility Design Services, LLC (*COU No. 1314-213-A1*) for an additional eighteen months and provide additional funding not to exceed \$120,000. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

13. NEW BUSINESS

a. Discussion and Action Regarding the Formation of an Ad Hoc to Discuss Policies and Strategies for Water Rights – Public Works.

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

Motion/Second: Mulheren/Brown to nominate and appoint Councilmembers Doble and Crane to serve on a City Water Rights Ad Hoc to discuss strategies for the City's Water Rights and to recommend policy to be set, contingent on Councilmember Crane accepting the position and Mayor Scalmanini assuming the position if Councilmember Crane turns it down. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

b. Discussion and Direction Regarding Possible Application for Funding Northwestern Pacific Rail Trail Phase 3 – Community Services.

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

Public Comment: Phil Dow, Mendocino Council of Governments (MCOG).

Motion/Second: Mulheren/Brown to authorize Staff to apply for funding for the Northwestern Pacific Rail Trail Phase 3, northern extension, through the Active Transportation Program. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

c. Award Bid to Portola Systems, Inc. in the Amount of \$102,983 for the Purchase of Cisco Switches and Miscellaneous Hardware, and Approve an Additional Sole Source Purchase for the Installation of the Hardware to Portola Systems in the Amount of \$54,510, and Approve a Corresponding Budget Amendment in the Amount of \$29,000 – Information Technology.

Presenters: Scott Shaver, I.T. Coordinator.

Public Comment: Ryan Miller, Portola Systems, Inc.

Motion/Second: Brown/Mulheren to award the bid to Portola Systems, Inc., (*COU No. 1516-188*) in the amount of \$102,983, for the purchase of Cisco switches and miscellaneous hardware, and approve the sole source purchase of the installation and configuration of the switches also to Portola Systems, Inc., in the amount of \$54,510, and approve corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Crane. ABSTAIN: None.

CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:38 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

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*, Mendocino County Superior Court, Case No. SCUk-CVC-13-63024

c. Conference with Legal Counsel – Existing Litigation

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

Name of case: *County of Mendocino v. Solid Waste System, Inc. et al.*, Mendocino County Superior Court, Case No. SCUk-CVG-11-59459

d. Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: Fire and Police Units

No action was taken on Closed Session items.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:35 p.m.



Kristine Lawler, City Clerk