

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue, Ukiah, CA 95482
Virtual Meeting Link: <https://us06web.zoom.us/j/97199426600>
Ukiah, CA 95482
May 3, 2023
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on May 3, 2023, having been legally noticed on April 28, 2023. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/97199426600>. Mayor Rodin called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Susan Sher, Douglas, F. Crane, Josefina Dueñas, and Mari Rodin. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR RODIN PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Crane.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

b. Proclamation of the City of Ukiah Recognizing May as Older Americans' Month.

Presenter: Vice Mayor Duenas.

Proclamation was received by Sharon Marshall, David Lieberman, and Kristin Kelly - Ukiah Senior Center.

c. Proclamation of the City of Ukiah Recognizing May as Asian American Pacific Islander Heritage Month.

Presenter: Councilmember Orozco.

Proclamation was received by Sean White, Water Resources Director.

d. Proclamation Recognizing May 4th as International Firefighters Day and May 7th as National Fallen Firefighter Memorial Service Day

Presenter: Councilmember Sher.

Proclamation was received by Doug Hutchison, Fire Chief.

a. Proclamation Recognizing May 14th – 20th as Police Week in the City of Ukiah.

Presenter: Mayor Rodin.

Proclamation was received by Cedric Crook, Police Chief.

Public Comment – David Leiberman, Ukiah Senior Center;

URGENCY ITEM

a. Urgency Item - Status Report of the Emergency Contract with West Coast Fire & Water for Fire Remediation Work at the Electric Utility Service Center at Hastings.

Motion/Second: Crane/Orozco to accept the urgency item and place it on the agenda as Agenda Item 13d. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

5. PETITIONS AND COMMUNICATIONS

6. APPROVAL OF MINUTES

a. Approval of the Minutes for the April 19, 2023, Special Meeting.

b. Approval of the Minutes for the April 19, 2023, Regular Meeting.

Motion/Second: Crane/Sher to approve the minutes of April 19, 2023, special and regular meetings, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

7. RIGHT TO APPEAL DECISION

8. CONSENT CALENDAR

- a. Approval of Scope of Work for Advance Planning Environmental Subconsultant Rincon to Prepare a Current Greenhouse Gas Emissions Inventory; Approval of Contract Amendment (COU No. 1819-190-A5) with Mintier Harnish; and Approval of Corresponding Budget Amendment – *Community Development*.

Public Comment: Eileen Mitro.

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

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Nolan Huttain – abandoned trailer; Filippos Viola – Walnut avenue speed; Barbara Ganter – Walnut avenue speed; Randy Greenwald – Walnut avenue speed; Jeannette Smith – Walnut avenue speed; Amy Eichman – Walnut avenue speed; Gayle Carlyle – Walnut avenue speed; Filippos Viola – Walnut avenue speed (*speaking a second time*); and Jeannette Smith (*speaking a second time*) – Walnut avenue speed.

10. COUNCIL REPORTS

Presenters: Councilmember Orozco, Vice Mayor Duenas; and Councilmember Sher.

11. CITY MANAGER/CITY CLERK REPORTS

No reports were received.

12. PUBLIC HEARINGS (6:15 PM)

13. UNFINISHED BUSINESS

- d. Urgency Item - Status Report of the Emergency Contract with West Coast Fire & Water for Fire Remediation Work at the Electric Utility Service Center at Hastings.

Presenter: Cindy Sauers, Electric Utility Director.

Motion/Second: Crane/Duenas to receive the status report, and approve the continued work on the emergency contract (COU No. 2223-193) with West Coast Fire & Water for Fire Remediation Work at the Electric Utility Service Center at Hastings. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

a. Adoption of Ordinance Prohibiting Retail Sales of Flavored Tobacco Products, Including Several Cleanup Provisions to Bring the City's Anti-Smoking Regulations into Compliance with Current State Law.

Presenters: Darcy Vaughn, Assistant City Attorney and Matt Keizer, Chief Code Enforcement Officer.

Motion/Second: Orozco/Sher to adopt Ordinance Prohibiting Retail Sales of Flavored Tobacco Products, Including Several Cleanup Provisions to Bring the City's Anti-Smoking Regulations into Compliance with Current State Law. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

ORDINANCE NO. 1232

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING VARIOUS SECTIONS OF THE UKIAH CITY CODE RELATING TO TOBACCO RETAILERS AND TOBACCO SMOKING.

b. Receive and File Third Quarter 2022-23 Financial Report.

Presenter: Dan Buffalo, Finance Director.

Report was received.

c. Mid-Year Departmental Budget and Objectives Progress Review for Fiscal Year 2022-23, and Review of Draft Objectives for Fiscal Year 2023-24 (Finance Department).

Presenters: Dan Buffalo, Finance Director, and Various Staff Members.

Finance:

Financial Department Overview – Dan Buffalo, Finance Director (7:15 p.m.)

Financial Services Disbursements (Accounts Payable and Payroll) – Sarah Brown, Financial Services Specialist II (7:22 p.m.)

Utility Billing and Customer Services – Lori Martin, Billing and Customer Services Manager (7:26 p.m.)

Accounting and Budget – Olga Keough, Finance Controller (7:36 p.m.)

Procurements - Capital, and Special Projects – Mary Horger, Financial Services Manager (7:46 p.m.)

Information Technology – Ryan Burkhart, I.T. Manager and Scott Shaver, Interim IT Administrator (7:51 p.m.)

Reports were received.

14. NEW BUSINESS

a. Council to Consider Approval of a Garbage Collection Service Rate for a Ten-Gallon Reduced Use of a Twenty-Gallon Container in the Amount of \$20.95, for Rate Payers who Qualify for the Service; and Authorization for the City Manager to Negotiate and Execute an Agreement Approving the Modified Service and Rate with Ukiah Waste Solutions, Inc.

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

Public Comment: Bruce McCracken, Ukiah Waste Solutions.

Motion/Second: Orozco/Sher to approval of reduced rate of \$20.95 a month for the three-tote service, depositing no more than ten-gallons of solid waste in a twenty-gallon grey container, and authorizing the City Manager to negotiate and execute the Agreement (COU No. 2223-202) Approving Modified Service and Approved Rate with Ukiah Waste Solutions, Inc. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. 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).

Presenter:

No reports were received.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:09 P.M.

15. CLOSED SESSION

a. Conference with Legal Counsel – Anticipated Litigation

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

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (1 case)

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

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

Name of case: Vichy Springs Resort v. City of Ukiah, Et Al; Case No. SCUUK-CVPT-2018-70200

d. Conference with Legal Counsel – Existing Litigation

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

Name of case: Russian River Keepers et al. v. City of Ukiah, Case No. SCUUK-CVPT-20-74612

e. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9)

Name of case: Ukiah v. Questex, Mendocino County Superior Court Case No. 15-66036

f. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9)

Name of case: Jane Doe v. City of Ukiah et al., U.S.D.C. (Eureka Division) Case No. 123-cv-009808.

g. Conference with Real Property Negotiators (Cal. Gov't Code Section 54956.8)

Property: APN Nos: 003-190-11

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Dave Hull

Under Negotiation: Price & Terms of Payment

Recommended Action: None

Attachments: None

h. Public Employee Performance Evaluation

(Government Code Section 54956)

Title: City Manager

i. Conference with Labor Negotiator (54957.6)

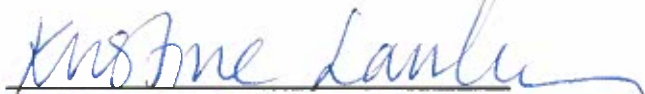
Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

No action reported; direction provided to Staff.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 9:50 p.m.



Kristine Lawler, CMC

