City Council
Regular Meeting
AGENDA

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482
Register for Ukiah City Council Regular Meeting at:

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August 5, 2020 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

5.a. Approval of the Minutes for the July 15, 2020, Regular Meeting.

Recommended Action: Approve the Minutes of July 15, 2020, Regular Meeting, as submitted.

Attachments:

1. 2020-07-15 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. Report of Disbursements for the Month of May 2020.

Recommended Action: Approve the Report of Disbursements for the Month of May 2020.

Attachments:

1. May 2020 Summary of Disbursements
2. Account Codes for Reference
3. Object codes for Reference
4. May 2020 Disbursement Detail

7.b. Notification of Grant Funds Received and Disbursed Related to the Proposition 84 Integrated Regional Water Management Program Funding Source for the Construction of Water Wells 4 and 9 and the Recycled Water Project.

Recommended Action: Receive notification of grant funds received and disbursed related to the Proposition 84 Integrated Regional Water Management Plan funding source for the Construction of Wells 4 and 9 and the Recycled Water Proejct

Attachments: None

7.c. Adoption of Resolution Establishing Fee for Mailing the Agenda or Agenda Packet, Per the Ralph M. Brown Act, Section 54954.1.

Recommended Action: Adopt resolution establishing fee for mailing the agenda or agenda packet, per the Ralph M. Brown Act, Section 54954.1.

Attachments:

1. Proposed Resolution

7.d. Approval of Amendment No. 2 with SHN Consulting Engineers and Geologists in the Amount of $10,000 for Additional Design Services for Pressure Zone 2 South Reservoir and Approval of Corresponding Budget Amendment.

Recommended Action: Approve Amendment No. 2 with SHN Consulting Engineers and Geologists in the Amount of $10,000 for Additional Design Services for Pressure Zone 2 South Reservoir.

Attachments:

1. Agreement w SHN
2. Amendment 1- Signed
3. SHN Amendment 2

7.e. Approve Change Order to Purchase Order #46701 for the installation SCADA Server UPS Replacement Batteries to JM Integration in the Amount of $7,603.19, to Bring the New Total Purchase Order to $26,823.46.

Recommended Action: Approve change order to Purchase Order #46701 to JM Integration in the amount of $7,603.19, to bring the new total Purchase Order to $26,823.46, to install SCADA Server UPS Replacement Batteries.

Attachments:

1. Proposal Jun 23 2020
2. Proposal Jul 22 2020 (002)

7.f. Authorize City Manager to Negotiate and Execute a Subrecipient Agreement with North Coast Opportunities, for Implementing the City's Tenant Based Rental Assistance Program; and Approve a Corresponding Budget Amendment.

Recommended Action: Authorize the City Manager to negotiate and execute a subrecipient agreement with North Coast Opportunities, for implementing the City's Tenant Based Rental Assistance Program; and approve corresponding budget amendment.

Attachments:

1. Draft Subrecipient Agreement- COVID TBRA Program

7.g. Approval of Conditional Award of Contract to Center for Economic Development for Implementation of Community Development Block Grant (CDBG) Microenterprise Technical Assistance Services in the Amount of up to $140,000, and Authorize the City Manager to Negotiate and Execute Agreement.

Recommended Action: Approve award of contract to the Center for Economic Development for implementation of CDBG Microenterprise Technical Assistance Services in the Amount of up to $140,000, conditioned upon the City's CDBG Microenterprise Technical Assistance Services application receiving an award of funding under the 2019-2020 CDBG Notice of Funding Availability, and authorize the City Manager to negotiate and execute agreement.

Attachments:

1. RFP - CDBG META Program Op - Final
2. Center for Economic Development_City of Ukiah_Microenterprise Proposal
3. Proposal Evaluation Summary - MEA Operator

7.h. Approval of Notice of Completion for Golf Course Storm Drain Project, Specification 19-07, Change Orders and Budget Amendment in the Amount of $35,955.26.

Recommended Action: 1. Accept the work as complete. 2. Direct the City Clerk to file the Notice of Completion with the County Recorder for Golf Course Storm Drain Replacement, Specification No.19-07. 3. Approval of Change Orders. 4. Approval of Budget Amendment in the Amount of $35,955.26

Attachments:

1. Contract Change Order #1-4
2. Notice of Completion-Spec 19-07
3. Invoices- Valley Paving, Tayman Park Golf Group
4. Contract_1920255

7.i. Approval of Contract with Stone Creek Environmental Consulting in the Amount of $39,600 for Engineering Services Related to the Municipal Separate Storm Sewer Systems Permit Issued by the North Coast Regional Water Quality Control Board.

Recommended Action: Approve contract with Stone Creek Environmental Consulting in the amount of $39,600 for Engineering Services related to the City's Stormwater Permit.

Attachments:

1. 200715 Ukiah Storm Water Support LP

7.j. Approval of Plans and Specifications for the Museum Roof Replacement Project, Specification No. 20-10, and Authorize Staff to Issue the Request for Bid.

Recommended Action: Approve the plans and specifications for the Museum Roof Replacement Project, Specification No. 20-10, and authorize staff to issue the Request for Bid.

Attachments:

1. Spec 20-10 Museum Roof Replacement

7.k. Approve Amendment to the Original Agreement with Coastland Civil Engineering for Professional Services Related to Clara Avenue Phase 2 Improvement Project to be Competitive for CDBG Funding and Corresponding Budget Transfer.

Recommended Action: Approve contract amendment to agreement with Coastland Civil Engineering in the amount not to exceed $4,615 for additional engineering design services for the Clara Avenue Phase 2 Project, and approve corresponding budget transfer.

Attachments:

1. 1920231_Coastland Contract
2. Clara Ave Phase 2 - Amendment No. 1 Proposal

7.l. Adopt Plans and Specifications for the Electric Service Center Site Improvements (Spec No. 16-07) to Provide Access Modifications, Roof Replacement and Other Site Improvements ($2.7M).

Recommended Action: Adopt Plans and Specifications for the Electric Service Center Site Improvements (Spec No. 16-07) to Provide Access Modifications, Roof Replacement and Other Site Improvements ($2.7M).

Attachments:

1. Spec 16-07 Hastings
2. Hasting Drawings

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. Consideration and Possible Approval of Final Environmental Impact Report for Closure and Post-Closure Maintenance Plan for City of Ukiah Landfill, and Approval of the Closure and Post-Closure Maintenance Plan.

Recommended Action: Take two actions in the following order: (1) adopt the Resolution attached as Attachment 9, adopting the Statement of Facts (Attachment 8), which makes findings of fact and certifies as complete the final EIR for the Closure and Post-Closure Maintenance Plan; and (2) approve the Closure and Post-Closure Maintenance Plan.(Attachment 1).

Attachments:

1. City of Ukiah Landfill - Final Closure & Post Closure Maintenance Plan (April 2019)
2. Ukiah Landfill Closure Project - Complete Public Draft EIR - With Appendicies
3. Complete Final EIR- 4.22.20 (1)
4. 11a EIR Objection
5. Memo Recommending Continuance
6. 2020-07-17 Ukiah Landfill Response Memo
7. Attachments to ESA Memo
8. Ukiah Landfill Closure Project- Findings of Fact
9. Resolution Adopting Findings EIR & MMRP
10. Pioneer Law Group Opinion Letter 7.30.20

11.b. Conduct a Public Hearing to Consider Adoption of a Resolution Authorizing Submittal of an Application in Response to the 2020 State Community Development Block Grant Program - Coronavirus Response Round 1 Notice of Funding Availability; and Approve Corresponding Budget Amendments if Awarded the Grant.

Recommended Action: 1) Conduct a public hearing to consider approval of application submittal to the State Department of Housing and Community Development; and 2) adopt a resolution authorizing the submittal of a 2020 State Community Development Block Grant application and authorizing the City Manager to execute all related documents; and 3) approve corresponding budget amendments if awarded.

Attachments:

1. CDBG-CV1 NOFA
2. CARES-Programs-for-CDBG-Grantees-Enterprise
3. CDBG-CV1 Jurisdiction Allocations
4. Resolution- 2020 CDBG-CV1 application

11.c. Public Hearing on Financing Documentation for Facilities Acquisition, Enhancement, and Repair of Recently Acquired Property at 501 South State Street and Other Facilities (Recommended to be continued to a date certain of August 19, 2020).

Recommended Action: Continue the agenda item to a time/date certain on August 19, 2020, at 6:15 PM to conduct a public hearing on financing documentation for facility acquisition and improvements.

Attachments: None

12. UNFINISHED BUSINESS

12.a. Receive Report and Consider Directing Staff to Gather the Necessary Information and Conduct the Necessary Analyses to Develop an Application for Potential Annexation of Certain Unincorporated Lands, Including and Surrounding those Areas Commonly Known as the Brush Street Triangle, the Masonite Area Properties, and the City's Water Treatment Plant; and Bring that Application and Pertinent Information and Analyses to the City Council for its Consideration.

Recommended Action: Receive report and direct staff to gather the necessary information and conduct the necessary analyses to develop an application for potential annexation of certain unincorporated lands, including and surrounding those areas commonly known as the Brush Street Triangle, the Masonite Area Properties, and the City's Water Treatment Plant; and bring that application and pertinent information and analyses to the City Council for its consideration.

Attachments:

1. Past Staff Reports- 1-16-20 and 8-27-19 workshops
2. CC Reso 2020-06 - Adopting Annexation Policy
3. Map of Potential Annexation Area

12.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.

Recommended Action: 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.

Attachments: None

12.c. Consideration of Adoption of Amended Resolution Authorizing Applications for Funding and the Execution of Grant Agreements and any Amendments thereto from the 2019-2020 Funding Year of the State Community Development Block Grant Program.

Recommended Action: Adopt amended resolution authorizing applications for funding and the execution of grant agreements and any amendments thereto from the 2019-2020 funding year of the State CDBG program.

Attachments:

1. CC Reso 2020-20 - Approving Application for Funding from CDBG
2. 2020-CDBG-OTC-Applications-Received-Final
3. Resolution (Amended)- 2020 State CDBG application

12.d. Consider Adoption of the Ordinance Amending City Code Provisions Regulating Development of Accessory Dwelling Units.

Recommended Action: Adopt the Ordinance Amending City Code Provisions Regulating Development of Accessory Dwelling Units.

Attachments:

1. ADU Ordinance Amendment REDLINE
2. ADU Ordinance Amendment CLEAN

13. NEW BUSINESS

13.a. Consideration of Restructuring Proposal for the Community Development Department and Corresponding Budget Amendment.

Recommended Action: Approve Community Development Department restructuring proposal and corresponding budget amendment.

Attachments:

1. CDD Housing Division Revenue 2020-2022
2. Planning Manager Job Description (revised 7-28-20)

13.b. Consideration of 1) Approval of Community Development Director Determination that the Identified Project for Homekey Funding Qualifies for a CEQA Exemption; and 2) Adoption of Resolution Authorizing an Application for Funding to the Homekey Program.

Recommended Action: Approve Community Development Director determination that the identified project for Homekey Program funding qualifies for a CEQA exemption; and adopt resolution authorizing an application for funding to the Homekey Program.

Attachments:

1. 2020_HCD_HomeKey-NOFA_07-15-2020
2. Resolution- 2020 CDBG-CV1 application

13.c. Consider Adoption of Resolution for Authorization to Submit an Application to Join the Upper Russian River Water Agency (URRWA).

Recommended Action: Approve resolution for authorization to submit an application to join the Upper Russian River Water Agency (URRWA)

Attachments:

1. URRWA.Resolution

13.d. Discussion and Possible Adoption of Resolution Amending Procedures for Annual Appointment and Rotation of Mayor, Vice Mayor, and City Councilmembers.

Recommended Action: 1) Conduct a discussion per staff recommendations; and 2) If Council decides to go with the proposed method of rotation, then adopt Resolution A or B, depending on which option Council chooses; or 3) If Council decides not to go with the proposed method, then give direction to the ad hoc and staff.

Attachments:

1. Dais Seating
2. Mayor Rotation Scenarios
3. Resolution - Redline
4. Resolution A
5. Resolution B

13.e. 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 will consider modifications to committee and ad hoc assignments along with the creation/elimination ad hoc(s).

Attachments:

1. 2020 City Council Special Assignments - 07-06-20

14. <u>CLOSED SESSION - CLOSED SESSION MAY BE HELD AT ANY TIME DURING THE MEETING</u>

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)(1) (Number of potential case: 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: 157-050-03, 157-060-02, 157-050-04, 157-050-03, 157-030-02, 157-050-01, 157-050-02, 157-050-10, 157-050-09, 157-070-01, 157-070-02, 003-190-01
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Dave Hull and Ric Piffero
Under Negotiation: Price & Terms of Payment
Recommended Action: Confer in Closed Session

Attachments: None

14.f. **Conference with Labor Negotiator (54957.6)**
Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: All Bargaining Units
Recommended Action: Confer in Closed Session

Attachments: None

15. <u>ADJOURNMENT</u>

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.

Kristine Lawler, City Clerk
Dated: July 31, 2020