



**City Council
Regular Meeting
AGENDA**

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

Due to the COVID-19 Pandemic, City Council Meetings will be conducted virtually and not available for in person public participation. The Public is invited to participate digitally in meetings in lieu of personal attendance by registering through the following virtual link: <https://attendee.gotowebinar.com/rt/9199312935703156493>

In addition, written comments can also be submitted to meeting@cityofukiah.com; City Council meetings are broadcast live on local cable Comcast/Xfinity Channel 3 and via the web at www.cityofukiah.com/meetings (scroll down, click on the name of the meeting, and play the video in the pop-up window.)

September 1, 2021 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. Receive Presentation of Exceptional Employee Recognition Awards.

Recommended Action: Receive a presentation of the Exceptional Employee Recognition Awards.

Attachments: None

- 3.b. Presentation on the Hazards of Nitrous Oxide from the Ukiah Valley Youth Leadership Coalition, a Program of the Redwood Community Services' Arbor Program and Provide Direction Regarding the Coalition's Proposed Ordinance to Ban the Retail Sale of Nitrous Oxide.

Recommended Action: Receive presentation and provide direction to staff if warranted.

Attachments:

1. Proposed Ordinance for Consideration

- 3.c. Proclamation of the Ukiah City Council Recognizing September 2021, as Hispanic Heritage Month in the City of Ukiah and Presentation by Ukiah Vecinos en Accion (UVA).

Recommended Action: Issue a Proclamation of the Ukiah City Council recognizing September, 2021, as Hispanic Heritage Month in the City of Ukiah and receive presentation on the history and accomplishments of Ukiah Vecinos en Accion (UVA).

Attachments:

1. Hispanic History Month Proclamation

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- 5.a. Approval of the Minutes for the August 18, 2021, Regular Meeting.

Recommended Action: Approve the Minutes of August 18, 2021, a Regular Meeting, as submitted.

Attachments:

1. 2021-08-18 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. Approve the Purchase of a Caterpillar 926M Wheel Loader from Peterson CAT in the Amount of \$237,711.75 as Approved in the Fiscal Year 2021-2022 Capital Budget.

Recommended Action: Approve the Purchase of a Caterpillar 926M Wheel Loader from Peterson CAT in the amount of \$237,711.75 as Approved in the Fiscal Year 2021-2022 Capital Budget.

Attachments:

1. Justification Form
2. Loader Quote

- 7.b. Approve the Purchase of a 360X-200H Reclaimer from Asphalt Zipper in the Amount of \$163,154.63 as Authorized in the Fiscal Year 2021-2022 Capital Budget.

Recommended Action: Approve the Purchase of a 360X-2005 Reclaimer from Asphalt Zipper in the amount of \$163,154.63 as Authorized in the Fiscal Year 2021-2022 Capital Budget.

Attachments:

1. Zipper Quote

- 7.c. Approval of Notice of Completion for Pedestrian Access Improvements Project, Specification No. 20-16, at the Crosswalk Across South Dora Street and Luce Avenue.

Recommended Action: Accept the work as complete and direct the City Clerk to file the Notice of Completion with the County Recorder for Pedestrian Access Improvements Project, Specification No. 20-16.

Attachments:

1. Notice of Completion - Spec 20-16

- 7.d. Award of Contract to Pavement Coatings Co. in the Amount of \$321,078.00 for the 2021 Slurry Seal of Local Streets.
Recommended Action: Award contract to Pavement Coatings Co. in the amount of \$321,078.00 for the 2021 Slurry Seal of Local Streets.
Attachments:
1. PLANS - SLURRY SEAL OF LOCAL STREETS 21-03
 2. Bid Results Spec 21-03 Slurry Seal
 3. Apparent Low Bid
- 7.e. Award of Contract to All Star Painting in the Amount of \$53,000 for Painting Services at the Alex Thomas Plaza, and Approval of Corresponding Budget Amendment.
Recommended Action: Award of contract to All Star Painting in the amount of \$53,000.00 for painting services at the Alex Thomas Plaza, and approve corresponding budget amendment.
Attachments:
1. Palette
 2. Spec
 3. Bid Results
- 7.f. Adoption of Ordinance Amending Division 9, Chapter 2 of the Ukiah Municipal Code to Execute General Plan Housing Element Implementation Tasks and Comply with New State Housing Laws.
Recommended Action: Adopt the Ordinance amending Division 9, Chapter 2 of the Ukiah Municipal Code to execute General Plan Housing Element Implementation Tasks and comply with new State housing laws.
Attachments:
1. Ordinance
- 7.g. Report of Acquisition of Professional Services from Alpha Analytical Laboratories, Inc. in the Amount of \$15,920.80 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 \$15,920.80 for quarterly water sampling and completion of chemical examination reports for the Ukiah Landfill. Report is submitted pursuant to City Code.
Attachments:
1. Alpha Analytical Lab Invoices_16AUG2021
- 7.h. Renewal of Revised Lease Agreement Between the City of Ukiah and the Ukiah Player's Theater for the Use of the Property at 1041 Low Gap Road and Authorization for the City Manager to Negotiate and Execute corresponding Lease.
Recommended Action: Authorize City Manager to negotiate and execute the renewal of a revised lease agreement between the City of Ukiah and the Ukiah Player's Theater for the use of the property at 1041 Low Gap Road.

Attachments:

1. UPT Lease 2021

- 7.i. Consideration of Adoption of Resolution Authorizing Submittal of an Application to the California Department of Housing and Community Development for Funding under the Competitive Permanent Local Housing Allocation (CPLHA) and, if Selected, Providing Authorization to the City Manager to Execute a Standard Agreement, Any Amendments Thereto, and Any Related Documents Necessary to Participate in the CPLHA Program; and Approval of Corresponding Budget Revenue and Expense Amendments, if Awarded.

Recommended Action: Adopt resolution authorizing submittal of an application to the California Department of Housing and Community Development for funding under the CPLHA Competitive Permanent Local Housing Allocation Program, and if selected, authorize the City Manager to execute a Standard Agreement, any amendments thereto, and any related documents necessary to participate un the CPLHA Competitive Permanent Local Housing Allocation Program; and approve corresponding budget revenue and expense amendments, if the application is awarded.

Attachments:

1. 2021 PLHA Non-Entitlement LG Competitive NOFA
2. Competitive PLHA Resolution

- 7.j. Approve the Purchase of a Maintenance and Protection Plan for LifePak15 Monitor/Defibrillator Units and Lucas Chest Compression System from Stryker in the Amount of \$41,030.50 for a five (5) year term.

Recommended Action: Approve the Purchase of a Maintenance and Protection Plan for LifePak15 Monitor/Defibrillator Units and Lucas Chest Compression System from Stryker in the Amount of \$41,030.50 for five (5) year term.

Attachments:

1. Quote

- 7.k. Approve Issuing a Notice of Termination to Paymentus for Electronic Bill Payment Services, and Authorize the City Manager to Negotiate a Contract with Invoice Cloud for Online Payment Processing

Recommended Action: Approve issuing a Notice of Termination to Paymentus for Electronic Bill Payment Services, and authorize the City Manager to negotiate and execute a contract with Invoice Cloud for online payment processing.

Attachments:

1. City of Ukiah SOW
2. Invoice Cloud Paymentus Replacement Case Study
3. City of Ukiah Pricing Proposal
4. Price Comparison

- 7.l. Approve Sole Source Purchase of LED Lighting System for the Galleries at Grace Hudson Museum from Sixteen5hundred for \$86,276.50 Plus Tax and Shipping; and Approve Corresponding Budget Amendment.

Recommended Action: Approval of the sole source purchase of LED gallery lighting at the Grace

Hudson Museum from Sixteen5hundred in the amount of \$86,276.50 plus tax, shipping, and handling; and approve corresponding budget amendment.

Attachments:

1. Sixteen5Hundred 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. Consideration and Possible Adoption of a Resolution Adjusting Fees for Pre Hospital Emergency Medical Services and Emergency Ambulance Services Provided by the Ukiah Valley Fire Authority.

Recommended Action: Adopt the proposed Resolution to adjust the fees for Pre-Hospital Emergency Services and Emergency Ambulance Services provided by the Ukiah Valley Fire Authority.

Attachments:

1. AP Triton Fee Memo-2021
2. CVEMSA Ambulance Rates
3. Proposed PHEMS and Ambulance Fees-2021
4. RESOLUTION - Ambulance Fees

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- 13.a. Award Professional Services Agreement to BKF Engineers in the Amount of \$195,789 to Prepare the Plans, Specifications, and Estimate for the Gobbi Street Utility Replacement Project, and Approve Corresponding Budget Amendments.

Recommended Action: Award professional services agreement to BKF Engineers in the amount of \$195,789 to prepare the plans, specifications, and estimate for the Gobbi Street Utility Replacement Project, and approve corresponding budget amendments.

Attachments:

1. RFP- Gobbi Street Utility Replacement Project
2. BKF - Design Proposal
3. BKF - Fee Proposal

- 13.b. Discussion and Possible Action to Determine the City's Position on the 2021 Resolutions being Considered by the League of California Cities and Provide Corresponding Voting Instructions to the City of Ukiah's Voting Delegate.

Recommended Action: Staff recommends that the Council provide direction to the voting delegate on the attached League of California Cities Resolutions. The City can choose to support, oppose or abstain.

Attachments:

1. 2021-Annual-Conference-Resolutions-Packet-

- 13.c. Authorization to Purchase a Seasonal Ice Rink in the Amount of \$167,737, and Approve Corresponding Budget Amendments.

Recommended Action: Authorize the Purchase of a Seasonal Ice Rink, and approve corresponding budget amendments.

Attachments:

1. Everything Ice Portable Rink Equipment Budget

- 13.d. Consider Approval of a Joint Powers Agreement between the City of Ukiah and County of Mendocino Regarding Land Use and Building Code Enforcement on Property Leased from the City of Ukiah by the Ukiah Rifle and Pistol Club.

Recommended Action: Approve Joint Powers Agreement regarding land use and building code enforcement on property leased from the City of Ukiah by the Ukiah Rifle and Pistol Club, and authorize Mayor to sign.

Attachments:

1. Agreement for Shared Exercise of Land Use and California Building Code Authority

- 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. 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. SCUК-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 Legal Counsel – Existing Litigation**
(Cal. Gov't Code Section 54956.9(d)(1))
Name of case: Siderakis v. Ukiah, et al, Mendocino County Superior Court, Case No. 21CV00603
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: 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.i. **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.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, City Clerk
Dated: 8/27/21