

**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
November 15, 2023
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on November 15, 2023, having been legally noticed on November 9, 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 6:02 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 City Manager Sangiacomo.

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 November 1, 2023, Special Meeting.**
- b. Approval of the Minutes for the November 1, 2023, Regular Meeting.**
- c. Approval of the Minutes for the November 7, 2023, Special Meeting.**

Motion/Second: Crane/Orozco to approve the Special and Regular Meeting Minutes of November 1, 2023; and the Special Meeting Minutes of November 7, 2023; 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 Purchase (PO No. 48492) of Mimecast Email Security Suite Including Installation and Configuration from CompuNet in the Amount of \$58,779, and Approval of Corresponding Budget Amendment – Information Services.**

- b. Approve the Purchase (PO No. 48485) of a Portable Concrete Mixer from Cart-Away Concrete Systems, Inc in the Amount of \$71,514.32 – *Public Works*.
- c. Progress Report for HdL Companies Contract (2223-082) for Tax and Fee Administration Services for Transient Occupancy Tax - *Finance*.

Motion/Second: Crane/Sher to approve Consent Calendar Items 7a-7c, 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: Dennis Crean – Palace Hotel, Public Safety; Pinky Kushner – Stream blockages, Palace Hotel.

10. COUNCIL REPORTS

Presenters: Councilmembers Sher and Orozco, and Mayor Rodin.

11. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- **Palace Hotel Update** – Matt Keizer, Chief Building Official.
- **Porzio Lane Update** – Darcy Vaughn, Assistant City Attorney and Matt Keizer, Chief Building Official.
- **Community Development Department's Preparation of Comments Regarding an Unincorporated Development in the County for a Gas Station/Convenience Store/65ft Sign at 9621 & 9601 North State Street** – Sage Sangiacomo, City Manager.
- **Construction Update** – Tim Eriksen, Public Works Director / City Engineer.

RECESS: 6:40 – 6:45 P.M.

12. PUBLIC HEARINGS (6:15 PM)

- a. **Conduct a Public Hearing to Receive Public Comment, Discuss Final Grantee Performance Under State Community Development Block Grant 20-CDBG-CV-2-3-00069, Adopt Resolution to Confirm Program Closeout and Full Reimbursement of Grant Expenses from the California Department of Housing and Community Development; and Approve any Corresponding Budget Amendments Required as Part of the Grant Closeout Process.**

Presenter: Jim Robbins, Housing and Grants Manager.

PUBLIC HEARING OPENED AT 6:52 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:52 P.M.

Motion/Second: Crane/Sher to adopt a Resolution (2023-38) acknowledging accomplishments, confirming activity completion, and confirming receipt of grant reimbursement funds from the State; and Approve any corresponding budget amendments required as part of the grant closeout process. Motion carried by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

- b. Conduct a Public Hearing to Receive Public Comment; Discuss Final Grantee Performance Under State Community Development Block Grant 20-CDBG-12057; Adopt Resolution to Confirm Project Closeout and Full Reimbursement of Grant Expenses from the California Department of Housing and Community Development; and Approve any Corresponding Budget Amendments Required as Part of the Grant Closeout Process.**

Presenter: Jim Robbins, Housing and Grants Manager.

PUBLIC HEARING OPENED AT 6:58 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:58 P.M.

Motion/Second: Crane/Sher to adopt a Resolution (2023-39) acknowledging accomplishments, confirming activity completion, and confirming receipt of grant reimbursement funds from the State; and 4) Approve any corresponding budget amendments required as part of the grant closeout process. Motion carried by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. 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, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

14. NEW BUSINESS

- a. Receive and File First Quarter Financial Report.**

- b. Receive and File Fourth Quarter Financial Report (Preliminary Unaudited Year-End Results).**

Presenter: Dan Buffalo, Finance Director.

PowerPoint presentation was received.

Reports were received.

RECESS: 8:11 – 8:16 P.M.

- 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).**

No reports were received.

- d. Consideration of Adoption of Amended Resolution Providing Council Rotation Guidelines; and Annual Appointment of Mayor, Vice Mayor, and Council Reorganization.**

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Sher/Orozco to adopt the amended resolution (2023-40) providing Council rotation guidelines, superseding resolution 2020-50. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: Crane.

Public Comment: Alan Nicholson.

Motion/Second: Crane/Orozco to nominate and appoint Councilmember Duenas for Mayor for the year 2024, taking the seat on December 6, 2023. Motion **carried** by the following roll call votes: AYES: Orozco, Crane, Dueñas, and. NOES: Sher and Rodin. ABSENT: None. ABSTAIN: None.

Motion/Second: Duenas/Sher to nominate and appoint Councilmember Crane for Vice Mayor for the year 2024, taking the seat on December 6, 2023. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

Motion/Second: Crane/Orozco to approve the recommended reorganization (*Rodin to Seat #1, Orozco to Seat #2, and Sher to Seat #3*) for the remaining Councilmembers. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, Crane, Dueñas, and Rodin. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS 9:07 – 9:11 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 – Anticipated Litigation

(Government Code Section 54956.9(d)(4))

Initiation of litigation (1 case)

c. 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

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. SCUUK-CVPT-2018-70200

e. 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

f. 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

g. 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.

h. 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

i. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 184-080-37; 184-080-36; 184-090-01; 184-090-07; 184-090-06; 184-100-04

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Henry's Original

Price & Terms of Payment

j. Public Employee Performance Evaluation

(Government Code Section 54956)

Title: City Manager

k. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

Closed Session was continued to a Special Meeting, date to be determined.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 9:15 p.m.



Kristine Lawler, CMC

