

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
December 6, 2023
6:00 p.m.

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on December 6, 2023, having been legally noticed on December 1, 2023. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/97199426600>. Mayor Dueñas called the meeting to order at 6:05 p.m. Roll was taken with the following **Councilmembers Present:** Mari Rodin, Juan V. Orozco, Susan Sher, Douglas, F. Crane, and Josefina Dueñas. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR DUEÑAS PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor 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 November 15, 2023, Special Meeting.**
- b. Approval of the Minutes for the November 15, 2023, Regular Meeting.**

Motion/Second: Orozco/Sher to approve Special and Regular Meeting Minutes of November 15, 2024, as corrected. Motion **carried** by the following roll call votes: **AYES:** Rodin, Orozco, Sher, Crane, and Dueñas. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

7. RIGHT TO APPEAL DECISION

8. CONSENT CALENDAR

- a. Consider Adopting a Resolution (2023-41) Approving an Amendment to the Memorandum of Understanding Between the City of Ukiah and Ukiah Professional Firefighters Association Approving Mandatory Employee Contributions to the "IAFF Medical Expense Reimbursement Plan" of the Washington State Council of Firefighters Employee Benefit Trust, Effective January 1, 2024 – Human Resources.**

- b. Consideration of Approval of the First Amendment (2324-133-A1) to the Central Valley Project Membership Agreement Extending the Agreement for an Additional Ten Years to December 31, 2034; and Approval of Exhibit C, a Contract (for Displacement of Base Resource, Extending the Term of the Contract by Two Years to December 31, 2026; and Authorizing the City Manager to Execute Both Agreements – *Electric Utility*.
- c. Request Approval to Amend the Contract (1314-213-A6) with Utility Design Services, LLC to Increase Design and Engineering Contract Funding for Electric Capital Improvement Projects in the Amount of \$100,000 – *Electric Utility*.
- d. Approve Completion of the Emergency Contract (2223-177) with West Coast Fire & Water for Fire Remediation Work at the Electric Utility Service Center at Hastings, and Terminate the Emergency Action – *Electric Utility*.
- e. Possible Adoption of Plans and Specifications for Tenant Improvements and Fire Damage Repair for the Electric Service Center, and Authorize Staff to Advertise for Bids – *Electric Utility*.

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

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Pinky Kushner – Palace Hotel;

10. COUNCIL REPORTS

Presenter: Mayor Duenas

11. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- **Construction Update** – Tim Eriksen, Public Works Director / City Engineer.
- **Power Cost Surcharge Status** – Cindy Sauers, Electric Utility
- **Palace Hotel Update** – Matt Keizer, Chief Building Official.
- **Potter Valley Project Update** – Sean White, Water Resources Director.
- **MTA Transit Center** – Sage Sangiacomo, City Manager.

Public Comment: Dennis Crean – Palace Hotel.

12. PUBLIC HEARINGS (6:15 PM)

- a. **Consideration of 1) the Planning Commission's Recommendation to Adopt a Resolution to: Adopt an Addendum to the Ukiah Western Hills Open Land Acquisition and Limited Development Project Initial Study/Mitigated Negative Declaration (SCH No. 2021040428); Approve an Amendment of the Western Hills Annexation Area to Include APN 003-190-11; and Prezone Parcels to Public Facility ("PF") Zoning District and Low Density Residential-Hillside Overlay Zoning District ("R1-H"); and 2) Authorization for the City Manager to Negotiate and Execute the Property Purchase Sale Agreement and Joint Escrow Instructions between the City of Ukiah and David J. Hull.**

Presenters: Sean White, Water Resources Director and Maya Simerson, Project Administrator.

Staff Comment: Matt Keizer, Chief Building Official; Justin Buckingham, Fire Battalion Chief.

PUBLIC HEARING OPENED AT 7:35 P.M.

Public Comment: Elizabeth Archer, John Rogers, Norm Rosen, Sharon Thomas, Jason Stirnad, Ed (surname inaudible), Joseph Scriven, Mike Canon, Jeanette Farr, Karen Rosen, Alex de Grassi, Karina Andrade, Dave Hull, and Neil Davis.

PUBLIC HEARING CLOSED AT 8:23 P.M.

Staff Comment: Matt Keizer, Chief building Official.

Motion/Second: Rodin/Crane to adopt a Resolution (2023-42) to adopt an Addendum to the Ukiah Western Hills Open Land Acquisition and Limited Development Project Initial Study/Mitigated Negative Declaration (SCH No. 2021040428); Approve an Amendment of the Western Hills Annexation Area to Include APN 003-190-11; and Prezone Parcels to Public Facility ("PF") Zoning District and Low Density Residential-Hillside Overlay Zoning District ("R1-H"). Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

Motion by Councilmember Sher to delay the authorization for the City Manager to negotiate and execute the Property Purchase Sale Agreement between the City and Mr. Hull, and encourage the parties to go back to the table and look at other possibilities for easements or public access to the 700+ acres without the 40 acres, or alternatively lower the number of residences that could be potentially build on that 40 acres.

Councilmember Sher withdrew her motion.

Motion/Second: Rodin/Orozco to give authorization for the City Manager to negotiate and execute the Property Purchase Sale Agreement (2324-134) and Joint Escrow Instructions between the City of Ukiah and David J. Hull. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 9:05 – 9:19 P.M.

b. Consideration and Possible Adoption of a Resolution Amending the Fee Schedule for the Planning and Building Divisions of the Community Development Department.

Presenter: Mayor Dueñas.

PUBLIC HEARING OPENED AT 9:20 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 9:20 P.M.

Note: Due to the noticing the public hearing was opened and closed; however, this item was withdrawn and postponed to a future meeting.

13. UNFINISHED BUSINESS

14. NEW BUSINESS

a. Consider Authorization for the City Manager to Execute a Three-Year Agreement with Governmentjobs.com, Inc. (dba "NEOGOV") for a Cloud-Based Human Resources and Payroll Module in the Amount of \$321,889.82, and Approve a Corresponding Budget Amendment.

Presenters: Dan Buffalo, Finance Director and Sarah Brown, Financial Manager.

Vendor Comment: Alan Paul, NEOGOV.

Motion/Second: Crane/Rodin to authorize the City Manager to execute a three-year agreement (2324-135) with Governmentjobs.com, Inc. (dba "NEOGOV") for a cloud-based Human Resources and Payroll module in the amount of \$321,889.82, and approve a corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

b. Review and Consider the Fiscal Year 2024-25 Budget Development Schedule.

Presenter: Dan Buffalo, Finance Director.

Report was received and direction given to Staff.

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), Including Consideration of a New Ad Hoc to Review the Fee Schedule for the Planning and Building Divisions.

Presenters: Sage Sangiacomo, City Manager and Mayor Dueñas.

Motion/Second: Sher/Rodin to create the ad hoc for review of the fee schedule for the Planning and Building divisions with Vice Mayor Crane and Councilmember Orozco as members. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 10:15 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. SCU-K-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. SCU-K-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)**
(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. **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 11:30 p.m.



Kristine Lawler, CMC

