



City Council Regular Meeting
AGENDA

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482
September 19, 2018 - 6:00 PM

1 ROLL CALL

2 PLEDGE OF ALLEGIANCE

3 PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- 3.a. [Status Report, Discussion and Possible Action Regarding the Ukiah Valley Sanitation District's Litigation Against the City of Ukiah Related to the Operation of the Sanitary Sewer System.](#)
Recommended Action: Receive status report. If desired, discuss and provide direction to Staff and/or consider any action(s) related to the matter.
[Attachment 1 - UVSD Litigation Update Box Files location](#)

4 PETITIONS AND COMMUNICATIONS

5 APPROVAL OF MINUTES

- 5.a. [Approval of the September 4, 2018, Special Meeting Minutes](#)
Recommended Action: Approve the Minutes of September 4, 2018, a Special Meeting, as submitted.
[Attachment 1 - September 4, 2018, Draft Minutes](#)
- 5.b. [Approval of the September 5, 2018, Regular Meeting Minutes](#)
Recommended Action: Approve the Minutes of September 5, 2018, a Regular Meeting, as submitted.
[Attachment 1 - September 5, 2018, 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. [Report of Disbursements for the Month of August 2018.](#)

Recommended Action: Approve the Report of Disbursements for the month of August 2018.

[Attachment 1 - August 2018 Summary of Disbursements](#)

[Attachment 2 - Account Codes for Reference](#)

[Attachment 3 - Object Codes for Reference](#)

[Attachment 4 - August 2018 Disbursement Detail](#)

7.b. [Report to Council Regarding the 2018 Conflict of Interest Code Biennial Notice, and Direct the City Clerk to Modify the Conflict of Interest Code per Guidelines Provided by the Fair Political Practices Commission \(FPPC.\)](#)

Recommended Action: Receive the 2018 Conflict of Interest Code Biennial Notice and direct City Clerk to: file the notice, modify the conflict of interest code per the FPPC guidelines, seek review from the City Attorney, provide a 45-day public comment period for the suggested changes, and schedule a public hearing to consider adoption of the modified conflict of interest code.

[Attachment 1 - 2018 Local Agency Biennial Notice](#)

7.c. [Approval of Notice of Completion for North State Street Intersection - Low Gap Road/Brush Street, Storm Drain & Signalization Improvements, Specification No. 17-02.](#)

Recommended Action: 1. Accept the work as complete. 2. Direct the City Clerk to file the Notice of Completion with the County Recorder for North State Street Intersection - Low Gap Road/Brush Street, Storm Drain & Signalization Improvements, Specification No. 17-02.

[ATTACHMENT 1 - Notice of Completion-Spec 17-02](#)

7.d. [Approve the Repair and Rebuild of the Wastewater Treatment Plant's Floway 16DKH Vertical Turbine Pump from Weir Floway, Inc. in the Amount of \\$24,706.64, and Approve the Corresponding Budget Amendment.](#)

Recommended Action: Approve the repair and rebuild of the Wastewater Treatment Plant's Floway 16DKH Vertical Turbine Pump from Weir Floway, Inc. in the amount of \$24,706.64, and approve the corresponding budget amendment

[ATTACHMENT 1 - FLOWAY QUOTE](#)

7.e. [Review Landfill Closure Financial Plan Update](#)

Recommended Action: Receive and file update to the Landfill Closure Financial Plan.

[Attachment #1 - 2016-03 CC Reso - Establishing Funding Closure - Ukiah Solid Waste Disposal.pdf](#)

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, 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. Continued Public Hearing for the Appeal of Planning Commission Decision to Approve a Major Site Development Permit for the Construction of a 7,500± Square Foot Metal Building to House Support Services for Garton Tractor at 285 Talmage Road.

Recommended Action: Staff recommends the City Council approve one of the recommended actions outlined in the Discussion Section of the Agenda Summary Report.

Attachment 1- Findings for Recommendation #1

Attachment 2- 10-11-17 Staff Report - Garton Tractor.pdf

Attachment 3- 10-11-17 Final Findings - Garton Tractor Project

Attachment 4- 10-11-17 Final COAs - Garton Tractor Project

Attachment 5- 10-23-17 Appeal - Garton Tractor Project.pdf

Attachment 6- Map w.RPZ- Original Bldg- Garton Tractor Project

Attachment 7- Amended Garton Tractor Project Site Plan.pdf

Attachment 8- 6-6-18 ASR City Council Public Hearing

Attachment 9- 6-21-18 City SR to ALUC.pdf

Attachment 10- 8-3-18 City Attorney Legal Opinion.pdf

Attachment 11- 8-6-18 and 8-8-18 CalPilots Comments and Staff responses.pdf

Attachment 12- 8-15-18 CalTrans Comments and 8-16-18 Staff responses.pdf

Attachment 13- 8-22-18 Planning Commission SR.pdf

Attachment 14- ALUC Reso. 2018-0002 (Garton) Signed Final.pdf

Attachment 15- 9-7-18 CalTrans email.pdf

12 **UNFINISHED BUSINESS**

- 12.a. Review of Local Preference Purchasing Policy.

Recommended Action: Receive report, and decide whether or not to continue the policy.

ATTACHMENT 1 - RESOLUTION 2016-50

ATTACHMENT 2 - 2017-46 CC Reso - Extending Bidding Preference for Local Businesses

ATTACHMENT 3 - Local Preference Analysis Summary

- 12.b. Final Approval of the Vehicle & Heavy Equipment Request & Justification Items for the 2018/2019 Fiscal Year Budget, Approve Recommended Budget Amendments, and Approve the Adoption of the 5-Year Capital Improvement Plan.

Recommended Action: Approve the Vehicle & Heavy Equipment Request & Justification items for purchase for the 2018/2019 Fiscal Year Budget, Approve Recommended Corresponding Budget Amendments, and Approve the Adoption of the 5-Year Capital Improvement Plan.

Attachment 1 - Vehicle & Heavy Equipment Justification Forms

Attachment 2 - 5-Year CIP

13 **NEW BUSINESS**

- 13.a. [Approval and Authorization of the City Manager to Execute Bridge Financing for the Recycled Water Project.](#)
Recommended Action: City staff recommends that City Council approve the attached resolution and financing agreement as to form, giving the City Manager and Finance Director authorization to execute all documents and undertake on actions necessary to secure interim financing for its recycled water project should it become necessary to do so.
[Attachment 1 - Ukiah Resolution Authorizing Bridge Loan 09-05-18](#)
[Attachment 2 - Ukiah Water Note Loan Agreement Draft 09-10-18](#)
- 13.b. [Receive Updates on City Council Committee and Ad Hoc Assignments.](#)
Recommended Action: Receive report(s).
[Attachment 1 - 2018 City Council Special Assignments & Ad Hocs](#)

14 CLOSED SESSION – CLOSED SESSION MAY BE HELD AT ANY TIME DURING THE MEETING.

- 14.a. [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](#)
Recommended Action: Confer in Closed Session
- 14.b. [Conference with Legal Counsel – Existing Litigation](#)
[\(Government Code Section 54956.9\(d\)\(1\)\)](#)
[Name of case: Ukiah Valley Sanitation District v. City of Ukiah, Sonoma County Superior Court, Case No. SCV 256737 \(UVSD\)](#)

Recommended Action: Confer in Closed Session
- 14.c. [Conference with Labor Negotiator](#)
[\(Government Code Section 54957.6\)](#)
[Agency Representative: Sage Sangiacomo, City Manager](#)
[Employee Organizations: All Bargaining Units](#)
Recommended Action: Confer in Closed Session
- 14.d. [Conference with Real Property Negotiators](#)
[\(Cal. Gov't Code Section 54956.8\)](#)
[Property: APN Nos: 157-050-03, 157-060-02, 157-050-04, 157-050-03, 157-030-02, 157-050-01, 157-050-02, 157-050-10, 157-050-09, 157-070-01, 157-070-02, 003-190-01](#)
[Negotiator: Sage Sangiacomo, City Manager;](#)
[Negotiating Parties: Dave Hull and Ric Piffero](#)
[Under Negotiation: Price & Terms of Payment](#)
Recommended Action: Confer in Closed Session

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, City Clerk