

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting**

Virtual Meeting Link: <https://attendee.gotowebinar.com/rt/9199312935703156493>

Ukiah, CA 95482

April 7, 2021

6:00 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on April 7, 2021, having been legally noticed on April 2, 2021. The meeting was held virtually using the following link:

<https://attendee.gotowebinar.com/rt/9199312935703156493>. Mayor Orozco called the meeting to order at 6:03 p.m. Roll was taken with the following **Councilmembers Present:** Douglas F. Crane, Mari Rodin, Josefina Dueñas, Jim O. Brown, and Juan V. Orozco. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR OROZCO PRESIDING.

The Pledge of Allegiance was led by Mayor Orozco.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

b. Proclamation Recognizing April as Arts, Creativity, and Culture Month.

Presenter: Mayor Orozco.

Proclamation was received by Alyssum Weir, Arts Council of Mendocino County Executive Director.

a. Introduction of Melissa Eleftherion Carr, New Ukiah Poet Laureate.

Presenter: Mayor Orozco.

Roberta Werdinger, out-going Poet Laureate, introduced incoming Poet Laureate, Melissa Eleftherion Carr, both of whom read poems.

c. Proclamation Recognizing April 11th – 17th as National Public Safety Telecommunicators Week in the City of Ukiah.

Presenter: Mayor Orozco.

Proclamation was received by Tracey Porter, Communications/Records Supervisor.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the March 17, 2021, Special Meeting.

b. Approval of the Minutes for the March 17, 2021, Regular Meeting.

Motion/Second: Crane/Rodin to approve Minutes of March 17, 2021, special and regular meetings, with an administrative correction to the meeting time on the Special meeting. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Consideration of Adoption of Resolution (2021-11) Appointing Randal A. Beckler to the Airport Commission – *City Clerk*.
- b. Consideration and Possible Award of a Contract (COU No. 2021-184) with AP Triton LLC for Consulting Services for the Ukiah Valley Fire Authority's Pre-Hospital Emergency Medical Services, Including Possible Formation of a Joint Powers Agreement, and Approval of Corresponding Budget Amendment – *Fire*.
- c. Adoption of Ordinance Amending a Land Use Designation of the Airport Industrial Park Planned Development for LACO Associates, on behalf of Fowler Auto Center, at 1117 Commerce Drive; APN 180-070-03; File No. 20-5874 – *Community Development*.

ORDINANCE NO. 1213

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING THE AIRPORT INDUSTRIAL PARK PLANNED DEVELOPMENT

- d. Award Bid for Purchase of One Dodge Durango Pursuit in the Amount of \$60,478.68 from Elk Grove Auto Group – *Police*.
- e. Award Contract (COU No. 2021-185) to Coastal Mountain Electric for the Overhead to Underground Electric Cutover for the State Street Electric Underground Project in the Amount of \$39,992.00 – *Electric Utility*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Chris Phillips.

Councilmember Directive to direct staff to connect Vice Mayor Brown with Mr. Phillips.

9. COUNCIL REPORTS

Presenter: Councilmember Duenas.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; and:

- **Update of Drought and Water Conditions** – Sean White, Water Resources Director.
- **Update on Construction Projects** – Tim Eriksen, Public Works Director/City Engineer.

11. PUBLIC HEARINGS (6:15 PM)

- a. **Conduct a Public Hearing to Consider Adoption of a Resolution Approving the Submittal of One or More Applications in Response to the 2021 State Community Development Block Grant Program NOFA; and Approve Corresponding Budget Amendments if Awarded Funding for the Application(s).**

Presenter: Craig Schlatter, Community Development Director.

PUBLIC HEARING OPENED AT 7:01 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 7:02 P.M.

Motion/Second: Crane/Rodin to adopt resolution (2021-12) authorizing the submittal of one or more applications (COU No. 2021-186) in response to the 2021 State CDBG NOFA and authorizing the City Manager to execute all related documents; and approve the corresponding budget amendments if awarded funding for the application(s). Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. 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.

Presenter: Tami Bartolomei, Office of Emergency Services Coordinator.

Report was received.

b. Review of Applications Received, and Possible Adoption of Resolution Making Appointments to Fill Two Vacancies on the City of Ukiah Planning Commission.

Presenters: Kristine Lawler, City Clerk and Craig Schlatter, Community Development Director.

Applicant Statements: Alex de Grassi, Sarah Marshall, Douglas Johnson, and Michelle Johnson.

(Note from Clerk: In respect to the council discussion regarding the applicants, a distinction was drawn, using parliamentary procedure, between nominations that were being considered and nominations that were made. The record reflects only the latter)

Motion by Councilmember Rodin to nominate Alex de Grassi.

Motion fails for lack of a second

Motion by Mayor Orozco to nominate Sarah Marshall.

Motion fails for lack of a second

Motion by Councilmember Duenas to nominate Michelle Johnson and Alex de Grassi.

Motion fails for lack of a second

Public Comment: Veronica Perry.

Motion/Second: Brown/Crane to nominate Michelle Johnson. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

City Attorney Rapport stated that there was a conflict of interest for Councilmember Rodin in respect to Sarah Marshall due to Ms. Marshall being a tenet of Councilmember Rodin's; and recommended that she recuse herself from any decisions that affects Ms. Marshall.

Motion by Councilmember Rodin to nominate Alex de Grassi.

Motion fails for lack of a second

Motion/Second: Crane/Brown to nominate Douglas Johnson. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, and Brown. NOES: Duenas and Orozco. ABSENT: None. ABSTAIN: None.

RECESS: 8:04 – 8:12 P.M. for Staff to consult with the City Attorney in respect to the conflict of interest.

City Attorney Rapport stated that Councilmember Rodin did not use her official position to grant a foreseeable financial interest to benefit herself because she didn't move to nominate or vote to approve Sarah Marshall. Since Councilmember Rodin's votes were not an exercise of a conflict of interest, her votes count for both the nomination of Michelle Johnson and Douglas Johnson.

Motion/Second: Crane/Brown to adopt the resolution (2021-13) accepting the nominations and making the appointments of Michelle Johnson and Douglas Johnson to the Planning Commission, terms to expire on April 7, 2025. Motion **carried** by the following roll call votes: AYES: Crane, Duenas, and Brown. NOES: Rodin and Orozco. ABSENT: None. ABSTAIN: None.

Public Comment, continued: Veronica Perry.

c. Approval of Contract with Team Ghilotti, Inc. of Petaluma in the Amount of \$353,141.07 for the Construction of the Transportation Improvements for the Gobbi and Waugh Traffic Signal Project, Specification No. 20-11, and Approval of Corresponding Budget Amendment.

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

Motion/Second: Brown/Crane to approve contract (COU No. 2021-187) with Team Ghilotti, Inc. of Petaluma in the amount of \$353,141.07 for the construction of the Transportation Improvements for the Gobbi and Waugh Traffic Signal Project, Specification No. 20-11; and approval of a corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

d. Update on Emergency Repair of the Yosemite Drive Water Main and Determine that Emergency Conditions Continue to Require the Emergency Repair.

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

Motion/Second: Crane/Brown to determine that emergency conditions continue to require the repair of the Yosemite Drive Water Main without competitive bidding. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

e. Discuss and Consider Approval of Resolution Confirming an Emergency Order of the City Manager of the City of Ukiah in His Capacity as the Director of Emergency Services extending the operation period of the Inland Winter Homeless Shelter located at 1045 South State Street in Ukiah through April 30, 2022.

Presenter: Sage Sangiacomo, City Manager.

Public Comment: Maureen Mulheren, Mendocino County 2nd District Supervisor.

Motion/Second: Crane/Rodin to approve Resolution (2021-14) confirming Emergency Order of the City Manager of the City of Ukiah, in his capacity as the Director of Emergency Services for the City, extending the operation period of the Inland Winter Homeless Shelter located at 1045 South State Street in Ukiah through April 30, 2022. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Consideration and Possible Adoption of Resolution Adopting the City of Ukiah Housing Rehabilitation Program Guidelines, to Possibly be Funded by the State Community Development Block Grant Program.

Presenter: Craig Schlatter, Community Development Director.

Motion/Second: Brown/Crane to adopt resolution (2021-15) adopting the City of Ukiah Housing Rehabilitation Program Guidelines with modification as presented by Director Schlatter*. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

*Modification as presented by Director Schlatter: On page 329 of the April 7, 2021, Council packet, the sentence reading: *To the extent that an amortized loan payment will not cause housing costs to exceed 49% of gross monthly income* should become: *To the extent that an amortized loan payment will not cause housing costs plus other monthly debt payments to exceed 49% of gross monthly income.*

b. Consideration and Possible Authorization for the Purchase and Services of an Automated License Plate Reader System to Vigilant Solutions in the Amount of \$42,610.20 Plus Tax Over Five Years, and Authorizing the City Manager to Execute a Five-Year Professional Services Agreement with Vigilant Solutions for Related Services.

Presenters: Traci Boyl, City Manager's Office Management Analyst and Noble Waidelich, Captain Ukiah Police Department.

Motion/Second: Crane/Rodin to award contract (COU No. 2021-188) for the purchase and services of an Automated License Plate Reader System to Vigilant Solutions in the amount not-to-exceed \$42,610.20 over five years, and authorizing the City Manager to execute a five-year Professional Services Agreement with Vigilant Solutions for related services. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

c. Adopt Resolution Approving Revised City of Ukiah Electric Utility Renewable Energy Resources Procurement Plan and Enforcement Program.

Presenter: Mel Grandi, Electric Utility Director.

Motion/Second: Crane/Brown to adopt resolution (2021-16) approving the Revised City of Ukiah Electric Utility Renewable Energy Resources Procurement Plan (RPS) and Enforcement Program. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

d. Adopt Resolution Approving the 2025 Base Resource Contract with Western Area Power Administration and Authorize City Manager to Execute the Contract on the City's Behalf.

Presenter: Mel Grandi, Electric Utility Director.

Motion/Second: Crane/Rodin to adopt Resolution (2021-17) approving the 2025 Base Resource Contract (COU No. 2021-191) with Western Area Power Administration, and authorize City Manager to execute the contract on the City's behalf. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

e. 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).

Presenters: City Manager Sangiacomo and Councilmember Rodin.

Councilmember Directive to meet with staff regarding annexation issues before the next LAFCo meeting.

Motion/Second: Rodin/Duenas to appoint Councilmember Crane and Vice Mayor Brown to serve on an ad hoc to meet with the Upper Russian River Water Agency (URRWA). Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

Council Consensus to leave agenda order as is.

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. SCUk-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. SCUk- 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

Direction was given to staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:26 p.m.



Kristine Lawler, City Clerk