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

June 1, 2016
6:00 p.m.

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1. ROLL CALL

Ukiah City Council met at a Regular Meeting on June 1, 2016, having been legally noticed on May 27, 2016. Mayor Scalmanini called the meeting to order at 6:09 p.m. Roll was taken with the following **Councilmembers Present:** Douglas F. Crane, Maureen Mulheren, Kevin Doble, Vice Mayor Jim O. Brown, and Mayor Stephen G. Scalmanini. **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

(not agendized) **Swearing in of Sergeant Chris Long** – *Police*
Presenter: Chief Chris Dewey, Police Dewey
Public Comment: Sergeant Chris Long

a. Airport Day Presentation – *Airport*
Presenter: Greg Owen, Airport Manager.

b. Conference Center Employee Recognition Awards – *Community Services*
Presenter: Tami Bartolomei, Community Services Administrator.
Staff Comment: Kerry Randall, Facilities Administrator; Tabitha Olson, Conference Center Coordinator; Kate Jones, Conference Center Facility Attendant; Mary-Kate Stoever, Event and Facility Attendant.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Minutes of May 18, 2016, a Special Meeting.
b. Minutes of May 18, 2016, a Regular Meeting.
c. Minutes of May 23, 2016, a Special Meeting.

Motion/Second: Mulheren/Crane to approve the Minutes of May 18, 2016, a Special Meeting, the Minutes of May 18, 2016, a Regular Meeting, and the Minutes of May 23, 2016, a Special Meeting as submitted. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

a. Adoption of Resolution (*2016-29*) Appointing Bill R. Beard to the Airport Commission as a Commissioner Who May Reside Outside the City Limits but Within Mendocino County – *City Clerk.*

b. Approve Amendment (*COU No. 1516-156-A2*) for Specification No. 15-16 with Cupples and Sons Construction to Incorporate Revised Foundation Requirements of Grace Hudson Museum Brush Arbor Interpretive Structure in the Amount of $13,491 – Community Services.

c. Amend Material Purchase Agreement *(PO 44212-01)* with Menton Builders, Inc. for Pre-Fabrication of Grace Hudson Museum Brush Arbor in an Amount Not to Exceed $11,136 – *Community Services.*

d. Notification of Purchase *(PO 44271)* of Lifepak 15 from Physio Control – *Fire Department.*

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

9. COUNCIL REPORTS

10. CITY MANAGER/CITY CLERK REPORTS

11. PUBLIC HEARINGS – 6:15 P.M.

a. Adopt Resolution Updating the Fees for Planning and Building Permits and Services – *Planning and Community Development.*

Presenter: Charley Stump, Community Development Director.

PUBLIC HEARING OPENED AT 6:51 P.M.

No public comment received.

PUBLIC HEARING CLOSED AT 6:51 P.M.

Motion by Mayor Scalmanini to leave appeal fee at $100.

Motion dies for lack of a second.

Motion/Second: Crane/Brown to adopt Resolution (*2016-30*) updating the Fees for Planning and Building Permits and Services. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, and Brown. NOES: Scalmanini. ABSENT: None. ABSTAIN: None.

b. 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.

Staff Comment: Tim Eriksen, Public Works Director/City Engineer.

PUBLIC HEARING OPENED AT 6:58 P.M.

Public Comment: Frank Sharp, Ukiah Valley Sanitation District Legal Representative and Frank McMichael, Ukiah Valley Sanitation District General Manager.

PUBLIC HEARING CLOSED AT 7:44 P.M.

Motion/Second: Crane/Doble to adopt Resolution (*2016-31*) approving a Negative Declaration and amendment/update to the Housing Element of the Ukiah General Plan. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

c. Conduct a Public Hearing to Discuss the City of Ukiah's SB X7-7 Water Use Target Method, the 2015 Urban Water Management Plan and Adopt a Resolution Approving the Target Method and the 2015 Urban Water Management Plan – *Public Works.*

Presenters: Sean White, Water and Sewer Director; Jarod Thiele, Public Works Project Analyst; and Jim Connell, West Yost Associates.

PUBLIC HEARING OPENED AT 7:46 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 8:09 P.M.

Motion/Second: Crane/Mulheren to adopt Resolution (*2016-32*) approving the Target Method and the 2015 Urban Water Management Plan. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 8:10 – 8:16 P.M.

12. UNFINISHED BUSINESS

a. Receive Status Report and Provide Direction Concerning the Proposed LAFCo Sphere of Influence for the Willow County Water District – *Planning and Community Development.*

Presenter: Charley Stump, Community Development Director.

Report was received.

Motion/Second: Brown/Crane to direct staff to attend the LAFCo meeting; indicate to LAFCo that the letter previously submitted still stands; communicate that the City of Ukiah would like to look at the issue and continue to work with the Willow Water District cooperatively; express that more information is needed by City of Ukiah and in our opinion by LAFCo as well; that we would like to work together before a decision is made on the Sphere of Influence (SOI); and for staff to bring this discussion back to Council at the June 15, 2016, City Council meeting. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

b. Authorize the City Manager to Negotiate and Execute an Agreement with Syblon Reid, General Engineering Contractors, in an Amount Not to Exceed $50,000, for Performing Necessary Work to Install a New Top Seal and Repair Welds on the Tainter Gate of the City's Lake Mendocino Hydroelectric Plant (EUD) – *Electric Utility.*

Presenter: Mel Grandi, Electric Utility Director.

Motion/Second: Crane/Mulheren to authorize the City Manager to negotiate and execute an agreement (*COU No. 1516-210*) with Syblon Reid, General Engineering Contractors, in an amount not to exceed $50,000, for performing necessary work to install a new top seal and repair welds on the tainter gate and tunnel repair of the City's Lake Mendocino Hydroelectric Plant. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

c. Adoption of Resolution Establishing an Expenditure Plan; Approval of Argument in Favor of Proposed Sales Tax Measure (Measure Y) for Street Repair and Maintenance; and Final Direction to the Ad Hoc – *Public Works.*

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

Public Comment: Don Huen.

Council Consensus to continue this item after agenda item 13a.

13. NEW BUSINESS

a. Conduct Interviews, Receive Nomination and Possible Adoption of Resolution Making an Appointment to the Public Member Position on the Traffic Engineering Committee – *City Clerk.*

Presenter: Kristine Lawler, City Clerk.

Interview presentations: Neil Davis and Keith Hewett.

Councilmember Crane nominated Keith Hewett for the public member position on the Traffic Engineering Committee (TEC).

Motion/Second: Crane/Doble to adopt resolution (*2016-33*) accepting nomination and making appointment of Keith Hewett to the Public Member position, term indefinite, on the Traffic Engineering Committee. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

Council Consensus directs staff to agendize the reformation of the TEC to include a representative for Active Transportation.

12. UNFINISHED BUSINESS - Continued

c. Continued - Adoption of Resolution Establishing an Expenditure Plan; Approval of Argument in Favor of Proposed Sales Tax Measure (Measure Y) for Street Repair and Maintenance; and Final Direction to the Ad Hoc – *Public Works.*

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

Motion/Second: Doble/Brown to:

1) Adopt Resolution *(2016-34)* establishing the expenditure plan for the proposed sales tax measure with an amendment replacing paragraph B under the listed resolves as follows:

   In addition to the revenue from measure Y, the City shall continue the current level of spending from the general fund on street maintenance and repair, which is $350,000 per fiscal year. The level of street maintenance funding based on current spending shall be adjusted every year in March and will be effective on July 1st of the new fiscal year. The adjustment shall be calculated by the City Engineer and will be based on the construction cost index history as reported by the Engineering News Records (ENR). The base line will be March 2015; at that time the ENR index was 9972. If the index ceases to exist, the City Engineer shall propose a replacement index to be adopted by the City Council. Nothing in this resolution prevents the City Council from establishing a higher level of street maintenance funding.

2) Approve the argument in favor of the proposed sales tax measure; and

3) Authorize the ad hoc committee to respond to arguments against the proposed sales tax measure. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

b. Authorize the City Manager to Negotiate and Execute Agreements with Humboldt County and the California Land Stewardship Institute for Proposition 84 Grant Funds Awarded – *Public Works.*

Presenters: Sean White, Water and Sewer Director and Tim Eriksen, Public Works Director/City Engineer.

Motion/Second: Crane/Mulheren to authorize the City Manager to negotiate and execute agreements with Humboldt County (*COU No. 1516-211*) and the California Land Stewardship Institute (*COU No. 1516-213)* for Proposition 84 grant funds awarded. Motion **carried** by the following roll call votes: AYES: Crane, Mulheren, Doble, Brown, and Scalmanini. NOES: None. ABSENT: None. ABSTAIN: None.

CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 10:05 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 Legal Counsel – Existing Litigation**
(Cal. Gov't Code Section 54956.9(d)(1))
Name of case: *Ukiah Citizens for Safety First v. City of Ukiah*, Mendocino County Superior Court, Case No. SCUKCVPT 14-63579

No action was taken on Closed Session items.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:40 p.m.

Kristine Lawler

Kristine Lawler, City Clerk