CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
February 4, 2015
6:00 p.m.

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1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on February 4, 2015, having been legally noticed on January 28, 2015. Mayor Crane called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Maureen Mulheren, Kevin Doble, Jim O. Brown, Vice Mayor Scalmanini and Mayor Crane. **Staff Present:** Jane Chambers, City Manager; David Rapport, City Attorney; and Cathy Elawadly, Deputy City Clerk.

2. **PLEDGE OF ALLEGIANCE**

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

   a. Acknowledgment of Gift of Artwork to the City of Ukiah from Colleen Henderson.

Presenters: Kerry Randall, City Conference Center Administrator and Tom Liden on behalf of Colleen Henderson.

4. **PETITIONS AND COMMUNICATIONS**

Mayor Crane acknowledged correspondence dated January 31, 2015 from Stephanie Hoppe to make certain Councilmembers were in receipt.

Mayor Crane paid tribute and led a moment of silence in remembrance of Paul Richie, retired City Airport Manager and City employee for more than 30 years.

5. **APPROVAL OF MINUTES**

   a. **Minutes of January 21, 2015, Regular Meeting.**

Motion/Second: Brown/Doble to approve the minutes of January 21, 2015, a Regular Meeting, as amended. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

   a. ~~Approve Final Resolution Ordering and Directing the Ukiah Department of Public Works to Abate the Public Nuisance Located at 272 North State Street (Palace Hotel) – *Administration.*~~ *Pulled by Councilmember Brown for separate consideration/discussion.*

   b. Adoption of Resolution *(2015-06)* Removing the Existing No Parking Zone on the North Side of West Church Between Hope Street and Barnes Street and Removing On-Street Parking on the South Side of West Church Between Spring Street and Thompson Street – *Public Works.*

   c. Authorize the City Manager to Negotiate and Execute a 48 Month Lease and Maintenance Agreement with Advance Xerographics (Local Xerox Agent) for the Replacement of Existing Multi-Function Copy Machines – *Community Services.*

d. ~~Approval of Purchase of John Deere 5075e Tractor for the Waste Water Treatment Plant in the Amount of $48,143.87 to Deere & Company – *Public Works.*~~ *Pulled by Mayer Crane for separate consideration/discussion.*

e. ~~Award Purchase of One New Vactor Truck with 10 Cubic Yard Capacity, and a Single Engine Dual Stage Fan Unit with 1000 Gallons Of Water, Mounted on a 2016 Freightliner 114SD 4x2 with a Cummins ISL 370 HP Engine to Owen Equipment for the Water Sewer Department in the Total Amount of $404,626.46 and Approve Budget Transfer and Amendment – *Public Works.*~~ *Pulled by Councilmember Doble for separate consideration/discussion.*

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

9. COUNCIL REPORTS

Presenters: Councilmember Doble and Janet Pauli, Mendocino County Inland Water Power Commission

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, Assistant City Manager; Mel Grandi, Electric Utility Director; Tim Eriksen, Public Works Director.

11. PUBLIC HEARINGS

12. UNFINISHED BUSINESS

13. NEW BUSINESS

a. Award of Contract for Perkins Street Underground District #2, Specification No. 14-15 to Coastside Concrete in the Amount of $619,220.00 – *Electric Utility.*

Presenter: Mel Grandi, Electric Utility Director.

Public Comment: Peter Good.

Motion/Second: Doble/Brown to award contract *(COU No. 1415-160)* for Perkins Street Underground District #2, Specification No. 14-15 to Coastside Concrete in the Amount of $619,220.00. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Consider Approval of Resolution(s) Authorizing the Successor Agency to the Former Redevelopment Agency of the City of Ukiah and the City of Ukiah to Re-enter into a Funding Agreement for Public Infrastructure Improvements for the Redwood Business Park, Dated March 8, 2011 as Authorized by the Oversight Board in Resolution Number 2012-08 – *Administration.*

Presenter: Sage Sangiacomo, Assistant City Manager and David Rapport, City Attorney.

Public Comment: None.

Motion/Second: Scalmanini/Mulheren to approve corresponding Resolution *(2015-08)* as revised in attachment 2 for the City of Ukiah, approving the Execution of the First Amended Funding Agreement *(COU No. 030211-A1)* for Public Infrastructure Improvements for the Redwood Business Park, as Approved and Authorized by the Oversight Board for the Successor Agency in Resolution No. 2012-08. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

c. **Update on Fines at the Waste Water Treatment Plant in Connection with Administrative Civil Liability Complaint No. 2014-0058 as Issued by the California Regional Water Quality Control Board** – *Public Works.*

Presenter: Tim Eriksen, Public Works Director.

Public Comment: None.

City Council discussed and received the update/report.

d. **Receive Technical Memo for the Basis of Design for Well #4 and Approve Budget Amendment for Final Design** – *Public Works.*

Presenter: Tim Eriksen, Public Works Director and Matt Kennedy, GHD Inc.

Public Comment: Mark Hilliker.

Motion/Second: Brown/Scalmanini to approve budget amendment *(COU No. 1314-200-A1)*. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

Consent Calendar Item 7A

Presenter: David Rapport, City Attorney.

Public Comment: Pinky Kushner, Peter Good, Phil Baldwin.

Motion by Councilmember Doble and seconded by Councilmember Brown to approve agenda item 7A based upon the aforementioned discussion with language changes to the Resolution/Compliance Schedule.

Consensus of the City Council made the following modifications to the language in the proposed Resolution:

1. Change the word "domotion' to Demolition mid-way through the paragraph on page 2 of the Resolution.
2. Modify language in item 3 of the Compliance Schedule to read, "Obtain approval by City Engineer of a written structural assessment of hotel by California licensed structural or civil engineer for conditions creating significant threat to structural integrity of building, including any conditions requiring immediate repair and a schedule for completing those immediate repairs."
3. Modify language in item 4 of the Compliance Schedule to read, "Complete any repairs designated in the schedule in the report."
4. Add "and MCAQMD" (Mendocino County Air Quality Management District) to the top milestone column box (item number 7) on page 2 of Exhibit B to the Resolution.

Upon further discussion and consideration the motion was amended as follows:

Motion/Second: Doble/Brown to approve the final wording in the Resolution *(2015-07 – Superseding resolution 2015-05)* and Exhibit B *(Compliance Schedule)* attached hereto as Attachment 1 with the above stated modifications. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

Consent Calendar Item 7D

Presenters: Tim Eriksen, Director of Public Works and Dave Kirch, Lead Equipment Mechanic.

Public Comment: None.

There was further Council discussion/questions regarding this agenda item.

Consent Calendar Item 7E

Presenter: Tim Eriksen, Director of Public Works.

Public Comment: None.

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

RECESS: 8:42 P.M.

CITY COUNCIL ADJOURNED TO SUCCESSOR AGENCY TO THE UKIAH REDEVELOPMENT AGENCY at 8:52 P.M., FOLLOWED BY CLOSED SESSION AT 9:12 P.M.

14. CLOSED SESSION - Continued

a. **Public Employee Performance Evaluation**
Government Code (§ 5495)
Title: City Manager

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**
(Government Code Section 54956.9(d)(1))
Name of case: *County of Mendocino v. Solid Waste Systems, Inc.*, Mendocino County Superior Court Case No. SC-UK-CVG-1159459

d. **Conference with Real Property Negotiators (§54956.8)**
Property: APN 180-070-19
Negotiator: Jane Chambers, City Manager
Negotiating Parties: City of Ukiah and RCMC, LLC
Under Negotiation: Price & Terms

City Council took the following action on Closed Session agenda item 14d:

Motion/Second: Doble/Scalmanini to affirm the satisfactory environmental clearance for the purchase of 2.8 acres with a 15,800 sq. ft. building located at 1350 Hastings Road, Ukiah, CA for the Electric Utility Department. Motion carried by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:30 p.m.

Cathy Elawadly

Cathy Elawadly, Deputy City Clerk