

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

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

**Ukiah, CA 95482
June 2, 2021
6:00 p.m.**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on June 2, 2021, having been legally noticed on May 27, 2021. The meeting was held virtually at the following link:

<https://attendee.gotowebinar.com/rt/9199312935703156493>

Mayor Orozco called the meeting to order at 6:05 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

a. Proclamation: Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, and Two-Spirit (LGBTQIA2) Pride Month in the City of Ukiah.

Presenter: Mayor Orozco.

Proclamation was received by Jennifer Sookne, Mendocino Pride Alliance Vice Chair.

b. Presentation of the PFM Group on an Update to the City Council on the City's Investment Portfolio, a Discussion of Sustainable Investing, and Recommended Changes to the City's Investment Policy.

Presenters: Dan Buffalo, Finance Director and Allison Kaune, PFM Asset Management.

Motion/Second: Brown/Rodin to accept the presentation and approve recommended revisions to City's investment policy. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

Council Consensus for the Investment Oversight Committee to research and review the process and next steps for adopting sustainable investment strategies, and bring back recommendations to Council.

4. PETITIONS AND COMMUNICATIONS

The City Clerk reported that all communications had been distributed.

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the May 19, 2021, Regular Meeting.

Motion/Second: Brown/Crane to approve the Minutes of May 19, 2021, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, and Orozco. NOES: None. ABSENT: None. ABSTAIN: Brown.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Authorize the City Manager to Execute an Agreement (*COU No. 2021-213*) with Governmentjobs.com, Inc. (dba "NEOGOV") for a Cloud-Based Recruiting Module in the Amount of \$39,908 for Three Years, and Approve Corresponding Budget Amendment – *Human Resources/Risk Management*.
- b. Report of Acquisition of Professional Services (*COU No. 2021-214*) from Alpha Analytical Laboratories, Inc. in the Amount of \$17,662.80 for Quarterly Water Sampling and Completion of Chemical Examination Reports for the Ukiah Landfill – *Public Works*.
- c. Consideration of Adoption of Resolution (*2021-22*) Appointing Elora Babbini to the Parks, Recreation, and Golf Commission (PRGC) – *City Clerk*.
- d. Approval of Notice of Completion for Yokayo Court Conduit Installation, Specification No. 20-14, and Approval for Final Payment of the 5% Retention to Wipf Construction, LLC – *Electric Utility*.
- e. Approve Change Order #3 to Contract 2021-176 (*COU No. 2021-176-CO3*) with Diamond D Construction to Complete Penstock Drain Replacement, and Authorize Corresponding Budget Amendment in an Amount to be Provided to the City Council Prior to the June 2, 2021, City Council Meeting – *Electric Utility*.
- f. Approval of Purchase of One New Caterpillar Model 304E2 Excavator to Peterson Cat of Willits, CA in the Amount of \$84,425.10 for the Water and Sewer Operations Division, and Approval of Corresponding Budget Amendment – *Water Resources*.

Staff Comment: Cindy Sauers, Assistant Electric Utility Director.

Motion/Second: Brown/Crane to approve Consent Calendar Items 7a-7f, 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

No public comments were given.

9. COUNCIL REPORTS

No reports were given.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- **Covid Status** – Sage Sangiacomo, City Manager
- **Update of Drought and Water Conditions** – Sean White, Water Resources Director.
- **Construction Update** – Tim Eriksen, Public Works Director/City Engineer.

11. PUBLIC HEARINGS (6:15 PM)

- a. **Conduct a Public Hearing to Discuss the City of Ukiah's 2020 Urban Water Management Plan, and Adopt Resolutions Approving the 2020 Urban Water Management Plan and Water Shortage Contingency Plan.**

Presenters: Sean White, Water Resources Director and Phillip West, West & Associates.

PUBLIC HEARING OPENED AT 7:41 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 7:41 P.M.

Motion/Second: Crane/Brown to adopt Resolutions (*UWMP: 2021-23 and WSCP: 2021-24*) approving the 2020 Urban Water Management Plan and Water Shortage Contingency Plan. 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. 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.

b. Award a Contract to Milsoft Utility Solutions, Inc. for the Replacement of the Utility Billing Customer Information System Software Program.

Presenters: Mary Horger, Financial Services Manager; Lori Martin, Billing & Customer Services Manager; John Beichman and Joel Westvold, Milsoft Utility Solutions, Inc.

Motion/Second: Brown/Rodin to award contract (*COU No. 2021-215*) to Milsoft Utility Solutions for the replacement of the Utility Billing's Customer Information System software program. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

c. Approve Contract Amendment with Excergy/E Source in the Amount of \$35,000 for the Utility Billing Customer Information System Project Management Services.

Presenter: Mary Horger, Financial Services Manager.

Motion/Second: Rodin/Brown to approve contract amendment (*COU No. 2021-089-A1*) with Excergy/E Source in the amount of \$35,000 for the Utility Billing Customer Information System Project Management Services. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

d. Continuation of Presentation of the Draft 2021-22 Fiscal Year City Budget and Draft Five-Year Capital Improvement Plan.

Presenter: Dan Buffalo, Finance Director.

City-wide Overview - Continued

Presenter: Dan Buffalo, Finance Director

RECESS: 8:29 – 8:37 P.M.

Capital Improvement Projects

Presenter: Mary Horger, Financial Services Manager

13. NEW BUSINESS

- a. Introduction of Ordinance by Title Only Amending Sections 3960 and 3962 in Article 2, Chapter 6, Division 4 of the Ukiah City Code, Governing Apportionment of Water and Sewer Fees to Tenants in Mobilehome Parks and Apartment Complexes.**

Presenters: Dan Buffalo, Finance Director and David Rapport, City Attorney.

Motion/Second: Rodin/Brown to introduce Ordinance by title only. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

City Clerk, Kristine Lawler, read the following title into the record:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING SECTIONS 3960 and 3962 IN ARTICLE 2, CHAPTER 6, DIVISION 4 OF THE UKIAH CITY CODE, GOVERNING APPORTIONMENT OF WATER AND SEWER FEES TO TENANTS IN MOBILEHOME PARKS AND APARTMENT COMPLEXES

Motion/Second: Rodin/Brown to introduce the Ordinance amending Sections 3960 and 3962 in Article 2, Chapter 6, Division 4 of the Ukiah City Code, governing apportionment of Water and Sewer Fees to Tenants in Mobilehome Parks and Apartment Complexes. Motion **carried** by the following roll call votes: AYES: Crane, Rodin, Duenas, Brown, and Orozco. NOES: None. ABSENT: None. ABSTAIN: None.

- b. 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 received.

COUNCIL ADJOURNED TO CLOSED SESSION AT 9:18 P.M.

14. CLOSED SESSION

- a. Conference with Legal Counsel – Anticipated Litigation**

(Government Code Section 54956.9(d)(2) & (4))

Significant exposure to litigation pursuant to paragraph (2) or (4) of subdivision (d) of Section 54956.9. Consideration of potential litigation arising from emergency drought declaration.

(Government Code Section 54956.9(e)(2)): (Number of potential cases: 1)

Recommended Action: Confer in Closed Session

- b. Conference with Legal Counsel – Anticipated Litigation**

(Government Code Section 54956.9(d)(2 & 3))

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)(Number of potential cases: 1)

- c. 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: 2)

d. Conference with Legal Counsel – Existing Litigation

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

Name of case: Gerardo Magdaleno, by and through his Guardian Ad Litem, Pedro Francisco Magdaleno v. City of Ukiah, Justin Wyatt (Fed. Dist. Ct. N.D. Cal.) 3:21-2609 VC.

e. 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

f. 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-20-74612

g. 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

h. 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

i. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APNs 184-090-07-00 and 184-100-04-00

Negotiator: Sean White, Water Resources Director and Sage Sangiacomo, City Manager;

Negotiating Parties: Noble Vineyard Management

Under Negotiation: Instruction to negotiator will concern price and terms of payment.

j. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

Direction was given to staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:43 p.m.



Kristine Lawler, City Clerk