

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
Virtual Meeting Link: <https://zoom.us/j/97199426600>
Ukiah, CA 95482
March 2, 2022
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on March 2, 2022, having been legally noticed on February 25, 2022. The meeting was held virtually at the following link: <https://zoom.us/j/97199426600>. Mayor Brown called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Douglas, F. Crane, Mari Rodin, Josefina Dueñas, and Jim O. Brown. **Staff Present:** Sage Sangiacomo, City Manager; Darcy Vaughn, Assistant City Attorney; and Kristine Lawler, City Clerk.

MAYOR BROWN PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Brown.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing March as Women's History Month.
Presenter: Councilmember Rodin.

Proclamation was issued.

4. PETITIONS AND COMMUNICATIONS

City Clerk, Kristine Lawler, stated that no communications had been received.

5. APPROVAL OF MINUTES

- a. Approval of the Minutes for the February 16, 2022, Special Meeting.**
- b. Approval of the Minutes for the February 16, 2022, Regular Meeting.**

Motion/Second: Rodin/Orozco to approve Minutes of February 16, 2022, special and regular meetings, as submitted. Motion **carried** by the following roll call votes: **AYES:** Orozco, Crane, Rodin, Dueñas, and Brown. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Approval of Contract Amendment (COU No. 2122-118-A1) with GHD Inc. for the Additional Support in Environmental Studies and Permitting for the Great Redwood Trail Phase 4 Project – Public Works.**
- b. Approval Notice of Completion for Ghilotti Construction Co. for the Downtown Streetscape Road Diet Project, Specification 19-18, and Direct the City Clerk to File the Notice of Completion with the County Recorder – Public Works.**

- c. Approval Notice of Completion for CV Larsen Co. for the Pressure Zone 2 South (PZ2S) Water Reservoir Replacement Project, Specification 20-02, and Direct the City Clerk to File the Notice of Completion with the County Recorder – *Public Works*.
- d. Approval Notice of Completion for Pavement Coatings Co., for the 2021 Slurry Seal of Local Streets, Specification 21-03, and Direct the City Clerk to File the Notice of Completion with the County Recorder – *Public Works*.
- e. Report of the Emergency Purchase (PO No. 47727) of New Traffic Signal Control System at the Intersection of North State and Empire Drive/Ford Road from DC Electric Group in the amount of \$30,395.00 – *Public Works*.
- f. Approve Contract Amendment (COU No. 1516-143-A5) with Ukiah Waste Solutions for Biosolids Removal at the Wastewater Treatment Plant – *Water Resources*.
- g. Approve a Budget Amendment to the Engineering Fund for the expenses related to Preliminary Engineering of the Local Roadway Safety Plan (LRSP) using (TBD) Funds – *Public Works*.
- h. Approve to Use Professional Service Contracts (Thomas Hise - COU No. 2122-197; David Jankovsky – COU No. 2122-198; OTMK Law – COU No. 2122-199) for the Grace Hudson Museum Roof Replacement Project on an As-Needed Basis – *Community Services*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comment was received.

9. COUNCIL REPORTS

Presenter: Mayor Brown

10. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; and

- **Hazard Mitigation Grant from FEMA** – Cindy Sauers, Electric Utility Director.
- **PZ1 Emergency Water Tank Repair Update** – Sean White, Water Resources Director.
- **Lease Revenue and Electric Financing Update** – Sage Sangiacomo, City Manager.

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

- a. **Consideration of the Following Actions Associated with the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project: 1) Authorize the City Manager to Negotiate and Execute the Easement and Road Maintenance Agreement; 2) Authorize the City Manager to Negotiate and Execute the Limited Development and Property Exchange Agreement; and 3) Approval of Corresponding Budget Amendments.**

Presenters: Maya Simerson, Project and Grant Administrator; Craig Schlatter, Community Development Director; Michelle Irace, Planning Manager; David Rapport, City Attorney.

Motion/Second: Crane/Rodin to approve the following actions; 1) Authorize the City Manager to Negotiate and Execute the Easement, Road Access and Maintenance Agreement ("Road Access Agreement" COU No. 2122-200); 2) Authorize the City Manager to Negotiate and Execute the Property Purchase-Sale / Exchange and Development Agreement and Joint Escrow Instructions

("Limited Development and Property Exchange Agreement" COU No. 2122-201); and 3) Approve Corresponding Budget Amendments, with the added condition for Mr. Hull to sign in writing to the comply with the conditions of approval. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

b. Possible Introduction by Title Only of the Organic Waste Disposal Reduction Ordinance.

Presenters: Tim Eriksen, Public Works Director/City Engineer and Darcy Vaughn, Assistant City Attorney.

Motion/Second: Crane/Rodin to introduce the ordinance by title only. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. 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 ADDING CHAPTER 4.1 TO DIVISION 5 OF THE UKIAH CITY CODE TO REGULATE AND ENFORCE REDUCTION OF ORGANIC WASTE DISPOSAL

Motion/Second: Crane/Orozco to introduce the Organic Waste Disposal Reduction Ordinance. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

c. Approval of Plans and Specifications for the Dora Street Utility Improvement Project, Specification No. 19-01, and Direct Staff to Advertise for Bids.

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

Staff Comment: Cindy Sauers, Electric Utility Director.

Motion/Second: Crane/Orozco to approve the Plans and Specifications for the Dora Street Utility Improvement Project, Specification No. 19-01, and direct Staff to advertise for bids. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

d. Approval of Plans and Specifications for the Dora Street Overlay Project, Specification No. 21-05, and Direct Staff to Advertise for Bids.

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

Motion/Second: Rodin/Crane to approve the Plans and Specifications for the Dora Street Overlay Project, Specification No. 21-05, and direct Staff to advertise for bids. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

e. Approval of Plans and Specifications for the State Street and Dora Street Rehabilitation Project, Specification No. 21-04, and Direct Staff to Advertise for Bids.

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

Public Comment: Lucy Bartholomew.

Motion/Second: Rodin/Crane to approve the Plans and Specifications for the South State Street and Dora Street Rehabilitation Project, Specification No. 21-04, and direct Staff to advertise for bid, and to apply for a grant, and/or coordinate with Blue Zones, to conduct a master planning process for State St. from city limit to city limit. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, Dueñas, and Brown. NOES: None. ABSENT: None. ABSTAIN: None.

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 received.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:06 P.M.

RECESS: 8:06 – 8:15 P.M.

14. CLOSED SESSION

- a. 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)

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

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

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (1 potential case, involving possible termination of construction contract for cause)

- 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**

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

Name of case: Vichy Springs Resort v. City of Ukiah, Et Al; Case No. SCU-K-CVPT-20-74612

- e. 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

- f. Conference with Legal Counsel – Existing Litigation**

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: Siderakis v. Ukiah, et al, Mendocino County Superior Court, Case No. 21CV00603

- g. 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.

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: 1850 Talmage Road, Ukiah, CA 95482

Negotiator: Sage Sangiacomo, City Manager, or his Designee

Negotiating Parties: City of Ukiah and Rogina Water Company

Under Negotiation: Price & Terms of Payment

j. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

No action reported; direction provided to staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:47 p.m.



Kristine Lawler, City Clerk/CMC

