



**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) 1-888-788-0099
- 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.

March 6, 2024 - 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 February 21, 2024, Regular Meeting.

Recommended Action: Approve the Minutes for the February 21, 2024, Regular Meeting.

Attachments:

1. 6a 2024-02-21 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. Report of Disbursements for the Month of December 2023.

Recommended Action: Approve the report of disbursements for the month of December 2023.

Attachments:

1. December 2023 Summary of Disbursements
2. Account Codes for Reference
3. Object Codes for Reference
4. December 2023 Disbursement Detail

- 8.b. Report of Disbursements for the Month of January 2024.

Recommended Action: Approve the report of disbursements for the month of January 2024.

Attachments:

1. January 2024 Summary of Disbursements
2. Account Codes for Reference
3. Object Codes for Reference
4. January 2024 Disbursement Detail

- 8.c. Consider Authorization of the City Manager to Negotiate and Renew the Lease of a Portion of Riverside Park to Rusty Bowl BMX, Inc.

Recommended Action: Authorize the City Manager to Negotiate and Renew the Lease of a Portion of Riverside Park to Rusty Bowl BMX, Inc.

Attachments:

1. Rusty Bowl Draft Lease

- 8.d. Consideration of Award of Professional Services Contract for Audit Services to Van Lant & Fankhanel, LLP.

Recommended Action: Approve a 3-year contract with Van Lant & Fankhanel, LLP for audit services in the amount of \$126,200, and to approve two 2-year extensions, if applicable.

Attachments:

1. Ukiah Engagement Letter FY 2024 (4)

- 8.e. Possible Adoption of an Ordinance Adopting the Amended 2022 California Fire Code, Including the National Fire Protection Association (NFPA) 1 Chapter 38, Due to Local Conditions.

Recommended Action: Adopt Ordinance amending Division 6, Chapter 3, Articles 1 and 3, of the Ukiah City Code, entitled: 'Fire Prevention Code,' to adopt the 2022 Edition of the California Fire Code, including additions or amendments, as well as NFPA 1 Chapter 38, to address local conditions.

Attachments:

1. CC Reso 2024-06 - Establishing Findings of Fact for State Building Standards Code - Local Conditions
2. Proposed 2022 Fire Code Ordinance - Clean

- 8.f. Notification to City Council of Purchase of Services from SHN Consulting Engineers & Geologists, Inc. in the Amount not to Exceed \$53,650 for the Dewatering Project Material Inspection.

Recommended Action: Receive a report of Purchase of Services from SHN Consulting Engineers & Geologists, Inc. in the Amount not to Exceed \$53,650 for the Dewatering Project Material Inspection.

Attachments:

1. SHN - Dewatering Proj Material Inspection - 2324-149 Fully Executed

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. Resolve Bid Protests Received for Specification No. 24-01 for the City of Ukiah Electric Service Center Tenant Improvements and Fire Damage Repair, and Approve Final Award Recommendation.

Recommended Action: Consider the bid protest received from Kirby Construction, reject the counterprotest from DMR Builders, and award the bid to Kirby Construction Company in the amount of \$2,446,340 for Specification No. 24-01 Hastings Tenant Improvements and Fire Damage Repair.

Attachments:

1. Spec 24-01 - Hastings Tenant Improvements & Fire Damage Repair
2. Bid Results - Spec 24-01
3. Bid Protest - Ukiah Elec Service Center TI (1)
4. Bid Protest Response

- 13.b. Consideration of Award of Bid for the Urban Core Rehabilitation and Transportation Project (UCRTP), Specification 23-07 to Ghilotti Construction Company Inc. in the Amount of \$11,943,936.75, and Approval of Corresponding Budget Amendments.

Recommended Action: Award bid for the Urban Core Rehabilitation and Transportation Project (UCRTP), Specification 23-07, and approve of corresponding budget amendments.

Attachments:

1. Plans
2. Bid Results - Spec 23-07
3. Ghilotti Bid

- 13.c. Annual Military Equipment Report from Ukiah Police Department, in Compliance with California Assembly Bill No. 481.

Recommended Action: Receive Annual Military Equipment Report.

Attachments:

1. 1229 - Adopting and Approving Police Policy 708
2. Military Equipment Inventory

14. **NEW BUSINESS**

- 14.a. Receive and Approve the Submittal of the 2023 Annual Progress Reports to the Department of Housing and Community Development and the Governor's Office of Policy and Research.

Recommended Action: Receive and approve submittal of annual progress reports to the Department of Housing and Community Development and the Governor's Office of Policy and Research, and provide direction to Staff as necessary.

Attachments:

1. 2023 - HCD APR

2. 2023 - OPR APR

- 14.b. Receive the Annual Report Regarding the City's Cannabis-Related Ordinances; and Provide Direction to Staff as Necessary.

Recommended Action: Receive report regarding cannabis-related business ordinances and provide additional direction as necessary.

Attachments:

1. Cannabis Related Businesses - Ukiah

- 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. 2024 City Council Special Assignments and Ad Hocs

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)(4))

Initiation of litigation (2 cases)

- 15.b. **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.c. **Conference with Real Property Negotiators**

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 180-110-07

Negotiator: Shannon Riley, Deputy City Manager

Negotiating Parties: GMB Realty Partners, Inc.

Under Negotiation: Price & Terms of Payment

- 15.d. **Conference with Real Property Negotiators**

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 003-230-03-00

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Jann Lanz

Under Negotiation: Price & Terms of Payment

- 15.e. **Public Employee Appointment**

(Government Code Section 54957)

Title: (City Appointment to City Civil Service Commission)

- 15.f. **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. Any handouts or presentation materials from the public must be submitted to the clerk 48 hours in advance of the meeting; for handouts, please include 10 copies.

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/CPMC
Dated: 3/1/24