



**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.

August 2, 2023 - 6:00 PM

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1. **ROLL CALL**
 2. **PLEDGE OF ALLEGIANCE**
 3. **AB 2449 NOTIFICATIONS AND CONSIDERATIONS**
 4. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**
 5. **PETITIONS AND COMMUNICATIONS**
 6. **APPROVAL OF MINUTES**
 - 6.a. Approval of the Minutes for the July 19, 2023, Special Meeting.
Recommended Action: Approve the Minutes for the July 19, 2023, Special Meeting.
Attachments:
 1. 6a 2023-07-19 Draft Minutes - Special Meeting
 - 6.b. Approval of the Minutes for the July 19, 2023, Regular Meeting.
Recommended Action: Approve the Minutes for the July 19, 2023, Regular Meeting.
Attachments:
 1. 2023-07-19 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. Report on the Ukiah Electric Utility Fire Mitigation Fuel Reduction Project, Specification No. 23-13, for Enhanced Tree Trimming to Various Locations on the West Side of Ukiah City Limits; and Approval of the Community Development Director's Determination that Activities Undertaken by the City's Electric Utility Department Associated with the Hazard Mitigation Grant Project, Including Fuel Reduction and Undergrounding Projects, Qualify for Exemption Under the California Environmental Quality Act (CEQA).

Recommended Action: 1) Receive report on the Ukiah Electric Utility Fire Mitigation Fuel Reduction Project, Specification 23-13, for enhanced tree trimming to various locations on the west side of Ukiah city limits; and 2) Approve Community Development Director's determination that activities undertaken by the City's Electric Utility Department associated with the Hazard Mitigation Grant Project, including fuel reduction and undergrounding projects, qualify for exemption under the California Environmental Quality Act (CEQA).

Attachments:

1. Spec 23-13 - Ukiah Electric Utility Fire Mitigation Fuel Reduction Project
2. 8a Correspondence Received - Eileen Mitro

- 8.b. Adopt a Resolution Approving a Side Letter Agreement to the Current Memorandum of Understanding Between the City of Ukiah and the Ukiah Police Officers Association, and Authorize the City Manager to Execute.

Recommended Action: Adopt a Resolution approving a Side Letter Agreement to the current Memorandum of Understanding between the City of Ukiah and the Ukiah Police Officers Association, and authorize the City Manager to execute.

Attachments:

1. Resolution to Approve Side Letter between COU and UPOA

- 8.c. Approve the Purchase of a Portable Concrete Mixer from Cart-Away Concrete Systems, Inc in the Amount of \$71,514.32.

Recommended Action: Approve the Purchase of a Portable Concrete Mixer from Cart-Away Concrete Systems, Inc in the amount of \$71,514.32

Attachments:

1. RFB - E40150
2. Bid Tab - E40150

- 8.d. Notification of Change Order #2 to Ghilotti Construction Co. in the Amount of \$132,511.91 for the Clara Avenue Reconstruction Project, and Approval of Corresponding Budget Amendment.

Recommended Action: Receive notification of Change Order #2 to Ghilotti Construction Co. in the amount of \$132,511.91 for the Clara Avenue Reconstruction Project, and approve corresponding budget amendment.

Attachments:

1. Plans and Specifications
2. CCO 2

- 8.e. Approve Contract Amendment in the Amount of \$167,266 for Additional Engineering Services Related to the Main, Perkins and Gobbi Street Reconstruction Projects with BKF Engineers, and Approve Corresponding Budget Amendment.

Recommended Action: Approve contract amendment in the amount of \$167,266 for additional engineering services related to the Main, Perkins and Gobbi Street reconstruction projects with BKF Engineers, and approve corresponding budget amendment.

Attachments:

1. 2022-LPP Staff Recommendations
2. 212351_Perkins(ASR02)

- 8.f. Consideration to Award Contract for the Ukiah Electric Utility Fire Mitigation Undergrounding Project, Specification Number 23-08, to ARB, Inc in the Amount of \$1,958,740.78.

Recommended Action: Award contract for the Ukiah Electric Utility Fire Mitigation Undergrounding Project, Specification Number 23-08, to ARB, Inc in the Amount of \$1,958,740.78.

Attachments:

1. Bid Results - Spec 23-08 - Ukiah Electric Utility Fire Mitigation Undergrounding Project
2. Bid - ARB, Inc.

- 8.g. Consideration of Award of Bid for HVAC Replacement at the Wastewater Treatment Plant, Specification No. 23-10.

Recommended Action: Award of bid for the HVAC Replacement at the Wastewater Treatment Plant, Specification No. 23-10.

Attachments:

1. Bid Spec and Addenda
2. Supplemental Memo - Item 8g - 8-2-2023 Council Meeting

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. Conduct a Public Hearing to Receive Public Comment and Discuss Final Grantee Performance Under State Community Development Block Grant 20-CDBG-CV1-00004, and Acknowledge Full Reimbursement of Grant Expenses from the California Department of Housing and Community Development.

Recommended Action: 1) Receive report from Staff on final performance of State Community Development Block Grant 20-CDBG-CV1-0004; 2) conduct a public hearing to receive public comment; and 3) acknowledge accomplishments, confirming activity completion, and confirming receipt of grant reimbursement funds from the State.

Attachments:

1. Resolution 2020-53
2. Standard Agreement
3. Equipment Specifications
4. Notice of Completion

- 12.b. Annual Review and Consideration of the Fee Schedule for Community Services; Including Recreation Programs, Sports Fields, Parks, Municipal Pools, Ukiah Valley Conference Center, and the Grace Hudson Museum.

Recommended Action: Conduct review of the fee schedule for Community Services; including recreation programs, sports fields, parks, Municipal Pools, Ukiah Valley Conference Center, and the Grace Hudson Museum. No changes to the current fee schedule are recommended by staff at this time.

Attachments:

1. Fee Schedule for Facilities, Museum, Programs and Aquatics FY 24 (1)

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

14. NEW BUSINESS

- 14.a. Receive and Accept as Complete a Baseline Assessment of the Western Hills Watershed Protection Area.

Recommended Action: Approve Western Hills Watershed Protection Area Baseline Assessment Document as complete.

Attachments:

1. WHWPA BASELINE DRAFT 6_14_23
2. 14a Correspondence Received - John and Delynne Rogers
3. 14a Correspondence Received - Jeanne Wetzel Chinn

- 14.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
4. 14b Correspondence Received - Eileen Mitro
5. 14b Correspondence Received - Steve Scalmanini

- 14.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), and Consider the Formation of an Ad Hoc to Plan for the City's 150-Year Anniversary.

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. SCUUK-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. SCUUK-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: 7/28/23