

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
October 5, 2016
6:00 p.m.

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

Ukiah City Council met at a Regular Meeting on October 5, 2016, having been legally noticed on September 30, 2016. Mayor Scalmanini called the meeting to order at 6:02 p.m. Roll was taken with the following **Councilmembers Present:** Douglas F. Crane, Kevin Doble, Jim O. Brown, and Stephen G. Scalmanini. **Councilmember Absent by Prearrangement:** Maureen Mulheren. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. **Proclamation for Make A Difference Day, October 22, 2016 – Community Services.**
Presenter: Mayor Scalmanini.

Staff Comment: Tami Bartolomei, Director of Community Services.

Proclamation received by Rebecca Enberg, North Coast Opportunities Volunteer Network.

b. **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 – Administration.**

Presenter: Sage Sangiacomo, City Manager.

Public Comment: Doug Losak, UVSD Attorney; John McCowen; and Don Crawford.

Nomination by Vice Mayor Brown for Councilmembers Crane and Doble to serve on Ad Hoc.

Motion/Second: Crane/Brown to appoint Councilmembers Crane and Doble to serve on an Ad Hoc committee for Ukiah Valley Sanitation District (UVSD) Reconciliation, and to bring with them their designated legal counsel and necessary staff to meet with the UVSD committee. Motion **carried** by the following roll call votes: AYES: Crane, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Mulheren. ABSTAIN: None.

Council Consensus directs staff to continue placing this item on future meeting agendas.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. **Minutes of September 21, 2016, a Regular Meeting.**

Motion/Second: Brown/Doble to approve Minutes of September 21, 2016, a Regular Meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Doble, Brown, and Scalmanini. NOES: None. ABSENT: Mulheren. ABSTAIN: Crane.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. ~~Consideration and Possible Adoption of Resolution Establishing a Uniform Process of Minute Taking and Meeting Recordation for All City Boards and Commissions – City Clerk. Pulled by Councilmember Crane and Vice Mayor Brown and placed as Agenda Item 13c.~~
- b. Authorize Reactivation of the Associate Planner Position – *Planning and Community Development.*
- c. ~~Authorization for the City Manager to Accept Mitigation Funding from Pacific Gas & Electric for the Community Pipeline Safety Initiative, and Approve Corresponding Budget Amendment(s) – Administration. Pulled by Mayor Scalmanini and placed as Agenda Item 13d.~~
- d. Approval of Updated 2016 Council Special Assignment List Showing Reassignments to the Economic Development & Financing Corporation (EDFC) and the Mendocino Transit Authority (MTA) Board of Directors – *City Clerk.*
- e. Authorize the City Manager to Negotiate and Execute Agreement(s) (*COU No. 1617-132*) with the Ukiah Valley Medical Center and Special Ice Rentals LLC for an Outdoor Holiday Ice Rink – *Community Services.*
- f. Report of Emergency Repair of Jet A Fuel Pump and Filter Skid for the Bulk Storage Tank in the Amount of \$15,905 (*Purchase Order No. 44190*), and Approve Corresponding Budget Amendment – *Airport.*

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Presenter: Peter Barrett.

9. COUNCIL REPORTS

Presenter: Councilmember Crane.

10. CITY MANAGER/CITY CLERK REPORTS

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

- a. **Discussion and Possible Action Regarding a Council Position on Measure AF, the Mendocino Heritage Act.**

Presenter: Sage Sangiacomo, City Manager

Public Comment: Sarah Bodnar, Campaign Manager for Measure AF; Mike Sweeney, No on Measure AF Committee; Tim Blake; Evan Johnson; Kerwin Powell; John McCowen, 2nd District County Supervisor; Phil Baldwin; John McCowen, 2nd District County Supervisor; Sarah Bodnar, Campaign Manager for Measure AF; Mike Sweeney, No on Measure AF Committee; Tim Blake; and Phil Baldwin.

Motion/Second: Brown/Crane to support a No on Measure AF position, per Council discussion. Motion **carried** by the following roll call votes: AYES: Crane, Doble, and Brown. NOES: Scalmanini. ABSENT: Mulheren. ABSTAIN: None.

RECESS: 8:46 – 8:58 P.M.

b. Approve Plans and Specifications for North State Street Intersection - Low Gap Road / Brush Street Storm Drain and Signalization Improvements, Specification No. 16-06 and Direct Staff to Advertise for Bids.

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

Motion/Second: Crane/Doble to approve plans and specifications for the North State Street Intersection - Low Gap Road / Brush Street, Storm Drain and Signalization Improvements, Specification No. 16-06 and direct staff to advertise for bids. Motion **carried** by the following roll call votes: AYES: Crane, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Mulheren. ABSTAIN: None.

13. NEW BUSINESS

a. Approval of Contract with SHN Consulting Engineers and Geologists, Inc. for the Pressure Zone 2 South Reservoir Rehabilitation/Replacement Project in the Amount of \$84,472.

Presenters: Sean White, Water/Sewer Director and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Crane/Brown to approve contract (COU No. 1617-133) with SHN Consulting Engineers and Geologists, Inc. in the amount of \$84,472 for the Pressure Zone 2 South Reservoir Rehabilitation/Replacement Project. Motion **carried** by the following roll call votes: AYES: Crane, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Mulheren. ABSTAIN: None.

b. Consider Appointment of Ad Hoc Committee for Litigation Entitled, “County of Mendocino v. Solid Wastes Systems” – Case No. SCU-K-CVG-11-59459.

Presenters: Sage Sangiacomo, City Manager and David Rapport, City Attorney.

Nomination by Councilmember Doble to appoint the Mayor and Vice Mayor to the ad hoc.

Motion/Second: Crane/Brown to appoint Mayor Scalmanini and Vice Mayor Brown to a City Council ad hoc committee to work with the County’s ad hoc committee for litigation entitled, “County of Mendocino v. Solid Wastes Systems” – Case No. SCU-K-CVG-11-59459. Motion **carried** by the following roll call votes: AYES: Crane, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Mulheren. ABSTAIN: None.

c. Consideration and Possible Adoption of Resolution (2016-58) Establishing a Uniform Process of Minute Taking and Meeting Recordation for All City Boards and Commissions – City Clerk. From Consent Calendar Item 7a

Presenters: Kristine Lawler, City Clerk and Sage Sangiacomo, City Manager.

Council Consensus to bring back this item with modification to the resolution that the minutes will become Action Minutes when the digital recordings are concurrently being created and posted online.

d. Authorization for the City Manager to Accept Mitigation Funding from Pacific Gas & Electric for the Community Pipeline Safety Initiative, and Approve Corresponding Budget Amendment(s) – Administration. *From Consent Calendar Item 7c*

Presenters: Tami Bartolomei, Community Services Administrator and Sage Sangiacomo, City Manager.

Motion/Second: Brown/Doble to authorize the City Manager to accept mitigation funding from Pacific Gas & Electric for the community pipeline safety initiative, and approve corresponding budget amendment(s). Motion **carried** by the following roll call votes: AYES: Crane, Doble, Brown, and Scalmanini. NOES: None. ABSENT: Mulheren. ABSTAIN: None.

CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:35 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, Sonoma County Superior Court, Case No. SCV 256737*

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))

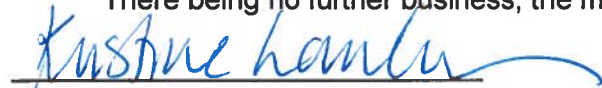
Name of case: *Ukiah Citizens for Safety First v. City of Ukiah, Mendocino County Superior Court, Case No. SCUKCVPT 14-63579*

e. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Cal. Gov't Code Section 54956.9(d)(2) Number of potential cases (1)

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:36 p.m.



Kristine Lawler, City Clerk