

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting**

<https://attendee.gotowebinar.com/rt/7799907307071655437>

**May 20, 2020
6:00 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on May 20, 2020, having been legally noticed on May 15, 2020. Mayor Crane called the meeting to order at 6:01 p.m. Roll was taken with the following **Councilmembers Present:** Maureen Mulheren, Jim O. Brown, Stephen G. Scalmanini, Juan V. Orozco, and Douglas F. Crane. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR CRANE PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by David Rapport, City Attorney.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- a. Approval of the Minutes for the May 6, 2020, Regular Meeting.
- b. Approval of the Minutes for the May 13, 2020, Special Meeting

Motion/Second: Brown/Mulheren to approve Minutes of May 6, 2020, a regular meeting; and the Minutes of May 13, a special meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Approval of Notice of Completion for Dora ADA Improvement Project, Specification No. 19-19. – *Public Works.*
- b. Consideration of Adoption of Resolution (2020-24) Reappointing Mark Ashiku to the Airport Commission – *City Clerk.*
- c. Adoption of Resolution (2020-25) Authorizing Application for, and Receipt of, Local Government Planning Support Grant Program Funds, and Approve Corresponding Budget Amendments if Awarded – *Community Development.*
- d. Award Contract (COU No. 1920-253) for Specification #20-07 Todd Grove Park Electric Service Upgrade to Wipf Construction LLC of Ukiah, CA in the Amount of \$69,165.00 (EUD) – *Electric Utility.*

- e. Authorize the City Manager to Negotiate and Execute a Professional Services Agreement (COU No. 1920-254) with Building Energy Systems Co. & Dancing Dog Design Build, Inc. for Design and Engineering Services to Develop Building Plans for Accessory Dwelling Units (ADUs), to be Paid from SB 2 Planning Grant Program Funds – *Community Development*.
- f. Annual Review of Mobilehome Park Stabilization Fees and Activities, Possible Adoption of Resolution (2020-26) Amending Resolution No. 2019-42; and Approval to Waive Fees for the FY 2019-20 – *City Clerk*.
- g. Report of Contract (COU No. 1920-208) in the Amount of \$24,897.00 with Ferranti Construction for Temporary Shoring Repair of Glue Laminated Beams at the Grace Hudson Museum and Approval of the Corresponding Budget Amendment – *Community Services*.
- h. Approval of Updated Plans and Specifications for the Replacement of Pressure Zone 2 South Reservoir, and Authorize Staff to Issue Bids for Specification No 20-02 – *Water Resources*.
- i. Award Bid (COU No. 1920-255) to T&T Paving Inc., dba Valley Paving in the Amount of \$114,671 for the Golf Course Storm Drain Project, Specification No. 19-07, and Approval of Corresponding Budget Amendment – *Public Works*.

Motion/Second: Scalmanini/Mulheren to approve Consent Calendar Items 7a-7h with the component for the City Manager to see if it is possible to enter into the agreement for 7e with the ability to use the plans in other communities. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, and Orozco. NOES: None. ABSENT: None. ABSTAIN: Crane.

Mayer Crane recused himself and passed the gavel to Vice Mayor Orozco.

Motion/Second: Brown/Scalmanini to approve Consent Calendar Item 7i, as submitted. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

Vice Mayor Orozco passed the gavel back to Mayor Crane.

8. **AUDIENCE COMMENTS ON NON-AGENDA ITEMS**

No public comment was received.

9. **COUNCIL REPORTS**

No reports were received.

10. **CITY MANAGER/CITY CLERK REPORTS**

Presenter: Sage Sangiacomo, City Manager – Zoom/Facebook Live/KZYX&Z interview with Holly Madrigal.

11. **PUBLIC HEARINGS (6:15 PM)**

a. Hearing on Consideration and Possible Adoption of Resolution Certifying EIR for Landfill Closure and Post-Closure Maintenance Plan and Approval of Plan

Presenter: David Rapport, City Attorney.

Motion/Second: Brown/Orozco to approve a continuance of this item, to be re-noticed at a later date. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Consideration of Adoption of a Resolution Adjusting the Current Fire Prevention Fees to Reflect the Actual Encumbered Costs, and Increase the List of Categories to Reflect Actual Items or Tasks Completed by the Prevention Office

Presenters: Doug Hutchison, Fire Chief and Ian Broeske, Fire Marshal.

PUBLIC HEARING OPENED AT 6:48 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:48 P.M.

Motion by Councilmember Mulheren, seconded by Councilmember Brown for the recommended action.

After further discussion the modification below was added to the motion, to which the maker and second both agreed.

Motion/Second: Mulheren/Brown to adopt, by resolution (2020-27), the proposed fee schedule to recover as close as possible the encumbered rate as presented and increase the categories of items the actual services performed, with the modification to treat mobilehome park fees the same as subdivisions (i.e. parks with four or less mobilehomes = \$495 same as minor-subdivision; parks with over four mobilehomes = \$495 + \$20 per lot, same as major subdivision.) Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

12. UNFINISHED BUSINESS

a. Discuss and Consider Approval of Resolution Confirming Emergency Orders of the City Manager of the City of Ukiah in His Capacity as the Director of Emergency Services Expanding the Temporary Use of Property for Businesses Impacted by COVID-19

Presenter: Shannon Riley, Deputy City Manager.

Motion/Second: Mulheren/Orozco to approve Resolution (2020-28) confirming Emergency Order of the City Manager of the City of Ukiah, in his capacity as the Director of Emergency Services for the City, Expanding the Temporary Use of Property for Businesses Impacted by COVID-19. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Receive Status Report and Consider Any Action or Direction Related to the Novel Coronavirus (COVID-19) Emergency Including Operational Preparedness and Response; Continuity of City Operations and Services; Community and Business Impacts; and Any Other Related Matters

Presenter: Tami Bartolomei, Office of Emergency Management Coordinator.

Staff lost teleconference connection, so council moved on to Agenda Item 12c, and returned to this item afterwards.

c. Consideration and Approval of an Agreement with the Weist Law Firm for As-Needed Bond Counsel, Disclosure Counsel, and Other Debt Issuance Legal Consultancy Services and Approval of Corresponding Budget Amendments

Presenter: Dan Buffalo, Finance Director.

Motion/Second: Scalmanini/Orozco to approve and authorize the City Manager to negotiate and sign an agreement (COU No. 1920-256) with the Weist Law firm for as-needed bond counsel, disclosure counsel, and other debt issuance legal consultancy services; and approval of corresponding budget amendments. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. Continued: Receive Status Report and Consider Any Action or Direction Related to the Novel Coronavirus (COVID-19) Emergency Including Operational Preparedness and Response; Continuity of City Operations and Services; Community and Business Impacts; and Any Other Related Matters

Presenters: Tami Bartolomei, Office of Emergency Management Coordinator and Sage Sangiacomo, City Manager.

Reports were received.

13. NEW BUSINESS

a. Presentation of the PFM Group on an Update to the City Council on the City's Investment Portfolio and Recommended Changes to the City's Investment Policy

Presenter: Allison Kaune, PFM Asset Management Senior Client Representative.

Public Comment: Eileen Mitro.

Motion/Second: Brown/Orozco to approve recommended revisions to City's investment policy. Motion **carried** by the following roll call votes: AYES: Mulheren, Brown, Scalmanini, Orozco, and Crane. NOES: None. ABSENT: None. ABSTAIN: None.

b. 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: Councilmember Scalmanini, Vice Mayor Orozco, and Mayor Crane.

Mayor Directive for Councilmember Scalmanini and Vice Mayor Orozco to bring back to Council a definition of an *ethical investments ad hoc*, for the purpose of creating such ad hoc in mid-June or July.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:16 P.M.

14. CLOSED SESSION

a. Conference with Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d))

- A. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (Number of potential cases: 1.)
- B. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Number of potential cases: 1)

b. Conference with Legal Counsel—Anticipated Litigation

Government Code Section 54956.9(d)(2)

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(1) (Number of potential case: 1)

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. SCU-K-CVPT-2018-70200*

d. Conference with Legal Counsel – Existing Litigation

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: *City of Ukiah v. Questex, LTD, et al*, Mendocino County Superior Court, Case No. SCUK- CVPT-15-66036

e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-192-14-00 (280 E. Standley)

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Onetogether Solutions

Under Negotiation: Price & Terms of Payment

f. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

Direction was given to staff.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:53 p.m.



Kristine Lawler, City Clerk