

**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/81804486483>**

**Ukiah, CA 95482
July 17, 2024
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on July 17, 2024, having been legally noticed on July 12, 2024. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/81804486483>. Mayor Dueñas called the meeting to order at 6:03 p.m. Roll was taken with the following **Councilmembers Present:** Mari Rodin, Susan Sher, Douglas, F. Crane, and Josefina Dueñas. **Councilmembers Absent by Prearrangement:** Juan V. Orozco. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; Kristine Lawler, City Clerk, and Araceli Sandoval, Acting Clerk.

MAYOR DUEÑAS PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Rodin.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing July 26, 2024, as Disability Independence Day.

Presenter: Councilmember Rodin.

Proclamation was received by Julie Eby-Mckenzie, State Council on Developmental Disabilities.

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

Presenter: Allison Kaune, PFM Asset Management.

Staff Comment: Dan Buffalo, Finance Director.

PowerPoint presentation was received.

c. Presentation from Greater Ukiah Business and Tourism Alliance Regarding Activities and Events.

Presenter: Katrina Kessen, Greater Ukiah Business and Tourism Alliance Executive Director.

PowerPoint presentation was received.

5. PETITIONS AND COMMUNICATIONS

Acting Clerk, Araceli Sandoval, stated that all communications had been distributed.

6. APPROVAL OF MINUTES

a. Approval of the Minutes for the June 19, 2024, Regular Meeting.

Motion/Second: Crane/Rodin to approve Minutes of June 19, 2024, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Rodin, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: Sher.

7. RIGHT TO APPEAL DECISION

8. CONSENT CALENDAR

- a. Report of Disbursements for the Month of May 2024 - *Finance*.
- b. Receive a Report Regarding the Purchase of Implementation Services from Milsoft (PO No. 48594) in the Amount of \$54,000, and Approve Corresponding Budget Amendment - *Finance*.
- c. Approve Purchase (PO No. 48631) of CAT 926M Loader for \$308,466.28, with a Reimbursement from \$225,000 in USDA 2022 Disaster Water Grant Funds, and Authorize the City Manager to Execute the Grant Agreement, Any Amendments Thereto, and Approve Corresponding Budget Amendment – *Public Works*.
- d. Consideration of Adoption of Resolution (2024-33) Reappointing Elora Babbini to the Public Spaces Commission (PSC) – *City Clerk*.
- e. Approval of Contract Amendment 2 (2122-208-A2) in the Amount of \$15,600 with Ren Alexander Design for Additional Services Pertaining to the New Electric Service Center Located at 1350 Hastings Road – *Electric Utility*.
- f. Council to Receive and File Adopted 2024-25 Fiscal Year City of Ukiah Budget Document – *Finance*.
- g. Approval of Purchase (PO No. 48627) of One 2024 Ford F-550 Crew Cab, Two Ford F-350 Crew Cabs, and One 2024 Ford F-550 Regular Cab for the Amount of \$454,611.92, Using Funds from the USDA Community Wildfire Defense Grant and Corresponding Budget Amendment – *Fire*.
- h. Consider and Approve Recommended Revisions to City's Investment Policy – *Finance*.
- i. Approval of Execution by the City Manager of a Joint Prosecution and Common Interest Agreement (2425-080) Regarding the PG&E Surrender and Transfer of the Potter Valley Project – *City Manager*.
- j. Authorization for City Manager to Renew an Agreement (2425-081) with Pano AI in the Amount of \$140,000 for the Continued Operation of Four Wildfire Camera Sites and Corresponding Budget Amendments – *Fire*.

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

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comments were received.

10. COUNCIL REPORTS

No Council reports were received.

11. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- **Construction Update** – Andrew Stricklin, Senior Civil Engineer.
- **FEMA Floodplain Update** – Sage Sangiacomo, City Manager.
- **Palace Update** – Shannon Riley, Deputy City Manager.
- **Election Filing Period Open** – Kristine Lawler, City Clerk.

12. PUBLIC HEARINGS (6:15 PM)

a. Conduct a Public Hearing and Consider Adoption of Resolution for User Fees at the Ukiah Regional Airport.

This Item was postponed to August 7, 2024, due to technical difficulties during publication.

Motion/Second: Crane/Sher to postpone item 12a to the August 7, 2024, City Council Regular Meeting due to technical difficulties during publication. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

13. UNFINISHED BUSINESS

a. Possible Adoption of Ordinance to Change the Time that City Council Meetings Convene.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Crane/Rodin to adopt Ordinance changing the start time for City Council meetings to 5:15 p.m. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

ORDINANCE No. 1239

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING SECTION 51 IN DIVISION 1, CHAPTER 2 OF THE UKIAH CITY CODE, PERTAINING TO THE START TIME OF REGULAR MEETINGS OF THE CITY COUNCIL

b. Adoption of an Amended Ordinance Regarding the City of Ukiah's Western Hills Annexation and Sphere of Influence Amendment Application to the Mendocino County Local Agency Formation Commission (LAFCo) Confirming the Previously Approved Prezoning Districts as Low-Density Residential - Hillside (R1-H) and Public Facilities (PF).

Presenter: Jesse Davis, Chief Planning Manager.

Motion/Second: Crane/Rodin to adopt amended ordinance for the City of Ukiah's Western Hills Annexation and Sphere of Influence (SOI) Amendment Application confirming the previously approved Prezoning districts as Public Facility ("PF") and Low Density Residential-Hillside ("R1-H"). Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

ORDINANCE No. 1240

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING ORDINANCE 2017 TO PREZONE CERTAIN PARCELS IN ASSOCIATION WITH THE WESTERN HILLS

ANNEXATION AND SPHERE OF INFLUENCE AMENDMENT APPLICATION (LAFCO FILE NO. A-2022-02)

Council Consensus to hear Agenda Item 13d out of order.

d. Receive Report of Change Order for Orr Street Bridge and Approve Associated Budget Amendment; Provide Direction to Staff Regarding Future Use of Bridge.

Presenter: Shannon Riley, Deputy City Manager.

Council Consensus to hear Agenda Item 13c before 13d, as the presenter had arrived.

c. Approval of Proposal from GHD, Inc. for Design and Engineering Services for the Development of an Additional Municipal Well, and Approve Corresponding Budget Amendment.

Presenter: Sean White, Water Resources Director.

Motion/Second: Crane/Rodin to approve the proposal from GHD, Inc. (2425-082) for Design and Engineering Services for the development of an additional municipal well, and approve corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

d. Receive Report of Change Order for Orr Street Bridge and Approve Associated Budget Amendment; Provide Direction to Staff Regarding Future Use of Bridge - continued

Presenter: Shannon Riley, Deputy City Manager.

Public Comment: Linda Sanders.

Motion/Second: Crane/Sher to receive report regarding change order and approve associated budget amendment. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

Public Comment: Anna Rozelski, Porter Dinehart, Lisa Ortiz, Susan Knopf, Linda Sanders, Maureen Mulheren, and Jeromy Schwarm.

Motion by Vice Mayor Crane to direct City Staff to open the bridge to single-lane traffic in both directions and install one speed hump on each terminus of the bridge approach.

Motion dies for lack of a second.

Motion/Second: Crane/Rodin to continue this item [for the ad hoc to conduct further research and discussion, then bring a recommendation back to Council]. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

RECESS: 9:15 - 9:31 P.M.

e. Consideration of Award of Bid for Contract for the Riverside Park Regeneration Project Specification 24-05.

Clerk stated that Staff pulled this item for further evaluation.

14. **NEW BUSINESS**

- a. **Adoption of Resolution to Enter into a Third Phase Agreement for Renewable Power Purchase Agreement with Grace Orchard Energy Center, LLC, and Authorize the City Manager to Execute the Agreement.**

Presenter: Cindy Sauers, Electric Utility Director.

Motion/Second: Rodin/Crane to adopt Resolution (2024-34) authorizing the City of Ukiah to enter into a Third Phase Agreement (2425-083) for Renewable Power Purchase Agreement (PPA) with Grace Orchard Energy Center, LLC (Third Phase Agreement), including any nonsubstantive modifications to the PPA and Third Phase Agreement approved by the Member Counsel, and authorize the City Manager to execute the agreement. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

- b. **Proposed Sewer Rate Adjustments for Fiscal Year 2024-2025 and Start of the Prop 218 Protest Period.**

Presenters: Dan Buffalo, Finance Director and Mark Hildebrand, Hildebrand Consulting, LLC.

Powerpoint Presentation was received.

Motion/Second: Rodin/Sher to approve the proposed sewer rate adjustments effective October 1, 2024, as outlined in the 2024 Sewer Financial Plan (Sewer Rate Study), and initiate the Prop 218 45-day protest period. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, and Crane. NOES: None. ABSENT: Orozco. ABSTAIN: Dueñas.

- c. **Consider Direction to Staff to Submit to the Voters in the November 2024 Election a Local 3% Increase in the Transient Occupancy Tax (Lodging Tax); Create Ad Hoc Committee to Develop Corresponding Materials.**

Presenter: Shannon Riley, Deputy City Manager.

Motion/Second: Rodin/Sher to direct Staff to submit to the voters in the November 2024 election a local 3% Increase to the Transient Occupancy Tax (Lodging Tax) and to appoint Councilmember Rodin and Councilmember Sher to serve on an ad hoc committee to develop the corresponding materials. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

- d. **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 the Possible Creation of an Ad Hoc to Review and Update the City Council Handbook.**

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Rodin/Crane to appoint Councilmember Sher to serve on an ad hoc committee to review and update the City Council Handbook. Motion **carried** by the following roll call votes: AYES: Rodin, Sher, Crane, and Dueñas. NOES: None. ABSENT: Orozco. ABSTAIN: None.

15. **CLOSED SESSION**

- a. **Conference with Legal Counsel – Anticipated Litigation**
(Government Code Section 54956.9(d)(4))
Initiation of litigation (3 cases)

b. 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

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. SCUК-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. SCUК-CVPT-20-74612

e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 180-110-07

Negotiator: Shannon Riley, Deputy City Manager

Negotiating Parties: GMB Realty Partners, Inc.

Under Negotiation: Price & Terms of Payment

f. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-232-05 and 002-282-02

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Bartolomei Trustees

Under Negotiation: Price & Terms of Payment

g. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 003-230-03-00

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Mark and Jann Lanz

Under Negotiation: Price & Terms of Payment

h. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

i. Public Employee Performance Evaluation

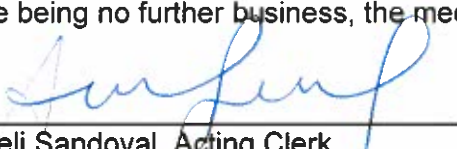
(Government Code Section 54956)

Title: City Manager

Closed Session was held during a Special Meeting at 5:00 p.m.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 10:45 p.m.


Araceli Sandoval, Acting Clerk