



**City Council
Regular Meeting
AGENDA**

Register for Ukiah City Council Regular Meeting at:

<https://attendee.gotowebinar.com/rt/9199312935703156493>

After registering, you will receive a confirmation email containing information about joining the webinar. Alternatively, you may view the meeting (without participating) by clicking on the name of the meeting at www.cityofukiah.com/meetings.

May 5, 2021 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. Proclamation Recognizing May 15th as National Peace Officers Memorial Day.

Recommended Action: Present Proclamation.

Attachments:

1. Proclamation

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- 5.a. Approval of the Minutes for the April 21, 2021, Special Meeting.

Recommended Action: Approve the Minutes of April 21, 2021, a Special Meeting, as submitted.

Attachments:

1. 2021-04-21 Draft Minutes - Special Meeting

- 5.b. Approval of the Minutes for the April 21, 2021, Regular Meeting.

Recommended Action: Approve the Minutes of April 21, 2021, a Regular Meeting, as submitted.

Attachments:

1. 2021-04-21 Draft Minutes - Regular Meeting

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. Approval of Plans and Specifications for the 2021 Slurry Seal of Local Streets, and Authorize Staff to Issue Bids for Specifications No. 21-03.

Recommended Action: Approve Plans and Specifications for the 2021 Slurry Seal of Local Streets, and authorize staff to issue bids for Specification No. 21-03.

Attachments:

1. Plans - 21-03 2021 Slurry Seal of Local Streets
2. Spec No 21-03 Slurry Seal of Local Streets

- 7.b. Authorize the City Manager to Sign Federal Aviation Administration Airport Coronavirus Relief Grant Offer, Grant No. 3-06-0268-019-2021 for Ukiah Municipal Airport in the Amount of \$13,000.

Recommended Action: Authorize the City Manager to sign Federal Aviation Administration Airport Coronavirus Relief Grant Offer, Grant No. 3-06-0268-019-2021 for Ukiah Municipal Airport, in the amount of \$13,000.

Attachments:

1. Federal Aviation Administration Airport Coronavirus Relief Grant Offer, Grant No. 3-06-0268-019-2021

- 7.c. Report on Award of Professional Services Agreement to On Duty Health for Annual National Fire Protection Association (NFPA) Compliant Physical Exams for Fire Authority Staff.

Recommended Action: Receive notification of award of Professional Services Agreement to On Duty Health in the amount of \$11,603 for National Fire Protection Association (NFPA) compliant physical exams for Fire Authority staff.

Attachments:

1. Agreement with OnDuty Health

- 7.d. Approve the Purchase of and Algae Control System for the Recycled Water System from LG Sonic US, LLC, Inc. of Scranton, PA in the Total Amount of \$175,720, and Corresponding Budget Amendment.

Recommended Action: Approve the purchase of an Algae Control System for the Recycled Water System from LG Sonic US, LLC, Inc. of Scranton, PA in the total amount of \$175,720.00, and corresponding budget amendment.

Attachments:

1. LG Sonic Proposal - City of Ukiah CA
2. Quote - City of Ukiah (002)

- 7.e. Consideration of Adoption of Resolution Nominating and Appointing a Member to the Equity and Diversity Standing Committee.
Recommended Action: Adopt Resolution Nominating and Appointing a Member to the Equity and Diversity Standing Committee.
Attachments:
1. CC Reso 2020-59 - Establishing Equity and Diversity Standing Committee
 2. Resolution making appointment
 3. Application for Equity and Diversity Committee
- 7.f. Approval of a Budget Amendment for the Contract with Carollo Engineers for the Design Efforts of the Recycled Water Phase 4 Project.
Recommended Action: Approve a budget amendment in the amount of \$1,181,863 for the contract with Carollo Engineers for the design efforts of the Recycled Water Phase 4 project.
Attachments:
1. Agenda Item No. 12.c. 09-16-20
 2. Agenda Item 12e_11-7-2018
- 7.g. Approve Change Order #2 to Contract 2021-176 with Diamond D Construction to Replace Two Valves in Fish Hatchery Water Line at Lake Mendocino Hydroelectric Plant, and Authorize a Contract Budget Amendment in the Amount of \$29,000.
Recommended Action: Approve Change Order #2 to Contract 2021-176 with Diamond D Construction to replace valves in Fish Hatchery water line at Lake Mendocino Hydroelectric Plant, and authorize budget amendment in the amount of \$29,000.
Attachments:
1. 2021-176 Diamond D Construction - Replace 12-inch Water Line - fully executed
- 7.h. Award Contract to LACO and Associates for Soil Management, Geotechnical and Materials Testing, and Inspection Services for the Electric Service Center Site Improvement Project in the Amount of \$41,500.
Recommended Action: Award Contract to LACO and Associates for Soil Management, Geotechnical and Materials Testing, and Inspection Services for the Electric Service Center Site Improvement Project in the Amount of \$41,500.
Attachments:
1. LACO Proposal Soils, Geotech and Materials Electric Service Center
- 7.i. Approval of Budget Amendment in the Amount of \$193,424.91 for Debt Payment of Ukiah Public Financial Authority Lease Revenue Bond (FA LRB) Series 2020A to Bank of New York (BNY) Mellon.
Recommended Action: Approve budget amendment in the amount of \$193,424.91 for debt payment of Ukiah Public Financial Authority Lease Revenue Bond (FA LRB) Series 2020A to Bank of New York (BNY) Mellon.
Attachments:
1. BNY MELLON Ukiah FA LRB Series 2020 A Invoice (003)

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)

12. UNFINISHED BUSINESS

- 12.a. 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.b. Update on Emergency Repair of the Yosemite Drive Water Main and Determine that Emergency Conditions Continue to Require the Emergency Repair.

Recommended Action: Determine that emergency conditions continue to require the repair of the Yosemite Drive Water Main without competitive bidding.

Attachments:

1. Resolution 2020-63 Yosemite Drive Water Main Emergency Work

- 12.c. Receive and File Third Quarter 2020-21 Financial Report.

Recommended Action: Receive and file report.

Attachments: None

- 12.d. Approve the Bid Withdrawal Request from the Lowest Bidder, FRC, Inc., and Award a Contract to the Next Lowest Bidder, CWS Construction Group, Inc. in the Amount of \$2,693,933.50 for the Electric Service Center - Site Work, Specification 16-07, and Approve Corresponding Budget Amendments.

Recommended Action: Approve the bid withdrawal request from the lowest bidder, FRC, Inc., and award a contract to the next lowest bidder, CWS Construction Group, Inc. in the amount of \$2,693,933.50 for the Electric Service Center - Site Work, Specification 16-07, and approve corresponding budget amendments.

Attachments:

1. Bid Tabulation Spec 16-07
2. FRC Bid 04272021
3. FRC Inc. Bid Withdraw -Clerical Error Letter
4. CWS Bid 04272021

13. NEW BUSINESS

- 13.a. Status Report on the Great Redwood Trail – Ukiah, and Request for Authorization for the Mayor to Sign a Letter to the Northern California Railroad Authority (NCRA) in Support of Rail Banking the NCRA Corridor from Cloverdale to Willits.

Recommended Action: Receive report on status of Great Redwood Trail, and authorize the Mayor to sign a letter to North Coast Railroad Authority (NCRA) in support of Rail Banking the NCRA corridor from Cloverdale to Willits.

Attachments:

1. Att 1_L_NCRARailBankAppeal

- 13.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).

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. 2021 City Council Special Assignments

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)(2 & 3))

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)(2))

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

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: Gerardo Magdaleno, by and through his Guardian Ad Litem, Pedro Francisco Magdaleno v. City of Ukiah, Justin Wyatt (Fed. Dist. Ct. N.D. Cal.) 3:21-2609 VC.

Recommended Action: Confer in Closed Session

Attachments: None

14.d. 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. SCUUK-CVPT-2018-70200

Recommended Action: Confer in Closed Session

Attachments: None

- 14.e. **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-20-74612
Recommended Action: Confer in Closed Session
Attachments: None
- 14.f. **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. SCUК- CVPT-15-66036
Recommended Action: Confer in Closed Session
Attachments: None
- 14.g. **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.h. **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. 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.

Kristine Lawler, City Clerk
Dated: 4/30/21