

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
June 21, 2023
6:00 p.m.

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on June 21, 2023, having been legally noticed on June 16, 2023. The meeting was held in person and virtually at the following link: <https://us06web.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, Susan Sher, Douglas, F. Crane, and Josefina Dueñas. **Councilmember Absent by Prearrangement:** Mari Rodin. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

VICE MAYOR DUENAS PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Orozco.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

Clerk stated that there was none.

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Presentation of the PFM Group on an Update to the City Council on the City's Investment Portfolio.

Presenter: Wale Kajopaiye, PFM Asset Management.

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

Council Consensus to direct Staff to bring back an agenda item regarding an Economic, Social, and Governance (ESG) mandate discussion on an upcoming agenda coordinating availability with PFM Staff.

b. Emergency Preparedness and Prevention Presentation.

Presenter: Traci Boyl, City Manager's Office Senior Analyst.

Public Comment: L.T

Presentation was received.

5. PETITIONS AND COMMUNICATIONS

City Clerk, Kristine Lawler, stated that all communications had been distributed.

6. APPROVAL OF MINUTES

- a. Approval of the Minutes for the June 7, 2023, Special Meeting.**
- b. Approval of the Minutes for the June 7, 2023, Regular Meeting.**
- c. Approval of the Minutes for the June 8, 2023, Special Meeting.**

Motion/Second: Orozco/Crane to approve the Special and Regular meeting Minutes of June 7 and 8, 2023, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: Sher.

7. RIGHT TO APPEAL DECISION

Vice Mayor Duenas read information regarding the right to appeal a decision.

8. CONSENT CALENDAR

- a. Report of Disbursements for the Month of April 2023 - *Finance*.
- b. Authorization for the City Manager to Terminate Existing Contract with Welty, Weaver, and Currie, and Negotiate and Execute a Contract (COU No. 2223-217) for Legal Services with Philip A. Williams - *Administration*.
- c. Adoption of Plans and Specifications for the Ukiah Electric Utility Fire Mitigation Undergrounding Project, Specification No. 23-08 to Underground 12kV Primary Conductor in Various Areas on the Western Side of the City of Ukiah – *Electric Utility*.
- d. Consideration of Award (COU No. 2021-184-A2) for a One (1) Year Extension for Pre-Hospital Emergency Medical Services Consulting to AP Triton LLC in the Amount of \$60,000 - *Fire*.
- e. Adoption of Resolution (2023-25) Identifying the 23/24 Slurry Seal Project as the Project Funded by SB1: The Road Repair and Accountability Act for 23/24; and Approval of Corresponding Budget Amendment – *Public Works*.
- f. Adopt a Resolution (2023-26) Approving a Side Letter Agreement (COU No. 2223-218) to the Current Memorandum of Understanding Between the City of Ukiah and the International Brotherhood of Electrical Workers Local 1245, and authorize the City Manager to Execute – *Human Resources*.
- g. Approval of Contract Amendment (COU No. 2021-167-A1) for Additional SCADA System Upgrade Work at the Water Treatment Plant, and Approval of Corresponding Budget Amendment Using Water Reserve Funds in the amount of \$133,869.21 – *Water Resources*.
- h. Consideration of Nominations and Possible Adoption of Resolution (2023-27) Making Appointments to the Public Spaces Commission and Diversity and Equity Committee – *City Clerk*.

Brief summary given by City Manager Sangiacomo for Agenda Item 8d, per Councilmember request.

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

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Dennis Crane – Planning Commission process; Pinky Kushner – Zoning Administrator Item Regarding Ambulance Service; Katrina Kesson – Greater Ukiah Business Tourism and Alliance (*Ukiah Main Street Program, Chamber of Commerce, and Visit Ukiah*) –

Upcoming Activities; Jeannette Smith – speed bumps request for Walnut Ave; (L.T. spoke on a non-agenda item under Agenda Item 13b – environmental concerns).

10. COUNCIL REPORTS

No Council reports were received.

11. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; and

- **Construction Update** – Tim Eriksen, Public Works Director / City Engineer.

Public Comment: Linda Sanders.

12. PUBLIC HEARINGS (6:15 PM)

13. UNFINISHED BUSINESS

a. Approval and Adoption of 2023-24 Fiscal Year City Budget through Resolution, Five-Year Capital Improvement Plan, the Gann Limit Resolution, and Budget Agreement with the Ukiah Valley Sanitation District.

Presenters: Dan Buffalo, Finance Director.

Motion/Second: Crane/Orozco to approve and adopt budget resolution (2023-28) for the fiscal year 2023-24. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: None.

Motion/Second: Crane/Sher to approve and adopt the updated Five-Year Capital Improvement Program Schedule for the fiscal year 2023-24. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: None.

Motion/Second: Crane/Orozco to approve and adopt Gann Limit resolution (2023-29) for fiscal year 2023-24. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: None.

Motion/Second: Crane/Sher to approve (in substantial form) and authorize City Manager to sign fiscal year 2023-24 budget agreement (COU No. 2223-219) with the Ukiah Valley Sanitation District. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: None.

b. Public Benefits Program Update, and Approval of New Customer Programs and Rebates.

Presenters: Cindy Sauers, Electric Utilities Director and Diann Lucchetti, Program Coordinator.

Public Comment: L.T.; (L.T. spoke a second time on a non-agenda item – environmental concerns).

Motion/Second: Crane/Orozco to approve the Electric Department's Public Benefit Program additions. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: None.

c. 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 Utilities Director.

Motion/Second: Crane/Sher to approve the continued work on the emergency contract (COU No. 2223-177) 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, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: None.
RECESS: 7:53 – 8:00 P.M.

d. Approval of Plans and Specifications for the Orr Street Bridge Replacement, Specification 23-06, and Authorize Staff to Issue Bids.

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

Public Comment: Linda Sanders.

Motion/Second: Sher/Orozco to approve the Plans and Specifications for the Orr Street Bridge Replacement, Specification 23-06, and authorize Staff to issue bids. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, and Dueñas. NOES: Crane. ABSENT: Rodin. ABSTAIN: None.

e. Consideration of Award of Bid for the Recycled Water Project – Phase 4, Specification 23-01, and Approval of Corresponding Budget Amendment(s).

Presenters: Tim Eriksen, Public Works Director/City Engineer and Sean White, Water Resources Director.

Motion/Second: Crane/Orozco to award of bid (COU No. 2223-220 - Ghilotti Construction Company)) for the Recycled Water Project - Phase 4, Specification 23-01, and approve corresponding budget amendment(s). Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: Rodin. ABSTAIN: None.

14. NEW BUSINESS

a. Discussion and Possible Action Regarding the Cancellation of the July 5, 2023, Regular City Council Meeting, with the Option for the Mayor and/or City Manager to Call for a Special Meeting on an Alternate Date if Time Sensitive Business Arises.

Presenter: Sage Sangiacomo, City Manager.

Motion/Second: Crane/Sher to approve the cancellation of the July 5, 2023, Regular City Council Meeting, with the option for the Mayor and/or City Manager to call for a special meeting on an alternate date if time sensitive business arises. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: Rodin. 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).

Presenters: Councilmember Sher and City Manager Sangiacomo.

Council Consensus for Councilmember Orozco to serve on the evaluation committee for the Request for Proposal (RFP) for the Internet Service Provider (ISP) for the California's Public Utilities Commission (CPUC) Last Mile Broadband.

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. SCUk-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. SCUk-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. **Public Employee Performance Evaluation**
(Government Code Section 54956)
Title: City Manager
- h. **Conference with Labor Negotiator (54957.6)**
Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: All Bargaining Units

No Closed Session was held.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 8:41 p.m.



Kristine Lawler, CMC

