

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue, Ukiah, CA 95482
Virtual Meeting Link: <https://zoom.us/j/97199426600>
Ukiah, CA 95482
September 7, 2022
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on September 7, 2022, having been legally noticed on September 2, 2022. The meeting was held in person and virtually at the following link: <https://zoom.us/j/97199426600>. Vice Mayor Duenas 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 (attending virtually), and Josefina Dueñas. **Councilmember Absent by Prearrangement:** Jim O. Brown. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

VICE MAYOR DUEÑAS PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Orozco.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation: Immigrant Heritage Month in the City of Ukiah.

Presenter: Councilmember Orozco.

Public Comment: [Kim Mercier – New CEO for Boys and Girls Club (*public comment was intended for Agenda Item No. 8, and therefore has been copied to that location*)].

Proclamation was received by Dr. Joe Vargas.

4. PETITIONS AND COMMUNICATIONS

Clerk stated that no communications had been received.

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the August 17, 2022, Regular Meeting.

Motion/Second: Crane/Orozco to approve Minutes of August 17, 2022, a regular meeting, as submitted. Motion **carried** by the following roll call votes: **AYES:** Orozco, Crane, Rodin, and Dueñas. **NOES:** None. **ABSENT:** Brown. **ABSTAIN:** None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Re-Approve the Purchase (*PO No. 48158*) of a Fire Training Tower from Fire Training Systems (FTS) for an Increased Amount of \$487,822.58 funded by PG&E Disaster Settlement Funds, and Approval of Corresponding Budget Amendment - *Fire*.

- b. Approval of Purchase (COU No. 2223-113) for the Replacement and Upgrade of Equipment for the Ukiah Police Department Including Forty Axon Body-Worn Evidence Cameras, Forty Axon Tasers, Holsters, and Associated Software and Storage, in the Amount of \$374,731.34 from Axon Enterprise, Inc- *Police*.
- c. Award of Contract (COU No. 2223-108) to Whitchurch Engineering in the Amount Not to Exceed \$104,918, for Professional Design Services - Tenant Improvements at the Hastings Electric Service Center – *Electric Utility*.
- d. Delegate City Manager Authority to Negotiate and Execute a License Agreement (COU No. 2223-109) with Pacific Gas and Electric for a Public Safety Power Shutoff Resource Center to be Located at the Ukiah Valley Conference Center – *Community Services*.
- e. Approval of a Contract Amendment (COU No. 2122-188-A2) for Additional Design Features for the Talmage Road Rehabilitation Project in the amount of \$38,992 – *Public Works*.
- f. Consideration of Approval of a Budget Amendment in the Amount of \$10,000 for a Capital Replacement Reserve Contribution to the Alex Rorabaugh Recreation Center – *Community Services*.
- g. Approval to Assign Contract No.1920-213, with Family Tree Resource, Inc., to Family Tree Service, Inc. for Electric Utility Line Tree Trimming Services – *Finance*.
- h. Adoption of an Ordinance to Approve a General Plan Amendment and Rezone of 701 South Orchard Avenue (APN 003-181-01) – *Community Development*.

ORDINANCE NO. 1227

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING THE OFFICIAL ZONING MAP AND GENERAL PLAN LAND USE MAP FOR THE CITY OF UKIAH, CALIFORNIA BY ESTABLISHING THE COMMUNITY COMMERCIAL (C1) ZONING DISTRICT AND COMMERCIAL (C) LAND USE DESIGNATION AT 701 SOUTH ORCHARD AVENUE (APN 003-181-01)

- i. Discussion and Possible Action to Adopt Resolution (2022-58) Waiving 60-Day Notice Requirement Under Government Code Section 25351 Notifying the City of its Intent to Lease Real Property in the City Limits at 776 S. State Street - *Administration*.
- j. Consideration of Approval of a Budget Amendment for the Parks Account for Vandalism Cleanup Expenses - *Finance*.
- k. Notification of Contract (COU No. 2223-110) with Mosaic Public Partners in the Amount of \$28,000 for the Recruitment of Police Chief and Corresponding Budget Amendment– *Administration*.

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

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: [Kim Mercier - New CEO for Boys and Girls Club Introduction (public comment was mistakenly given during Agenda Item No. 3a)]; Kyle Greenhalgh – business owner concerns regarding “Cookies Mendocino”; Helen Sizemore – Orr Creek Bridge and energy efficient

construction; James Whitaker – Cannabis “Cookies Mendocino” building on Talmage and State Street.

9. COUNCIL REPORTS

Presenter: Councilmember Rodin.

10. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- **Heat Related Emergency** – Sage Sangiacomo, City Manager

11. PUBLIC HEARINGS (6:15 PM)

12. UNFINISHED BUSINESS

a. Consideration of Adoption of a Resolution Clarifying the Application of the Power Cost Surcharge.

Presenter: Cindy Sauers, Electric Utility Director.

Motion/Second: Crane/Rodin to adopt Resolution (2022-59) clarifying the application of the Power Cost Surcharge. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, and Dueñas. NOES: None. ABSENT: Brown. ABSTAIN: None.

13. NEW BUSINESS

a. Introduction of Ordinance by Title Only Amending the City Code Provisions Regulating Parks and Recreation Facilities.

Presenter: Neil Davis, Community Services Director.

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

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING VARIOUS PROVISIONS OF CHAPTER 12 IN DIVISION ONE OF THE UKIAH CITY CODE REGULATING CITY PARK AND RECREATION FACILITIES.

Motion/Second: Crane/Orozco to introduce Ordinance Amending the City Code Provisions Regulating Parks and Recreation Facilities. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, and Dueñas. NOES: None. ABSENT: Brown. ABSTAIN: None.

b. Discussion and Consideration of Adoption of a Resolution in Support of Measure P, a ¼ cent Sales Tax Measure for the November 2022 Ballot to Support Fire Agencies and Fire Prevention (Rodin).

Presenter: Doug Hutchison, Fire Chief.

Public Comment: Scott Cratty, Mendocino County Fire Safe Council.

Motion/Second: Rodin/Crane to adopt a resolution (2022-60) in support of Measure P, a ¼ cent sales tax on the November 2022 ballot to be used to support fire agencies and fire prevention efforts. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, and Dueñas. NOES: None. ABSENT: Brown. ABSTAIN: None.

- c. 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), and Appoint Jake Burgess as the City's Representative to Serve on the North Coast Opportunities (NCO) Board).**

Presenter: Sage Sangiacomo, City Manager.

Motion/Second: Rodin/Crane to appoint Jake Burgess to serve as the City's Representative on the North Coast Opportunities (NCO) Board. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Rodin, and Dueñas. NOES: None. ABSENT: Brown. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 7:04 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 – Existing Litigation

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

Name of case: Roofing & Solar Construction, Inc. v. City of Ukiah et al., Mendocino County Superior Court Case No. 22CV00048

c. 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

d. Conference with Legal Counsel – Existing Litigation

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

Name of case: Arturo Flores Valdes et al., (Fed. Dist. Ct., N.D. Cal.) 22-CV-03125 RMI

e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 157-070-04, 001-040-84, 001-040-82, 001-040-65

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Dave Hull and Grady Huff

Under Negotiation: Price & Terms of Payment

f. 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 7:32 p.m.



Kristine Lawler, City Clerk