



**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.

September 20, 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 September as Hispanic Heritage Month in the City of Ukiah.

Recommended Action: Issue a Proclamation of the Ukiah City Council recognizing September as Hispanic Heritage Month in the City of Ukiah.

Attachments:

1. Proclamation

- 4.b. Summer Event and Recreation Program Recap Presentation.

Recommended Action: Receive Report

Attachments: None

5. PETITIONS AND COMMUNICATIONS

6. APPROVAL OF MINUTES

- 6.a. Approval of the Minutes for the August 16, 2023, Regular Meeting.

Recommended Action: Approve the minutes for the August 16, 2023, a regular meeting.

Attachments:

1. 2023-08-16 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. Report of Subscription Purchase with NEOGOV for the Learn and Perform Platform.

Recommended Action: Receive the report on the additional subscription purchase of NEOGOV products to include the Learn and Perform Platform.

Attachments:

1. NEOGOV 2-Year Learn and Perform Subscription

- 8.b. Report of Purchase of an Air Unmanned Aerial System Bundle from Axon Enterprises in the Amount of \$40,346.42.

Recommended Action: Receive a report of the purchase of Axon Air Unmanned Aircraft System Bundle in the Amount of \$40,346.42.

Attachments:

1. Drone Quote

- 8.c. Consideration of Award of Bid to American Asphalt and Resurfacing Co., Inc. in the Amount of \$797,096.24, for the Slurry Seal of Local Streets, Specification No.23-12, and Approval of Corresponding Budget Amendment.

Recommended Action: Award the bid for Specification No. 23-12 to American Asphalt and Resurfacing Co., Inc in the amount of \$797,096.24 for the Slurry Seal of Local Streets, Specification No.23-12, and Approve of Corresponding Budget Amendment.

Attachments:

1. 23-12 Plans
2. Bid Results
3. American Asphalt
4. RMRA Council Approval

- 8.d. Consideration of Financial Contribution in the Amount of \$50,000 to the Inland Water and Power Commission for Legal Services Related to the Potter Valley Project.

Recommended Action: Approve a request for a financial contribution from the Inland Water and Power Commission in the amount of \$50,000 related to the Potter Valley Project.

Attachments:

1. IWPC Invoice 23-24

- 8.e. Review Landfill Closure Financial Plan Update and Authorize the Filing of the Update.

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

Attachments:

1. 2016-03 CC Reso - Establishing Funding Closure
2. 2023 Landfill Inflation Form

- 8.f. Consideration of Award of Bid for Electric Utility Fire Mitigation Fuel Reduction Project, Specification No. 23-13.

Recommended Action: Award bid for the Electric Utility Fire Mitigation Fuel Reduction Project, Specification No. 23-13.

Attachments:

1. Spec 23-13 - Ukiah Electric Utility Fire Mitigation Fuel Reduction Project - FINAL

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. Possible Adoption of a Resolution of the City Council Declaring the Property at 725 Porzio Lane a Public Nuisance and Intent to Commence Abatement Proceedings.

Recommended Action: Adopt the Resolution of the City Council Declaring the Property at 725 Porzio Lane a Public Nuisance and the City's Intent to Commence Abatement Proceedings

Attachments:

1. Resolution- 725 Porzio Lane Public Nuisance Declaration
2. 725 Porzio Lane Site Photographs
3. 725 Porzio Lane (aka 145 Porzio) Incident Reports

13. UNFINISHED BUSINESS

- 13.a. Receive Report Regarding the Economic Development and Financing Corporation (EDFC); Consideration of Request for Funding from EDFC; and Authorize the City Manager to Negotiate and Execute Performance Agreement Between the City of Ukiah and EDFC in the amount of \$12,455.25 for FY 2023-24.

Recommended Action: Receive report regarding the Economic Development and Financing Corporation (EDFC) and authorize the City Manager to negotiate and execute Performance Agreement between the City of Ukiah and EDFC.

Attachments:

1. Economic Development and Financing Corporation (EDFC) - Performance Agrmt 2223-081 - signed

- 13.b. Consideration of Award of Bid for the Orr Street Bridge Deck Replacement, Specification No. 23-06.

Recommended Action: Award the bid for the Orr Street Bridge Deck Replacement, Specification No. 23-06.

Attachments:

1. Orr Street Bridge Replacement Spec No. 23-06 PLANS

- 13.c. 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. West Coast Fire Water - Hastings Fire Remediation Work - 2223-177 - signed

14. NEW BUSINESS

- 14.a. Report to Council Regarding the Status of the Cooperative Agreement Between the City of Ukiah and Mendocino Council of Governments (MCOG).
Recommended Action: Receive report regarding the status of the Cooperative Agreement between the City of Ukiah and Mendocino Council of Governments (MCOG) and provide direction if necessary.
Attachments:
 1. FY 2022-23 MCOG Master subrecipient agreement-Ukiah w-Exhibits
- 14.b. Introduction by Title Only of an Ordinance Amending Chapter 4.1 to Division 5 of the Ukiah City Code to Establish Organic Waste Disposal Regulation and Enforcement Requirements per Senate Bill 1383, Short-Lived Climate Pollutants.
Recommended Action: Introduce, by title only, an Ordinance amending Chapter 4.1 to Division 5 of the Ukiah City Code to establish organic waste disposal regulation and enforcement requirements per Senate Bill 1383, Short-Lived Climate Pollutants.
Attachments:
 1. Ordinance No 1221 to Regulate and Enforce Reduction of Organic Waste Disposal
 2. Organic Waste Disposal Reduction Ordinance Self-Haul Amendment Redline
 3. Organic Waste Disposal Reduction Ordinance Self-Haul Amendment clean
- 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).
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 8-4-23

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. 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: 9/15/23