



**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.

July 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 Ukiah City Council Recognizing July 26, 2023, as Disability Independence Day.

Recommended Action: Issue a Proclamation of the Ukiah City Council recognizing July 26, 2023 as Disability Independence Day.

Attachments:

1. 2023 Disability Independence Day Proclamation

5. PETITIONS AND COMMUNICATIONS

6. APPROVAL OF MINUTES

- 6.a. Approval of the Minutes for the June 21, 2023, Regular Meeting.

Recommended Action: Approve the Minutes for the June 21, 2023, Regular Meeting.

Attachments:

1. 2023-06-21 Draft Minutes

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. Council to Receive and File Adopted 2023-24 Fiscal Year City of Ukiah Budget Document.
Recommended Action: Receive and File adopted 2023-24 Fiscal Year City of Ukiah Budget Document.
Attachments: None
- 8.b. Adoption of the State of California Governor's Designation of Applicant's Agent Resolution (OES FPD 130) Allowing the City Manager to Apply for Public Assistance and Recovery Funding.
Recommended Action: Adopt the State of California Governor's Designation of Applicant's Agent Resolution (OES FPD 130), allowing the City Manager to apply for public assistance and recovery funding on behalf of the City of Ukiah.
Attachments:
1. Cal OES Form 130 with Signature 2020
2. Cal-OES-130 2023
- 8.c. Consideration of Award of Bid to Chrisp Company in the Amount of \$68,680.65 for the 2023 Street Striping Project, and Approval of Corresponding Budget Amendment.
Recommended Action: Award of Bid to Chrisp Company in the amount of \$68,680.65 for the 2023 Street Striping Project and approve corresponding budget amendment.
Attachments:
1. RFB E40143
2. Bid Results
3. Striping Proposal
- 8.d. Approval of Contract with Stone Creek Environmental Consulting in the Amount of \$81,600 for Engineering Services Related to the Municipal Separate Storm Sewer Systems Permit Issued by North Coast Regional Water Quality Control Board.
Recommended Action: Award professional services agreement to Stone Creek Environmental Consulting in the amount of \$81,600 for Engineering Services related to the City's Stormwater Permit.
Attachments:
1. Ukiah Proposal for 2023-2024
- 8.e. Approval of Contract Change Order for Additional SCADA System Upgrade Work at the Wastewater Treatment Plant in the Amount of \$158,555.29.
Recommended Action: Approve Contract Change Order for additional SCADA system upgrade work for the Wastewater Treatment Plant in the amount of \$158,555.29
Attachments:
1. PO 47814
2. JM CCO 1
- 8.f. Approval of Contract with JM Integration for an On-call Maintenance and Troubleshooting Agreement at the Wastewater Treatment Plant (WWTP) in the Amount of \$174,864.80.
Recommended Action: Approve contract to JM Integration for an on-call Maintenance and troubleshooting agreement at the WWTP in the amount of \$174,864.80.

Attachments:

1. Proposal

- 8.g. Notification of Emergency Purchase of all Materials and Labor for the Installation of a Manhole and Water and Sewer Lateral Work on State Street from Wipf Construction in the Amount of \$157,512.50, and Approve Corresponding Budget Amendment.

Recommended Action: Receive notification of the emergency purchase of all repair work on a water and sewer main from Wipf Construction in the amount of \$157,512.50, and approve corresponding budget amendment.

Attachments:

1. Wipf Invoice

- 8.h. Approve the Purchase of Network Routers and Switches From Rhino Networks LLC for the Amount of \$103,049.17, and Approve Corresponding Budget Amendment.

Recommended Action: Approve the purchase of network routers and switches from Rhino Networks LLC for the amount of \$103,049.17, and approve the corresponding budget amendment.

Attachments:

1. RFB# E39443 - IT Switches and Routers (003)

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)

- 12.a. Appeal of Planning Commission Decision to Deny a Major Site Development Permit for Construction of a Redwood Credit Union Bank Facility at 101 South Main Street, APN 002-231-001; File No. 22-7977.

Recommended Action: Staff recommends City Council 1) conduct a public hearing to consider the appeal request, in accordance with UCC Section 9266; and 2) overturn the Planning Commission denial of the Project, approving the Major Site Development Permit, as revised on July 5, 2023; and 3) find the Project consistent with the intent of Mitigation Measure CUL-2 related to Demolition Permit No. 21-6155, allowing issuance of the Demolition Permit, based on the Findings included in Attachment 9 and the Conditions of Approval included in Attachment 10.

Alternate actions are included for review in the Discussion section of the Staff Report.

Attachments:

1. RCU Project Renderings- 1st and 2nd design iterations submitted on 12/22/22 and 02/13/23
2. RCU Project Renderings- 3rd design iteration and Minutes of the 03/23/23 Design Review Board
3. RCU Project Renderings- 4th design iteration reviewed by Planning Commission on 05/10/23
4. RCU Project Renderings- 5th design iteration and Minutes of the 06/14/23 Planning Commission Meeting including Findings of denial
5. Appeal Letter submitted by Applicant on 06/26/23

6. RCU Project Renderings- 6th design iteration and additional correspondence submitted on 07/05/23
7. City Attorney Memo on Appeal Procedure and Clarifications of City Code 071123
8. Staff Analysis of appeal materials and 6th design iteration 071323
9. Draft Findings for Approval, revised 071323
10. Draft Conditions of Approval, revised 071323

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: None
- 13.b. Discussion and Possible Direction Regarding Investment Preferences of Idle Funds Related to Petroleum Companies
Recommended Action: Council to discuss the City's investment policy related to petroleum companies and provide direction to Staff.
 Attachments:
 1. Investment Policy_June 2023
 2. California Quietly Shelves \$15 Billion Pension Divestment Bill - Bloomberg
 3. California pensions_ Will CalPERS stop investing in fossil fuels_ - CalMatters

14. **NEW BUSINESS**

- 14.a. Annual Report Regarding Boards and Commissions Term Expirations and Appointments, and Adoption of Resolution Making Appointments to Various Boards and Commissions.
Recommended Action: Receive the report regarding the Boards and Commission term expirations and appointments, and adopt the Resolution Making Appointments to Various Boards and Commissions.
 Attachments:
 1. Ukiah Daily Journal Public Notice
 2. Vacancy Notice and Boards and Commissions Rosters
 3. Donovan Albright Application and Nomination for the Airport Commission
 4. Mark Ashiku Application and Nomination for the Airport Commission
 5. Lorena Akin Application for the Design Review Board
 6. David Lieberman Application and Nomination for the Diversity and Equity Committee
 7. Proposed Resolution
- 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 - rev 6-22-23

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. SCU-K-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. SCU-K-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
7/14/23