



**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.

July 7, 2021 - 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 June 16, 2021, Regular Meeting.

Recommended Action: Approve the Minutes of June 16, 2021, a Regular Meeting, as submitted.

Attachments:

1. 2021-06-16 Draft Minutes

5.b. Approval of the Minutes for the June 29, 2021, Special Meeting.

Recommended Action: Approve the Minutes of June 29, 2021, a Special Meeting, as submitted.

Attachments:

1. 2021-06-29 Draft Minutes - Special 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. Adopt a Resolution Approving Side Letter Agreements to the Current Memoranda of Understanding Between the City of Ukiah and All Collective Bargaining Units.

Recommended Action: Council to consider adopting a resolution approving side letter agreements to the current Memoranda of Understanding between the City of Ukiah and all collective bargaining units.

Attachments:

1. Resolution to Approve Side Letter Agreements Between COU and All Bargaining Units
2. Department Head Side Letter Agreement - COU - 2021
3. Management Unit Side Letter Agreement - COU - 2021
4. IBEW Local 1245 Side Letter Agreement - COU - 2021
5. UPOA Side Letter Agreement - COU - 2021
6. Fire Unit Side Letter Agreement - COU - 2021
7. OE3 Local 3 Administrative & Maintenance Unit Side Letter Agreement - COU - 2021
8. OE3 Local 3 Water Utilities & Mechanics Unit Side Letter Agreement - COU - 2021

- 7.b. Adoption of Ordinance 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: Adopt Ordinance 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

- 7.c. Adoption of Ordinance Adding Section 9004 to Division 9, Chapter 2, Article 1 to Require Compliance with the 2020 Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP).

Recommended Action: Adopt Ordinance adding Section 9004 to Division 9, Chapter 2, Article 1 to require compliance with the Ukiah Municipal Airport Land Use Compatibility Plan.

Attachments:

1. UKI ALUCP - ADOPTED May 20, 2021 - COMPLETE PRINT FILE
2. ALUC Revised ISND
3. UKI ALUCP Compatibility Map
4. Proposed Ordinance- UKIALUCP

- 7.d. Approval of Amendment No. 3 to the Professional Services Agreement with Community Development Services in an Amount Not to Exceed \$25,434 for Professional Consulting Services Related to CDBG Business Assistance Program Loan Underwriting.
Recommended Action: Approve Amendment No. 3 to the Professional Services Agreement with Community Development Services in an amount not to exceed \$25,434 for professional consulting services related to CDBG Business Assistance Program loan underwriting.

Attachments:

1. C#1718155 - Community Development Services
2. Amendment No. 1- C#1718155
3. Amendment No. 2- C#1718155
4. Draft Amendment No. 3- C#1718155

- 7.e. Approval of Notice of Completion for the Electric Utility Department's Replacement of the 12-Inch Water Line at the Hydroelectric Plant, Specification No. 20-15, and Approve Final Payment of the 5% Retention to Diamond D Construction, LLC.

Recommended Action: Approve Notice of Completion for the Replacement of the 12-Inch Water Line at the Lake Mendocino Hydroelectric Plant, Specification 20-15, and direct the City Clerk to file the Notice of Completion with the County Recorder.

Attachments:

1. REPLACE 12-INCH WATER LINE AT HYDRO-COMBINED
2. 2020-07-07 Notice of Completion-Hydro 12 Inch Water Line

- 7.f. Adopt Resolution for City of Ukiah Electric Facilities Physical Security Plan as Required by the California Public Utilities Commission (CPUC) Decision 19-01-018.

Recommended Action: Adopt Resolution for City of Ukiah Electric Facilities Physical Security Plan as Required by the California Public Utilities Commission (CPUC) Decision 19-01-018.

Attachments:

1. CPUC Decision 19-01-018
2. Resolution EUD's Physical Security Program for Distribution-Level Facilities-FINAL
3. Ukiah Electric Utility Security Plan Report

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. Consideration and Possible Adoption of Resolution Adopting the City of Ukiah Business Assistance Guidelines, to be Funded by the State Community Development Block Grant (CDBG) Program.

Recommended Action: Adopt resolution adopting the City of Ukiah CDBG Business Assistance Program Guidelines.

Attachments:

1. 2021 City of Ukiah CDBG Business Loan Program Guidelines (Exhibit A)
2. Resolution- 2021 CDBG Business Assistance guidelines

- 12.b. Receive Report Regarding the Economic Development and Financing Corporation (EDFC); Consideration of Request for Funding from EDFC; and Request for Authorization for the City Manager to Negotiate and Execute Performance Agreement Between the City of Ukiah and EDFC.

Recommended Action: Receive report regarding the Economic Development and Financing Corporation (EDFC); consider request for funding from EDFC; and authorize the City Manager to negotiate and execute Performance Agreement between the City of Ukiah and EDFC.

Attachments:

1. EDFC Annual Report Ukiah City Council 7.7.2021
2. EDFC Performance Agmt FY 20-21 - fully executed

13. NEW BUSINESS

- 13.a. 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)or(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)or(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)or(3))
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (1 potential case, involving possible termination of construction contract for cause)
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. SCUk-CVPT-2018-70200
Recommended Action: Confer in Closed Session
Attachments: None
- 14.e. **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.f. **Conference with Real Property Negotiators**
(Cal. Gov’t Code Section 54956.8)
Property: APN Nos: 003-500-19; 003-190-08; 057-050-12; 157-050-11; 157-060-003; 001-040-83;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; 003-181-01; 003-582-38
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.g. **Conference with Real Property Negotiators**
(Cal. Gov’t Code Section 54956.8)
Property: APN Nos: 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.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: 7/2/21