

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
August 2, 2023
6:00 p.m.

1. **ROLL CALL**

Ukiah City Council met at a Regular Meeting on August 2, 2023, having been legally noticed on July 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 6:05 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Susan Sher, Douglas, F. Crane, and Mari Rodin. **Councilmember Absent:** Josefina Dueñas. **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**

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 July 19, 2023, Special Meeting.**
- b. **Approval of the Minutes for the July 19, 2023, Regular Meeting.**

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

7. **RIGHT TO APPEAL DECISION**

8. **CONSENT CALENDAR**

- a. ~~Report on the Ukiah Electric Utility Fire Mitigation Fuel Reduction Project, Specification No. 23-13, for Enhanced Tree Trimming to Various Locations on the West Side of Ukiah City Limits; and Approval of the Community Development Director's Determination that Activities Undertaken by the City's Electric Utility Department Associated with the Hazard Mitigation Grant Project, Including Fuel Reduction and Undergrounding Projects, Qualify for Exemption Under the California Environmental Quality Act (CEQA) — Electric Utility Pulled by Councilmember Sher and placed as 13b.~~

- b. Adopt a Resolution (2023-31) Approving a Side Letter Agreement (2223-134-A1) to the Current Memorandum of Understanding Between the City of Ukiah and the Ukiah Police Officers Association, and Authorize the City Manager to Execute – *Human Resources*.
- c. ~~Approve the Purchase of a Portable Concrete Mixer from Cart Away Concrete Systems, Inc in the Amount of \$71,514.32 – Public Works. Pulled by Councilmember Crane to be placed on a future meeting.~~
- d. Notification of Change Order #2 (2223-090-CO2) to Ghilotti Construction Co. in the Amount of \$132,511.91 for the Clara Avenue Reconstruction Project, and Approval of Corresponding Budget Amendment – *Public Works*.
- e. ~~Approve Contract Amendment in the Amount of \$167,266 for Additional Engineering Services Related to the Main, Perkins and Gobbi Street Reconstruction Projects with BKF Engineers, and Approve Corresponding Budget Amendment – Public Works Pulled by Staff to be placed on a future meeting.~~
- f. ~~Consideration to Award Contract for the Ukiah Electric Utility Fire Mitigation Undergrounding Project, Specification Number 23-08, to ARB, Inc in the Amount of \$1,958,740.78 – Electric Utility. Pulled by public member, Linda Sanders and placed as agenda item 14e.~~
- g. Consideration of Award of Bid (2324-083) for HVAC Replacement at the Wastewater Treatment Plant, Specification No. 23-10 – *Water Resources*.

Motion/Second: Crane/Orozco to place agenda item 8a at the end of Unfinished Business as item 13b. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

Motion/Second: Crane/Orozco to approve Consent Calendar Items 8b, d, f*, and g, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

**Note: Agenda Item 8f was subsequently pulled and placed as Agenda Item 13c.*

Public Comment: Linda Sanders.

Motion/Second: Crane/Orozco to move Agenda Item 8f to later in the meeting. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

To clarify the motion, the following action was taken.

Motion/Second: Crane/Orozco to reconsider Agenda Item 8f and move it to later in the meeting, leaving the rest of what was voted for in place. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

Note: Following Agenda Item No. 9, the Mayor clarified that 8f would be heard as Agenda Item 13c.

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comments were received.

Note: Additional discussion regarding the Consent Calendar took place following Agenda Item No. 9, which is being recorded in these minutes under the Consent Calendar item.

10. COUNCIL REPORTS

Presenter: Councilmember Orozco.

11. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- **FEMA Floodplain Correspondence Update** – Sage Sangiacomo, City Manager
- **Airport Commission Correspondence** – Sage Sangiacomo, City Manager
- **Construction update** – Jason Benson, Senior Civil Engineer
- **Planning Commission vacancy** – Kristine Lawler, City Clerk
- **Possible meeting cancellation** – Kristine Lawler, City Clerk

12. PUBLIC HEARINGS (6:15 PM)

a. Conduct a Public Hearing to Receive Public Comment and Discuss Final Grantee Performance Under State Community Development Block Grant 20-CDBG-CV1-00004, and Acknowledge Full Reimbursement of Grant Expenses from the California Department of Housing and Community Development.

Presenters: Jim Robbins, Housing and Grants Manager and Craig Schlatter, Community Development Director.

PUBLIC HEARING OPENED AT 6:38 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:39 P.M.

Motion/Second: Crane/Sher to acknowledge accomplishments, confirming activity completion, and confirming receipt of grant reimbursement funds from the State. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

b. Annual Review and Consideration of the Fee Schedule for Community Services; Including Recreation Programs, Sports Fields, Parks, Municipal Pools, Ukiah Valley Conference Center, and the Grace Hudson Museum.

Presenter: Jake Burgess, Community Services Supervisor.

PUBLIC HEARING OPENED AT 6:55 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:56 P.M.

Motion/Second: Crane/Orozco to accept no changes to the current fee schedule. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

13. UNFINISHED BUSINESS

a. 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/Orozco to approve the continued work on the emergency contract (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 Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

b. Report on the Ukiah Electric Utility Fire Mitigation Fuel Reduction Project, Specification No. 23-13, for Enhanced Tree Trimming to Various Locations on the West Side of Ukiah City Limits; and Approval of the Community Development Director's Determination that Activities Undertaken by the City's Electric Utility Department Associated with the Hazard Mitigation Grant Project, Including Fuel Reduction and Undergrounding Projects, Qualify for Exemption Under the California Environmental Quality Act (CEQA) – from Consent Calendar Item 8a.

Presenters: Cindy Sauers, Electric Utility Director and Sonu Upadhyay, Senior Power Engineer.

Public Comment: Linda Sanders.

Motion/Second: Crane/Orozco to 1) Receive report on the Ukiah Electric Utility Fire Mitigation Fuel Reduction Project, Specification 23-13, for enhanced tree trimming to various locations on the west side of Ukiah city limits; and 2) Approve Community Development Director's determination that activities undertaken by the City's Electric Utility Department associated with the Hazard Mitigation Grant Project, including fuel reduction and undergrounding projects, qualify for exemption under the California Environmental Quality Act (CEQA). Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

c. Consideration to Award Contract for the Ukiah Electric Utility Fire Mitigation Undergrounding Project, Specification Number 23-08, to ARB, Inc in the Amount of \$1,958,740.78 – from Consent Calendar Item 8f.

Presenters: Cindy Sauers, Electric Utility Director and Sonu Upadhyay, Senior Power Engineer.

Motion/Second: Crane/Orozco to award contract (2324-084) for the Ukiah Electric Utility Fire Mitigation Undergrounding Project, Specification Number 23-08, to ARB, Inc in the Amount of \$1,958,740.78. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None

14. **NEW BUSINESS**

a. Receive and Accept as Complete a Baseline Assessment of the Western Hills Watershed Protection Area.

Presenter: Neil Davis, Community Services Director.

Motion/Second: Crane/Sher to approve Western Hills Watershed Protection Area Baseline Assessment Document as complete. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

RECESS: 8:07 – 8:13 P.M.

b. Discussion and Possible Direction Regarding Investment Preferences of Idle Funds Related to Petroleum Companies.

Presenter: Dan Buffalo, Finance Director.

Council Consensus directs Staff to find out other bond holdings that could replace the petroleum companies with direct activity with fossil fuels, making sure that they are diverse and looking at the rate of returns, then bring back suggested language for Councils consideration as a base point for a policy discussion.

- 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 Consider the Formation of an Ad Hoc to Plan for the City's 150-year Anniversary.**

Presenter: Mayor Rodin,

Motion/Second: Crane/Sher to nominate and appoint Councilmember Orozco and Mayor Rodin to serve on an ad hoc to plan for the City's 150-year anniversary. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, and Rodin. NOES: None. ABSENT: Dueñas. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:09 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. 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 action reported; direction provided to Staff.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 10:20 p.m.


Kristine Lawler, CMC