



**City Council
Regular Meeting
AGENDA**

To participate or view the virtual meeting, go to the following link: <https://zoom.us/j/97199426600>

Or you can call in using your telephone only:

- Call (toll free) 1-888-788-0099
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US: [+16699009128](tel:+16699009128), [97199426600#](tel:+16699009128) or [+12532158782](tel:+12532158782), [97199426600#](tel:+12532158782)

Alternatively, you may view the meeting (without participating) by clicking on the name of the meeting at www.cityofukiah.com/meetings.

February 2, 2022 - 6:00 PM

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

- 3.a. Proclamation Recognizing February 2022 as Black History Month in the City of Ukiah.

Recommended Action: Issue Proclamation.

Attachments:

1. 2022 - Black History Month Proclamation

- 3.b. 2021/2022 Ukiah On Ice Presentation and Sponsor Appreciation.

Recommended Action: Receive Report

Attachments:

1. Ukiah On Ice Sponsors 21-22

- 3.c. Introduction of Electric Utility Director Cindy Sauers.

Recommended Action: City Manager to introduce Electric Utility Director Cindy Sauers

Attachments: None

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

- 5.a. Approval of the Minutes for the January 19, 2022, Regular Meeting.

Recommended Action: Approve the minutes for the January 19, 2022, regular meeting.

Attachments:

1. 2022-01-19 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. Report of Disbursements for the Month of December 2021

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

Attachments:

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

7.b. Adoption of Ordinance Amending Article 1 of Division 1, Chapter 4 of the Ukiah City Code to Reform the Paths, Open Space, and Creeks Commission and the Parks, Recreation and Golf Commission into the Public Spaces Commission.

Recommended Action: Adopt Ordinance amending Article 1 of Division 1, Chapter 4 of the Ukiah City Code to reform the Paths, Open Space, and Creeks Commission and the Parks, Recreation and Golf Commission into the Public Spaces Commission.

Attachments:

1. Public Spaces Commission Ordinance Introduced
2. ASR Community Outreach Plan Draft

7.c. Report of Emergency Purchase Order #47685 Issued to Wipf Construction LLC for the Water Resources Department in the Amount of \$38,500 to Replace Two Check Valves that Failed and Approve a Budget Amendment for Expenses in the 2021/2022 Fiscal Year Related to Equipment Maintenance and Repair using Water Resources Reserve Funds.

Recommended Action: Council will receive a report of Purchase Order #47685 issued to Wipf Construction LLC in the amount of \$38,500, for the emergency replacement of two check valves and approve budget amendment to the Water Operation and Maintenance Fund for possible expenses in the 2021/2022 Fiscal Year related to equipment maintenance and repair.

Attachments:

1. Wipf Quotes 560, 561

7.d. Award of Professional Services Agreement to On Duty Health for Annual National Fire Protection Association (NFPA) Compliant Physical Exams and Screenings for Fire Authority Staff in the Amount of \$28,415.48.

Recommended Action: Approve the Professional Services Agreement with On Duty Health for annual NFPA compliant physicals and screenings for Fire Authority staff in the amount of \$28,415.48.

Attachments:

1. On Duty Health Proposal for Ukiah CA FD - 12-02-2021

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. The Ukiah City Council Will Receive a Financial Report of the Electric Utility and Consider Adoption of the Proposed Electric Rate Adjustments and Create a 100% Green Energy Rate by Resolution.

Recommended Action: Receive financial report of the Electric Utility and approve the proposed electric rate adjustments and create a 100% Green Energy Rate by Resolution.

Attachments:

1. Graph Cash No Inc
2. Graph No Loan PGE Compare
3. Graph Loan PGE Compare
4. Cash with and without Loan
5. Rate Tables - Exhibit A to the Resolution
6. Resolution Adopting Electric Rate Schedule - See Attachment 5 for Exhibit A

- 11.b. Conduct a Public Hearing and Consider Adopting Respective Resolutions Authorizing Lease Revenue Bonds, Series 2022 to Renovate the City Corporation Yard and Construct Improvements to Various City Streets (*This item was continued from January 19, 2022.*)

Recommended Action: Adopt resolutions authorizing the issuance of lease revenue bonds and authorizing the City Manager to execute all related documents for the renovation of the City Corporation Yard and improvements to various City streets.

Attachments:

1. 1 Ukiah City Reso- Lease
2. 2 Ukiah Authority Reso- Issue Bonds
3. 3 Site Lease - Ukiah
4. 4 Lease Agreement - Ukiah
5. 5 Indenture - Ukiah
6. 6 Assignment Agmt - Ukiah
7. 7 POS (Ukiah LRBs)
8. 8 Bond Purchase Agreement (Piper Sandler)

12. UNFINISHED BUSINESS

- 12.a. Possible Introduction By Title Only of Ordinance Restricting the Retail Sale of Nitrous Oxide.

Recommended Action: Introduce by title only the Ordinance Restricting the Retail Sale of Nitrous Oxide.

Attachments:

1. Nitrous Oxide Sales Ordinance Final

- 12.b. Receive Annual Report Regarding Review of Ordinance for Marijuana Dispensaries and Consider the Formation of an Ad Hoc to Review Potential Ordinance Modifications to Streamline the Permitting/Renewal Process and Other Potential Considerations.

Recommended Action: 1. Receive annual report on the review of the ordinance for marijuana dispensaries;

2. Approve the formation of a Cannabis Ad Hoc Committee to explore ordinance modifications to streamline or enhance permitting/renewal processes and other potential changes; and

3. Provide direction as necessary to Staff.

Attachments:

1. Marijuana Dispensaries Ordinance (Nos. 1176 and 1182)

13. NEW BUSINESS

- 13.a. Seeking Direction from Council Regarding Updates to the Municipal Codes Regulating City Parks.

Recommended Action: Provide Staff direction to update City Codes regulating City Parks.

Attachments:

1. Table of Changes
2. Parks Code Update

- 13.b. Discuss and Provide Direction for the Establishment of an Oversight Committee, with Possible Appointments, to Review Measure P Expenditures for Fiscal Years 2019 and 2020 per Resolution 2014-28.

Recommended Action: Approve the establishment of an Oversight Committee to review Measure P expenditures for the fiscal years 2019 and 2020; and appoint Edward Eversole, Larry Olson and Roe Sandelin as persons representing members at large; Max Brazill representing the Ukiah Police Department; and Tony Selvitella representing the Ukiah Valley Fire Authority to the Measure P Oversight Committee.

Attachments:

1. Resolution 2014-28

- 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. 2022 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(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:

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: (1 potential case, involving possible termination of construction contract for cause)

Recommended Action:

Attachments: None

- 14.c. **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:

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-20-74612
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. SCUК- CVPT-15-66036
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: Siderakis v. Ukiah, et al, Mendocino County Superior Court, Case No.
21CV00603
Recommended Action: Confer in Closed Session
Attachments: None
- 14.g. **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.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: 1/28/22