



**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 16, 2022 - 6:00 PM

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

3.a. Trench Cut Fee Study Presentation

Recommended Action: Receive presentation and provide any additional direction to Staff. Refer to Trench Cut Ad-Hoc for the development of implementation recommendations for Council's consideration at a later date.

Attachments:

1. NCE Ukiah Trench Cut Proposal FINAL

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

5.a. Approval of the Minutes for the February 2, 2022, Special Meeting.

Recommended Action: Approve minutes for the February 2, 2022, special meeting.

Attachments:

1. 2022-02-02 Draft Minutes - Special Meeting

5.b. Approval of the Minutes for the February 2, 2022, Regular Meeting.

Recommended Action: Approve Minutes of the February 2, 2022, regular meeting

Attachments:

1. 2022-02-02 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 January 2022

7.b. Approval of a Four-Year Cooperative Agreement for Dispatch Services with the California Department of Forestry and Fire Protection in an Amount not to Exceed \$1,540,822.

Recommended Action: Approve the updated four-year cooperative agreement for dispatch services with the California Department of Forestry and Fire Protection, and authorize the City Manager to sign.

Attachments:

1. Updated Dispatch Agreement

7.c. Notification to City Council of Contract No. 2122-163 with Flock Group Inc. for the Rental of Two Cameras in the Amount of \$10,500 for the Ukiah Valley Fire Authority.

Recommended Action: Receive notification of Contract No. 2022-163 with Flock Group INC.

Attachments:

1. Flock Group Inc - Contract

7.d. Adoption of Resolution Authorizing Submittal of an Application to the California Department of Housing and Community Development for Funding under the HOME Investment Partnerships Program; and if Selected, the Execution of a Standard Agreement, Any Amendments Thereto, and of Any Related Documents Necessary to Participate in the HOME Investment Partnerships Program, as well as Authorization of the Corresponding Budget Amendments.

Recommended Action: Adopt resolution authorizing submittal of an application from the City of Ukiah for \$700,000 in HOME Investment Partnerships Program funds for the deployment of a First-Time Homebuyer Program; and if selected, authorize the City Manager to execute the standard agreement, any amendments thereto, and any related documents necessary; and authorize the corresponding budget amendments if awarded the grant.

Attachments:

1. 2020-2021 HOME NOFA Final 12-1-2021
2. 2021 HOME Income Limits
3. 2022 HOME FTHB Application Resolution

7.e. Adoption of Resolution of the City Council Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for City Council and Board and Commission Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic.

Recommended Action: Adopt a Resolution of the City Council Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for City Council and Board and Commission Meetings during a Proclaimed State of Emergency Due to the COVID-19 Pandemic.

Attachments:

1. AB 361 Findings Reconsideration for All Legislative Bodies 2 16 22

7.f. Possible Adoption of Ordinance Restricting the Retail Sale of Nitrous Oxide.

Recommended Action: Adopt the Ordinance Restricting the Retail Sale of Nitrous Oxide.

Attachments:

1. Nitrous Oxide Sales Ordinance Introduced

- 7.g. Award Purchase to Steven Engineering, for a Vibration Monitoring System for Pumps and Motors for the Waste Water Treatment Plant, in the Amount of \$33,312.31.

Recommended Action: Award Purchase to Steven Engineering, for a Vibration Monitoring System for Pumps and Motors for the Waste Water Treatment Plant, in the Amount of \$33,312.31.

Attachments:

1. Quote Steven Eng
2. Bid Tab - E38933

- 7.h. Notification of the Purchase of Axon Fleet 2 Car Camera Five-Year Service Agreement in the Amount of \$63,912.61.

Recommended Action: Notification of purchase of Axon Fleet 2 Car Camera Five-Year Service Agreement in the amount of \$63,912.61.

Attachments:

1. Axon Quote
2. Axon Receipt
3. Axon Packing Slip

- 7.i. Adoption of a Resolution of Notice of Intent to Comply with Regulatory Requirements of Senate Bill 1383, Short-Lived Climate Pollutants: Organic Waste Reductions, and Authorize the Submittal of Intent to Comply to CalRecycle.

Recommended Action: Adopt proposed resolution of Notice of Intent to Comply with Regulatory Requirements of Senate Bill 1383, Short-Lived Climate Pollutants: Organic Waste Reductions, and Authorize the Submittal of Intent to Comply to CalRecycle.

Attachments:

1. NOI to Comply Resolution
2. NOI to Comply Application (Exhibit A to Resolution)

- 7.j. Approval of Change Order #13 to Ghilotti Construction in the Amount of \$53,242.91 for Traffic Signal Revisions and Other Amenities to the Downtown Streetscape and Road Diet Project, Specification #19-18 and corresponding budget amendment from the General Fund in the amount of \$15,693.96.

Recommended Action: Approval of Change Order #13 to Ghilotti Construction in the Amount of \$53,242.91 for Traffic Signal Revisions and Other Amenities to the Downtown Streetscape and Road Diet Project, Specification #19-18 and corresponding budget amendment from the General Fund in the amount of \$15,693.96.

Attachments:

1. Spec 19-18_CCO 13_draft

- 7.k. Approval of Purchase of Vendor Cloud Hosting of Tyler Munis Enterprise Resource Planning (ERP) Finance System Servers, in the Amount of \$170,296.00.

Recommended Action: Approve purchase of Vendor Cloud Hosting of Tyler Munis Enterprise Resource Planning (ERP) Finance System Servers, in the Amount of \$170,296.00.

Attachments:

1. Tyler Supportive Information
2. Ukiah TCO
3. Ukiah SaaS Quote

- 7.l. Adoption of Resolution Opposing Initiative 21-0042A1

Recommended Action: Adopt resolution opposing Initiative 21-0042A1

Attachments:

1. CBRT Measure Opposition Fact Sheet (1-11-22)
2. Legal Analysis 01-20-22 AG FINAL
3. CBRT Fiscal Analysis (1-11-22)
4. Resolution_Oppose Initiative 21-0042A1_021622
5. 2_2_22_Broad Coalition Opposes CBRT Measure_FINAL38

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. Approval of Application to Demolish Two Structures over the Age of 50 Years Located at 1100, 1102, and 1104 South State Street.

Recommended Action: 1) Conduct the public hearing; and 2) Approve the application to demolish two structures located at 1100, 1102 and 1104 South State Street.

Attachments:

1. Vicinity Map and Site Photos
2. UCC Section 3016, Modifications to the California Building Code
3. Demolition Review Committee_Draft Minutes_February 2 2022
4. Memorandum from Building Official

- 11.b. Conduct a Public Hearing and Consider Adopting Respective Resolutions Authorizing Electric Revenue Bonds, Series 2022 to Make Capital Improvements to the City's Electric System.

Recommended Action: Adopt a resolution authorizing the issuance of electric revenue bonds and authorizing the City Manager to execute all related documents for the improvement to various capital assets of City's electric system.

Attachments:

1. City Reso - Ukiah Electric, 2
2. Authority Reso - Ukiah Electric, 2
3. Installment Sale Agmt
4. Indenture
5. POS
6. Purchase Contract

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. Award Professional Services Agreement to GHD Engineers, Inc. in the Amount of \$239,393 to Prepare the Plans, Specifications, and Estimate for the Talmage Road Rehabilitation Project, and Approve Corresponding Budget Amendments.
Recommended Action: Award professional services agreement to GHD Engineers, Inc. in the amount of \$239,393 to prepare the plans, specifications, and estimate for the Talmage Road Rehabilitation Project, and approve corresponding budget amendments.
Attachments:
1. RFP Talmage Rehabilitation
2. GHD - Talmage Road Rehabilitation Project
3. GHD - Talmage Road Rehabilitation Project - Fee Proposal
- 12.c. Award Professional Services Agreement to Coastland in the Amount of \$285,353 to Prepare the Plans, Specifications, and Estimate for the Main Street Utilities Improvement Project, and Approve Corresponding Budget Amendments.
Recommended Action: Award professional services agreement to Coastland in the amount of \$285,353 to prepare the plans, specifications, and estimate for the Main Street Utilities Improvement Project, and approve corresponding budget amendments.
Attachments:
1. RFP Main Street Utilities
2. Coastland - Main Street Utility Improvement Project
3. Coastland - Main Street Utility Project_Fee Proposal
- 12.d. Award Professional Services Agreement to BKF Engineers in the Amount of \$308,031 to Prepare the Plans, Specifications, and Estimate for the East Perkins Widening Project, and Approve Corresponding Budget Amendments.
Recommended Action: Award professional services agreement to BKF Engineers in the amount of \$308,031 to prepare the plans, specifications, and estimate for the East Perkins Widening Project, and approve corresponding budget amendments.
Attachments:
1. RFP East Perkins Widening
2. BKF - East Perkins Widening Project
3. BKF - East Perkins Widening Project - Fee Proposal
- 12.e. Receive Annual Progress Reports on the 2019-2027 Housing Element and 1995 (Current) Ukiah Valley General Plan; and Provide Direction as Necessary.
Recommended Action: Receive reports and provide direction as necessary.
Attachments:
1. 2021 HCD APR - Housing
2. 2021 OPR APR - General Plan
- 12.f. Consideration of Financial Contribution in the Amount of \$50,000 to the Inland Water and Power Commission for Legal Services Related to the Potter Valley Project.
Recommended Action: Staff recommends Council request a written proposal from IWPC Board that details a revised fund request including an updated scope, use and need.
Attachments: None
- 12.g. Mid-year Budget Report for Fiscal Year 2021-22.
Recommended Action: Council to receive the mid-year budget report for fiscal year 2021-22 and review, consider, and discuss updates on current stated objectives. In addition, the Council will review preliminary draft departmental objectives for the fiscal year 2021-22 and receive a preliminary update of the City's five-year capital improvement plan.
Attachments:
1. CIP -5 year-FYE 2022 - Final

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. 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 & 3))
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)(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. SCUK-CVPT-20-74612
Recommended Action:
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:
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:
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:

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:

Attachments: None

14.i. **Conference with Labor Negotiator (54957.6)**

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

Recommended Action:

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: 2/11/22