

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
September 16, 2020
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on September 16, 2020, having been legally noticed on September 11, 2020. Mayor Crane called the meeting to order at 6:01 p.m. Roll was taken with the following **Councilmembers Present:** Maureen Mulheren, Jim O. Brown, Stephen G. Scalmanini, Juan V. Orozco, and Douglas F. Crane. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR CRANE PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Attorney Rapport.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Presentation and Possible Direction Regarding the Mendocino County Continuum of Care's Strategic Plan for Addressing Homelessness in Mendocino County.

Presenters: Shannon Riley, Deputy City Manager and Daniel McIntire, RCHDC.

PowerPoint presentation was given.

Motion/Second: Brown/Orozco to endorse the Mendocino County Continuum of Care's Strategic plan. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the September 2, 2020, Regular Meeting.

Motion/Second: Mulheren/Brown to approve Minutes of September 2, 2020, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

a. Report of Disbursements for the Month of July 2020 – *Finance*.

b. ~~Possible Adoption of the Ordinance Amending Division 5, Chapter 2 of the City Code to Designate the Entity Authorized to Make Determinations on Livestock Permits – Community Development.~~ Pulled by Councilmember Scalmanini and placed as agenda item 13b.

- c. Adoption of Resolution (2020-52) Approving Destruction of Records – *City Clerk*.
- d. Determination of Notification of Intent to Adjust Curbside Collection and Transfer Station Service Rates in Compliance with Solid Waste Contracts – *Public Works*.
- e. Review Landfill Closure Financial Plan Update – *Public Works*.
- f. Award of Purchase for Rental of Street Sweeper from Owen Equipment, Inc. in the Amount of \$10,671 per Month and Approval of Corresponding Budget Amendment – *Public Works*.
- g. ~~Approve Amended Scope of Work in Pioneer Law Group Retainer Agreement – *City Attorney*.~~
Pulled by Councilmember Scalmanini and placed as agenda item 13c.

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

8. **AUDIENCE COMMENTS ON NON-AGENDA ITEMS**

Public Comment: Ruth Van Antwerp and Angel Schramer – Goats/City Codes; Pamela Jensen – Crosswalk at Dora & Luce Streets.

9. **COUNCIL REPORTS**

Presenter: Councilmember Mulheren.

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

Presenter: Sage Sangiacomo, City Manager.

- **Leaf Pickup** – *Tim Eriksen, Public Works Director / City Engineer.*
- **Construction Update** – *Tim Eriksen, Public Works Director / City Engineer.*
- **Fire Mitigation** – Sage Sangiacomo, City Manager
- **Correspondence Sent Regarding Advocacy Action on CDBG COVID Funding Block Grant** – *Craig Schlatter, Community Development Director.*

11. **PUBLIC HEARINGS (6:15 PM)**

- a. **Conduct a Public Hearing to Consider Adoption of a Resolution Authorizing Submittal of an Application in Response to the 2020 State Community Development Block Grant Program - Coronavirus Response Round 1 Notice of Funding Availability; and Approve Corresponding Budget Amendments if Awarded the Grant.**

Presenter: Craig Schlatter, Public Works Director.

PUBLIC HEARING OPENED AT 7:30 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 7:31 P.M.

Motion/Second: Scalmanini/Orozco to adopt the resolution (2020-53) with the discussed amendment authorizing the submittal of an application in response to the 2020 State Community Development Block Grant Program - Coronavirus Response Round 1 Notice of Funding Availability, and approve corresponding budget amendments if awarded the grant. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

12. UNFINISHED BUSINESS

- a. Receive Status Report and Consider Any Action or Direction Related to the Novel Coronavirus (COVID-19) Emergency Including Operational Preparedness and Response; Continuity of City Operations and Services; Community and Business Impacts; and Any Other Related Matters.**

Presenters: Tami Bartolomei, Office of Emergency Management Coordinator and Sage Sangiacomo, City Manager.

Report was received.

- b. Follow-up Review of Unfunded Accrued Liability Financing Strategy with CalPERS and Approval of Recommended Repayment Plan.**

Presenters: Dan Buffalo, Finance Director; Eric Scriven and Mike Meyer, NHA Advisors.

PowerPoint presentation was given.

Motion/Second: Brown/Mulheren to approve the final recommended unfunded accrued liability financing strategy and payment shape as presented by staff. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

- c. Approval of Contract Amendment with Carollo Engineers for the Design Efforts of the Recycled Water Phase 4 Project.**

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

Motion/Second: Mulheren/Scalmanini to approve contract amendment seven (COU No. 1314-231-A7) with Carollo Engineers for the design efforts of the Recycled Water Phase 4 Project. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

- c. Receive and File Fourth Quarterly Financial Report**

Presenter: Dan Buffalo, Finance Director

PowerPoint presentation was given.

Report was received.

13. NEW BUSINESS

- a. Receive Updates on City Council Committee and Ad Hoc Assignments and, if Necessary, Consider Modifications to Assignments and/or the Creation/Elimination of Ad hoc(s).**

No reports were presented.

- b. Possible Adoption of the Ordinance Amending Division 5, Chapter 2 of the City Code to Designate the Entity Authorized to Make Determinations on Livestock Permits – From Consent Calendar Agenda Item 7b**

Presenters: Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Darcy Vaughn, Assistant City Attorney.

Motion by Scalmanini for the City Council to tell the City Staff to apply the law as it is today - the goats are illegal.

Motion failed due to not being an agendized item.

Motion/Second: Brown/Mulheren to approve the adoption of the Ordinance Amending Division 5, Chapter 2 of the City Code to Designate the Entity Authorized to Make Determinations on Livestock Permits. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

ORDINANCE 1205

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING DIVISION 5, CHAPTER 2 OF THE CITY CODE TO DESIGNATE THE ENTITY AUTHORIZED TO MAKE DETERMINATIONS ON LIVESTOCK PERMITS.

c. Approve Amended Scope of Work in Pioneer Law Group Retainer Agreement – From Consent Calendar Agenda Item 7g.

Presenter: David Rapport, City Attorney.

Motion/Second: Brown/Mulheren to approve and authorize City Manager to sign Engagement Letter Amendment 1 (COU No. 1920-260-A1), with the Pioneer Law Group. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Orozco, and Crane. NOES: Scalmanini. ABSENT: None. ABSTAIN: None.

Two-councilmember and Subsequent Mayor Directive - Councilmember Scalmanini and Vice Mayor Orozco direct staff to agendize an item to apply law regarding goats.

14. CLOSED SESSION

a. "Conference with Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d)(2))

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)(Number of potential cases: 3)"

b. "Conference with Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d)(4))

Deciding whether to initiate litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (Potential Cases: 1)"

c. "Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9(d)(1))

Name of case: Vichy Springs Resort v. City of Ukiah, Et Al; Case No. SCU-K-CVPT-2018-70200"

d. "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. SCU-K- CVPT-15-66036"

e. "Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units"

f. **"Conference with Real Property Negotiators"**

(Cal. Gov't Code Section 54956.8)

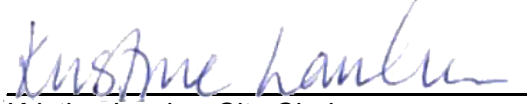
Property: APN Nos: 157-050-03, 157-060-02, 157-050-04, 157-050-03, 157-030-02, 157-050-01, 157-050-02, 157-050-10, 157-050-09, 157-070-01, 157-070-02, 003-190-01

Negotiator: Sage Sangiacomo, City Manager; Negotiating Parties: Dave Hull and Ric Piffero
Under Negotiation: Price & Terms of Payment"

No Closed Session was held.

15. **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:37 p.m.

A handwritten signature in blue ink, appearing to read "Kristine Lawler", is written over a horizontal line.

Kristine Lawler, City Clerk