



**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.

June 2, 2021 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. Proclamation: Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, and Two-Spirit (LGBTQIA2) Pride Month in the City of Ukiah.

Recommended Action: Issue a proclamation of the Ukiah City Council recognizing Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month in the City of Ukiah.

Attachments:

1. Proclamation LGBTQIA2
2. LGBTQIA2 Flyer

- 3.b. Presentation of the PFM Group on an Update to the City Council on the City's Investment Portfolio, a Discussion of Sustainable Investing, and Recommended Changes to the City's Investment Policy.

Recommended Action: Receive a presentation from PFM Asset Management LLC (PFM) on the City's investment portfolio, and consider and approve recommended revisions to City's investment policy.

Attachments:

1. Ukiah_Council_Meeting_Presentation_June 2021_FINAL
2. Ukiah Sustainable Investing
3. City of Ukiah QPR 1Q21_final
4. Investment Policy_May 2020_approved_REVIEW 2021_blacklined

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

5.a. Approval of the Minutes for the May 19, 2021, Regular Meeting.

Recommended Action: Approve the Minutes of May 19, 2021, a Regular Meeting, as submitted.

Attachments:

1. 2021-05-19 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. Authorize the City Manager to Execute an Agreement with Governmentjobs.com, Inc. (dba "NEOGOV") for a Cloud-Based Recruiting Module in the Amount of \$39,908 for Three Years, and Approve Corresponding Budget Amendment.

Recommended Action: Authorize the City Manager to Execute an Agreement with Governmentjobs.com, Inc. (dba "NEOGOV") for a Cloud-Based Recruiting Module in the Amount of \$39,908 for three years, and Approve Corresponding Budget Amendment.

Attachments:

1. Attachment 1 - Recruit Module Agreement

- 7.b. Report of Acquisition of Professional Services from Alpha Analytical Laboratories, Inc. in the Amount of \$17,662.80 for Quarterly Water Sampling and Completion of Chemical Examination Reports for the Ukiah Landfill.

Recommended Action: Receive and file report of acquisition of professional services from Alpha Analytical Laboratories, Inc. in the amount of \$17,662.80 for quarterly water sampling and completion of chemical examination reports for the Ukiah Landfill.

Attachments:

1. Alpha Analytical Labs Invoices_24MAY2021

- 7.c. Consideration of Adoption of Resolution Appointing Elora Babbini to the Parks, Recreation, and Golf Commission (PRGC).

Recommended Action: Adopt Resolution appointing Elora Babbini to the Parks, Recreation, and Golf Commission (PRGC), term to expire June 2, 2024.

Attachments:

1. Policy Resolution No. 2014-48
2. Application
3. Nomination
4. Proposed Resolution

- 7.d. Approval of Notice of Completion for Yokayo Court Conduit Installation, Specification No. 20-14, and Approval for Final Payment of the 5% Retention to Wipf Construction, LLC.
Recommended Action: Approve Notice of Completion for the Yokayo Court Conduit Installation, Specification No. 20-14, and direct the City Clerk to file the Notice of Completion with the County Recorder.

Attachments:

1. Yokayo Ct bid spec-Rev 1 COMBINED
2. 2021-6-2 Notice of Completion-Yokayo Ct

- 7.e. Approve Change Order #3 to Contract 2021-176 with Diamond D Construction to Complete Penstock Drain Replacement, and Authorize Corresponding Budget Amendment in an Amount to be Provided to the City Council Prior to the June 2, 2021, City Council Meeting.

Recommended Action: Approve Change Order #3 to Contract 2021-176 with Diamond D Construction to complete the penstock drain replacement with a design change, and authorize budget amendment in an amount to be provided to Council prior to the June 2nd meeting.

Attachments:

1. Contract with Diamond D Construction
2. Plans & Specs

- 7.f. Approval of Purchase of One New Caterpillar Model 304E2 Excavator to Peterson Cat of Willits, CA in the Amount of \$84,425.10 for the Water and Sewer Operations Division and Approval of Corresponding Budget Amendment

Recommended Action: Approval of Purchase of One New Caterpillar Model 304E2 Excavator to Peterson Cat of Willits, CA in the Amount of \$84,425.10 for the Water and Sewer Operations Division and Approval of Corresponding Budget Amendment

Attachments:

1. Peterson Cat Quote

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. Conduct a Public Hearing to Discuss the City Of Ukiah's 2020 Urban Water Management Plan, and Adopt Resolutions Approving the 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

Recommended Action: Conduct a Public Hearing to discuss the City of Ukiah's 2020 Urban Water Management Plan, and adopt Resolutions approving the 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

Attachments:

1. Final Draft 2020 UWMP - Ukiah_May 2021
2. 2020 UWMP Resolution- Final
3. 2020 WSCP Resolution- Final

12. UNFINISHED BUSINESS

- 12.a. 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.b. Award a Contract to Milsoft Utility Solutions, Inc. for the Replacement of the Utility Billing Customer Information System Software Program.

Recommended Action: Award contract to Milsoft Utility Solutions for the replacement of the Utility Billing's Customer Information System software program.

Attachments:

1. Contract 2021-207 - Milsoft - Final Draft
2. Milestone Payments and Pricing

- 12.c. Approve Contract Amendment with Excergy/E Source in the Amount of \$35,000 for the Utility Billing Customer Information System Project Management Services.

Recommended Action: Approve contract amendment with Excergy/E Source in the amount of \$35,000 for the Utility Billing Customer Information System Project Management Services.

Attachments:

1. Contract #2021-089 -Excergy - Utility Billing CIS PM
2. Ukiah Addendum Request 05-05-21

- 12.d. Continuation of Presentation of the Draft 2021-22 Fiscal Year City Budget and Draft Five-Year Capital Improvement Plan.

Recommended Action: Receive City budget overview presentation for the 2021-22 fiscal year.

Attachments:

1. CIP -5 year-FYE 2022 - In Progress - Working Final Draft
2. Vehicle & Heavy Equipment Justifications - FY 21-22revised

13. NEW BUSINESS

- 13.a. Introduction of Ordinance by Title Only Amending Sections 3960 and 3962 in Article 2, Chapter 6, Division 4 of the Ukiah City Code, Governing Apportionment of Water and Sewer Fees to Tenants in Mobilehome Parks and Apartment Complexes.

Recommended Action: Introduce Ordinance by title only amending Sections 3960 and 3962 in Article 2, Chapter 6, Division 4 of the Ukiah City Code, governing apportionment of Water and Sewer Fees to Tenants in Mobilehome Parks and Apartment Complexes.

Attachments:

1. City Code Section 3707.1
2. City Code Section 3961 & 3962
3. David Rapport Email RE Sewer Bill Calculating Issue with New Rate Structure
4. Proposed Ordinance

- 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) & (4))

Significant exposure to litigation pursuant to paragraph (2) or (4) of subdivision (d) of Section 54956.9. Consideration of potential litigation arising from emergency drought declaration.

(Government Code Section 54956.9(e)(2)): (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 & 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.c. **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.d. **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.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. SCUUK-CVPT-2018-70200
Recommended Action: Confer in Closed Session
Attachments: None
- 14.f. **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-20-74612
Recommended Action: Confer in Closed Session
Attachments: None
- 14.g. **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. SCUUK- CVPT-15-66036
Recommended Action: Confer in Closed Session
Attachments: None
- 14.h. **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.i. **Conference with Real Property Negotiators**
(Cal. Gov't Code Section 54956.8)
Property: APNs 184-090-07-00 and 184-100-04-00
Negotiator: Sean White, Water Resources Director and Sage Sangiacomo, City Manager;
Negotiating Parties: Noble Vineyard Management
Under Negotiation: Instruction to negotiator will concern price and terms of payment.
Recommended Action: Confer in Closed Session
Attachments: None

- 14.j. **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
Dated: 5/28/21