



**City Council
Regular Meeting
AGENDA**

(to be held both at the physical and virtual locations below)

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

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
- Enter the Access Code: 971 9942 6600
- To Raise Hand enter *9
- To Speak after being recognized: enter *6 to unmute yourself

Or One tap mobile (for easy connection on smart phones):
US: [+16699009128](tel:+16699009128), [97199426600#](tel:+197199426600) or [+12532158782](tel:+12532158782), [97199426600#](tel:+197199426600)

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

August 17, 2022 - 6:00 PM

-
1. **ROLL CALL**
 2. **PLEDGE OF ALLEGIANCE**
 3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**
 4. **PETITIONS AND COMMUNICATIONS**
 5. **APPROVAL OF MINUTES**

- 5.a. Approval of the Minutes for the August 3, 2022, Special Meeting.
Recommended Action: Approve the Minutes for the August 3, 2022, Special Meeting.

Attachments:

1. 2022-08-03 Draft Minutes - Special Meeting

- 5.b. Approval of the Minutes for the August 3, 2022, Regular Meeting.
Recommended Action: Approve the Minutes of the August 3, 2022, Regular Meeting.

Attachments:

1. 2022-08-03 Draft Minutes - Regular 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. Report of Disbursements for the Month of July 2022.

Recommended Action: Approve the Report of Disbursements for the Month of July 2022.

Attachments:

1. July 2022 Summary of Disbursements
2. Account Codes for Reference
3. Object Codes for Reference
4. July 2022 Disbursement Detail

7.b. Delegate City Manager Authority to Negotiate and Approve a Generator Share Agreement with New Cingular Wireless PCS, LLC.

Recommended Action: Authorize the City Manager to negotiate and execute a Generator Share Agreement with New Cingular Wireless PCS, LLC.

Attachments:

1. 7-29-22 DRAFT AGREEMENT
2. 202001 ATT Agreement

7.c. Delegate City Manager Authority to Negotiate and Approve Mutual Aid Agreement for Emergency Assistance Among the City of Ukiah, City of Fort Bragg, City of Willits, City of Point Arena, City of Clearlake, and the City of Lakeport

Recommended Action: Delegate City Manager authority to negotiate and approve Mutual Aid Agreement for Emergency Assistance Among City of Ukiah, City of Fort Bragg, City of Willits, City of Point Arena, City of Clearlake, and City of Lakeport.

Attachments:

1. Mutual Aid - Cities 2022 FINAL

7.d. 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

7.e. Authorize City Manager to Negotiate and Execute an Antenna Site/Lease Agreement with Ukiah Wireless Powered by Wi-Fiber for the Sole Purpose of Providing High-speed Internet to Ukiah Valley Residents.

Recommended Action: Authorize City Manager to negotiate and execute an Antenna Site/Lease Agreement with Ukiah Wireless Powered by Wi-Fiber for the sole purpose of providing high-speed internet to Ukiah valley residents.

Attachments:

1. COU 2122-201 Property Exchange and Development Agree with Exhibits
 2. Ukiah Wireless Agreement
- 7.f. Approval of Notice of Completion of the Electric Utility Department's Gobbi Street Underground Communications Rework Project, Specification No. 22-03, and Approve Final Payment of the 5% Retention to Diamond D Construction, LLC.
Recommended Action: Approve Notice of Completion for the Gobbi Street Underground Communications Project, Specification 22-03, approving final payment of the 5% retention to Diamond D Construction, LLC., **and direct the City Clerk to file the Notice of Completion with the County Recorder.**
Attachments:
1. Notice of Completion-Gobbi UG Communications Rework
- 7.g. Award of Contract to SHN Engineers in the Amount of \$13,000.00 for Compaction and Materials Testing Services Related to the Clara Avenue Reconstruction Project Specification No. 20-08, and Approval of Corresponding Budget Amendment
Recommended Action: Award professional services agreement go SHN Engineers in the amount of \$13,000.00 for compaction and materials testing services related to the Clara Avenue Reconstruction Project and approve corresponding budget amendment.
Attachments:
1. 20220804-COUClaraAveProposal
- 7.h. Consideration of Adoption of Amended Resolution Authorizing Application for Funding and the Execution of Grant Agreement and any Amendments thereto from the 2022 Funding Year of the State Community Development Block Grant Program.
Recommended Action: Adopt amended resolution authorizing an application for funding and the execution of grant agreements and any amendments thereto from the 2022 funding year of the State Community Development Block Grant Program (CDBG) program.
Attachments:
1. Resolution 2022-41
2. Revised Resolution - CDBG Application
- 7.i. Report of Acquisition of Professional Services from Alpha Analytical Laboratories, Inc. in the Amount of \$36,985.50 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 \$36,985.50 for quarterly water sampling and completion of chemical examination reports for the Ukiah landfill.
Attachments:
1. Requisition E39591 Alpha Labs
- 7.j. Consideration of Adoption of Resolution Appointing Casey Thompson to the Public Spaces Commission.
Recommended Action: Adopt Resolution appointing Casey Thompson to the At-large City or County Resident position on the Public Spaces Commission, term to expire on August 17, 2025.
Attachments:
1. City Code Sections
2. Application
3. Nomination
4. Proposed Resolution
- 7.k. Approval of Purchase of a Replacement Symmetra LX Power Array Battery Backup for the Ukiah Police Department Including Installation in the Amount of \$35,208, and Approval of Corresponding Budget Amendment.

Recommended Action: Approve the purchase of a replacement Symmetra LX Power Array Battery Backup for the Ukiah Police Department including installation from The Design Group, for the amount of \$35,208.00, and approve a corresponding budget amendment.

Attachments:

1. DESIGN quote

- 7.l. Authorize the City Manager to Negotiate and Execute an Amendment to the Ukiah Western Hills Open Land Acquisition and Limited Development Agreement for Electrical Utility and Communication Infrastructure; and Approve a Corresponding Budget Amendment if Necessary.

Recommended Action: Approve the City Manager to negotiate and execute an amendment to the Ukiah Western Hills Open Land Acquisition and Limited Development Agreement for Electrical Utility and Communication infrastructure, and approve a corresponding budget amendment if necessary.

Attachments:

1. COU 2122-201 Property Exchange and Development Agree with Exhibits

- 7.m. Notification of Change Order #1 to Ghilotti Construction Company in the Amount of \$640,975.73 for Additional Roadway Excavation, Base and Asphalt for the Dora Overlay Project Specification 21-05, and Approval of Corresponding Budget Amendment.

Recommended Action: Receive Notification of Change Order #1 to Ghilotti Construction Company in the amount of \$640,975.73 for additional roadway excavation, base and asphalt for the Dora Overlay Project, Specification 21-05, and approve corresponding budget amendment for a total revised contract amount of \$1,250,782.03.

Attachments:

1. SGhilottiUk22072212470

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. Public Hearing and Consideration of 1) Adoption of a Resolution to Adopt an Initial Study and Negative Declaration; and 2) Possible Introduction by Title Only of an Ordinance to Approve a General Plan Amendment and Rezone of 701 South Orchard Avenue.

Recommended Action: 1) Conduct a public hearing; and 2) Adopt Resolution adopting the Initial Study and Negative Declaration; and 3) Introduce by Title only the Ordinance to approve the General Plan Amendment and Rezone.

Attachments:

1. Application Materials & Figures
2. Planning Commission Staff Report dated 071822
3. Draft Initial Study & Negative Declaration
4. Draft Findings
5. Draft Conditions of Approval

6. Draft Resolution to Adopt ISND
7. Draft Ordinance for Rezone and GPA

- 11.b. Consideration of Adoption of a Resolution Adopting a Power Cost Surcharge Rider.
Recommended Action: Adopt Resolution establishing the Power Cost Surcharge Rider.

Attachments:

1. 2022 Increase Approved Rate Tables
2. Ukiah Market Conditions - Summer 2022 Readiness 06-01-22 FINAL
3. Power Cost Surcharge (1)
4. Resolution Adopting Power Cost Surcharge Rider (1)

12. **UNFINISHED BUSINESS**

- 12.a. Discussion and Possible Adoption of Resolutions Amending the Procedures for Purchasing Thresholds and Change Order Limits.
Recommended Action: Adopt resolutions amending the procedures for purchasing thresholds and change order limits.

Attachments:

1. 2015-10 CC Reso - Amending Dollar Limits for Open Market Procurements
2. 2011-49 change order limits
3. Draft Revised Purchasing Threshold Resolution REVdrREDLINE (4)vsMH - Final Draft
4. Draft Revised Resolution for Change Order Limits DRredits - Final Draft

- 12.b. Receive Report Regarding Annual 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. Public Benefits Program Update, and Approval of New Customer Programs and Rebates.
Recommended Action: City Council to receive Electric Department's Public Benefit Program Report, and approve program additions.

Attachments:

1. 2022 LI Guidelines & Program Incentives
2. Residential Rebate Chart
3. Commercial Rebates Chart
4. Ukiah Res DI Program SOW- Final.docx
5. DI Customer Letter-DRAFT-DI Flyer-DI Door Hanger
6. Electric Bike Rebate Application - DRAFT

- 13.b. Consideration of Adoption of Resolution Authorizing Application to and Participation in the California Department of Housing and Community Development Prohousing Designation Program.
Recommended Action: Adopt resolution authorizing application to and participation in the California Department of Housing and Community Development's (HCD) Prohousing Designation Program.

Attachments:

1. prohousing-application-scoring rubric
2. Prohousing Designation Resolution

- 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 & 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 – Existing Litigation

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

Name of case: Roofing & Solar Construction, Inc. v. City of Ukiah et al., Mendocino County Superior Court Case No. 22CV00048

Recommended Action:

Attachments: None

14.c. 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.d. Conference with Legal Counsel – Existing Litigation

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: Arturo Flores Valdes et al., (Fed. Dist. Ct., N.D. Cal.) 22-CV-03125 RMI

Recommended Action:

Attachments: None

14.e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 157-070-04, 001-040-84, 001-040-82, 001-040-65

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Dave Hull and Grady Huff

Under Negotiation: Price & Terms of Payment

Recommended Action:

Attachments: None

14.f. 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

Dated: 8/12/22