



Regular Meeting
AGENDA

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

October 2, 2019 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. Proclamation Recognizing the Month of October as Domestic Violence Awareness Month in the City of Ukiah.

Recommended Action: Issue Proclamation.

Attachments:

1. Proclamation Recognizing Domestic Violence Awareness Month

- 3.b. Proclamation of the Ukiah City Council Recognizing California Clean Air Day as October 2, 2019.

Recommended Action: Issue a Proclamation of the Ukiah City Council recognizing California Clean Air Day as October 2, 2019.

Attachments:

1. Proclamation Clean Air 2019

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- 5.a. Approval of the Minutes for the September 18, 2019, Regular Meeting.

Recommended Action: Approve the Minutes of September 18, 2019, a Regular Meeting, as submitted.

Attachments:

1. September 18, 2019, Draft Minutes

6. RIGHT TO APPEAL DECISION

Persons who are dissatisfied with a decision of the City Council may have the right to a review of that decision by a court. The City has adopted Section 1094.6 of the California Code of Civil Procedure, which generally limits to ninety days (90) the time within which the decision of the City Boards and Agencies may be judicially challenged.

7. CONSENT CALENDAR

The following items listed are considered routine and will be enacted by a single motion and roll call vote by the City Council. Items may be removed from the Consent Calendar upon request of a Councilmember or a citizen in which event the item will be considered at the completion of all other items on the agenda. The motion by the City Council on the Consent Calendar will approve and make findings in accordance with Administrative Staff and/or Planning Commission recommendations.

- 7.a. Adoption of Resolution to Extend the Declaration of a Local Emergency Related to the 2019 Winter Storm Event.

Recommended Action: Adopt Resolution to extend the declaration of a local emergency related to the 2019 winter storm events.

Attachments:

1. Attachment_1_Local_Emergency_City_of_Ukiah
2. Attachment 2 Local Emergency City of Ukiah
3. Attachment 3 Local Emergency City of Ukiah
4. Attachment 4 Local Emergency City of Ukiah
5. Attachment 5 Local Emergency City of Ukiah
6. Attachment 6 - Local Emergency City of Ukiah
7. Attachment 7 Local Emergency City of Ukiah
8. Attachment 8 -Local Emergency City of Ukiah
9. Attachment 9 Local Emergency City of Ukiah
10. Attachment 10 Local Emergency City of Ukiah
11. Attachment 11 Local Emergency City of Ukiah

- 7.b. Authorize City Manager to Execute Construction Administration Services Agreement with Mead and Hunt Inc. for Runway 15-33 Pavement Rehabilitation Phase 1 Construction and Approve Corresponding Budget Amendment.

Recommended Action: Authorize City Manager to Execute Construction Administration Services Agreement with Mead and Hunt Inc. for Runway 15-33 Pavement Rehabilitation Phase 1 Construction, and approve corresponding budget amendment.

Attachments:

1. Administration services agreement
2. IFE Spreadsheet

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

The City Council welcomes input from the audience. If there is a matter of business on the agenda that you are interested in, you may address the Council when this matter is considered. If you wish to speak on a matter that is not on this agenda, you may do so at this time. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

9. COUNCIL REPORTS

10. CITY MANAGER/CITY CLERK REPORTS

11. PUBLIC HEARINGS (6:15 PM)

- 11.a. Annual Review and Possible Approval of the Fee Schedule for the Ukiah Police Department.
Recommended Action: Review and approve the Fee Schedule for the Ukiah Police Department.
Attachments:

1. Police Department Fee Schedule

- 11.b. Appeal of Planning Commission Decision to Deny a Request for Waiver from Location Limitations for Proposed Cannabis Microbusiness Located at 270, 272, and 274 East Smith Street

Recommended Action: Staff recommends the City Council uphold the Planning Commission's denial of the waiver request.

Actions for Council to consider are included for review in the Discussion Section of the Agenda Summary Report.

Attachments:

1. August 28, 2019 Planning Commission Staff Report
2. Draft Minutes of the August 28, 2019 Planning Commission meeting
3. Application for Appeal to the City Council
4. 11b Correspondence Received - Bruce Ledford
5. 11b Correspondence Received - Petition
6. 11b Correspondence Received - Ronald Meaux

12. UNFINISHED BUSINESS

- 12.a. Receive Report Regarding Review of Ordinance for Marijuana Dispensaries and Provide Direction as Necessary.

Recommended Action: Receive report from Staff and provide direction as necessary.

Attachments:

1. Ordinance No. 1176
2. Ordinance No. 1182

- 12.b. Determination of Notification of Intent to Adjust Curbside Collection and Transfer Station Service Rates.

Recommended Action: Confirm the determination of the City Manager of compliance with the provisions of the agreements between the City of Ukiah and Ukiah Waste Solutions, Inc. and Solid Waste Systems, Inc. regarding the company's notice of intent to adjust curbside collection and transfer station rates.

Attachments:

1. UWS SWS Rate with MSWMA
2. UWS August 15 Rate Notice FINAL 2020 - curbside services
3. SWS August 15 Rate Notice FINAL 2020 - transfer station services

- 12.c. Approval of Notice of Completion for Recycled Water Project, Phases 1 - 3, Specification No. 17-08.

Recommended Action: Approval of Notice of Completion for Recycled Water Project, Phases 1 - 3, Specification No. 17-08.

Attachments:

1. Notice of Completion-Spec17-08

- 12.d. Authorize Execution of Amendment to the Agreement with GHD in an Amount not to Exceed \$13,930 for Additional Services for the Traffic Analysis for Ukiah Schools and Surrounding Area.

Recommended Action: Authorize execution of amendment to the agreement with GHD in an amount not to exceed \$13,930 for additional services for the Traffic Analysis for Ukiah Schools and Surrounding Area.

Attachments:

1. GHD amendment 1 - Traffic Analysis for Ukiah Schools & Surrounding Area
2. 2018-05-10 Agreement -Traffic Analysis for Ukiah Schools & Surrounding Area

13. NEW BUSINESS

- 13.a. Receive and Approve Report of Citywide Engineering and Traffic Survey.

Recommended Action: Receive and Approve Report of Citywide Engineering and Traffic Survey.

Attachments:

1. Ukiah Engineering and Traffic Survey
2. Ukiah City Code Section 7071
3. Ukiah City Code Section 7070

- 13.b. Nomination and Possible Adoption of Resolution Making an Appointment to the Planning Commission to Fill the Remaining Term of Christopher Watt.

Recommended Action: 1) Councilmember Orozco may make a nomination for a Planning Commissioner; 2) Council can discuss and possibly accept the nomination; and 3) Adopt resolution making the appointment to the Planning Commission filling the remaining term of Christopher Watt, expiring in December 2022.

Attachments:

1. Ukiah City Code Sections 1150-1158
2. Applications Received
3. Nomination to Planning Commission
4. Resolution

- 13.c. Discussion and Possible Action Regarding the Cancellation of the October 16, 2019, City Council Regular Meeting, with the Option for the Mayor and/or City Manager to Call for a Special Meeting on an Alternate Date if Time Sensitive Business Arises.

Recommended Action: Approve the cancellation of the October 16, 2019, Regular City Council Meeting with the option for the Mayor and/or City Manager to call for a special meeting on an alternate date if time sensitive business arises.

Attachments: None

- 13.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).
Recommended Action: Receive report(s). The Council may also consider modifications to committee and ad hoc assignments along with the creation/elimination ad hoc(s).
Attachments:

1. 2019 City Council Special Assignments and Ad Hocs

14. CLOSED SESSION - CLOSED SESSION MAY BE HELD AT ANY TIME DURING THE MEETING

14.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)

Recommended Action: Confer in Closed Session

Attachments: None

14.b. Conference with Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d)) Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (Number of potential cases: 1)

Recommended Action: Confer in Closed Session

Attachments: None

14.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

Recommended Action: Confer in Closed Session

Attachments: None

14.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

Recommended Action: Confer in Closed Session

Attachments: None

14.e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-273-19-00 and 002-273-30-00

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Bank of America

Under Negotiation: Price & Terms of Payment

Recommended Action: Confer in Closed Session

Attachments: None

14.f. **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: Onetogogether Solutions

Under Negotiation: Price & Terms of Payment

Recommended Action: Confer in Closed Session

Attachments: None

14.g. **Conference with Labor Negotiator (54957.6)**

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: Fire Unit

Recommended Action: Confer in Closed Session

Attachments: None

15. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at the front counter at the Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482, during normal business hours, Monday through Friday, 8:00 am to 5:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

Dated this 27th day of September, 2019

Kristine Lawler, City Clerk