

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue, Ukiah, CA 95482
Virtual Meeting Link: <https://zoom.us/j/97199426600>
Ukiah, CA 95482
September 20, 2023
6:00 p.m.

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on September 20, 2023, having been legally noticed on September 15, 2023. The meeting was held in person and virtually at the following link: <https://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, and Mari Rodin. **Councilmember Absent by Prearrangement:** Douglas, F. Crane and 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 Sher.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing September as Hispanic Heritage Month in the City of Ukiah.

Presenter: Councilmember Orozco.

Proclamation was received by Minerva Flores, Institutional Effectiveness Director.

Public Comment: Jackeline Orozco.

b. Summer Event and Recreation Program Recap Presentation.

Presenter: Jake Burgess, Community Services Supervisor.

Public Comment:

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 August 16, 2023, Regular Meeting.

Motion/Second: Sher/Orozco to approve Minutes of August 16, 2023, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, and Rodin. NOES: None. ABSENT: Crane and Dueñas. ABSTAIN: None.

7. RIGHT TO APPEAL DECISION

8. CONSENT CALENDAR

- a. Report of Subscription Purchase (2223-226) with NEOGOV for the Learn and Perform Platform – *Human Resources*.
- b. Report of Purchase (2324-088) of an Air Unmanned Aerial System Bundle from Axon Enterprises in the Amount of \$40,346.42 – *Police*.
- c. Consideration of Award of Bid (2324-101) to American Asphalt and Resurfacing Co., Inc in the Amount of \$797,096.24 for the Slurry Seal of Local Streets, Specification No.23-12, and Approval of Corresponding Budget Amendment – *Public Works*.
- d. Consideration of Financial Contribution in the Amount of \$50,000 to the Inland Water and Power Commission for Legal Services Related to the Potter Valley Project – *Water Resources*.
- e. Review Landfill Closure Financial Plan Update and Authorize the Filing of the Update – *Finance*.
- f. Consideration of Award of Bid (2324-103 with Greentek Services, LLC) for Electric Utility Fire Mitigation Fuel Reduction Project, Specification No. 23-13 – *Electric Utility*.

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

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Greg Hubbs – graffiti on State Street.

10. COUNCIL REPORTS

Presenters: Councilmembers Sher and Orozco, and Mayor Rodin.

11. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; and

- **League Resolution Update** – Kristine Lawler, City Clerk
- **Construction Update** – Tim Eriksen, Public Works Director/City Engineer and Cindy Sauers, Electric Utility Director.
- **Graffiti Abatement Activities** – Shannon Riley Deputy City Manager.
- **Annexation Update** – Craig Schlatter, Community Development Director and Jesse Davis, Chief Planning Manager.
- **Broadband Update** – Jim Robbins, Housing and Grants Manager.

Public Comment: Greg Hubbs.

12. PUBLIC HEARINGS (6:15 PM)

- a. Possible Adoption of a Resolution of the City Council Declaring the Property at 725 Porzio Lane a Public Nuisance and Intent to Commence Abatement Proceedings.

Presenters: Darcy Vaughn, Assistant City Attorney and Craig Schlatter, Community Development Director.

All Councilmembers present confirmed that they had visited the site.

PUBLIC HEARING OPENED AT 7:09 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 7:09 P.M.

Motion/Second: Sher/Orozco to adopt the Resolution (2023-33) of the City Council Declaring the Property at 725 Porzio Lane a Public Nuisance and the City's Intent to Commence Abatement Proceedings. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, and Rodin. NOES: None. ABSENT: Crane and Dueñas. ABSTAIN: None.

13. **UNFINISHED BUSINESS**

a. Receive Report Regarding the Economic Development and Financing Corporation (EDFC); Consideration of Request for Funding from EDFC; and Authorize the City Manager to Negotiate and Execute Performance Agreement Between the City of Ukiah and EDFC in the Amount of \$12,455.25 for FY 2023-24.

Presenters: Shannon Riley, Deputy City Manager and Robert Gernert, EDFC Executive Director.

Motion/Second: Sher/Orozco to authorize the City Manager to negotiate and execute Performance Agreement (2324-102) between the City of Ukiah and EDFC. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, and Rodin. NOES: None. ABSENT: Crane and Dueñas. ABSTAIN: None.

b. Consideration of Award of Bid for the Orr Street Bridge Deck Replacement, Specification No. 23-06.

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

Public Comment: Jen Dyer, Kaleb Balman; Vanessa Schwann, Jeromey Schwann, Linda Sanders, Mo Mulheren, Vanessa Schwann (speaking a second time), and Kaleb Balman (speaking a second time).

Motion/Second: Orozco/Sher to award the bid (2324-104 with Gregg Simpson Trucking) for the Orr Street Bridge Deck Replacement, Specification No. 23-06. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, and Rodin. NOES: None. ABSENT: Crane and Dueñas. ABSTAIN: None.

RECESS: 8:21 – 8:36 P.M.

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 Utility Director.

Motion/Second: Orozco/Sher 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, and Rodin. NOES: None. ABSENT: Crane and Dueñas. ABSTAIN: None.

14. NEW BUSINESS

a. Report to Council Regarding the Status of the Cooperative Agreement Between the City of Ukiah and Mendocino Council of Governments (MCOG).

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

Report was received.

b. Introduction by Title Only of an Ordinance Amending Chapter 4.1 to Division 5 of the Ukiah City Code to Establish Organic Waste Disposal Regulation and Enforcement Requirements per Senate Bill 1383, Short-Lived Climate Pollutants.

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

Council Directive for Staff to agendize an item to give an update on SB 1383.

Motion/Second: Sher/Orozco to introduce the Ordinance by title only. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, and Rodin. NOES: None. ABSENT: Crane and Dueñas. ABSTAIN: None.

City Clerk, Kristine Lawler, read the following Ordinance title into the record:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING CHAPTER 4.1 TO DIVISION 5 OF THE UKIAH CITY CODE TO APPLY ORGANIC WASTE DISPOSAL REGULATION AND ENFORCEMENT PROVISIONS TO SELF-HAULERS

Motion/Second: Sher/Orozco to introduce the Ordinance amending Chapter 4.1 to Division 5 of the Ukiah City Code to establish organic waste disposal regulation and enforcement requirements per Senate Bill 1383, Short-Lived Climate Pollutants. Motion **carried** by the following roll call votes: AYES: Orozco, Sher, and Rodin. NOES: None. ABSENT: Crane and Dueñas. 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 8:51 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. SCUJ-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 9:30 p.m.



Kristine Lawler, CMC