



**City Council
Regular Meeting
AGENDA**

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

<https://attendee.gotowebinar.com/rt/3862698010362077965>

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.

September 15, 2021 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. Introduction of Neil Davis, Director of Community Services.

Recommended Action: Receive introduction of Neil Davis, Director of Community Services.

Attachments: None

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- 5.a. Approval of the Minutes for the August 30, 2021, Special Meeting.

Recommended Action: Approve the Minutes of August 30, 2021, a Special Meeting, as submitted.

Attachments:

1. 2021-08-30 Draft Minutes - Special Meeting

- 5.b. Approval of the Minutes for the September 1, 2021, Regular Meeting.

Recommended Action: Approve the Minutes of September 1, 2021, a Regular Meeting, as submitted.

Attachments:

1. 2021-09-01 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 August 2021.

Recommended Action: Approve the Report of Disbursements for the Month of August 2021.

Attachments:

1. August 2021 Summary of Disbursements
2. Account Codes for Reference
3. Object Codes for Reference
4. August 2021 Disbursement Detail

7.b. Report to Council for the Emergency Replacement of a Flow Meter at the Water Treatment Plant (WTP), from JM Integration LLC, in the Amount of \$19,366.39.

Recommended Action: Receive Report for the Emergency Replacement of a Flow Meter at the Water Treatment Plant, from JM Integration LLC, in the amount of \$19,366.39.

Attachments:

1. REQ -JM Int
2. JM Int Quote

7.c. Approval of Budget Amendment in the Amount of \$3,000 for CASp Training Expenses for the Chief Building Official.

Recommended Action: Approve budget amendment in the amount of \$3,000 for training expenses for the Chief Building Official.

Attachments: None

7.d. Adopt Resolution Approving an Initial Study/Negative Declaration and General Plan Amendment No. 21-01 to Allow for Increased Density and Lot Coverage in Compliance with the General Plan Housing Element and State Housing Laws.

Recommended Action: Adopt Resolution Approving an Initial Study/Negative Declaration and General Plan Amendment No. 21-01 to Allow for Increased Density and Lot Coverage in Compliance with the General Plan Housing Element and State Housing Laws.

Attachments:

1. Minutes of August 18, 2021
2. Resolution with Exhibits A and B

7.e. Adoption of Resolution Approving Records Destruction for City Manager's Office.

Recommended Action: Adopt resolution authorizing the destruction of outdated documents for the City Manager's Office.

Attachments:

1. Resolution with Exhibit A - Records Destruction Notice

- 7.f. Approval of Budget Amendment in the Amount of \$10,000 for Colantuono, Highsmith & Whatley PC for Specialized Legal Services Related to LAFCo Matters.
Recommended Action: Approve budget amendment in the amount of \$10,000 for Colantuono, Highsmith & Whatley PC, for legal services under contract no. 1415-099.
Attachments: None
- 7.g. Authorize City Manager to Execute an Memorandum of Understanding (MOU) to Partner with Ukiah Unified School District to Expand the After School Education and Safety Program.
Recommended Action: Authorize the City Manager to execute a Memorandum of Understanding between the City of Ukiah and Ukiah Unified School District to partner to expand the Afterschool Education and Safety program.
Attachments:
1. ASES MOU with UUSD
- 7.h. Approve Budget Amendment in the Amount of \$565,727 for Contract No. 2021-204 with CWS Construction Group for the Electric Service Center Site Work, and Approve the Reset of Staff's 10% Change Order Authority Based on the Revised Contract Amount of \$2,963,326.85.
Recommended Action: Approve budget amendment in the amount of \$565,727 for Contract No. 2021-204 with CWS Construction Group for the Electric Service Center Site Work, and approve the reset of staff's 10% change order authority based on the revised contract amount of \$2,963,326.85.
Attachments:
1. CWS Construction Group - Electric Utility Operation Center Site Work 2021-204 - Signed Contract
 2. Spec 16-07 - CCO 1 - Grading at Dump Site_Signed
 3. Spec 16-07 - CCO 2 - Water Line, Trellis, Patio, Concrete + Roofing_Signed
 4. Spec 16-07 - CCO 3 - AC_AB, Switchgear, Roof Curbs.docx
- 7.i. Review Landfill Closure Financial Plan Update.
Recommended Action: Receive and file update to the Landfill Closure Financial Plan.
Attachments:
1. CC Reso-Establishing Funding Closure-Ukiah Solid Waste Disposal
 2. 2021 Inflation Form Factor (ASR)
- 7.j. Adoption of Resolution Approving the Application to the CA State Parks Outdoor Equity Grant Program.
Recommended Action: Adopt Resolution approving an application to the CA State Parks Outdoor Equity Grant Program.
Attachments:
1. Proposed Resolution

- 7.k. Consideration and Action Regarding Recommendation to Reject All Bids Received for Specification No. E38915 Percolation Ponds 1-3 Scarification for the Waster Water Treatment Plant.

Recommended Action: Consideration and Action Regarding Recommendation to Reject All Bids Received for Specification No. E38915 Percolation Ponds 1-3 Scarification.

Attachments:

1. Percolation Ponds 1-3 Scarafication-ASR
2. Ghilotti Construction 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 of the Planning Commission's Recommendation to 1) Adopt an Initial Study and Mitigated Negative Declaration (SCH No.2021040428); 2) Conditionally approve the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project; and 3) Introduce by Title Only an Ordinance to Prezone the Conservation Parcels to "PF" Public Facilities and the Development Parcels to "R1-H" Single Family Residential-Hillside Overlay District. File No.: 20-5915.

Recommended Action: 1) Adopt the Initial Study and Mitigated Negative Declaration; and 2) Conditionally Approve the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project; and 3) Introduce by title only the Ordinance in Attachment 6 to prezone the Conservation Parcels to "PF" Public Facilities and the Development Parcels to "R1-H" Single Family Residential-Hillside Overlay District.

Attachments:

1. Figures & Maps for Western Hills Open Land Acquisition & Limited DA
2. 2021-08-25 PC Hearing Staff Report_Western Hills Open Land Acquisition & Limited DA
3. 2021-08-25 PC Minutes Draft
4. Draft Conditions of Approval_Western Hills Open Land Acquisition Limited DA
5. Draft Findings_Western Hills Open Land Acquisition Limited DA
6. Draft Ordinance for Prezoning_Western Hills Open Land Acquisition & Limited DA
7. Final Draft ISMND 081621_Western Hills Open Land Acquisition & Limited DA

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. Presentation of Findings to Improve the Efficiency and Productivity of the Paths, Open Space and Creeks Commission (POSCC) and the Parks, Recreation, and Golf Commission (PRGC); and Seeking Direction from Council Regarding the Reformation of the Commissions as a Single Public Spaces Commission.

Recommended Action: Receive report and approve staff initiation of processes to reform the Paths, Open Space and Creeks Commission (POSCC) and the Parks, Recreation into a combined Public Spaces Commission.

Attachments: None

- 12.c. Adoption of Resolution of the City Council of the City of Ukiah Opposing the Application from the North Coast Railroad Company and Encouraging the Surface Transportation Board to Support Railbanking Between Willits and Humboldt County.

Recommended Action: Adopt Resolution opposing the application from the North Coast Railroad Company and encouraging the Surface Transportation Board to support railbanking between Willits and Humboldt County.

Attachments:

1. Proposed Resolution

13. **NEW BUSINESS**

- 13.a. Award Professional Services Agreement to GHD Inc. in the Amount of \$312,491 to Prepare the Plans, Specifications, and Estimate for the Great Redwood Trail Phase 4 Project.

Recommended Action: Award Professional Services Agreement to GHD Inc. in the Amount of \$312,491 to Prepare the Plans, Specifications, and Estimate for the Great Redwood Trail Phase 4 Project.

Attachments:

1. Great Redwood Trail Phase 4 Proposal_GHD - Council

- 13.b. Possible Introduction by Title Only of an Ordinance Amending Division 1, Chapter 4, Article 4B of the City Code Regarding the Procedure for Filling Vacancies on the Design Review Board.

Recommended Action: Introduce by Title Only an Ordinance Amending Division 1, Chapter 4, Article 4B of the City Code Regarding the Procedure for Filling Vacancies on the Design Review Board.

Attachments:

1. Proposed Ordinance - Redline
2. Proposed Ordinance - Clean
3. Design Review Board Application
4. Design Review Board Roster

- 13.c. 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

(Government Code Section 54956.9(d)(1))

Name of case: Vichy Springs Resort v. City of Ukiah, Et Al; Case No. SCUk-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. SCUk- 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 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, CMC/City Clerk
Dated: 9/10/21