



**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/9199312935703156493>

If you prefer to call in, the number is: 632-379-998

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.

October 6, 2021 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. Proclamation: Recognizing October 2021 as National Disability Employment Awareness Month in the City of Ukiah.

Recommended Action: Issue a proclamation of the Ukiah City Council recognizing National Disability Employment Awareness Month in the City of Ukiah.

Attachments:

1. Disability Employment Awareness Month

- 3.b. Resolution and Proclamation: Recognizing the Second Monday of October Each Year, as Indigenous Peoples' Day in the City of Ukiah.

Recommended Action: Adopt a resolution recognizing the second Monday in October each year as Indigenous Peoples' Day in the City of Ukiah and directing City staff to take the steps necessary to designate the second Monday in October as an official City holiday and issue a proclamation of the Ukiah City Council recognizing the second Monday in October each year, as Indigenous Peoples' Day in the City of Ukiah.

Attachments:

1. Resolution_ Indigenous Peoples' Day_101621
2. Proclamation_ Indigenous Peoples' Day

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- 5.a. Approval of the Minutes for the September 15, 2021, Regular Meeting.

Recommended Action: Approve the Minutes of September 15, 2021, a Regular Meeting, as submitted.

Attachments:

1. 2021-09-15 Draft Minutes

- 5.b. Approval of the Minutes for the September 21, 2021, Special Meeting.

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

Attachments:

1. 2021-09-21 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. Council will Consider Awarding a Contract in the Amount of \$37,339.12 for Bi-Weekly Maintenance for the SCADA and Instrumentation at the Water Treatment Plant to JM Integration of Vacaville, CA.

Recommended Action: Award contract in the amount of \$37,339.12 for bi-weekly maintenance for the SCADA and Instrumentation at the Water Treatment Plant to JM Integration of Vacaville, CA.

Attachments:

1. JM Integration Quote

- 7.b. Adoption of an Ordinance to Prezone Certain Parcels in Association with the Western Hills Open Land Acquisition and Limited Development Agreement Project.

Recommended Action: Adopt ordinance amending the official zoning map for the City of Ukiah, and pre-zoning certain parcels in association with the Western Hills Open Land Acquisition and Limited Development Agreement Project.

Attachments:

1. Ordinance for Prezoning_Western Hills Open Land Acquisition Limited DA.docx

- 7.c. Notification to City Council of Purchase Order #47467 to Family Tree Service for the Removal of Ten(10) Trees and One Stump in the Amount of \$18,350.

Recommended Action: Receive report on Purchase Order #47467 to Family Tree Service for the removal of ten(10) trees and one stump in the amount of \$18,350

Attachments:

1. Tree Maintenance Guidelines
2. Purchase Order 47467-00

- 7.d. Request a Budget Amendment to the Park Development Fund Open Space Supplies Account in an Amount of \$2,530.25 from the Park Development Reserve Fund to Cover the Cost of the Filing Fee for the Initial Study and Mitigated Negative Declaration to the County of Mendocino for the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project.
Recommended Action: Approve a Budget Amendment to the Park Development Fund Open Space supplies account in the amount of \$2,530.25 from the Park Development Reserve Fund to cover the cost of the filing fee for the Initial Study and Mitigated Negative Declaration to the County of Mendocino for the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project.
Attachments: None
- 7.e. Adoption of Resolution Ratifying an Emergency Order of the City Manager Authorizing Temporary Use of the Property at 1240 Airport Park Boulevard as a Disaster Resources Facility to Assist Those Affected by the Hopkins Fire.
Recommended Action: Adopt Resolution ratifying an emergency order of the City Manager authorizing temporary use of the property at 1240 Airport Park Boulevard as a disaster resources facility to assist those affected by the Hopkins fire.
Attachments:
1. Resolution with Exhibit A - Ratifying Declaration of Local Emergency
- 7.f. Authorize City Manager to Negotiate and Execute a Contract with North Coast Opportunities in the Amount of \$152,000 to Provide Project Support for the CNRA Funded Urban Greening Grant to Build Phase 4 of the Great Redwood Trail.
Recommended Action: Authorize the City Manager to negotiate and execute a contract with North Coast Opportunities in the amount of \$152,000, to provide project support for the CNRA Funded Urban Greening Grant to build Phase 4 of the Great Redwood Trail.
Attachments:
1. NCO Project Manager Scope of Work 1
 2. Professional Services Contract NCO_UkiahSoUL
- 7.g. Adoption 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: Adopt 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
- 7.h. Notification to the City Council of Purchase Order #47493 Issued to Arrow Fencing to Replace Fencing Lost in the Highway Fire at the Water Treatment Plant (WTP) in the Amount of \$25,200.
Recommended Action: Council will receive a report on Purchase Order #47493 issued to Arrow Fencing for fence replacement at the Water Treatment Plant (WTP) in the amount of \$25,200.
Attachments:
1. Arrow Fencing Proposal 0927

- 7.i. Request Approval to Amend the Contract with Utility Design Services to Increase Design and Engineering Contract Funding for Electric Capital Improvement Projects in the amount of \$260,000.
Recommended Action: Approve an amendment to the contract with Utility Design Services to increase design and engineering contract funding for Electric capital improvement projects in the amount of \$260,000.
Attachments:
1. COU# 1314-213
- 7.j. Adoption of a Resolution of the City of Ukiah, Adopting the City of Ukiah Social Media Policy.
Recommended Action: Adopt resolution adopting the City of Ukiah Social Media Policy.
Attachments:
1. Resolution with Exhibit A - Policy Social Media
- 7.k. Consider Approval of Annual Allocation of Funds, in the Amount of \$68,750, to the Ukiah Valley Basin Groundwater Sustainability Agency, for Agency Administration and Implementation of the Groundwater Sustainability Plan, until Such a Time that a Regulatory Fee or Other Funding Mechanism is Implemented; and a One-Time Contribution of \$4,000 to Perform Additional Groundwater Monitoring to Study the Effects of the Current Drought Emergency on the Groundwater Levels in the Ukiah Valley Basin.
Recommended Action: Approve Annual Allocation of Funds, in the Amount of \$68,750, to the Ukiah Valley Basin Groundwater Sustainability Agency, for Agency Administration and Implementation of the Groundwater Sustainability Plan, until Such a Time that a Regulatory Fee or Other Funding Mechanism is Implemented; and an additional one-time contribution of \$4,000 to perform additional groundwater monitoring to study the effects of the current drought emergency on the groundwater levels in the Ukiah Valley Basin.
Attachments: None
- 7.l. Report of a Revised Final Purchase Price of the Seasonal Ice Rink in the Amount of \$198,259.16, and Approve Corresponding Budget Amendment.
Recommended Action: Receive report of a revised final purchase price of the seasonal ice rink in the amount of \$198,259.16, and approve corresponding budget amendment.
Attachments:
1. ASR
 2. Original Proposal
 3. Revised Proposal
- 7.m. Report of Revised Vendor for the Purchase of LED Lighting System for the Galleries at the Grace Hudson Museum.
Recommended Action: Receive a report regarding the revised vendor used for the purchase of the LED Lighting System for the Galleries at the Grace Hudson Museum.
Attachments:
1. Original ASR
 2. Original PO
 3. Revised PO

- 7.n. Council will Consider Approving the Purchase of One (1) 2022 Ford F250XL 4X4 Pickup Truck in the Amount of \$47,012.87 from Redwood Ford.

Recommended Action: Award the bid for one (1) 2022 Ford F250XL 4X4 Pickup Truck to Redwood Ford in the amount of \$47,012.87

Attachments:

1. Justification Form
2. Request for Bid
3. Bid Tab

- 7.o. Approve City of Ukiah's Coordinated Responses to Grand Jury Reports: "Homelessness in Mendocino County is a Community Concern", "Meeting Mendocino County's Needs for Housing Requires Coordination and Planning", and "The Orr Street Bridge--Twelve Years of Delay."

Recommended Action: Approve City of Ukiah Coordinated Responses to Grand Jury Reports: "Homelessness in Mendocino County is a Community Concern", "Meeting Mendocino County's Needs for Housing Requires Coordination and Planning", and "The Orr Street Bridge--Twelve Years of Delay."

Attachments:

1. Report-Homelessness_in_Mendocino_County_is_a_Community_Concern_06162021
2. Report-Mendocino_Countys_Needs_for Housing 2021
3. Report-The_Orr_Street_Bridge--Twelve_Years_of_Delay_07162021
4. PC_933.5
5. Cover_Homelessness_City Council
6. Cover_Homelessness_City Manager
7. Cover_Homelessness_Police Dept
8. Grand Jury Responses 2021 - Homelessness_Final
9. Cover_Housing
10. Grand Jury Response 2021 - Mendocino County Housing_Final
11. Cover_Orr Street Bridge_City Council
12. Cover_Orr Street Bridge_City Manager
13. Cover_Orr Street Bridge_CD Director
14. Cover_Orr Street Bridge_PW Director
15. Grand Jury Response 2021 - Orr Street Bridge_Final

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; Adopt Resolution Establishing the State Street Underground District No. 6 from Norton Street to Henry Street and from Mill Street to Gobbi Street, Including the Boundaries and Proposed Schedule; and Approve the Community Development Director's Determination that the Project Qualifies for a CEQA Exemption.

Recommended Action: Adopt Resolution establishing State Street Underground District No. 6, approve boundaries and timeline, and approve the Community Director's Determination that the Project qualifies for a CEQA exemption.

Attachments:

1. Boundary Maps North and South
2. Boundary Descriptions
3. Timeline
4. 2021-10-06 Resolution State Street UG District No. 6

12. UNFINISHED BUSINESS

- 12.a. Receive and File Fourth Quarter Financial Report.

Recommended Action: Receive and file report.

Attachments: None

- 12.b. Receive Report Regarding Annual Review of Ordinance for the Regulation of Shopping Cart Containment and Retrieval, and Provide Direction as Necessary.

Recommended Action:

Receive report from Staff, provide policy direction, and direct staff to return with a revised ordinance to improve efficiency and effectiveness of the shopping cart containment program.

Alternate Action: Reconstitute a council ad hoc if more direct guidance is desired for the ordinance revision process.

Attachments:

1. Ordinance No. 1187 Shopping Cart Containment and Retrieval
2. Ordinance No. 1191 Amending Shopping Cart Containment and Retrieval Ordinance

- 12.c. Receive Report Regarding Review of Ordinance for Development of Operating Standards for Community Gardens, Live Entertainment, Outdoor Dining, Sidewalk Cafes, and Specialty Food and Beverage Sales with Tasting; and Provide Direction to Staff as Necessary.

Recommended Action: Receive report and provide direction to Staff as necessary.

Attachments:

1. Ordinance No. 1167
2. Ordinance No. 1210

13. NEW BUSINESS

- 13.a. Adopt a Resolution to enter into the Third Phase Agreement for Power Purchase Agreement with South Feather Water and Power Agency and Authorize the City Manager to Execute the Agreement.

Recommended Action: Adopt Resolution authorizing the City of Ukiah to enter into the Third Phase Agreement for Power Purchase Agreement with South Feather Water and Power Agency (Third Phase Agreement), including any non-substantial modifications to the Third Phase Agreement recommended and approved by the Member counsel and authorize the City Manager to execute the agreement.

Attachments:

1. SFWPA_NCPA_PPA_FINAL
2. SFWPA_Third_Phase_Agreement_FINAL
3. Resolution - SFWPA Third Phase Agreement

- 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)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. SCU-K-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. SCU-K-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. SCU-K- 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: 10/1/21