



**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.

December 7, 2022 - 6:00 PM

5:30 P.M. MAYOR'S RECEPTION

6:00 P.M. REGULAR MEETING

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. Adoption of Resolution Declaring Results of Statewide General Municipal Election of November 8, 2022, and Swearing in Ceremony for Newly Elected Councilmembers.

Recommended Action:

- 1. Adopt Resolution reciting the fact of the General Municipal Election held on November 8, 2022, Declaring the results and such other matters as provided by law.***
- 2. Direct the City Clerk to enter into the minutes a statement of results.***
- 3. Direct the City Clerk to present the Certificates of Election and administer the Oaths of Office to the newly elected officials***

Attachments:

1. Election Final Official Summary Results-Placeholder for Certificate
2. Resolution - Election Results
- 3.b. Annual Appointment of Mayor and Vice Mayor, and Council Reorganization.
Recommended Action: Nominate and appoint the positions of Mayor, Vice Mayor, and Council Seating for 2023.
Attachments:
 1. CC Reso 2020-50 - Councilmember Rotation Guidelines

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- 5.a. Approval of the Minutes for the November 16, 2022, Regular Meeting.
Recommended Action: Approve the Minutes for the November 16, 2022, Regular Meeting.
Attachments:
 1. 2022-11-16 Draft Minutes
- 5.b. Approval of the Minutes for the November 28, 2022, Special Meeting.
Recommended Action: Approve the Minutes for the November 28, 2022, Special Meeting.
Attachments:
 1. 5b 2022-11-28 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. Authorize the City Manager to Negotiate and Execute a Memorandum of Understanding with the Mendocino Land Trust to Collaborate on the Assessment and Management of City-Owned Open Spaces.
Recommended Action: Authorize City Manager to negotiate and execute a Memorandum of Understanding with the Mendocino Land Trust to collaborate on the assessment and management of City-owned open spaces
Attachments:
 1. MOU - MLT - COU (1)
- 7.b. Approve Budget Amendment in the Amount of \$5,474 for the Replacement of Failing Dimmer Switches in the Grace Hudson Museum.
Recommended Action: Approve a budget amendment in the amount of \$5,474 for the replacement of failing dimmer switches in the Grace Hudson Museum.
Attachments:
 1. Diaz - Quote #59 10-12-22
- 7.c. Approval of a Budget Amendment in the Amount of \$13,327 for the Renewal of Zoom Video Communications.

Recommended Action: Approve budget amendment of \$13,327 for the annual renewal of the Zoom Video Communications subscription.

Attachments:

1. Purchase Order - Zoom

- 7.d. Approval of Notice of Completion for Doolittle Construction, LLC for the 2022 Slurry Seal of Local Streets, Specification 22-01, Approval of a Corresponding Budget Amendment, and Direction to the City Clerk to File the Notice of Completion with the County Recorder.

Recommended Action: Approve Notice of Completion for the 2022 Slurry Seal of Local Streets, Specification 22-01, approve corresponding budget amendment, and direct the City Clerk to file the Notice of Completion with the County Recorder.

Attachments:

1. Plans 22-01
2. CCO
3. Notice-of-Completion

- 7.e. Report to Council for the Purchase of Services from Universal Coatings (COU No. 2223-141) for Multiple Roof Repairs at the Waste Water Treatment Plant, in the Amount of \$59,000.

Recommended Action: Receive report of the purchase of services from Universal Coatings for roof repairs to be performed at the Wastewater Treatment Plant in the amount of \$59,000.00.

Attachments:

1. Bid Results - E38945 - Multiple Roof Repairs at the Wastewater Treatment Plant

- 7.f. Approval of a Budget Amendment for the Re-Roof of a Portion of the Civic Center Roof.

Recommended Action: Approve a budget amendment in the amount of \$40,000 for the replacement of a portion of the Civic Center roof.

Attachments: None

- 7.g. 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

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 that is within the subject matter jurisdiction of the City Council, 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 the Ukiah 2040 General Plan including 1) Adoption of a Resolution Certifying the Environmental Impact Report, Adopting Findings of Fact; Adopting a Statement of Overriding Considerations; and Approving a Mitigation, Monitoring, and Reporting Program; and 2) Adoption of a Resolution adopting the Ukiah 2040 General Plan.

Recommended Action: Conduct public hearing and adopt a Resolution certifying the EIR, adopting the Findings of Fact and a Statement of Overriding Considerations; approving a Mitigation, Monitoring, and Reporting Program; and adopt a Resolution adopting the Ukiah 2040 General Plan.

Attachments:

1. General Plan Errata as of 112322
2. General Plan Comments as of 113022
3. 2022-01 PC Reso (2040 General Plan)-signed
4. Draft Resolution 2022-77_2040 General Plan EIR.SOC.MMRP
5. Draft Resolution 2022-78_2040 General Plan Adoption

12. UNFINISHED BUSINESS

- 12.a. Consideration and Acceptance of Contract Pertaining to Wood, Green, and Mixed Organic Waste.

Recommended Action: Accept the attached agreement between Pacific Recycling Solutions, Ukiah Waste Solutions, and Solid Waste Systems, and incorporate the agreement as Exhibit D to the agreements between the City and Ukiah Waste Solutions and Solid Waste Systems.

Attachments:

1. Clean - Second Amended and Restated Agreement for Receipt of Wood Waste Green Waste and Mixed Organic Waste

- 12.b. Determination of Notification of Intent to Adjust Curbside Collection and Transfer Station Service Rates in Compliance with Solid Waste Contracts.

Recommended Action: Confirm the determination of the City Manager, as reported here, of compliance with the provisions of the agreements between the City of Ukiah and Ukiah Waste Solutions, Inc. and Solid Waste Systems, Inc. regarding the company's notice of intent to adjust curbside collection and transfer station rates.

Attachments:

1. SWS Annual Adjustment
2. UWS Annual Adjustment, 2023

- 12.c. Approval of Award of Contract to Magellan Broadband for Implementation of the "Digital Infrastructure Design and Implementation Plan" in the amount of up to \$252,339, Authorize the City Manager to Negotiate and Execute Agreement, and Approve Corresponding Budget Amendments.

Recommended Action: Approve award of contract to Magellan Broadband for implementation of the "Digital Infrastructure Design and Implementation Plan" in the amount of up to \$252,339, Authorize the City Manager to negotiate and execute an agreement, and authorize corresponding budget amendments.

Attachments:

1. Professional Services Agreement Magellan

13. NEW BUSINESS

- 13.a. Authorization for City Manager to Negotiate and Execute Joint Venture Agreement with County of Mendocino for Conversion of the Low Gap Park Tennis Courts to Pickleball Courts.

Recommended Action: Authorize the City Manager to negotiate and execute a joint venture agreement with the County of Mendocino for Conversion of the Low Gap Tennis Courts to Pickleball Courts.

Attachments:

1. MOU
2. Proposal
3. Example of Cost

- 13.b. Discussion of Brown Act Updates for 2023, and Adoption of Resolution Modifying Agenda Order.

Recommended Action: Provide direction to Staff on any additional information needed or actions to be taken, and adopt resolution modifying the agenda order.

Attachments:

1. AB 2449 Implementation Memo
2. Resolution - Agenda Order - redline & clean

- 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))

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (2 cases)

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 case))

14.c. **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

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

14.e. **Conference with Legal Counsel – Existing Litigation**

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

Name of case: Russian River Keepers et al. v. City of Ukiah, Case No. SCUK-CVPT-20-74612

14.f. **Conference with Real Property Negotiators**

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 003-190-11

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Dave Hull

Under Negotiation: Price & Terms of Payment

Recommended Action: None

Attachments: None

- 14.g. **Conference with Real Property Negotiators**
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 003-260-01, 003-500-14
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Eric Crane and Francine Selim
Under Negotiation: Price & Terms of Payment
- 14.h. **Conference with Labor Negotiator (54957.6)**
Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: All Bargaining Units
- 14.i. **Public Employee Performance Evaluation**
(Government Code Section 54956)
Title: City Manager

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
Dated: 12/2/22