



Regular Meeting
AGENDA

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

September 4, 2019 - 6:00 PM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

5.a. Approval of the Minutes for the August 21, 2019, Regular Meeting.

Recommended Action: Approve the Minutes of August 21, 2019, a Regular Meeting, as submitted.

Attachments:

1. Draft Minutes for August 21, 2019

5.b. Approval of the Minutes for the August 27, 2019, Special Meeting.

Recommended Action: Approve the Minutes of August 27, 2019, a Special Meeting, as submitted.

Attachments:

1. August 27, 2019, 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. Approve Budget Amendment for Ukiah Fire for Fiscal Year 19-20 for Facility Maintenance.

Recommended Action: Approve budget amendment to 100212110.56300 in the amount of \$8,000 for facility maintenance.

Attachments: None

- 7.b. Authorization for City Manager to Negotiate and Execute Three-Party Agreement with Special Ice for 2019-2020 Seasonal Ice Rink; Authorize Greater Ukiah Business and Tourism Alliance to Serve as Fiscal Agent for Rink; and Authorization to Transfer Corresponding Funds to the Business and Tourism Alliance.
Recommended Action: Authorize City Manager to negotiate and execute three-party agreement with Special Ice for 2019-2020 Seasonal Ice Rink; Authorize Greater Ukiah Business and Tourism Alliance to serve as fiscal agent for rink; and authorize the corresponding transfer of funds to the Business and Tourism and Alliance.
Attachments:
1. Ukiah On Ice Three Party Agreement 2019
- 7.c. Request Approval of Extension of the Term for the Tayman Park Golf Group Lease Agreement and Request Authorization for the City Manager and the City Attorney to Negotiate and Execute an Amended and Restated Agreement with the Contractor for the Extended Term.
Recommended Action: Approve the Extension of the Term for the Tayman Park Golf Group Lease Agreement to September 31, 2026, and Authorize the City Manager and the City Attorney to Negotiate and Execute an Amended and Restated Agreement with the Contractor for the Extended Term
Attachments: None
- 7.d. Award a Contract for Specification #E36883 – Street Striping 2019, to Traffic Limited of Lodi, California, in the Amount of \$44,104.01 for Street Striping 2019.
Recommended Action: Award Contract to Traffic Limited in the amount of \$44,104.01.
Attachments:
1. RFB - Specification E36883
 2. Bid Tab
 3. Traffic Limited Bid
- 7.e. Approval of Agreement with Walk & Bike Mendocino for A Minor Update of City of Ukiah Bicycle and Pedestrian Master Plan.
Recommended Action: Approve Agreement with Walk & Bike Mendocino for a Minor Update of City of Ukiah Bicycle and Pedestrian Master Plan
Attachments:
1. 2016-04-20 ASR 13C pp 1-2 and Adopted Reso 2016-20
 2. 2019-06-14 Neil Davis email - bike and ped master plan update
- 7.f. Notification to City Council of the Purchase of Power Monitoring Equipment to Power Monitors Inc. (PMI) in the Amount of \$23,384.23. (EUD)
Recommended Action: Receive report on the purchase of power monitoring equipment to PMI in the amount of \$23,384.23. (EUD)
Attachments: None

- 7.g. Report to Council Regarding the City Manager's Execution of a Contract for Legal Services with Wright, L'Estrange & Ergastolo, for Counsel on Issues Related to Fire and Emergency Medical Services, and Approval of Corresponding Budget Amendment.

Recommended Action: Receive Report, approve continued use on an as-needed basis, and approve corresponding budget amendment.

Attachments:

1. C_1920-127 Legal Services

- 7.h. Authorize the City Manager to Execute an Agreement with Psomas for Land Surveyor Services in an Amount of \$42,245, and Approve Corresponding Budget Amendments.

Recommended Action: Authorize the City Manager to execute an agreement with Psomas for Land Surveyor Service in an amount of \$42,245.

Attachments:

1. RFP with Addenda
2. PSOMAS Proposal

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)

12. UNFINISHED BUSINESS

- 12.a. Receive Report Regarding Review of Ordinance on Development and Operating Standards for Community Gardens, Live Entertainment, Outdoor Dining, Sidewalk Cafes, and Specialty Food and Beverage Sales with Tasting and Provide Direction to Staff

Recommended Action: Receive report from Staff and provide direction as necessary.

Attachments:

1. Ordinance No. 1167

- 12.b. Consideration and Possible Adoption of a Resolution Amending the Fee Schedule for the Planning Division of the Community Development Department to Establish a Broadband Application Fee.

Recommended Action: Adopt Resolution establishing a new permit fee for broadband infrastructure deployment.

Attachments:

1. Resolution Setting Broadband Application Fees
2. Exhibit A Fee Schedule

- 12.c. Consider Approval of Mendocino Solid Waste Management Authority Joint Powers Agreement and an Increase to the Existing Surcharge of \$1.50 per ton of Solid Waste.

Recommended Action: Approve 1) The Joint Powers Agreement for the Mendocino Solid Waste Management Authority and authorize the Mayor to execute notwithstanding non-substantive changes negotiated by the City Attorney, 2) the additional \$1.50 surcharge that will be incorporated in the City's curbside rates in January of 2020. This approval is subject to all other agencies agreeing to the same terms as the City of Ukiah.

Attachments:

1. Amended and Restated MSWMA JPA revised v2
2. MSWMA Budget with \$1.5 increase 19-20

13. **NEW BUSINESS**

- 13.a. Authorize City Manager to Negotiate and Execute Reimbursable Agreement and Grant Agreement with the Federal Aviation Administration for Engineering Design Review and Oversight Support for Runway 15 Visual Approach Slope Indicator (VASI) Replacement and Runway 15 and 33 Runway End Identifier Lights (REIL) Relocation/Replacement.

Recommended Action: Authorize City Manager to Negotiate and Execute Reimbursable Agreement and Grant Agreement with the Federal Aviation Administration for Engineering Design Review and Oversight Support for Runway 15 Visual Approach Slope Indicator (VASI) Replacement and Runway 15 and 33 Runway End Identifier Lights (REIL) Relocation/Replacement.

Attachments:

1. RA Attachment 1

- 13.b. Review and Consider A Draft Comment Letter to the County of Mendocino Regarding their Draft Housing Element.

Recommended Action: Authorize Community Development Director to draft a comment letter to the County of Mendocino regarding their draft Housing Element

Attachments: None

- 13.c. Consider the Request by Solid Waste Systems to Temporarily Suspend Operations of the Buy-Back Center at the Ukiah Transfer Station.

Recommended Action: Approve the amendment to the contract with Solid Waste Systems to temperately suspend operations of the buy-back center at the Ukiah transfer station

Attachments:

1. Addendum 3 - Suspension of Buy-back Center

- 13.d. 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 may also consider modifications to committee and ad hoc assignments along with the creation/elimination ad hoc(s).

Attachments:

1. 2019 City Council Special Assignments and Ad Hocs

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

- 14.a. **Conference with Legal Counsel—Anticipated Litigation**
(Government Code Section 54956.9(d))
A. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (Number of potential cases: 1.)
B. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Number of potential cases: 1)
Recommended Action: Confer in Closed Session
Attachments: None
- 14.b. **Conference with Legal Counsel—Anticipated Litigation**
(Government Code Section 54956.9(d)) Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (Number of potential cases: 1)
Recommended Action: Confer in Closed Session
Attachments: None
- 14.c. **Conference with Legal Counsel - Anticipated Litigation**
(Government Code Section 54956.9)
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Section 54956.9: (1 potential case)
Recommended Action: Confer in Closed Session
Attachments: None
- 14.d. **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: 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
Attachments: None
- 14.e. **Conference with Legal Counsel – Existing Litigation**
(Cal. Gov't Code Section 54956.9(d)(1))
Name of case: City of Ukiah v. Questex, LTD, et al, Mendocino County Superior Court, Case No. SCUK- CVPT-15-66036
Recommended Action: Confer in Closed Session
Attachments: None
- 14.f. **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:
Attachments: None

- 14.g. **Conference with Real Property Negotiators**
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 003-040-77; 003-040-78; 003-040-79
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Shapiro/Danco
Under Negotiation: Price & Terms of Payment
Recommended Action: Confer in Closed Session
Attachments: None
- 14.h. **Conference with Real Property Negotiators**
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 002-273-19-00 and 002-273-30-00
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Bank of America
Under Negotiation: Price & Terms of Payment
Recommended Action: Confer in Closed Session
Attachments: None
- 14.i. **Conference with Real Property Negotiators**
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 002-192-14-00 (280 E. Standley)
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Onetogther Solutions
Under Negotiation: Price & Terms of Payment
Recommended Action: Confer in Closed Session
Attachments: None
- 14.j. **Public Employee Performance Evaluation**
(Government Code Section 54956)
Title: City Manager
Recommended Action: Confer in Closed Session
Attachments: None

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.

Dated this 30th day of August, 2019
Kristine Lawler, City Clerk