

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
August 5, 2015
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on August 5, 2015, having been legally noticed on July 30, 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**

a. **Presentation: Observatory Park.**

Presenter: Martin Bradley, Community Services Assistant.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Minutes of July 15, 2015, a Regular Meeting.

Motion/Second: Mulheren/Doble to approve the minutes of July 15, 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. Adoption 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*.

ORDINANCE NO. 1159

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING SECTION 1001 IN DIVISION 1, CHAPTER 4, ARTICLE 1 OF THE UKIAH CITY CODE ENTITLED, "PARKS, RECREATION, AND GOLF COMMISSION"

- b. ~~Authorize the City Manager to Execute an On-Call Services Contract for Park Planning, Design and Operation Consultant Services with Gates + Associates – Community Services. Pulled by Councilmember Mulheren and placed as Agenda Item 13f.~~

- c. Award of Contract (COU No. 1516-090) to West Yost Associates for Preparation of the 2015

Urban Water Management Plan in the Amount of \$63,202 and Authorize Corresponding Budget Authorization for Fiscal Year 2015-2016 – *Public Works*.

Motion/Second: Brown/Doble to approve Consent Calendar Items 7a and c, 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.

9. **COUNCIL REPORTS**

Presenter: Councilmember Doble.

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

Presenters: Sage Sangiacomo, City Manager; David Rapport, City Attorney; Tim Eriksen, Public Works Director; Charley Stump, Planning and Community Development Director; and David Willoughby, Building Official.

Public Comment: Phil Baldwin.

11. **PUBLIC HEARINGS**

a. Consider Approving an Application to Demolish (Remove Over 50% of Exterior Siding Material) a Structure Over 50 Years Old Located at 204 South Bush Street.

Presenters: Charley Stump, Planning and Community Development Director and David Willoughby, Building Official.

OPEN PUBLIC HEARING 7:00 P.M.

No public comment was received.

CLOSED PUBLIC HEARING 7:01 P.M.

Motion/Second: Scalmanini/Brown to find that the structure, located at 204 South Bush Street, does not meet the City Code criteria for historic or architectural significance; and to approve the Demolition Permit. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

12. **UNFINISHED BUSINESS**

a. 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: Tim Eriksen, Public Works Director.

Motion/Second: Brown/Doble to continue this item to the next City Council meeting scheduled for August 19, 2015. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

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

Presenter: Shannon Riley, Program and Grant Administrator.

Staff Comment: Mel Grandi, Electric Utility Director.

Public Comment: Chris Watt and Mark Hilliker.

Motion by Councilmember Brown to take the negotiation with Tesla off the table.

Motion dies for lack of a second.

Motion/Second: Scalmanini/Doble to agree to the stated location. Motion **carried** by the following roll call votes: AYES: Doble, Scalmanini, and Crane. NOES: Mulheren and Brown. ABSENT: None. ABSTAIN: None.

Motion/Second: Scalmanini/Doble to agree to a contract which allows for the construction of eight (8) super charging stations; two (2) of which would be exclusive to Tesla and six (6) would include a 2-hour parking limit with a trigger point - 8:00 – 5:00, Monday through Friday - to increase the two (2) exclusive stations by two (2) additional exclusive stations at a time, with a maximum of eight (8) stations; requesting Tesla to provide four (4) universal stations to the City; and authorize the City Manager to negotiate and execute the agreement. Motion **carried** by the following roll call votes: AYES: Doble, Scalmanini, and Crane. NOES: Mulheren and Brown. ABSENT: None. ABSTAIN: None.

c. Update on Progress to Include Food Waste in the Green Waste Stream – Public Works.

Presenter: Tim Eriksen, Public Works Director.

Public Comment: Phil Baldwin.

Report was received.

RECESS: 8:56 – 9:07 P.M.

13. NEW BUSINESS

a. Consider Adopting a Resolution Approving the Doolin Creek Restoration and Enhancement Plan – Planning and Community Development.

Presenter: Charley Stump, Planning and Community Development Director.

Public Comment: Linda Sanders (speaking as a private citizen), Chris Watt, Paths, Open Space and Creeks Commission (POSCC) Chair.

Motion/Second: Doble/Brown to adopt the Resolution (2015-29) approving the Doolin Creek Restoration and Enhancement Plan. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Adoption of Resolution Appointing Megan Elliott Parker to the Paths, Open Space and Creeks Commission – City Clerk.

Presenter: Kristine Lawler, City Clerk.

Nomination by Vice Mayor Scalmanini to appoint Megan Elliott Parker to the Paths, Open Space and Creeks Commission.

Motion/Second: Doble/Mulheren to adopt the Resolution (2015-30) approving the nomination and appointing Megan Elliott Parker to the Paths, Open Space and Creeks Commission as a City Sphere of Influence resident representative. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

c. Approve Plans and Specifications for the North State Street Sewer Main Improvement Project, Specification No. 14-04 and Direct Staff to Advertise for Bids. – Public Works.

Presenter: Tim Eriksen, Public Works Director.

Motion/Second: Scalmanini/Brown to approve plans and specifications for the North State Sewer Main Improvement Project, Specification No. 14-04, with modifications as discussed, and direct staff to advertise for bids. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

d. Consideration of Draft Development Fee Deferral Program and Direction Regarding Implementation – Administration.

Presenter: Shannon Riley, Program and Grant Administrator.

Motion/Second: Scalmanini/Brown to direct Staff to finalize and implement the Development Fee Deferral Program as presented. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

e. Discussion and Consideration of a Request to Support Senate Bill SB-350, Clean Energy and Pollution Reduction Act of 2015 – Electric Utility.

Presenter: Mel Grandi, Electric Utility Director.

Motion/Second: Brown/Doble to authorize the Mayor to sign a letter of support for Senate Bill SB-350, Clean Energy and Pollution Reduction Act of 2015, with modifications as discussed. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

f. Authorize the City Manager to Execute an On-Call Services Contract for Park Planning, Design and Operation Consultant Services with Gates + Associates – Community Services – From Consent Calendar Item 7b.

Presenter: Maya Simmerson, Community Services Director.

Motion/Second: Mulheren/Doble to authorize the City Manager to execute a five-year on-call contract (COU No. 1516-091) with the option to renew for an additional term of up to five years, subject to mutually agreeable pricing modifications and service performance, with Gates + Associates for Park Planning, Design, and Operation Consultant Services. Motion **carried** by the following roll call votes: AYES: Mulheren, Doble, Brown, Scalmanini, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY CONCIL ADJOURNED TO CLOSED SESSION AT 10:03 P.M.

a. **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)

b. **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

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 10:38 p.m.



Kristine Lawler, City Clerk