



**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://us06web.zoom.us/j/97199426600>

Or you can call in using your telephone only:

- Call (toll free) 1-669-444-9171
- Enter the Access Code: 971 9942 6600
- To Raise Hand enter *9
- To Speak after being recognized: enter *6 to unmute yourself

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

April 19, 2023 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 4.a. Proclamation of the City Council of the City of Ukiah Recognizing the Climate Initiative
"Biodiversity in the City."

Recommended Action: Issue Proclamation

Attachments:

1. Proclamation Biodiversity in the City

5. PETITIONS AND COMMUNICATIONS

6. APPROVAL OF MINUTES

- 6.a. Approval of the Minutes for the April 5, 2023, Special Meeting.

Recommended Action: Approve the Minutes for the April 5, 2023, Special Meeting.

Attachments:

1. 2023-04-05 Draft Minutes - Special Meeting

- 6.b. Approval of the Minutes for the April 5, 2023, Regular Meeting.

Recommended Action: Approve the Minutes for the April 5, 2023, Regular Meeting.

Attachments:

1. 2023-04-05 Draft Minutes - Regular Meeting

7. 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.

8. 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.

- 8.a. Report of Disbursements for the Month of March 2023.

Recommended Action: Approve the Report of Disbursements for the Month of March 2023.

Attachments:

1. March 2023 Summary of Disbursements
2. Account Codes for Reference
3. Object Codes for Reference
4. March 2023 Disbursement Detail

- 8.b. Authorize City Manager to Negotiate and Execute a Contract Renewal with OpenGov for Software Services.

Recommended Action: Authorize City Manager to negotiate and execute a contract renewal for software services with OpenGov for the purpose of providing online budget presentation and financial reporting.

Attachments:

1. OpenGov Renewal - 4.1.2023

- 8.c. Consideration and Possible Adoption of an Ordinance Establishing Rezoning Districts for Sixteen (16) City-Owned Properties Within Unincorporated Mendocino County.

Recommended Action: Adopt the Ordinance establishing rezoning districts for 16 City-Owned properties within Unincorporated Mendocino County.

Attachments:

1. Ordinance with Exhibit A

- 8.d. Consideration of Award of Bid to Ghilotti Construction Company in the Amount of \$9,835,445.75 for the Downtown Streetscape, Road Diet and Utilities Project – Phase II, Specification No.21-01, and Approval of Corresponding Budget Amendment.

Recommended Action: Award bid to Ghilotti Construction Company in the amount of \$9,835,445.75 for the Downtown Streetscape, Road Diet and Utilities Project – Phase II, Specification No.21-01 and approve corresponding budget amendment.

Attachments:

1. PS&E Approval
2. Bid Tab
3. Low Bid

- 8.e. Consider Approval of a Three-Year Microsoft Enterprise Licensing Agreement with Dell Marketing, Inc. in the Amount of \$140,462.76 Per Year, Plus the Yearly True-up of Installed Licensed Products.

Recommended Action: Approve a three-year Microsoft Enterprise Agreement with Dell for the amount of \$140,462.76 per year, plus the yearly true-up of installed licensed products.

Attachments:

1. Dell Quote

9. 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.

10. COUNCIL REPORTS

11. CITY MANAGER/CITY CLERK REPORTS

12. PUBLIC HEARINGS (6:15 PM)

13. UNFINISHED BUSINESS

- 13.a. Status Report of the Emergency Contract with West Coast Fire & Water for Fire Remediation Work at the Electric Utility Service Center at Hastings.

Recommended Action: Receive a status report, and approve the continued work on the emergency contract with West Coast Fire & Water for Fire Remediation Work at the Electric Utility Service Center at Hastings.

Attachments:

1. Pictures
2. West Coast Fire Water - Hastings Fire Remediation Work - 2223-177 - signed
3. Remediation Complete Pics

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

Recommended Action: Receive the annual report and update regarding shopping cart containment and retrieval, and provide direction to Staff as necessary.

Attachments:

1. 1222 - Shopping Cart Regulations

- 13.c. Approval of Plans and Specifications for the Recycled Water Project Phase 4, Specification 23-01, and Authorize Staff to Issue Bids.

Recommended Action: Approve Plans and Specifications for the Recycled Water Project Phase 4 and Authorize Staff to Issue Bids for Specification Number 23-01.

Attachments:

1. January 19, 2022, Staff Report
2. Map
3. Drawings Reduced Size
4. Specifications

- 13.d. Adoption of Resolution Updating City of Ukiah Tree Management Guidelines.

Recommended Action: Adopt Resolution updating the Tree Care Guidelines

Attachments:

1. Tree Management Guidelines 2023 DRAFT update_Redline
2. Tree Management Guidelines 2023 DRAFT updateClean
3. Master Tree List Working DraftND_Edit
4. Resolution Tree Guidelines Update

- 13.e. Receive Annual Report for Ordinance Restricting the Retail Sale of Nitrous Oxide and Provide Additional Direction as Necessary.

Recommended Action: Receive report.

Attachments:

1. Ordinance No. 1220 - Restricting Retail Sales of Nitrous Oxide

14. NEW BUSINESS

- 14.a. Possible Introduction by Title Only of Ordinance Prohibiting Retail Sales of Flavored Tobacco Products Including Several Clean Up Provisions to Bring the City's Anti-Smoking Regulations into Compliance with Current State Law .

Recommended Action: Introduce by Title Only of Ordinance Prohibiting Retail Sales of Flavored Tobacco Products (including several clean up provisions to bring the City's anti-smoking regulations into compliance with current State law)

Attachments:

1. Flavored Tobacco Ban Redline
2. Flavored Tobacco Ban Clean

- 14.b. Review Report and Approve Application for Grant Funding from CalTrans Clean CA Grant Program, Adopt Resolution Authorizing the City Manager to Negotiate a Contract if Awarded, and Approve Corresponding Budget Amendments.

Recommended Action: Review report and approve application for grant funding from CalTrans Clean CA Grant Program, adopt resolution authorizing the City Manager to negotiate a contract if awarded, and approve corresponding budget amendments.

Attachments:

1. Job Description Coordinator
2. Oak Manor Garden and RR Map (1)
3. Clean CA Resolution

- 14.c. Receive Report Regarding SB1383 and the Current Corrective Action Plan (CAP).

Recommended Action: Receive Report Regarding SB1383 and the Current Corrective Action Plan (CAP) and provide direction as may be deemed necessary.

Attachments:

1. Corrective Action Plan

- 14.d. 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. City Council Special Assignments

15. CLOSED SESSION - CLOSED SESSION MAY BE HELD AT ANY TIME DURING THE MEETING

- 15.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: (1 case)

- 15.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

- 15.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
- 15.d. **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
- 15.e. **Conference with Legal Counsel – Existing Litigation**
(Government Code Section 54956.9)
Name of case: Ukiah v. Questex, Mendocino County Superior Court Case No. 15-66036
- 15.f. **Conference with Legal Counsel – Existing Litigation**
(Government Code Section 54956.9)
Name of case: Jane Doe v. City of Ukiah et al., U.S.D.C. (Eureka Division) Case No. 123-cv-009808.
- 15.g. **Public Employee Performance Evaluation**
(Government Code Section 54956)
Title: City Manager
- 15.h. **Conference with Labor Negotiator (54957.6)**
Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: All Bargaining Units

16. 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: 4/14/23