

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
July 15, 2015
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on July 15, 2015, having been legally noticed on July 10, 2015. Mayor Crane called the meeting to order at 6:01 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:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR CRANE PRESIDING.

2. **PLEDGE OF ALLEGIANCE**

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

b. Presentation: Wreaths Across America.

Presenters: Kyle Rogers, Kasey Rogers, and Nathan Hayes representing 4H and Wreaths Across America.

a. Proclamation: Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Week in the City of Ukiah.

Presenters: Councilmember Mulheren.

Public Comment: Katherine Fengler and Delynne Rogers.

c. Presentation: Mendocino Community Health Clinic.

Presentation was not received due to presenter not being present.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

- a. Minutes of June 30, 2015, a Special Meeting.
- b. Minutes of July 1, 2015, a Regular Meeting.

Motion/Second: Doble/Mulheren to approve the minutes of June 30, 2015, a Special Meeting, and July 1, 2015, a Regular Meeting, as submitted. 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. Report of Disbursements for the Month of June, 2015 – *Finance*.

- b. Authorize the Mayor to Sign Letters of Support for California Senate Bill 508 Regarding Transportation Funds for Transit Operators – *Administration*.
- c. Authorize City Manager to Negotiate and Execute Agreements (*COU No. 1516-006, COU No. 1516-007, and COU No. 1516-008*) Associated with Tenant Relocation at the 1350 Hastings Road Property And Approve Corresponding Budget Authorization for Fiscal Year 15/16 – *Electric Utility*.
- d. Report of Acquisition of Professional Services from Alpha Analytical Laboratories, Inc. (*COU No. 1314-243*) for Quarterly Water Sampling and Completion of Chemical Examination Reports for the Ukiah Landfill – *Public Works*.

Motion/Second: Doble/Brown to approve Consent Calendar Items 7a-d, 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**

Presenter: Phil Baldwin and James Green.

9. **COUNCIL REPORTS**

Presenters: Councilmembers Mulheren, Brown, and Doble.

10. **CITY MANAGER/CITY CLERK REPORTS**

Presenters: Sage Sangiacomo, City Manager and Jarod Thiele, Project Analyst.

Council Consensus would like the ad hoc (Rate Studies for Electric, Water, Sewer) to review the preliminary design report for the recycled water when it is 30 percent complete, and for the ad hoc to determine at that time whether to bring the report to council for review.

11. **PUBLIC HEARINGS**

12. **UNFINISHED BUSINESS**

- a. **Adoption of Resolution Approving the Addendum to the Recycled Water Project Initial Study/Mitigated Negative Declaration – *Public Works*.**

Presenters: Jarod Thiele, Public Works Project Analyst and Steve Brown, SMB Environmental.

Motion/Second: Doble/Scalmanini to adopt the resolution (2015-26) approving the addendum to the Recycled Water Project Mitigated Negative Declaration (MND). Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

- b. **Approve Plans and Specifications for Grace Hudson Museum Grant Projects; Museum Building Improvements Spec No. 15-08, and Parking and Storm Water Improvements Spec No. 15-09 – *Community Services*.**

Presenter: Katie Marsolan, Project Analyst.

Motion/Second: Mulheren/Doble to approve plans and specifications for Spec No. 15-08 Grace Hudson Museum Building Improvements, and approve plans and specifications for Spec No. 15-09 Grace Hudson Parking and Storm Water Improvements. Motion **carried** by the following roll call

votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

- c. Approval of Amendments to Professional Services Agreements with GHD, Inc. in an Amount not to Exceed \$8,318 for Construction Management and Inspection Services, and in an Amount not to Exceed \$24,967 for Re-Design of Construction Documents, for the Northwestern Pacific Rail Trail Project Phase 1, Specification No. 14-01, and Approval of Corresponding Budget Authorization for FY 15/16 – Public Works.**

Presenter: Rick Seanor, Deputy Director of Public Works.

Motion/Second: Crane/Mulheren to continue this item to the August 5, 2015, meeting to give staff and the City Attorney time to review the costs, additional scope, and legal ramifications. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, and Crane. NOES: Doble and Scalmanini. ABSENT: None. ABSTAIN: None.

- d. Authorize the Director of Public Works/City Engineer to Execute Change Order No. 2 in the Amount not to Exceed \$130,000 for Construction of the Northwestern Pacific Rail Trail Project, Phase 1, Specification No. 14-01 and Approval of Corresponding Budget Authorization for FY 15/16. – Public Works.**

Presenter: Rick Seanor, Deputy Director of Public Works.

Motion/Second: Doble/Brown to authorize the Director of Public Works/City Engineer to execute Change Order No. 2 (COU No. 1415-108-A2) in the amount not to exceed \$130,000 for the Northwestern Pacific Rail Trail Project Phase 1, and approve corresponding budget authorization for FY 15/16. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 7:50 – 8:00 P.M.

13. **NEW BUSINESS**

- a. Consideration of Request to Utilize Eight Public Parking Spaces for a Tesla Motors Electric Vehicle Supercharging Station – Community Services.**

Presenters: Shannon Riley, Program and Grant Administrator and Mel Grandi, Electric Utility Director.

Public Comment: Cameron Waldman, Tesla Super Charger Team Regional Project Manager; Janet Lauren, Mendocino Council of Governments.

Council Consensus directs staff to explore: alternative sites, use of the space to serve universal charging stations, documentation of user trips, and economic analysis and then bring back to Council.

- i. Discuss and Provide Direction Regarding the Request from Redwood Valley County Water District to Forgo a Portion of the City of Ukiah's Contractual Right of Water with the Russian River Flood Control District to Provide Drought Assistance, and if Appropriate Authorize the City Manager to Negotiate and Execute Corresponding Agreements – Public Works.**

Presenter: Jarod Thiele, Public Works Project Analyst.

Public Comment: Bill Koehler, Redwood Valley Water District General Manager.

Motion/Second: Brown/Mulheren to authorize the City Manager to negotiate and execute an agreement (*COU No. 1516-009*) to forgo a portion of the City of Ukiah's contractual right of water with the Russian River Flood Control District to provide drought assistance. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

c. Discuss and Consider Allowing the City's Fire Ad-Hoc Committee to Self-Determine Noticing and Outreach as Necessary for the Development of Work Product. – Administration.

Presenters: Sage Sangiacomo, City Manager and John Bartlett, Fire Chief.

Motion/Second: Mulheren/Brown to authorize the City's Fire Ad-hoc Committee to self-determine noticing and outreach as necessary for the development of work product. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, and Brown. NOES: Scalmanini and Crane. ABSENT: None. ABSTAIN: None.

b. Adoption of Resolution Reappointing Eric Crane to the Airport Commission – City Clerk.

Presenter: Kristine Lawler, City Clerk.

Vice Mayor Scalmanini nominated Eric Crane to the Airport Commission.

Motion/Second: Scalmanini/Doble to approve the nomination and adopt the Resolution (*2015-27*) reappointing Eric Crane to the Airport Commission as a City Representative. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

d. Discussion and Direction Regarding the Possible Disposition of Two City-Owned Parcels at 345 North Main Street and 215 Norton Street – Community Services.

Presenter: Shannon Riley, Program and Grant Administrator.

Motion/Second: Brown/Doble to authorize staff to market and seek proposals from market-rate developers for the lease or sale of the City-owned properties at 345 North Main Street and 215 Norton Street. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

e. Discussion and Recommended Introduction By Title Only of an Ordinance Amending, Section 1001 in Division 1, Chapter 4, Article 1 of the Ukiah City Code to Reduce the Parks, Recreation and Golf Commission (PRGC) from Seven Members to Five Members and to Make Them All At-Large Members – Community Services.

Presenters: Maya Simerson, Community Services Supervisor and Martin Bradley, Community Services Assistant.

Motion/Second: Mulheren/Doble to introduce the ordinance by title only. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Crane. NOES: Scalmanini. ABSENT: None. ABSTAIN: None.

City Clerk, Kristine Lawler, read the title of the Ordinance.

Motion/Second: Doble/Brown to introduce the ordinance amending section 1001 in Division 1, Chapter 4, Article 1 of the Ukiah City Code to reduce the Parks, Recreation and Golf Commission from seven members to five At-Large members. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, and Crane. NOES: Scalmanini. ABSENT: None. ABSTAIN: None.

f. Award Contract for Slurry Seal of Local Streets and Airport Parking, Specification No. 15-07 and Approve Corresponding Budget Authorization for FY 15/16 – Public Works.

Presenter: Rick Seanor, Deputy Director of Public Works.

Motion/Second: Doble/Brown to award contract (COU No. 1516-010 to Sierra Nevada Construction, Inc.) for Slurry Seal of Local Streets and Airport Parking, Specification No. 15-07 to the lowest responsive, responsible bidder based on bids submitted on July 14, 2015 and approve corresponding budget authorization for FY 15/16. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

g. Discussion and Consideration of Electrical Billing Over/Under Charges – Electric Utility.

Presenter: Mel Grandi, Electric Utility Director.

Council Consensus directs staff to render a bill, based on the corrected information, not exceeding three (3) months, unless the cause is determined to be by the customer.

h. Nomination and Possible Adoption of Resolution Appointing Linda Sanders to the Planning Commission to Fill the Remaining Term of Judy Pruden – City Clerk

Presenter: Kristine Lawler, City Clerk and Vice Mayor Scalmanini.

Vice Mayor Scalmanini nominated Linda Sanders to fill the remaining term of Judy Pruden to the Planning Commission.

Motion/Second: Scalmanini/Brown to nominate Linda Sanders to the Planning Commission filling the remaining term of Judy Pruden. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

Motion/Second: Doble/Brown to adopt the resolution (2015-28) appointing Linda Sanders to the Planning Commission filling the remaining term of Judy Pruden. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

14. CLOSED SESSION

a. Conference with Legal Counsel – Pending Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (1 case)

b. 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)

c. 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

d. **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

No action was taken on Closed Session items.

15. **ADJOURNMENT**

There being no further business, the meeting adjourned at 11:27 p.m.

A handwritten signature in cursive script, reading "Kristine Lawler", is written over a horizontal line.

Kristine Lawler, City Clerk