



**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.

May 3, 2023 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 4.a. Proclamation Recognizing May 14th – 20th as Police Week in the City of Ukiah.

Recommended Action: Issue Proclamation

Attachments:

1. Proclamation - Police Week 2023

- 4.b. Proclamation of the City of Ukiah Recognizing May as Older Americans' Month.

Recommended Action: Issue a Proclamation of the Ukiah City Council recognizing May as Older Americans' Month.

Attachments:

1. Proclamation

- 4.c. Proclamation of the City of Ukiah Recognizing May as Asian American Pacific Islander Heritage Month.

Recommended Action: Issue a Proclamation of the Ukiah City Council recognizing May as Asian American Pacific Islander Heritage Month.

Attachments:

1. Proclamation

- 4.d. Proclamation Recognizing May 4th as International Firefighters Day, and May 7th as National Fallen Firefighter Memorial Service Day.

Recommended Action: Issue Proclamation for May 4th and May 7th

Attachments:

1. Proclamation - Firefighters Day

5. PETITIONS AND COMMUNICATIONS

6. APPROVAL OF MINUTES

- 6.a. Approval of the Minutes for the April 19, 2023, Special Meeting.

Recommended Action: Approve the Minutes for the April 19, 2023, Special Meeting.

Attachments:

1. 6a 2023-04-19 Draft Minutes - Special Meeting

- 6.b. Approval of the Minutes for the April 19, 2023, Regular Meeting.

Recommended Action: Approve the Minutes for the April 19, 2023, Regular Meeting.

Attachments:

1. 6b 2023-04-19 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. Approval of Scope of Work for Advance Planning Environmental Subconsultant Rincon to Prepare a Current Greenhouse Gas Emissions Inventory; Approval of Contract Amendment with Mintier Harnish; and Approval of Corresponding Budget Amendment.

Recommended Action: Approve scope of work for advance planning environmental subconsultant Rincon to prepare a current greenhouse gas emissions inventory, approve contract amendment with Mintier Harnish, and approve corresponding budget amendment.

Attachments:

1. Ukiah GHG Inventory - Rincon Proposal_4-11-23
2. Amendment 5 - C #1819-190 draft

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. Adoption of Ordinance Prohibiting Retail Sales of Flavored Tobacco Products, Including Several Cleanup Provisions to Bring the City's Anti-Smoking Regulations into Compliance with Current State Law.

Recommended Action: Adopt Ordinance Prohibiting Retail Sales of Flavored Tobacco Products, Including Several Cleanup Provisions to Bring the City's Anti-Smoking Regulations into Compliance with Current State Law.

Attachments:

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

- 13.b. Receive and File Third Quarter 2022-23 Financial Report.

Recommended Action: Receive and file report.

Attachments: None

- 13.c. Mid-Year Departmental Budget and Objectives Progress Review for Fiscal Year 2022-23, and Review of Draft Objectives for Fiscal Year 2023-24.

Recommended Action: Council to receive, review, consider, and discuss updates on current stated objectives, and will review preliminary draft departmental objectives for the fiscal year 2023-24.

Attachments:

1. CIP -5 year-FYE 2024 - Draft - FinanceIT - 4-3-23

14. NEW BUSINESS

- 14.a. Council to Consider Approval of a Garbage Collection Service Rate for a Ten-Gallon Reduced Use of a Twenty-Gallon Container in the Amount of \$20.95, for Rate Payers who Qualify for the Service; and Authorization for the City Manager to Negotiate and Execute an Agreement Approving the Modified Service and Rate with Ukiah Waste Solutions, Inc.

Recommended Action: Approval of reduced rate of \$20.95 a month for the three-tote service, depositing no more than ten-gallons of solid waste in a twenty-gallon grey container, and authorizing the City Manager to negotiate and execute the Agreement Approving Modified Service and Approved Rate with Ukiah Waste Solutions, Inc.

Attachments:

1. Reduced Rate Application
2. Agreement Approving Modified Service and Rate

- 14.b. 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. SCUК-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. SCUК-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. **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
- 15.h. **Public Employee Performance Evaluation**
(Government Code Section 54956)
Title: City Manager
- 15.i. **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: 4/28/23