

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
Virtual Meeting Link: <https://zoom.us/j/97199426600>
Ukiah, CA 95482
March 16, 2022
6:00 p.m.

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on March 16, 2022, having been legally noticed on March 11, 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, Mari Rodin, Josefina Dueñas, and Jim O. Brown. **Councilmembers Absent by Prearrangement:** Douglas, F. Crane. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR BROWN PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was conducted during the Special Meeting held at 4:00 p.m.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the March 2, 2022, Regular Meeting.

Motion/Second: Orozco/Rodin to approve Minutes of March 2, 2022, a regular meeting, as submitted. Motion **carried** by the following roll call votes: **AYES:** Orozco, Rodin, Dueñas, and Brown. **NOES:** None. **ABSENT:** Crane. **ABSTAIN:** None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Report of Disbursements for the Month of February 2022 – *Finance*.
- b. Adoption of Resolution (2022-15) of the City Council Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for City Council and Board and Commission Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic – *City Attorney's Office*.
- c. Authorize the City Manager to Negotiate and Enter into a Contract (COU No. 2122-208) with Ren Alexander Design for Consulting Services to Assist the Electric Utility Department with the Architectural Services and Plans for the Interior of the Electric Service Center for an Amount not to Exceed \$75,000 – *Electric Utility*.
- d. Approve the Purchase (PO No. 47783 – *Bendix King*; PO No. 47784 – *Motorola Pagers*) of Radio and Pagers in the Amount of \$225,276.40 through Leavitt Communications, Approve the Purchase (PO No. 47785 – *David Clark Headsets*) of Headsets in the Amount of \$10,760.53 through The Radio Guys, and Approve Corresponding Budget Amendments – *Fire*.

- e. Consideration of Adoption of Resolution (2022-16) to Remove Approximately 816 Lineal Feet of On-Street Parking on Hamilton Street, from the Intersection of Hospital Drive to the Intersection of Clara Avenue – *Public Works*.
- f. Award Purchase Order (PO No. 47794) to Replace Three (3) HVAC Units at the Waste Water Treatment Plant to Intercounty Mechanical & Electrical, Inc. of Ukiah for the Amount of \$41,926.38 – *Water Resources*.
- g. Possible Adoption of the Organic Waste Disposal Reduction Ordinance – *Public Works*.

ORDINANCE NO. 1221

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

- h. Award the Purchase (PO No. 47781) of One (1) New Altec Model AT37G Articulating Telescopic Aerial Device with an Insulated Boom to Altec Industries, Inc., for the Electric Utility Department in the Amount of \$220,703.95, and Approve Corresponding Budget Amendment – *Electric Utility*.
- i. Approve the Purchase (PO No. 47814) of SCADA Equipment and Services to JM Integration in the Amount of \$240,579.24, and SCADA Software Subscription to E&M Electric in the Amount of \$98,447.72 – *Water Resources*.
- j. Report of the Emergency Purchase (PO No. 47705) for the Diagnosis and Repair of a Leak at a Pressure Zone 1 South Tank, and Approve Corresponding Budget Amendment in the Amount of \$329,932, Using Water Reserve Funds – *Water Resources*.
- k. Approve a Three-Year Contract (COU No. 2122-209) with Tyler Technologies for Vendor Cloud Hosting Services of the Enterprise Resource Planning (ERP) Financial Software Servers in the Amount of \$494,670, and Approve a Corresponding Budget Amendment – *Information Technology*.
- l. Approve the Purchase (PO No. 47796) of Three Cluster Servers, One Virtual Machine Management Server, One Compellent Storage Array and Two Dell Network Switches to [RE] DESIGN in the Amount of \$125,129; Additionally, Approve the Replacement (PO No. 47797) of the APC-Schneider Electric System Power Components to Schneider Electric IT Corporation in the Amount of \$39,363, for a Total Project Cost of \$164,492, and Approve Corresponding Budget Amendment – *Information Technology*.
- m. Consideration and Possible Approval of Purchase (PO No. 47777) of One (1) Remote Controlled 44" Rotary Mower from Owen Equipment in the Amount of \$43,661.33 with Tax, and Approval of Corresponding Budget Amendments – *Public Works*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comment was received.

9. COUNCIL REPORTS

Presenters: Councilmembers Orozco and Rodin.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- **PZ1 Emergency Water Tank Repair Update** – Sean White, Water Resources Director.
- **Update on Mask Policy and Hybrid Meetings** – Sage Sangiacomo, City Manager

Council Consensus to support a hybrid model meeting (*meaning meetings are held both virtually and in-person*).

11. PUBLIC HEARINGS (6:15 PM)

- a. Consideration of the Following Actions Related to the Upper City View Trail Project: 1) Approval of a Resolution to Adopt an Initial Study and Mitigated Negative Declaration; and 2) Approval of Construction of the Trail, and Authorization for the City Manager or His Designee to Negotiate a Start Date and Construction Schedule with the Ukiah Valley Trail Group.**

Presenters: Michelle Irace, Planning Manager; Neil Davis, Community Services Director; and Craig Schlatter, Community Development Director.

PUBLIC HEARING OPENED AT 6:41 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:43 P.M.

Motion/Second: Rodin/Orozco to approve the Resolution (2022-17) to adopt the Initial Study and Mitigated Negative Declaration for the Upper City View Trail Project, approve construction of the trail, and authorize the City Manager or designee to negotiate a start date and construction schedule with the Ukiah Valley Trail Group. Motion **carried** by the following roll call votes: AYES: Orozco, Rodin, Dueñas, and Brown. NOES: None. ABSENT: Crane. ABSTAIN: None.

- b. Conduct Protest Hearing about Residential Garbage Curbside Collection Rates.**

Presenter: Dan Buffalo, Finance Director.

Ukiah Waste Solutions Comment: Bruce McCracken.

PUBLIC HEARING OPENED AT 7:07 P.M.

Public Comment: Steve Scalmanini and Susan Sher.

PUBLIC HEARING CLOSED AT 7:20 P.M.

Motion/Second: Rodin/Orozco to conclude the protest hearing, to acknowledge that the threshold was not met to protest the proposed garbage rates, and to accept the new rates as proposed, which would go into effect on April 1, 2022. Motion **carried** by the following roll call votes: AYES: Orozco, Rodin, and Brown. NOES: Dueñas. ABSENT: Crane. 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. Possible Introduction, by Title Only, of the Ordinance Amending Article 8 of Chapter 2, Division 2 of the Ukiah City Code to Regulate Shopping Cart Containment, Retrieval, Impoundment, and Disposal.

Presenters: Jesse Davis, Planning Manager and Darcy Vaughn, Assistant City Attorney.

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

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING ARTICLE 8 OF CHAPTER 2, DIVISION 2 OF THE UKIAH CITY CODE TO REGULATE SHOPPING CART CONTAINMENT, RETRIEVAL, IMPOUNDMENT, AND DISPOSAL

Motion/Second: Rodin/Orozco to introduce the Ordinance Amending Article 8 of Chapter 2, Division 2 of the Ukiah City Code to Regulate Shopping Cart Containment, Retrieval, Impoundment, and Disposal. Motion **carried** by the following roll call votes: AYES: Orozco, Rodin, Dueñas, and Brown. NOES: None. ABSENT: Crane. ABSTAIN: None.

13. NEW BUSINESS

a. Authorize the City Manager to Execute the Ukiah Airport Runway Extension Study Agreement, to be Performed by Mead and Hunt for the Amount of \$36,500.

Presenter: Greg Owen, Airport Manager.

Motion/Second: Rodin/Orozco to authorize the City Manager to Execute the Ukiah Airport Runway Extension Study Agreement (COU No. 2122-210), to be performed by Mead and Hunt for the amount of \$36,500. Motion **carried** by the following roll call votes: AYES: Orozco, Rodin, Dueñas, and Brown. NOES: None. ABSENT: Crane. ABSTAIN: None.

b. Possible Introduction, by Title Only, of an Ordinance Adding Article 6 to Chapter 1, Division 3 of Ukiah City Code for the Adoption of the California Model Water Efficient Landscape Ordinance.

Presenters: Matt Keizer, Building Official and Darcy Vaughn, Assistant City Attorney.

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

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING ARTICLE 6 TO CHAPTER 1, DIVISION 3 TO ADOPT THE CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

Motion/Second: Rodin/Orozco to introduce the Ordinance adopting the California Model Water Efficient Landscape. Motion **carried** by the following roll call votes: AYES: Orozco, Rodin, Dueñas, and Brown. NOES: None. ABSENT: Crane. ABSTAIN: None.

c. Possible Introduction, by Title Only, of an Ordinance Adding Chapter 3 to Division 3 of Ukiah City Code Setting Forth Procedures for Expediting Permit Processing for Electric Vehicle Charging Systems.

Presenters: Matt Keizer, Building Official and Darcy Vaughn, Assistant City Attorney.

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

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH SETTING FORTH PROCEDURES FOR EXPEDITING PERMIT PROCESSING FOR ELECTRIC VEHICLE CHARGING SYSTEMS

Motion/Second: Rodin/Orozco to introduce the Ordinance setting forth procedures for expediting permit processing for electric vehicle charging systems. Motion **carried** by the following roll call votes: AYES: Orozco, Rodin, Dueñas, and Brown. NOES: None. ABSENT: Crane. ABSTAIN: None.

d. 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: Sage Sangiacomo, City Manager and Craig Schlatter, Community Development Director.

Motion/Second: Rodin/Orozco to disband the Housing Implementation Ad Hoc and Councilmembers Rodin and Orozco to serve on new Housing Policy Ad Hoc. Motion **carried** by the following roll call votes: AYES: Orozco, Rodin, Dueñas, and Brown. NOES: None. ABSENT: Crane. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:10 P.M.

RECESS: 8:10 – 8:25 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 – Anticipated 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. SCUK- 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 Labor Negotiator (54957.6)**
Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: All Bargaining Units

THE CITY COUNCIL RECONVENED IN OPEN SESSION AT 9:49 P.M.

In respect to Agenda Item 14e regarding the Palace Hotel receivership, City Attorney Rapport reported that the City Council took the following action during Closed Session:

Motion/Second: Rodin/Dueñas to authorize the City Manager to finalize and sign the Settlement Agreement (COU No. 2122-211) and the Stipulation to Discharge Receivership and Proposed Order; and to authorize the City Manager to make any last minute non-substantive corrections without further City Council approval. Motion carried by the following roll call votes: AYES: Orozco, Rodin, Dueñas, and Brown. NOES: None. ABSENT: Crane. ABSTAIN: None.

15. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:51 p.m.



Kristine Lawler, CMC/City Clerk