



**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/87167249956>

Or you can call in using your telephone only:

- Call (toll free) 1-888-788-0099
- Enter the Access Code: 871 6724 9956
- 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.

October 16, 2024 - 5:15 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 October 2, 2024, Regular Meeting.

Recommended Action: Approve the Minutes for the October 2, 2024, Regular Meeting.

Attachments:

1. 2024-10-02 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. Approve A Three-Year Contract Extension/Renewal for Mimecast Email Security Suite From CompuNet.
Recommended Action: Approve the three-year agreement from CompuNet for Mimecast Email Security Suite in the amount of \$190,443.
Attachments:
1. Mimecast 365 Protection Renewal 2024-2027 Annual Billing
- 8.b. Adoption of an Ordinance Amending the Official Zoning Map of the City of Ukiah from Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as Approval of a Minor Subdivision Resulting in Two (2) Parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437).
Recommended Action: Adopt an Ordinance Amending the Official Zoning Map of the City of Ukiah from Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as Approve a Minor Subdivision resulting in two (2) Parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437).
Attachments:
1. Ordinance - Marlene Street Rezone
2. Draft Findings
3. Draft Conditions of Approval
4. Tentative Map
- 8.c. Adoption of an Ordinance Amending and Adding Various Sections of the Ukiah City Code to More Effectively Regulate 'Missing Middle Housing' Consistent with the Land Use Element of the Ukiah 2040 General Plan.
Recommended Action: Adopt an Ordinance Amending and Adding Various Sections of the Ukiah City Code to More Effectively Regulate 'Missing Middle Housing' Consistent with the Land Use Element of the Ukiah 2040 General Plan.
Attachments:
1. ORDINANCE - Missing Middle Housing
2. CEQA Guidelines (Findings of Significance)
- 8.d. Consideration of Approval of Reclassification of the Rate and Resource Analyst Position into a Job Series and the Unfreezing of the Assistant Electric Utility Director Position; and Approval of Corresponding Budget Amendment.
Recommended Action: Approve reclassification of the Rate and Resource Analyst position into a job series and unfreeze the Assistant Electric Utility Director position; and approve corresponding budget amendment.
Attachments:
1. Electric Rate and Resource Analyst Series Job Descriptions
2. Management Unit Salary Schedule
- 8.e. Consideration of Approval of Minor Reorganization of Housing and Grants Management Divisions of the Community Development Department; and Approval of Corresponding Budget Amendment.
Recommended Action: Approve minor reorganization of the Housing and Grants Management Divisions of the Community Development Department and corresponding budget amendment.
Attachments:
1. Project and Grant Administrator Job Description
2. Management Unit Salary Schedule

- 8.f. Consideration of Adoption of Resolution Reappointing Alyssa Ballard to the Demolition Permit Review Committee.

Recommended Action: Adopt Resolution reappointing Alyssa Ballard to the Demolition Permit Review Committee, with term to expire October 16, 2027.

Attachments:

1. Policy Resolution No. 2014-48
2. Nomination
3. Proposed Resolution

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 (5:30 PM)

- 12.a. Consider Adoption of a Resolution to Adopt an Initial Study and Mitigated Negative Declaration for the Construction of a 1.9-Mile Multimodal Trail Segment of the Great Redwood Trail - Ukiah (Phase 4).

Recommended Action: Conduct a public hearing; and adopt the resolution adopting an Initial Study and Mitigated Negative Declaration for the construction of a 1.9-mile multimodal trail segment of the Great Redwood Trail (GRT) - Ukiah (Phase 4).

Attachments:

1. Notice of Intent (NOI)
2. Draft Initial Study and Mitigated Negative Declaration - ISMND
3. Public Agency Comments & Staff Response
4. Draft Resolution

13. UNFINISHED BUSINESS

- 13.a. Council will Receive an Update on the Public Benefits Program, Consider Approving Revised Energy Efficiency Programs and Rebates, and Consider a Budget Amendment in the Amount of \$30,000 for Energy Efficiency Rebates.

Recommended Action: Approve revised customer programs and rebates, and a budget amendment in the amount of \$30,000 for energy efficiency rebates.

Attachments:

1. Residential-Commercial Rebates Charts
2. CARES Program Credits and Rebate Details
3. Ukiah Res DI and Comml DIY Lghtng Prgm PSA and SOW

14. NEW BUSINESS

- 14.a. Consider Adopting a Resolution Authorizing the Issuance of Tax and Revenue Revolving Notes.

Recommended Action: Adopt a resolution that 1) authorizes the issuance and sale of the City of Ukiah 2024 Tax and Revenue Revolving Note in an aggregate principal amount not to exceed \$10,000,000, to be sold through a direct bank placement; and 2) approves in substantially final

form the Note Purchase Agreement and authorizes the Finance Director or other authorized officers to execute the Note Purchase Agreement with Umpqua Bank N.A., and other related documents as necessary in connection with the issuance of the 2024 Notes and authorizes other related actions.

Attachments:

1. Ukiah 2024-25 Tax and Revenue Anticipation Note - Resolution_v4_2
2. Ukiah - Final Revised Term Sheet \$10MM TRAN_ signed
3. Ukiah Umpqua TRAN Note Purchase Agreement 4881-2220-3627 v.3

- 14.b. 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 (4 cases)

15.b. **Conference with Legal Council - Anticipated Litigation**

Government Code Section 54956.9(d)(2)

Significant exposure to litigation (1 case)

15.c. **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.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. SCU-K-CVPT-2018-70200

15.e. **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. SCU-K-CVPT-20-74612

15.f. **Conference with Real Property Negotiators**

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 180-110-12; 180-120-15; 180-120-16

Negotiator: Shannon Riley, Deputy City Manager

Negotiating Parties: GMB Realty Partners, Inc.

Under Negotiation: Price & Terms of Payment

15.g. **Conference with Real Property Negotiators**

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-232-05 and 002-282-02

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Bartolomei Trustees

Under Negotiation: Price & Terms of Payment

15.h. **Conference with Real Property Negotiators**

(Cal. Gov't Code Section 54956.8)

Property: APN No: 170-150-10-00

Negotiator: Sage Sangiacomo, City Manager

Negotiation Party: Twenty Years of Bliss LLC

Under Negotiation: Price & Terms of Payment

15.i. **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: 10/11/24

**CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue, Ukiah, CA 95482
Virtual Meeting Link: <https://us06web.zoom.us/j/83894331689>**

**Ukiah, CA 95482
October 2, 2024
5:15 p.m.**

1. ROLL CALL

Ukiah City Council met at a Regular Meeting on October 2, 2024, having been legally noticed on September 27, 2024. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/83894331689>. Mayor Dueñas called the meeting to order at 5:17 p.m. Roll was taken with the following **Councilmembers Present:** Mari Rodin, Juan V. Orozco, Susan Sher, Douglas, F. Crane, and Josefina Dueñas. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR DUEÑAS PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Rodin.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation of the Ukiah City Council Recognizing October as National Disability Employment Awareness Month in the City of Ukiah.

Presenter: Councilmember Sher.

Proclamation was received by Kristine Lewis, Mendocino County Office of Education.

Agenda Item 4b was continued to a later time in the meeting when the receiver would be present.

5. PETITIONS AND COMMUNICATIONS

City Clerk, Kristine Lawler, stated that all communications had been distributed.

6. APPROVAL OF MINUTES

a. Approval of the Minutes for the September 18, 2024, Regular Meeting.

Motion/Second: Sher/Orozco to approve Minutes of September 18, 2024, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

7. RIGHT TO APPEAL DECISION

Mayor Duenas read the rights to appeal a decision.

8. CONSENT CALENDAR

- a. Consideration of Adoption of Resolution (2024-39) Approving the Destruction of Outdated Records from the Finance Department and the City Manager's Office – *Administration*.
- b. Approve Budget Amendment in the Amount of \$140,000 for the Fire Department Operating Fund (105) – *Finance*.
- c. Consideration of Adoption a Resolution (2024-40) Approving Amendments to the Current Memoranda of Understanding Between the City of Ukiah and Department Head and Management Bargaining Units – *Human Resources*
- d. Award of Contract (2425-118) with GHD Inc. for Multimodal Transportation Study of School Street; and Approval of Corresponding Budget Amendment – *Public Works*.
- e. Approval of a Budget Amendment (2223-220-A1) in the Amount of \$280,893.50 for Additional Road Reconstruction Services from Ghilotti Construction Inc., on Low Gap Road Related to the Recycled Water Project Phase 4 – *Public Works*.
- f. Consideration of Execution of Amended and Restated Joint Exercise of Powers Agreement (2324-162-A1) for the Ukiah Valley Water Authority and Reaffirm the Continued Appointment of Vice-Mayor Crane and Councilmember Orozco as the Two Representatives to the Ukiah Valley Water Authority - *Water Resources*.
- g. Authorize the City Manager to Execute a Municipal Lease Agreement (2425-119) with Financial Pacific Leasing, Inc., DBA Umpqua Bank Equipment Leasing & Finance, to Finance the Purchase of Equipment on Order in Support of the Inter Facility Transport Agreement Between the Ukiah Valley Fire Authority and Adventist Health Systems West, and Approve Corresponding Resolution (2024-41) and Budget Amendments – *Finance-Fire*.

By Council request, the City Manager summarized Agenda Item 8f.

Motion/Second: Crane/Rodin to approve Consent Calendar Items 8a-8g, as submitted. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

9. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

Public Comment: Katrina Kesson, Greater Ukiah Business and Tourism Alliance Executive Director - Car Show.

10. COUNCIL REPORTS

Presenters: Councilmember Sher, Vice Mayor Crane, and Councilmember Rodin.

11. CITY MANAGER/CITY CLERK REPORTS

Presenters: Sage Sangiacomo, City Manager; and

- **Construction Update** – Tim Eriksen, Public Works Director / City Engineer.

4. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS, Continued

b. Proclamation of the Ukiah City Council Recognizing October 14, 2024, as Indigenous Peoples' Day in the City of Ukiah.

Presenter: Councilmember Orozco.

Proclamation was received by Les Marston, Rapport and Marston.

Public Comment: Tracy Thieriot.

12. PUBLIC HEARINGS (6:15 PM)

a. Possible Introduction by Title Only of an Ordinance to Approve a Rezone from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as Approval of a Minor Subdivision Resulting in Two (2) Parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437); File No. #24-9277.

Presenter: Jesse Davis, Chief Planning Manager.

A PowerPoint presentation was given.

PUBLIC HEARING OPENED AT 6:07 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:09 P.M.

Motion/Second: Rodin/Orozco to introduce the Ordinance, by title only. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

City Clerk, Kristine Lawler, read the following ordinance title into the record:

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY REMOVING THE PLANNED DEVELOPMENT (PD) DESIGNATION AND REVERTING TO THE BASE MEDIUM DENSITY RESIDENTIAL (R2) DESIGNATION AT 960-979 MARLENE STREET; (APNs 003-100-24 - 003-100-437).

Motion/Second: Rodin/Sher to introduce the Ordinance to approve a Rezone from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as approve a Minor Subdivision resulting in two (2) parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437); File No. #24-9277. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

b. Possible Introduction of an Ordinance, by Title Only, Amending and Adding Various Sections of the Ukiah City Code to More Effectively Regulate 'Missing Middle Housing' Consistent with the Land Use Element of the Ukiah 2040 General Plan.

Presenter: Jesse Davis, Chief Planning Manager.

A PowerPoint presentation was given.

PUBLIC HEARING OPENED AT 6:32 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:32 P.M.

Motion/Second: Rodin/Sher to introduce the Ordinance, by title only. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

City Clerk, Kristine Lawler, read the following ordinance title into the record:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING AND AMENDING VARIOUS SECTIONS OF THE UKIAH CITY CODE REGULATING 'MISSING MIDDLE HOUSING'.

Motion/Second: Rodin/Orozco to introduce the ordinance amending and adding various sections of the Ukiah City Code to more effectively regulate 'Missing Middle Housing' consistent with the Land Use Element of the Ukiah 2040 General Plan. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

c. Conduct a Public Hearing to Consider Adoption of a Resolution Approving the Submittal of a CDBG Application in Response to the 2024 State Community Development Block Grant Program Notice of Funding Availability; and Approve Corresponding Budget Amendments if Awarded Funding for the Application.

Presenters: Jim Robbins, Housing and Grants Manager and Craig Schlatter, Community Development Director.

PUBLIC HEARING OPENED AT 6:53 P.M.

Public Comment: Marsha Lazaro.

PUBLIC HEARING CLOSED AT 6:54 P.M.

Motion/Second: Rodin/Sher to adopt a Resolution (2024-42) approving the submittal of a CDBG Application in response to the 2024 State Community Development Block Grant Program Notice of Funding Availability; and approve corresponding budget amendments if awarded funding for the application. Motion **carried** by the following roll call votes: AYES: Rodin, Orozco, Sher, Crane, and Dueñas. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 6:55 – 7:05 P.M.

13. UNFINISHED BUSINESS

a. Receive Report Regarding the City's Response to the Updated FEMA Floodplain Maps, Provide Direction to Staff, and Take Any Other Action Deemed Necessary.

Presenter: Tim Eriksen, Director of Public Works/City Engineer.

Public Comment: Tracy Thieriot (spoke twice).

Report was received.

14. NEW BUSINESS

a. Consideration of Resolution Provided by Cal Cities in Support of Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act.

Presenter: Sage Sangiacomo, City Manager.

Public Comment: Ferdinand Thieriot, Tracy Thieriot, Adam Gaska, and Tracy Thieriot (*speaking a second time*).

Motion/Second: Crane/Orozco to adopt a Resolution supporting Proposition 36, which appears on the November 5, 2024, ballot and proposes changes to current laws to allow increased penalties for certain theft and drug crimes, as well as measures for rehabilitation and treatment for drug-related offenses. Motion **failed** by the following roll call votes: AYES: Orozco and Crane. NOES: Sher. ABSENT: None. ABSTAIN: Rodin and Dueñas.

b. Receive and File Fourth Quarter Financial Report (Preliminary Unaudited Year-End Results).

Presenter: Dan Buffalo, Finance Director.

A PowerPoint presentation was given.

Report was received.

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).

Presenter: Councilmember Sher.

Report was received.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:10 P.M.

15. CLOSED SESSION

a. Conference with Legal Counsel – Anticipated Litigation

(Government Code Section 54956.9(d)(4))

Initiation of litigation (4 cases)

b. Conference with Legal Council - Anticipated Litigation

Government Code Section 54956.9(d)(2)

Significant exposure to litigation (1 case)

c. 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

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. SCUUK-CVPT-2018-70200

e. 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

f. 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

g. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-232-05 and 002-282-02

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: Bartolomei Trustees

Under Negotiation: Price & Terms of Payment

h. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN No: 170-150-10-00

Negotiator: Sage Sangiacomo, City Manager

Negotiation Party: Twenty Years of Bliss LLC

Under Negotiation: Price & Terms of Payment

i. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

No action reported; direction provided to Staff.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 9:34 p.m.

Kristine Lawler, CMC/CPMC



AGENDA SUMMARY REPORT

SUBJECT: Approve A Three-Year Contract Extension/Renewal for Mimecast Email Security Suite From CompuNet.

DEPARTMENT: Information Services **PREPARED BY:** Scott Shaver, I.T. Manager, Ryan Burkhart, IT Manager
PRESENTER: Ryan Burkhart, IT Manager

ATTACHMENTS:

1. Mimecast 365 Protection Renewal 2024-2027 Annual Billing

Summary: Council will consider approving the purchase of a three-year contract extension for Mimecast Email Security Suite.

Background: The City of Ukiah originally approved the Mimecast system in November 2023 as a comprehensive solution to protect the City's email communications from growing cyber threats. Mimecast offers email security, archiving, and continuity services, which are essential for local government operations.

Local governments, including municipalities like Ukiah, are prime targets for cyberattacks. The importance of advanced email security is high in an era where ransomware, phishing, and data breaches are increasingly frequent. These attacks threaten the integrity of sensitive government information and could potentially disrupt essential services. Mimecast has proven effective in mitigating these risks by providing real-time protection against sophisticated email threats, ensuring the continued safety and integrity of the City's communications.

Discussion: Mimecast has become an important tool for the City. Mimecast's security suite includes protection against phishing, malware, spam, and targeted attacks. Additionally, it offers email archiving, ensuring all communications are securely stored and retrievable. Mimecast's continued use will enable the City to stay ahead of emerging email-based threats.

For local governments, strong cybersecurity measures like those provided by Mimecast are crucial. These systems safeguard sensitive information, including resident data and internal communications, from unauthorized access or attack. In particular, email remains a primary avenue for cyberattacks, making robust security measures critical to defending against ransomware, phishing, and other malicious activities that could impair government operations.

The need for email security extends beyond compliance- it also protects the City's existing infrastructure. Given the rising sophistication of cyber threats, the City must ensure that it continues investing in its security posture. The Mimecast system helps fulfill this responsibility, ensuring secure and reliable email communication channels. The amount of the three-year renewal is \$190,443, of which three annual payments of \$63,481 will be paid and budgeted in each corresponding year. Staff believes current resources are sufficient, and a budget amendment is not needed at this time. Staff will continue to monitor software expenditures and return to Council should the need for additional resources be warranted.

The contract terms and pricing are attached as Attachment 1.

Recommended Action: Approve the three-year agreement from CompuNet for Mimecast Email Security Suite in the amount of \$190,443.

BUDGET AMENDMENT REQUIRED: No

CURRENT BUDGET AMOUNT: 20900000.44260: \$1,938,310; 20913900.54320: \$495,750

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: Indirect Cost Allocation (20900000.44260)

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: Jessie Brunell, Controller

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI): N/A

GENERAL PLAN ELEMENTS (GP): N/A

Approved:


Sage Sangiacomo, City Manager



Kaelah Brinkerhoff
385-232-3559
kbrinkerhoff@compunet.biz
Quote #: KB245178

Mimecast 365 Protection Renewal 2024-2027 Annual Billing

Quote Information:

Quote #: KB245178

Version: 2
Quote Date: 09/06/2024
Expiration Date: 09/27/2024

Prepared for:

City of Ukiah

James Brown
(707) 463-6200
jbrown@cityofukiah.com

Bill To:

City of Ukiah

Mary Jo Reynolds
300 Seminary Ave

Ukiah, CA 95482
ap@cityofukiah.com

Ship To:

City of Ukiah

James Brown
411 W Clay St

Ukiah, CA 95482

Year 1

Manufacturer Part Number	Product Description	Quantity	Price	Ext. Price
M_M365-PROTECT-PLUS_250_A	Mimecast 365 Protect Plus - Annual Subscription Start Date: 11/28/2024 End Date: 11/27/2025	300	\$64.20	\$19,260.00
M_A1_250_A	Mimecast A1 - Annual Subscription Start Date: 11/28/2024 End Date: 11/27/2025	300	\$25.81	\$7,743.00
M_AT1_OS_250_A	Mimecast AT1 Mime OS Start Date: 11/28/2024 End Date: 11/27/2025	300	\$17.34	\$5,202.00
M_DMA-T3_1_A	DMARC Analyzer - T3 - Annual Subscription Start Date: 11/28/2024 End Date: 11/27/2025	5	\$1,497.81	\$7,489.05
M_DMA-MS-T3_1_A	DMARC Analyzer - Managed Service - T3 - Annual Subscription Start Date: 11/28/2024 End Date: 11/27/2025	5	\$3,250.04	\$16,250.20
M_ADV-SP_1_A	Advanced Support Start Date: 11/28/2024 End Date: 11/27/2025	1	\$7,536.82	\$7,536.82
Subtotal:				\$63,481.07

Year 2

Manufacturer Part Number	Product Description	Quantity	Price	Ext. Price
M_M365-PROTECT-PLUS_250_A	Mimecast 365 Protect Plus - Annual Subscription Start Date: 11/28/2025 End Date: 11/27/2026	300	\$64.20	\$19,260.00
M_A1_250_A	Mimecast A1 - Annual Subscription Start Date: 11/28/2025 End Date: 11/27/2026	300	\$25.81	\$7,743.00

Year 2

Manufacturer Part Number	Product Description	Quantity	Price	Ext. Price
M_AT1_OS_250_A	Mimecast AT1 Mime OS Start Date: 11/28/2025 End Date: 11/27/2026	300	\$17.34	\$5,202.00
M_DMA-T3_1_A	DMARC Analyzer - T3 - Annual Subscription Start Date: 11/28/2025 End Date: 11/27/2026	5	\$1,497.81	\$7,489.05
M_DMA-MS-T3_1_A	DMARC Analyzer - Managed Service - T3 - Annual Subscription Start Date: 11/28/2025 End Date: 11/27/2026	5	\$3,250.04	\$16,250.20
M_ADV-SP_1_A	Advanced Support Start Date: 11/28/2025 End Date: 11/27/2026	1	\$7,536.82	\$7,536.82
Subtotal:				\$63,481.07

Year 3

Manufacturer Part Number	Product Description	Quantity	Price	Ext. Price
M_M365-PROTECT-PLUS_250_A	Mimecast 365 Protect Plus - Annual Subscription Start Date: 11/28/2026 End Date: 11/27/2027	300	\$64.20	\$19,260.00
M_A1_250_A	Mimecast A1 - Annual Subscription Start Date: 11/28/2026 End Date: 11/27/2027	300	\$25.81	\$7,743.00
M_AT1_OS_250_A	Mimecast AT1 Mime OS Start Date: 11/28/2026 End Date: 11/27/2027	300	\$17.34	\$5,202.00
M_DMA-T3_1_A	DMARC Analyzer - T3 - Annual Subscription Start Date: 11/28/2026 End Date: 11/27/2027	5	\$1,497.81	\$7,489.05
M_DMA-MS-T3_1_A	DMARC Analyzer - Managed Service - T3 - Annual Subscription Start Date: 11/28/2026 End Date: 11/27/2027	5	\$3,250.04	\$16,250.20
M_ADV-SP_1_A	Advanced Support Start Date: 11/28/2026 End Date: 11/27/2027	1	\$7,536.82	\$7,536.82
Subtotal:				\$63,481.07

Quote Summary

Description	Amount
Year 1	\$63,481.07
Year 2	\$63,481.07
Year 3	\$63,481.07
Total:	\$190,443.21

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel any order arising from pricing or other errors. If Customer is purchasing a subscription-based product, Customer agrees to pay all charges for the complete term of the subscription. By signing below or issuing a Purchase Order, Customer agrees to CompuNet's standard terms and conditions, which can be reviewed [here](#), provided, that if Customer and CompuNet are parties to a currently effective Master Product Purchase and Services Agreement (MSA), the terms and conditions of such MSA shall control and shall supersede these standard terms and conditions. Your electronic signature, per the Electronic Signature Act, is considered equivalent to your signed and faxed signature, and allows you to accept and place your order. This Quote becomes binding and noncancelable upon Customer's return to CompuNet of acceptance. A copy of this acceptance and the attached proposal document will be sent to your email address to complete your order acceptance. You are NOT required to electronically sign your order, you may fax or email your signed proposal to your Account Executive.

City of Ukiah

Signature: _____

Name: _____

Title: _____

Date: _____

PO Number: _____



AGENDA SUMMARY REPORT

SUBJECT: Adoption of an Ordinance Amending the Official Zoning Map of the City of Ukiah from Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as Approval of a Minor Subdivision Resulting in Two (2) Parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-43).

DEPARTMENT: Community
Development

PREPARED BY: Jesse Davis, Chief Planning Manager

PRESENTER: Jesse Davis, Chief Planning Manager

ATTACHMENTS:

1. Ordinance - Marlene Street Rezone
2. Draft Findings
3. Draft Conditions of Approval
4. Tentative Map

Summary: Council will consider adoption of an ordinance amending the official Zoning Map of the City of Ukiah from Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as approve a Minor Subdivision resulting in two (2) parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-43).

Background: On February 13, 1980, after continuing the item from a meeting on November 28, 1979, the Ukiah Planning Commission approved Use Permit No. 80-40 allowing for a condominium conversion project and Planned Development on the subject property.

On October 3, 1984, the Tentative Map was amended to replace the previously required recreational improvements/tennis courts with an open turf area, and relocate the pool to the southwestern portion of the project site residents. The tentative map was amended by Resolution No. 85-29, and carried by a unanimous roll call vote with the condition that the lawn area be landscaped and automatic irrigation system be installed. Ultimately, after receiving an extension, the City Council adopted the final map on May 7, 1986, after all improvements were finalized and the associated covenants, conditions, and restrictions provided to Staff.

Besides minor repairs, upgrades or maintenance, there has been minimal development activity associated with the subject parcel or the associated structures since they were originally constructed. Since finalization of the condominiums in 1986, two (2) separate Planned Developments have been facilitated to the north of the subject property, including the Marlene Estates (PD #14) and 950 Marlene Street (PD #16). While Marlene Street Condominiums is a Planned Development, it is not assigned a PD number, and it is not separately identified on the official zoning map for the City of Ukiah.

Per UCC §9265(d), on September 11, 2024, the Planning Commission held a public hearing and formulated, by a unanimous 3-0 vote (one absence, one vacancy), a recommendation to the City Council, in concurrence with the City Engineer, approval of the requested minor subdivision and rezone. The Planning Commission recommended that the City Council approve the proposed Zoning Map Amendment per a draft ordinance (Attachment 1), rezoning the subject parcel from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2) based on the Findings included in Attachment 2, the Conditions of Approval in Attachment 3.

On October 4, 2024, the City Council held a public hearing on the proposed zoning and General Plan amendment and formulated, by a unanimous 5-0 vote, introduction by title only an Ordinance to approve the Rezone, and in concurrence with the City Engineer, the associated Minor Subdivision, as conveyed on the Tentative Map (Attachment 4).

Discussion: The rezone would remove a Planned Development (PD) designation applied to the property in 1980, thereby allowing it to revert to its base (R-2) zoning designation. This zoning district is consistent with the Medium Density Residential (MDR) land use classification currently assigned and affirmed as part of City's 2040 General Plan. Subsequently, the project would subdivide an underutilized portion of the subject parcel, and allow for future development consistent with the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP).

In accordance with the California Environmental Quality Act (CEQA), the City of Ukiah Planning Division, in coordination with Terra Nova Planning & Research Incorporated, prepared a technical memorandum for the proposed Project and determined that the Project is exempt per CEQA Guidelines Section 15301, Class 1, Existing Facilities, as well as Section 15315, Class 15, Minor Land Division.

Staff recommends Council adopt the Ordinance amending the official zoning map from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as approve a Minor Subdivision resulting in two (2) parcels at 960-979 Marlene Street.

Recommended Action: Adopt an Ordinance Amending the Official Zoning Map of the City of Ukiah from Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2), as well as Approve a Minor Subdivision resulting in two (2) Parcels at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-43).

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: Cost Recovery; 100023100.59101.P9277

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: N/A

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI): N/A

GENERAL PLAN ELEMENTS (GP): H-2 (Expand Housing Opportunities); H-5 (Future Housing Needs); LU-1 (Variety of Housing Types)

Approved: 
Sage Sangiacomo, City Manager

ORDINANCE NO.**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY REMOVING THE PLANNED DEVELOPMENT (PD) DESIGNATION AND REVERTING TO THE BASE MEDIUM DENSITY RESIDENTIAL (R2) DESIGNATION AT 960-979 MARLENE STREET; (APNs 003-100-24 - 003-100-437)**

The City Council of the City of Ukiah does hereby ordain as follows:

SECTION ONE - FINDINGS AND DECLARATIONS

The City Council finds and declares as follows:

1. The Planning Commission held a public hearing to provide direction on the location of the proposed Zoning Map Amendment on September 11, 2024. The Planning Commission voted in favor of recommending that the City Council approve a proposed Zoning Map Amendment, rezoning the subject parcel from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2) (“Amendments”).
2. The 2.3-acre Project site is addressed at 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437). The Project proposes to rezone the existing parcel, currently zoned as from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2). This project is requested in conjunction with a Minor Subdivision to facilitate the creation of two (2) separate parcels;
3. The Zoning Map Amendment is consistent with the findings required for adoption of an ordinance to approve a Zoning Map Amendment as required by Ukiah City Code Section 9265.
4. The Project site is surrounded by a mixture of similar residential uses or vacant land. Surrounding land uses are a mixture of multi-family residential and transportation infrastructure. No development is proposed in conjunction with the Rezone or Minor Subdivision. Future development of the either parcel would require adherence to all R-2 zoning regulations. The Project supports General Plan goals and policies related to the use of underutilized parcels. As such, the proposed Amendments would be consistent with the City’s General Plan.
5. The site is within the jurisdictional boundary of the Ukiah Valley Fire Protection District and is otherwise provided with all required utilities and services. No development is proposed in conjunction with the requested subdivision. The Medium Density Residential land use classification establishes no minimum lot size. As proposed, each resulting lot would be greater than 1 acre, and would conform to the general plan and zoning district standards of the (R-2) district. Therefore, the proposed subdivision request is consistent with the MDR land use classification as well as other provisions of the General Plan and associated development standards.
6. Notice of the proposed Project was provided in the following manner: provided to property owners within 300 feet of the project parcels, as well as agencies and departments with jurisdiction or interest over the project on September 22, 2024; posted on the City’s webpage on September 22, 2024; published in the Ukiah Daily Journal on September 22, 2024; posted on the Project site on September 22, 2024; available to the public at the Community Development Counter on September 22, 2024, and posted at the Civic Center (glass case) 72 hours prior to the public hearing.

The City Council has considered the Amendment, attached hereto as Exhibit A, together with

the recommendation of the Planning Commission to approve this Ordinance.

SECTION TWO – ADOPTION OF ORDINANCE

The Official Zoning Map for the City of Ukiah is amended to change the designation of 960-979 Marlene Street; (APNs 003-100-24 - 003-100-437) from Medium Density Residential – Planned Development (R-2: PD) to Medium Density Residential (R-2). This Ordinance incorporates the Amendments depicted in the figure attached hereto as Exhibit A.

SECTION THREE – NOTICE

This Ordinance shall be published as required by law in a newspaper of general circulation.

SECTION FOUR – SEVERABILITY & EFFECTIVE DATE

1. **SEVERABILITY:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Ukiah hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.
2. **EFFECTIVE DATE:** This Ordinance shall be published as required by law in a newspaper of general circulation in the City of Ukiah and shall become effective thirty (30) days after its adoption.

Introduced by title only on October 2, 2024, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Adopted on , 2024, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Douglas F. Crane, Vice Mayor

ATTEST:

Araceli Sandoval, Acting Clerk

EXHIBIT A: REZONE EXHIBIT MAP, 960-979 MARLENE STREET; (APNs 003-100-24 - 003-100-43)

PD#14

PD #16

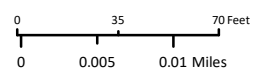
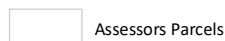
PD

Subject Parcel to
be rezoned from
R-2:PD to R-2.

R1

R2

CASE: File No. 24-9277
OWNER: Kung, Hin Lok & Ellen
APN: 003-100-24 & 43
APLCT: Kung, Hin Lok & Ellen
AGENT: Marcia Morgan Lazaro
ADDRESS: 960 & 979 Marlene St, Ukiah



1:800



Exhibit A - Zoning Map

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

**DRAFT FINDINGS
REZONE & MINOR SUBDIVISION
960-979 MARLENE STREET;
APNS 003-100-24 - 003-100-437
FILE NO: 24-9277**

The following findings are supported by and based on information contained in the Staff Report, the application materials and documentation, and the public record.

In accordance with applicable provisions of law, the Planning Commission held a public hearing on August 18, 2024, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Categorical Exemption, and the Project. All interested persons were given an opportunity to hear and be heard regarding the Categorical Exemption and the Project.

The Planning Commission has had an opportunity to review these application and staff materials and finds that it accurately sets forth the intentions of the Planning Commission regarding the Categorical Exemption and the Project, based on the evidence and findings below:

1. The proposed Tentative Parcel Map, as conditioned, complies with the requirements of the City of Ukiah Municipal Code, Division 9, Chapter 1, Article 18 and the Subdivision Map Act.
2. The parcels established because of this Minor Subdivision are consistent with the Medium Density Residential (MDR) land use designation, which already applies to the subject parcel. This designation is intended to provide land for a range of residential densities and a variety of housing types and ownerships, including townhomes, multiple family residential development, and more urban-scale density development. Given the associated acreage, the site aligns with the allowed densities and subdivision standards for the property.
3. The proposed Minor Subdivision and Tentative Map, as conditioned, complies with the requirements of the Medium Density Residential (R-2) zoning district. In Medium Density Residential (R-2) Districts there is no required building site area.
4. The Minor Subdivision and Tentative Map will create two lots which are appropriate for the surrounding area and land uses based on the following:
 - a. Proposed parcels and use are consistent with the requirements of the Medium Density Residential (R-2) zoning district.
 - b. Proposed parcels will have access directly onto a public street and utilities are available to serve the site.
 - c. Proposed parcels will be located within a developed residential area, surrounded by residential development or similarly zoned parcels.
5. The site is located within the general Airport Influence Area and is located within Compatibility Zones 3 & 6. As such, the project is not subject to review by the Airport Land Use Commission (ALUC), as the property does not request adoption or approval of any new general plan or specific plan or any amendment thereto that affects lands within the Airport Influence Area. The project was referred to the ALUC on April 17, 2024, but no follow-up response or additional actions were required by ALUC Staff.

Public Notice. A notice of public hearing was provided in the following manner:

- Mailed to neighboring property owners on August 16, 2024
- Posted on the subject project parcel on August 16, 2024
- Posted in the glass case located at 300 Seminary Avenue on August 16, 2024
- Published in the Ukiah Daily Journal on August 18, 2024

**DRAFT CONDITIONS OF APPROVAL
REZONE & MINOR SUBDIVISION
960-979 MARLENE STREET;
APNS 003-100-24 - 003-100-437
FILE NO: 24-9277**

Approval is granted for the Minor Subdivision and Rezone based on the application submitted to the Community Development Department received March 14, 2024, and as shown on the Tentative Map dated February 26, 2024, contained therein, except as modified by the following Conditions of Approval:

City of Ukiah Special Conditions

1. All fees related to the Minor Subdivision application must be paid prior to the final approval and the recordation of the Parcel Map.
2. Prior to issuance of building permits, a copy of the recorded Parcel Map shall be provided to the Community Development Department.
3. An address assignment or address change application shall be submitted to the Community Development Department.
4. Future proposed development will be subject to Community Development Department review and will require additional planning and building permits.
5. All covered parking spaces converted to storage shall be restored as 'Parking Spaces' and all future spaces proposed shall be reviewed for circulation and access considerations with regard to Parcels 1 & 2 to ensure that a minimum of one space per unit is provided.
6. In the event that prehistoric archaeological features such as a concentration of flaked stone artifacts, or culturally modified soil (midden) or dietary shell are encountered at any time during preparatory grading or underground excavation to remove existing structures, all work should be halted in the vicinity of the discovery. A qualified archaeologist should be contacted immediately to make an evaluation and determine if the discovered material represents a definite cultural resource. If it is determined that a potentially significant feature has been revealed, a temporary suspension of earth disturbing activities should be enforced until an appropriate mitigation program can be developed and implemented to satisfy the Planning Division. An archaeological monitor shall observe all further work during construction activities that are located within or near an archaeological site area, and formal tribal consultation may be required.

City of Ukiah Standard Conditions

7. This approval is not effective until the 10-day appeal period applicable to this Minor Subdivision Map has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.
8. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.

9. In addition to any particular condition which might be imposed; any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, rules, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
10. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.

Public Works Department Conditions

11. Each parcel shall be served individually upon the development of the parcel with appropriate public utilities required for the type of development within the parcel.
12. Prior to construction of site improvements, a final grading and drainage plan, and an erosion and sediment control plan, prepared by a Civil Engineer, shall be submitted for review and approval by the Department of Public Works. The plan shall include the detailed design of post-construction storm water best management practices (BMPs) in compliance with the City of Ukiah's Phase I Storm Water Permit and the Low Impact Development Technical Design Manual (LID Manual), in effect at the time of development. A Standard Urban Storm Water Mitigation Plan (SUSMP) shall be provided to support the design of the proposed drainage system.
13. All parcels of the proposed subdivision are subject to payment of park fees pursuant to City Code Section 8400 et seq. of Article 21 "Park and Recreation; Dedication; Reservations; Fees." Note that park fees are applicable to residential development.
14. The tentative map shall expire twenty-four (24) months from the date of its approval or conditional approval unless extended in accordance with the City of Ukiah Subdivision Ordinance and the Subdivision Map Act.
15. A Parcel Map shall be prepared and submitted to the City Engineer for review and approval, along with payment of all parcel map processing and review fees and shall be prepared and recorded in a manner consistent with Ukiah Municipal Code requirements.
16. The Parcel Map submitted for recordation shall include all necessary easements or such easements shall be recorded by separate instrument, if deemed necessary.
17. All taxes now due, or past due, must be paid prior to the approval of the Parcel Map.

Electric Utility Department Conditions

18. All future site improvements shall be submitted to the COU Electric Utility Department for review and comment. At this time, specific service requirements, service Voltage and developer costs and requirements will be determined when proposed.
19. The newly proposed 'Parcel 1' does not currently have a COUEU connection. This parcel will have to be fed underground for any site improvements that require an electrical connection. This will require trenching, possibly across a roadway.
20. Developer is to provide EUSERC approved electrical equipment that is to be used on this project. The COU EUD EUSERC acceptability chart shall be provided to customer. EUSERC does not allow source and load power (Metered and Un-Metered) to comeingle in the same space.

21. Developer shall provide projected load calculations and detailed single line diagrams to the EUD.
22. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment, engineering, and future services fees, and permit/meter fees).
23. There shall be an easement provided to the EUD for any electric service that transverses through the property or around any City owned Electric equipment.
24. If a future project includes solar, the size of the system may require a solar study before energizing. Interconnection shall not occur until study has been completed. There will be a fee for the solar study that is determined by the size of the proposed system.

THIS DIVISION OF LAND IS DEEMED COMPLETE WHEN ALL CONDITIONS HAVE BEEN MET, AND THE APPROVED PARCEL MAP IS RECORDED BY THE COUNTY RECORDER

Ron W. Franz RCE, PLS
2335 Appolinaris Drive
Ukiah, CA 95482
707-462-1087

Property is 960-979 Marlene St., Ukiah
Marlene Street Condominium Subdivision
per MC 2, Dr 44, Pg 61, MCR
AP = 003-100-24 thru 43
Size = 2.30 acres

Existing easements are all shown and
are as per the subdivision map
recorded in MC 2, Dr 44, Pg 61

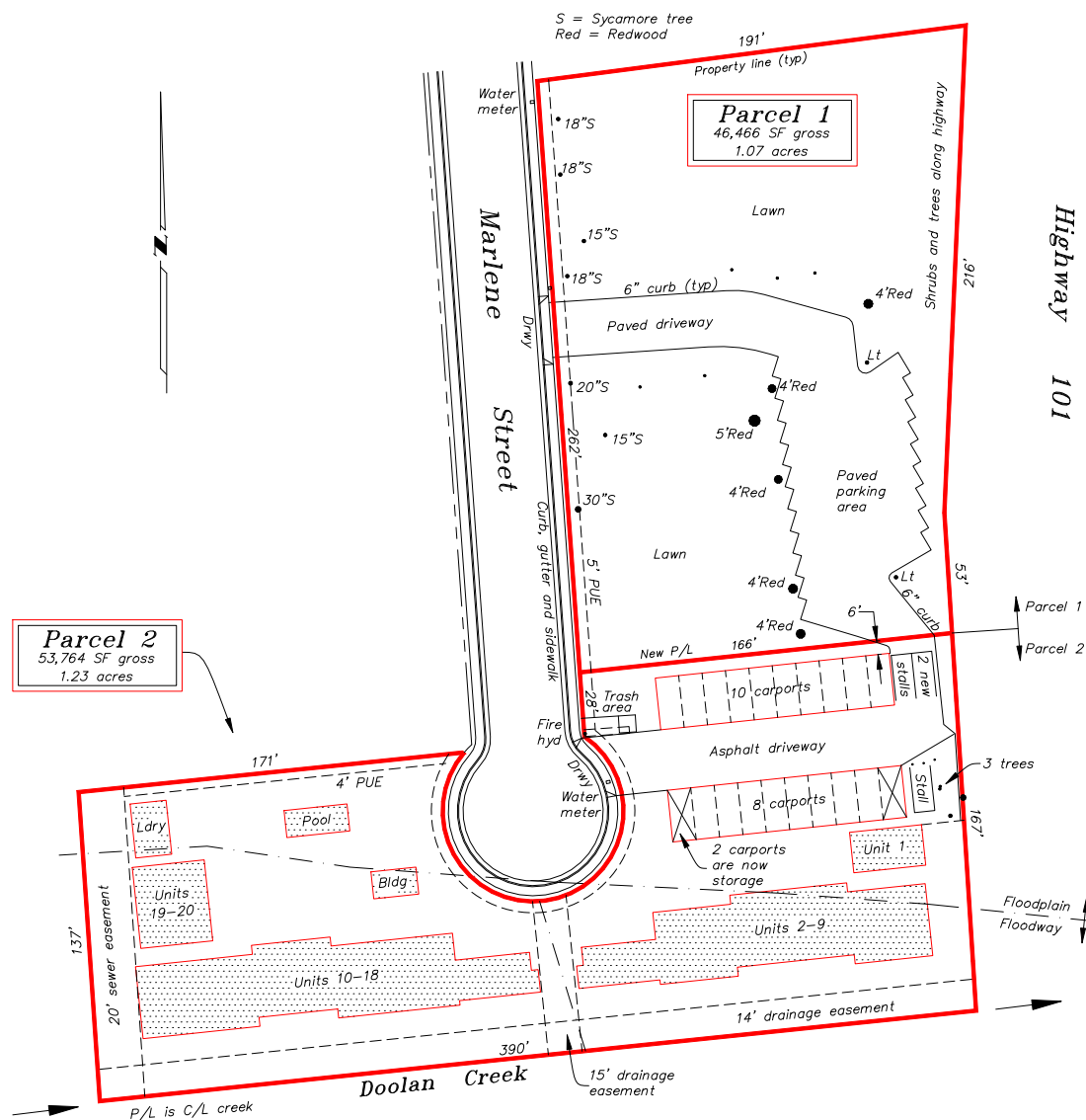
Zoning = PD (Planned Development)
R2 (Medium Density Residential)

On-site parking for new Parcel 2 = 21
18 covered carports and 3 open spaces

Hin Lok Kung & Ellen Bing Kung
1879 32nd Avenue
San Francisco, CA 95482-5943

Refer to Preliminary Title Report
prepared by Redwood Empire Title
Company, order 20231386EM
date February 15, 2024

A horizontal number line with tick marks at 0, 50, 100, and 150. The segment between 0 and 50 is shaded gray, and the segment between 50 and 100 is shaded white.





AGENDA SUMMARY REPORT

SUBJECT: Adoption of an Ordinance Amending and Adding Various Sections of the Ukiah City Code to More Effectively Regulate 'Missing Middle Housing' Consistent with the Land Use Element of the Ukiah 2040 General Plan.

DEPARTMENT: Community
Development

PREPARED BY: Jesse Davis, Chief Planning Manager

PRESENTER: Jesse Davis, Chief Planning Manager

ATTACHMENTS:

1. ORDINANCE - Missing Middle Housing
2. CEQA Guidelines (Findings of Significance)

Summary: Council will consider adoption of an Ordinance amending and adding various sections of the Ukiah City Code to more effectively regulate 'Missing Middle Housing' consistent with the Land Use Element of the Ukiah 2040 General Plan.

Background: On December 7, 2022, the City Council adopted the 2040 Ukiah General Plan, which included a Land Use Element focused on the topics of compact residential development, missing middle housing, special planning areas, infill housing, community character and design. As part of the 2040 General Plan, a goal, policies, and implementation programs were specifically included to support the development of Missing Middle Housing within existing Ukiah neighborhoods. In particular, Goal LU-9- *"To provide opportunities for housing that can accommodate the needs, preferences, and financial capabilities of current and future residents in terms of different housing types, tenures, density, sizes, and costs-"* guided the City's approach to crafting regulations to encourage 'Missing Middle' and infill housing development.

On September 25, 2024, the City of Ukiah Planning Commission evaluated the proposed amendments, and unanimously (3-0 vote, with one vacancy and one Commissioner absent) approved the adoption of a resolution recommending the amendments to the City Council.

On October 2, 2024, the City of Ukiah City Council held a public hearing and received the recommendation from the Planning Commission and Staff. At the conclusion of the public hearing, Council unanimously (5-0) approved the introduction of the Ordinance (Attachment 1). The below Key Objectives section summarizes the staff report and presentation made by Staff in the October 2, 2024, public hearing.

Key Objectives - Missing Middle Ordinance

The proposed amendments to Ukiah's City Code aim to bring local regulations in line with the Ukiah 2040 General Plan, promoting more flexible and diverse housing options while maintaining the City's commitment to sustainability and community resilience. Key changes within the introduced Ordinance focus on clarifying that duplexes, a critical component of 'Missing Middle' housing, are allowed by right in residential zones (R1-R3), exempt from certain objective design regulations, but still restricted in airport compatibility zones. The amendments also seek to streamline the approval process for Missing Middle housing types, reduce regulatory barriers, and ensure that they are developed in a manner compatible with existing neighborhoods. By promoting the development of Missing Middle Housing, the City can enhance housing affordability,

increase density in appropriate areas, and create more walkable, livable communities.

Regulations for manufactured and modular homes are simplified, aligning local rules with state standards, while new provisions for Dwelling Group - Cottage developments will encourage small-scale, clustered housing that blends with single-family neighborhoods and provides opportunities for clustered infill development of smaller residential structures. In addition, the reduction of setbacks, lot sizes, and parking requirements is designed to facilitate the development of affordable, compact housing types such as duplexes and townhomes, allowing realization of the General Plan's evaluated densities. The proposed amendments also incorporate SB 9 and address practical concerns like accessory carports, allowing them to extend into setbacks to optimize space for infill residential development, rather than vehicle storage.

Clear citations in the 'Additional Requirements' section of each Article have been added to increase awareness of regulations and restrictions within the Ukiah Municipal Airport Land Use Compatibility Plan. "Mom & Pop" grocery stores are now permitted in residential zones on a discretionary basis and there are more opportunities for 'Professional Office' uses. Updates have been made to landscaping standards to emphasize drought-resistant plants in line with the City's sustainability goals.

CEQA

Per the California Environmental Quality Act (CEQA), as evaluated in Attachment 2, there is no new information as a result of the proposed ordinance amendments that would result in more severe impacts than what was considered as part of the Ukiah 2040 General Plan EIR. Overall, these amendments are strategically designed to implement the 2040 General Plan's vision of a more diverse, sustainable, and resilient community, with no significant new environmental impacts identified under CEQA.

Discussion: Staff recommends Council adopt the Ordinance in Attachment 1, which would amend and add various sections of the Ukiah City Code to more effectively regulate 'Missing Middle Housing.' Since review by the City Council on October 2, 2024, Staff have facilitated minor updates and corrections to improve the readability and consistency of the introduced ordinance. None of the updates or modifications alter the allowances previously analyzed and approved by the Planning Commission and City Council.

Recommended Action: Adopt an Ordinance Amending and Adding Various Sections of the Ukiah City Code to More Effectively Regulate 'Missing Middle Housing' Consistent with the Land Use Element of the Ukiah 2040 General Plan.

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT:

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: City Manager's Office; City Attorney

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI):CL 5A: Update the zoning ordinance

GENERAL PLAN ELEMENTS (GP):Goal LU-9 (Missing Middle) LU-9.1 Mixed Residential Neighborhoods; LU-9.2 Housing Types and Designs; LU-11.10 Water Efficient Landscaping; Goal H-2 (Expand Housing Opportunity); H-2.2 (Encourage a Variety of Housing); Goal H-3 (Remove Governmental Constraints to Infill Housing)

Approved: 
Sage Sangiacomo, City Manager

ORDINANCE NO.
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING AND AMENDING
VARIOUS SECTIONS OF THE UKIAH CITY CODE REGULATING 'MISSING MIDDLE HOUSING'

The City Council of the City of Ukiah hereby ordains as follows.

SECTION 1

Findings and Declarations. The City Council finds and declares as follows:

- A. The proposed amendments to Division 9, Chapter 2 of the Ukiah City Code are consistent with the 2040 Ukiah General Plan's density-related analysis and housing goals.
- B. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). As the proposed Missing Middle Ordinance is consistent with the Ukiah 2040 General Plan, the project relies upon the General Plan EIR and is consistent with CEQA Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).
- C. Recognizing the growing need for diverse housing options that cater to a wide range of income levels, including housing types such as duplexes, triplexes, and townhomes is a necessary action to address the housing affordability crisis.
- D. Encouraging the development of missing middle housing and more proximate commercial development supports the City's goal of increasing residential density in existing neighborhoods, promoting more efficient land use, and reducing the environmental impacts associated with sprawl.
- E. Providing opportunities for both homeownership and affordable rental units in walkable, transit-friendly areas, aligns with the City's commitment to inclusive growth and housing equity.
- F. The State legislature declared that "Housing is a statewide concern", that California faces a housing crisis, that missing middle housing is a valuable form of housing, and that local jurisdictions are mandated to comply with applicable State housing laws, including SB 9.

SECTION 2

Division 9, Chapter 2, Article 3, Low Density Residential (R-1) of the Ukiah City Code is amended to read as follows (unchanged text is omitted and is shown by "***"):

SECTION:

§9015 Purpose And Intent

§9023 Determination ~~Of~~ of Appropriate Use

§9015 PURPOSE AND INTENT

The purpose of the regulations in the Low Density Residential (R-1) District is to preserve, enhance, and protect the ~~low-density residential~~ qualities of Ukiah's various neighborhoods ~~neighborhoods in the community~~. The R-1 zoning district is intended for residential areas characterized predominantly by single-family uses, duplexes, and with typical single-family residential subdivision lots ranging in size from ~~six~~ four thousand ~~five-hundred~~ (64,500) to ten thousand (10,000) square feet in size.

This district is consistent with the LDR (Low Density Residential) and RR (Rural Residential) land use

designation of the City's general plan.

§9016 ALLOWED USES

Accessory uses normally incidental to single-family residences.

Community care facility, which provides service for six (6) or fewer persons, ~~with the residents and operators of the facility being considered a family.~~

Duplex.

Fences:

- A. Fences shall be limited to a maximum height of seven feet (7'). Fences exceeding seven feet (7') in height may be erected subject to the securing of a variance or associated use permit.

~~Manufactured homes certified under the national manufactured home construction and safety standards act of 1974 (42 USC section 5401 et seq.) are allowed on individual residential parcels subject to the following regulations:~~

- ~~A. Foundation System: The manufactured home shall be attached to a permanent foundation system approved by the city building official and designed and constructed pursuant to section 18551 of the state Health and Safety Code.~~
- ~~B. Utilities: All utilities to the manufactured home shall be installed pursuant to city standard practices and policies.~~
- ~~C. Permits: All applicable building, site development, and encroachment permits associated with development of residential property shall be secured prior to any on site construction.~~

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, and single-room occupancies (SRO) etc.) that comply with the design and development standards in Chapter 2, Article 5.2 of this Division are permitted by right.

~~Multiple family residential dwellings in the form of duplexes, transitional housing, and supportive housing on corner lots. Multiple family dwellings in the form of triplexes, fourplexes, single room occupancies (SROs), and rooming and boarding houses are prohibited. Multiple family dwellings that comply with the design and development standards in Chapter 2, Article 5.2 of this division are permitted by right.~~

~~Single-family residential dwellings, including manufactured/modular homes, transitional housing, and supportive housing. Manufactured/modular homes shall comply with the additional development standards in Section 9022 of this code.~~

Supportive housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

Transitional housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

§9017 PERMITTED USES

Cottage Dwelling Group, as regulated by Article 5.5 of this Chapter.

Mom and Pop Grocery Store.

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, single-room occupancies (SRO), etc.) in the form of duplexes, transitional housing, and supportive housing that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this Division, and require a Site Development Permit per Article 20 of this Chapter.

§9018 BUILDING HEIGHT LIMITS

- A. For single-family dwellings, ~~two (2)~~ multi-family dwellings and attached accessory dwelling units, a maximum height of thirty feet (30').
- B. For non-residential accessory buildings a maximum height of twenty feet (20') or maximum height of the main building, whichever is less.
- C. The height limits for both dwelling units and accessory structures may exceed the primary residential dwelling unit. The height limits for ADUs are set forth in Article 5.3 of this Chapter.
- ~~D. The height limits for both dwelling units and non-residential accessory structures may be exceeded with the securing of a variance. be exceeded with the securing of a use permit. The height limit for accessory dwelling unit may be exceeded through the use permit process, provided a finding is made that the higher structure would not adversely impact the health, safety, and general welfare of the public~~

§9019 REQUIRED SITE AREA

- A. Interior Lots: The required site area on interior lots in the R-1 zoning district is ~~six~~ four thousand five hundred (4,500) net square feet, and the required lot width is ~~sixty~~ forty feet (640').
- B. Corner Lots: The required site area for corner lots in the R-1 zoning district is ~~seven~~ six thousand (76,000) net square feet, and the required lot width is ~~seventy~~ sixty feet (760').

- ~~D. Nonconforming Lots: Development may occur on existing, nonconforming R-1 lots; a site development permit is required for existing lots four thousand five hundred (4,500) square feet and less that does not already feature residential improvements. greater and a use permit is required on existing lots of less than four thousand five hundred (4,500) square feet. Minimum width in either case is forty feet (40').~~

§9020 REQUIRED YARD SETBACKS

The purpose of establishing yard areas in the R-1 zoning district is to maintain a balance between retaining open spaces and the efficient use of land, ensure open spaces, and a low density appearance to single family residential neighborhoods. In Low Density Residential (R-1) Districts, yards shall be required in the following minimum widths, as measured from the street right-of-way:

- A. Front: ~~Fifteen~~ Ten feet (150') for residences and accessory structures, and ~~twenty-five feet (25')~~ for garages.
- B. Sides: ~~Ten~~ Five feet (405') for residences and ~~five feet (5')~~ for accessory structures.
- C. Rear: ~~Fifteen~~ Ten feet (150') for residences, and five feet (5') for accessory structures.
- D. Corner Lots: On corner lots, there shall be a front setback line of ~~Fifteen~~ Ten feet (150') on each street side of a corner lot.

Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply. ~~The fifty percent (50%) average setback exception does not apply to accessory structures.~~

E. Yard Setbacks For Unique Circumstances:

- 1. Architectural Features: Cornices, eaves, canopies, and other similar architectural features for residential structures and accessory structures exceeding one hundred twenty (120) square feet in area may extend up to two feet (2') into any required ~~yard~~ setback.

- 5. Accessory Carports: May be established two feet (2') into any required setback.

§9021 REQUIRED PARKING

- A. The minimum parking area required in Low Density Residential (R-1) Districts is as follows:
 - 1. Single-Family Dwelling: ~~Two~~ One (12) on-site parking space per unit.
 - 2. Duplex: ~~One and one-half (1.5)~~ on-site parking space per unit.
 - 3. Multiple-Family Dwelling(s): One (1) on-site parking space per unit.
 - 4. Other Uses: The parking requirements for all other allowed or permitted uses shall be subject to the provisions of section 9198 of this code.

§9022 ADDITIONAL REQUIREMENTS AND ALLOWANCES

- B. Effective January 1, 2022, Government Code §§ 65852.21 and 66411.7 (enacted by Senate Bill 9, Statutes 2021) require local agencies to provide ministerial review, without discretion or hearing, of proposed two-unit housing developments and urban lot splits if the housing development or subdivision is within a single-family residential zone and a U.S. Census designated urbanized area or urban cluster and meets certain requirements. The purpose of this sub-section is to establish the applicability of Government Code §§ 65852.21 and 66411.7.

1. Maximum Number of Units on a Parcel Created by an SB 9 Urban Lot Split (Government Code § 66411.7)
 - a. No more than two dwelling units may be permitted on any lot created through an urban lot split.
 - b. If a proposed SB 9 Urban Lot Split does not include a housing development at the time of the lot split, a note shall be recorded on the Parcel Map limiting future residential development to two dwelling units in accordance with this policy.
 - c. If a proposed SB 9 Urban Lot Split requests to subdivide a vacant parcel, the owner occupancy period begins once a unit is finished and livable.
2. Maximum Number of Units on a Lot Not Created by an SB 9 Urban Lot Split (Government Code § 66411.7)
 - a. Up to two primary dwelling units, including existing dwelling units on a parcel and units created pursuant to Government Code § 65852.21 may be permitted.
- C. Ukiah Municipal Airport Comprehensive Land Use Plan (UKIACLUP): As applicable, all development within the R-1 district must comply with the more restrictive standards identified by UKIACLUP to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning.

§9023 DETERMINATION OF APPROPRIATE USE

- A. Whenever a use is not listed in this article as a use permitted by right or a use subject to a use permit in the R-1 zoning district, the Community Development Planning Director shall determine whether the use is appropriate for the zoning district, either as a right or subject to a use permit. In making this determination, the Community Development Planning Director shall find as follows:

4. In the case of determining that a use not articulated as an allowed or permitted use could be established with the securing of a use permit, the Community Development Planning Director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses.

SECTION 3

Division 9, Chapter 2, Article 4, Medium Density Residential (R-2) regulations of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “**”):**

SECTION:

§9030 Purpose And Intent

§9038 Determination Of of Appropriate Use

§9030 PURPOSE AND INTENT

The Medium Density Residential Zoning District is intended to provide land area and opportunities for a range of densities and a variety of housing types, including single-family and multiple-family residential development, and townhomes. ~~The maximum density is one to fifteen (15) dwelling units~~

~~per acre of land.~~ The R-2 district is also intended to provide for a compatible mix of medium density residential, educational, religious, quasi-medical, and small professional office land uses. The R-2 zoning district is consistent with the MDR (Medium Density Residential) general plan land use designation.

§9031 ALLOWED USES

The following uses are allowed in Medium Density Residential (R-2) Districts:

Community care facility, which provides service for six (6) or fewer persons. ~~(maximum clients—six (6)).~~

Duplex.

Low Barrier Navigation Center.

Single-family dwellings, including manufactured/modular homes. ~~transitional housing, and supportive housing. Manufactured/modular homes shall comply with the additional development standards set forth in section 9037 of this Code.~~

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling groups, and single-room occupancies (SRO), etc.) ~~Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartment houses, transitional housing, supportive housing, single-room occupancies (SROs), and rooming or boarding houses).~~ Multiple-family dwellings that comply with the design and development standards in Chapter 2, Article 5.2 of this Division are permitted by right.

Supportive housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

Transitional housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

§9032 PERMITTED USES

The following uses may be permitted in Medium Density Residential (R-2) Zoning Districts subject to first securing a use permit:

Dwelling Groups that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division, and require a Site Development Permit per Article 20 of this Chapter.

Mom and Pop Grocery Store.

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling groups, single-room occupancies (SRO), etc.) that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of

~~this Division, and require a Site Development Permit per Article 20 of this Chapter. Multiple-family dwellings that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division.~~

~~Professional Office converted from a single-family residence.~~

~~Single-family dwelling on a three thousand (3,000) square foot lot (one side zero lot line and one side five-foot (5') setback; provided, that zero lot lines are contiguous).~~

Temporary uses meeting the purpose and intent of the R-2 zoning district. The temporary use shall be for a maximum period of six (6) months and shall be subject to permit renewal/time extension at the discretion of the Community Development Planning Director.

§9033 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in Medium Density Residential (R-2) Districts:

- B. For non-residential accessory buildings, a maximum height of twenty feet (20') or the maximum height of the main building, whichever is less.
- C. The height limits for main buildings and accessory structures may be exceeded with the securing of a use permit-Variance.
- D. The heights of ADUs are subject to Article 5.3 of this Chapter.

§9035 REQUIRED YARD SETBACKS

In Medium Density Residential (R-2) Districts, yards shall be required in the following minimum widths, as measured from the street right-of-way:

A. Front:

- ~~1. Single-Family Dwellings: Fifteen feet (15') for primary and accessory structures, and twenty-five feet (25') for garages.~~
- 1. ~~Multiple-Family Dwellings: Ten feet (10') for multiple-family primary and accessory structures, and twenty-five feet (25') for garages.~~

B. Sides:

- ~~1. Single-Family Dwellings: Ten feet (10'), except as provided in section 9032 of this code.~~
- 1. ~~Multiple-Family Dwellings: Five feet (5'), for multiple-family dwellings except for those multiple-family projects that comply with all the design and development standards set forth in Chapter 2, Article 5.2 of this Division.~~

C. Rear:

1. ~~Single-Family Dwellings: Ten feet (10').~~
2. ~~Multiple-Family Dwellings, Single-story: Ten feet (10').~~
3. ~~Multiple-Family Dwellings, Multi-Story: Fifteen feet (15').~~

~~Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply.~~

E. Special Yards And Distances Between Buildings: Minimum widths shall be as follows:

1. ~~Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply. The distance between any structures in any dwelling group shall be a minimum of ten feet (10') for single-story and multi-story structures.~~
2. ~~Any side yard providing vehicular access to single-row dwelling groups shall have a minimum width of twenty feet (20') for one-way access and twenty-five feet (25') for dual access.~~
3. ~~Any inner court providing vehicular access to double-row dwelling groups shall have a minimum width of twenty feet (20'), and a minimum width of twenty-four feet (24') if bordered by parking stalls.~~

§9036 REQUIRED PARKING

A. The minimum parking area required in Medium Density Residential (R-2) Districts is as follows:

1. Single-Family Dwelling: One (21) on-site parking space per unit.
2. Duplex: One and one-half (1.5) on-site parking space per unit.
3. Multiple-Family Dwelling(s): One (1) on-site parking space per unit.

§9037 ADDITIONAL REQUIREMENTS

C. All development projects that are not multiple-family residential projects, or that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this Division, and that require discretionary review, shall include a proposed landscaping plan commensurate with the size and scale of the proposed development project. Landscaping plans shall be submitted as a required component of all site development and use permits at the time of application filing.

1. All proposed landscaping plans shall comply with the following standards:

- a. Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Drought resistant and native plants shall constitute the majority of the plantings selected. ~~Native species are strongly encouraged.~~

- d. Parking lots shall have a perimeter planting strip ~~with both~~ featuring drought resistant trees and shrubs.

- k. The Community Development Planning Director, Zoning Administrator, Planning

Commission, or City Council shall have the authority to modify the required elements of a landscaping plan depending upon the size, scale, intensity, and location of the development project.

- D. Ukiah Municipal Airport Comprehensive Land Use Plan (UKIACLUP): As applicable, all development within the R-2 district must adhere to the more restrictive criteria identified by UKIACLUP to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning

§9038 DETERMINATION OF APPROPRIATE USE

Whenever a use is not listed in this Article as a use permitted by right or a use subject to a use permit in the R-2 Zoning District, the Community Development Planning Director shall determine whether the use is appropriate for the Zoning District, either as of right or subject to a use permit. In making this determination, the Community Development Planning Director shall find as follows:

- D. In the case of determining that a use not articulated as an allowed or permitted use could be established with the securing of a use permit, the Community Development Planning Director shall find that the proposed use is similar in nature and intensity to the uses listed as allowed uses.

SECTION 4

Division 9, Chapter 2, Article 5, High Density Residential (R-3) regulations of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “**”):**

SECTION:

§9045 Purpose And Intent

§9049 Required Site Area ~~For Mobile Home Parks~~

§9053 Determination ~~Of~~ of Appropriate Use

§9046 ALLOWED USES

Community care facility, which provides service for six (6) or fewer persons. ~~with the residents and operators of the facility being considered a family.~~

Duplex.

Low Barrier Navigation Center.

~~Public or private parking lots for automobiles, when the property is adjacent to any C-N, C-1, or C-2 district, or if required to accompany any new land use.~~

~~Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, and single-room occupancies (SRO), etc.s) Multiple family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartments, transitional housing, supportive housing, single room occupancies (SROs), and rooming or boarding houses): Multiple-family dwellings that comply with the design and development standards in Chapter 2, Article 5.2 of this Division are permitted by right.~~

Supportive housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

Transitional housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type

§9047 PERMITTED USES

The following uses may be permitted in High Density Residential (R-3) Districts subject to first securing a use permit:

Dwelling Groups, as regulated by Article 5.5 of this Chapter.

~~"Mom and pPop" convenience grocery stores, delicatessens, bakeries, and coffee shops.~~

~~Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, single-room occupancies (SRO), etc.) that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this Division, and require a Site Development Permit per Article 20 of this Chapter Multiple family dwellings that do not comply with the design and development standards in Chapter 2, Article 5.2 of this division.~~

Public or private parking lots for automobiles

§9049 REQUIRED SITE AREA FOR MOBILE HOME PARKS

~~B. The required building site area for each mobile home park shall be a minimum of two (2) acres.~~

§9050 REQUIRED YARD SETBACKS

In High Density Residential (R-3) Districts, yards shall be required in the following minimum widths, except as provided in section 9032 of this code:

A. Front:

1. ~~Single-Family Dwellings: Fifteen feet (15') for dwellings and accessory structures, and twenty-five feet (25') for garages.~~
2. ~~1. Multiple-Family Dwellings: Ten feet (10') for multiple-family dwellings, and accessory structures, and twenty-five feet (25') for garages.~~

C. Rear:

1. ~~Single-Family Dwellings: Ten feet (10').~~
2. ~~Multiple-Family Dwellings, Single-Story: Ten feet (10').~~
3. ~~Multiple-Family Dwellings, Multi-Story: Fifteen feet (15').~~

D. Corner Lots: On corner lots, there shall be a front setback line of ten feet (10') on each side of the property facing a street.

~~Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply.~~

E. Special Yards and Distances Between Buildings: Minimum widths shall be as follows:

1. ~~The distance between any structures in any dwelling group shall be a minimum of ten feet (10').~~
2. ~~1. Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply. Any side yard providing vehicular access to single-row dwelling groups shall have a minimum width of twenty feet (20') for one-way access and twenty-five feet (25') for dual access.~~
3. ~~Any inner court providing vehicular access to double-row dwelling groups shall have a minimum width of twenty feet (20'), and a minimum width of twenty-four feet (24') if bordered by parking stalls. (Ord. 1001, §1, adopted 1998;~~

§9051 REQUIRED PARKING

A. The minimum parking area required in High Density Residential (R-3) Districts is as follows:

1. ~~Single-Family Dwelling: Two~~ One (1) on-site parking space per unit.
2. ~~Duplex: One and one-half (1.5)~~ on-site parking space per unit.
3. ~~Multiple-Family Dwelling(s): One (1)~~ on-site parking space per unit.

§9052 ADDITIONAL REQUIREMENTS

~~A. All new construction, exterior modifications to existing buildings or on-site work shall require a site development permit pursuant to subsection 9261B of this code, excluding multiple-family residential projects, as described in section 9046 of this code, that comply with the design and development standards in Chapter 2, Article 5.2 of this division.~~

~~B. A. Manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC section 5401 et seq.) are allowed on individual residential parcels subject to the following regulations:~~

~~G. B. All development projects that are not multiple-family residential projects, or do not comply with the design and development standards in Chapter 2, Article 5.2 of this Division, and that~~

require discretionary review, shall include a proposed landscaping plan commensurate with the size and scale of the proposed development project. Landscaping plans shall be submitted as a required component of all site development and use permits at the time of application filing.

1. All proposed landscaping plans shall comply with the following standards:

- a. Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Drought resistant and native plants shall constitute the majority of the plantings selected. Native species are strongly encouraged.

- d. Parking lots shall have a perimeter planting strip with both featuring drought resistant trees and shrubs.

- k. The Community Development Planning Director, Zoning Administrator, Planning Commission, or City Council shall have the authority to modify the required elements of a landscaping plan depending upon the size, scale, intensity, and location of the development project.

C. Ukiah Municipal Airport Comprehensive Land Use Plan (UKIACLUP): As applicable, all development within the R-3 district must adhere to the more restrictive criteria identified by UKIACLUP to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning.

§9053 DETERMINATION OF APPROPRIATE USE

Whenever a use is not listed in this Article as a use permitted as of right or a use subject to a use permit in the R-3 Zoning District, the Community Development Planning Director shall determine whether the use is appropriate for the Zoning District, either as of right or subject to a use permit. In making this determination, the Community Development Planning Director shall find as follows:

- D. In the case of determining that a use not articulated as an allowed or permitted use could be established with the securing of a use permit, the Community Development Planning Director shall find that the proposed use is similar in nature and intensity to the uses listed as allowed uses.

SECTION 5

A New Article 5.5, entitled "REGULATIONS FOR DWELLING GROUPS" shall be added to Division 9, Chapter 2 of the Ukiah City Code and shall read as follows:

§9058 PURPOSE

This Article implements the provisions of the General Plan Housing Element that encourage new types of housing that meet a wide variety of needs and encourage infill projects on underutilized urban land. As defined, 'Dwelling Groups' is a group of three or more single-family residences or two or more detached duplex buildings, apartments, condominiums, and occupying a parcel of land in the same ownership and having any yard or court in common.

Cottage Dwelling Groups are a type of infill development intended to provide small-scale, clustered

housing units that are comparable in scale and intensity to single-family residential use, thereby minimizing the impact on adjacent low-density residential uses.

§9058.1 APPLICABILITY

This section applies to Dwelling Groups where allowed or permitted.

- A. Dwelling Groups are considered a form of multi-family housing. Within the R2 (Medium Density Residential) and R3 (High Density Residential) Zoning Districts, Dwelling Groups are an allowed use if adhering to Article 5.2 (Objective Design and Development Standards for New Residential Construction).
- B. Dwelling Groups must meet the development criteria of the base zone.
- C. Cottage Dwelling Groups are permitted in the R1 (Low Density Residential) Zoning District. Cottage Dwelling Groups must meet the development criteria of the base zone, as well as the additional standards and exceptions outlined below.
 - 1. Cottage Dwelling Groups may not be located on any parcel already containing an accessory dwelling unit, junior accessory dwelling unit, or developed with a duplex, triplex, apartment, or condominium. A parcel containing a single-family residence may be developed as a Cottage Dwelling Group only if the single-family residence is included in the total floor area allowance below.
 - 2. Occupancy. Dwelling Groups may not be rented on a transient basis (periods less than thirty (30) days).
 - 3. Siting Requirements.
 - a. Airport Compatibility. The proposed site shall not be located on any parcel that features airport compatibility Zones 1 (Runway Protection Zone), 2 (Inner Approach/Departure Zone), 3 (Inner Turning Zone) or 5 (Sideline Zone).
 - b. Minimum parcel size. The minimum parcel size shall be nine thousand (9,000) square feet.
 - c. Setbacks. Cottage housing developments shall meet the required front and side yard setbacks of the base zone. Rear yard setbacks shall be a minimum of ten feet (10').
 - d. Parking. One (1) reserved space per unit, and (1) guest parking space for every 3 units or portion thereof.
 - e. Accessory structures that serve on-site users and are subordinate in use and scale to the cottages (e.g. accessory storage, garages, etc.) are allowed subject to setback requirements for accessory structures.
 - f. Design and Development Standards. Cottage housing developments shall be subject to design review and site plan approval and meet the following additional standards and exceptions:
 - i. Density. On parcels that meet the minimum parcel size, the maximum density shall be one (1) cottage per every two thousand five hundred (2,500) square feet of lot area. When calculating the number of units allowed, fractional units shall be rounded down to the nearest whole number.
 - ii. Size. The total building square footage shall not exceed two thousand seven hundred (2,700) square feet, unless other sizes are allowed by approval of a use permit.
 - g. Site Layout.
 - i. Common Open Space. Common open space shall be one (1) or more areas that are designed and maintained for recreation, gardening, and similar activities open to all residents. Common open space shall total at least two hundred (200) square feet per unit, of which up to sixty (60) square feet may be private.
 - 1. Cottages should generally be no more than twenty-five feet (25') from the

- common open area, measured from the facade of the cottage to the nearest delineation of the common open area.
2. Orientation. Dwelling units shall be clustered around common open space that is not separated with fencing. Each unit shall have a primary entry and covered porch, generally oriented towards the common open space. Front porches are encouraged.

§9058.2 PERMIT REQUIREMENTS

All cottage housing developments are subject to a Use Permit within the R1 zoning district. A Site Development Permit is required for any 'Dwelling Group' in the R2 and R3 zoning districts that does not comply with the design and development standards as required by Chapter 2, Article 5.2 of this Division.

SECTION 6

Division 9, Chapter 2, Article 21, Definitions, of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “**”):**

- A. Any words or phrases not defined within this article shall be defined as set forth in current dictionaries. If no dictionary defines a particular term, the Community Development Planning Director shall have the authority to define the term or equate it to a defined term that is similar in nature.
- B. For purposes of this article, the words and phrases set out herein shall have the following meanings:

DWELLING GROUP, COTTAGE: A form of 'Dwelling Group' that features smaller units with shared parking and common open areas within existing low- and medium-density urban residential neighborhoods.

DUPLEX – STACKED: A small (2 to 2.5-story), detached structure that consists of two dwelling units arranged one above the other, each with an entry from the street. This type has the appearance of a small-to-medium single-unit house.

DUPLEX – SIDE-BY-SIDE: A small (1 to 2 story), detached structure that consists of two dwelling units arranged side-by-side, each with an entry from the street.

MULTIPLEX: A detached (2 to 2.5-story) structure that consists of 5 to 12 dwelling units arranged side-by-side and/or stacked, typically with a shared entry from the street.

TOWNHOUSE: A small- to medium-sized attached structure that consists of 2 to 16 multi-story dwelling units placed side-by-side. Entries are on the narrow side of the unit and typically face a street or courtyard. The street facades have entrances and avoid garages.

SECTION 7

1. SEVERABILITY: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Ukiah hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections,

subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

2. EFFECTIVE DATE: This Ordinance shall be published as required by law in a newspaper of general circulation in the City of Ukiah and shall become effective thirty (30) days after its adoption Introduced by title only on October 2, 2024, by the following roll call vote:

AYES: Councilmembers Rodin, Orozco, Sher, Crane, and Mayor Duenas.

NOES:

ABSTAIN:

ABSENT:

Adopted on _____, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAIN

ABSENT:

Douglas F. Crane, Vice Mayor

ATTEST:

Araceli Sandoval, Acting Clerk



**Draft Findings of Consistency:
Missing Middle Ordinance
CEQA Section 15183 Statutory Exemption
September 13, 2024**

SCH No: XXXXXXXXXXXX

Prepared by:

**City of Ukiah
Community Development Department
Planning Division
300 Seminary Avenue, Ukiah, CA 95482
www.cityofukiah.com/community-development/planning-services/**

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I. PROJECT INFORMATION

Project Title: Missing Middle Ordinance
Lead Agency Address and Phone Number: City of Ukiah Community Development Department 300 Seminary Avenue Ukiah, California 95482
CEQA Contact Person and Phone Number: Katherine Schaefer, Planning Manager City of Ukiah, Community Development Department (707) 463-6203 KSchaefer@cityofukiah.com
Applicant: City of Ukiah
Property Owner: City of Ukiah
Project Location: City-wide within the R1, R2, and R3 zoning districts
General Plan Designation: Low Density Residential (LDR), Medium Density Residential (MDR), High Density Residential (HDR)
Zoning Designation: Low Density Residential (R1), Medium Density Residential (R2), High Density Residential (R3)

II. INTRODUCTION

1. Purpose of the 15183 Findings of Consistency

California Public Resources Code section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

Section 15183 specifies that examination of environmental effects shall be limited to those effects that:

- (1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,
- (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
- (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

2. Ukiah 2040 General Plan EIR

The Ukiah 2040 General Plan and its associated EIR (SCH# 2022050556) were certified in December 2022. Ukiah 2040 designates land uses defining the type and amount of development that can occur throughout the City and proposed annexation areas through the planning horizon year of 2040 (over approximately 18 years). Ukiah 2040 also includes increased residential densities (number of units) and building intensities (floor area ratio [FAR]) for certain land use designations compared to the existing density and intensity thresholds. Development projections for the project were determined by analyzing vacant and underutilized parcels with the buildout capacity potential that is allowed under the applicable updated land use designations, the incorporation of annexation areas being pursued by the City of Ukiah, and the development of mixed-use designated areas anticipated under Ukiah 2040. Based on the potential land use changes, the project has a maximum buildout potential of an additional 2,350 housing units and an additional 4,514,820 square feet of non-residential use. Overall, Ukiah 2040 would promote infill development; the redevelopment of abandoned, obsolete, or underutilized properties; and the adaptation of existing residential units to support multi-family use. (City of Ukiah, 2022)

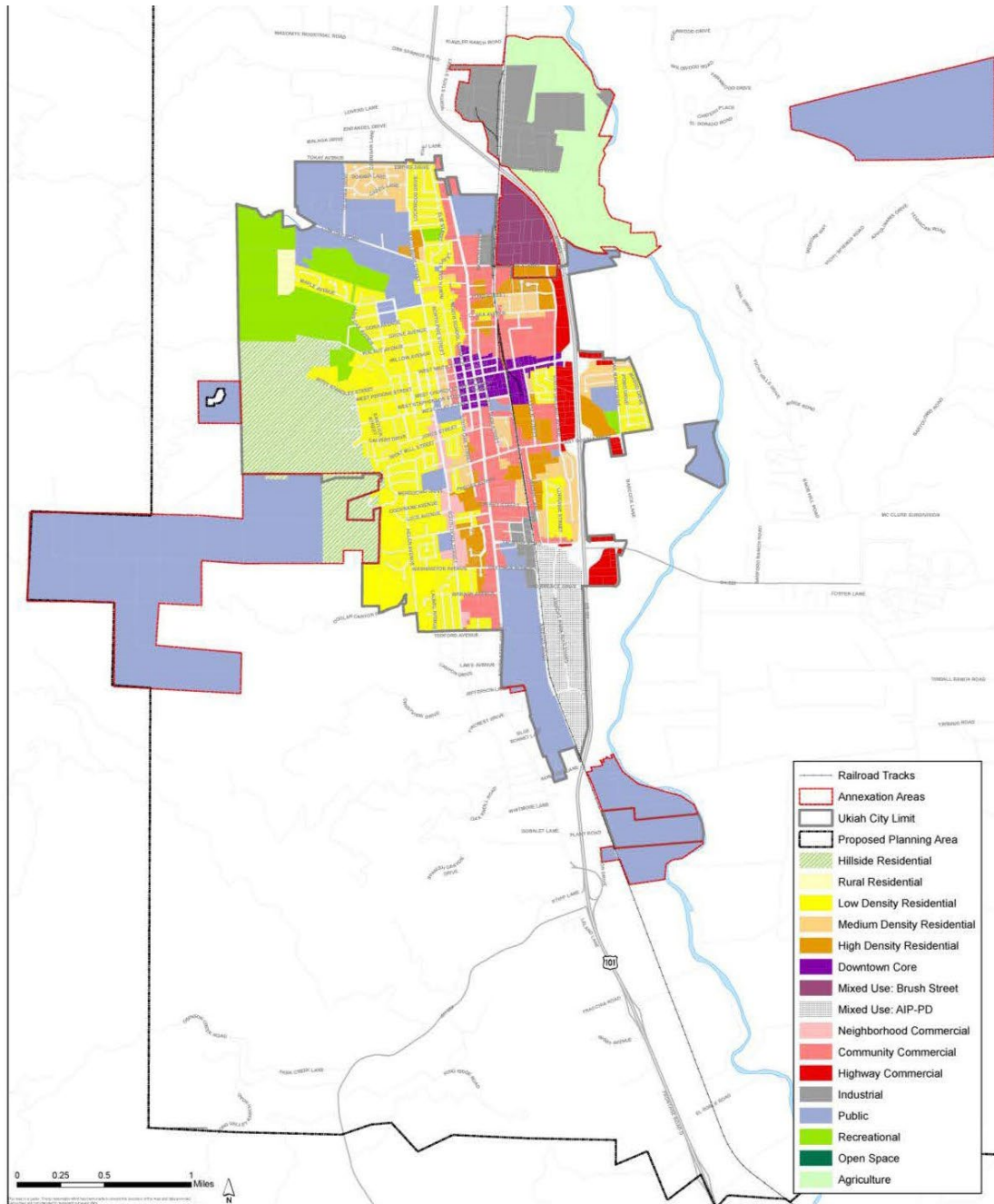
The Ukiah 2040 General Plan EIR comprehensively evaluated environmental impacts that would result from the General Plan's implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts.

III. PROJECT BACKGROUND

1. Project Location

The Missing Middle Ordinance (Heretofore known as the “Project”) includes zoning changes affecting low, medium and high density (R1-R3) zoned properties within the City of Ukiah limits. See Exhibit 1, Land Use Map.

EXHIBIT 1: City of Ukiah – Land Use Map



2. Environmental Setting

The City of Ukiah includes approximately 4.72 square miles. It serves as the County Seat of Mendocino County, as well as the county's commercial hub. Predominant land uses in the City include single family residential, multi-family residential, and commercial uses ranging from local commercial to service commercial, as well manufacturing, industrial and public facilities. Further west is undeveloped open space, and steep, densely vegetated areas interspersed with rural residential lots within the Western Hills and Mendocino County's jurisdiction.

The City of Ukiah sits in the Ukiah Valley in central Mendocino County, with elevations varying from approximately 600-feet above mean sea level up to approximately 3,000 feet in the hills surrounding the city. Ukiah is located along the Highway 101 corridor and near the east/west intersection of Highway 20, two hours north of the Golden Gate Bridge. The City of Ukiah is situated within the Coast Range geologic province. The North Coast Range is comprised of a geologic feature unique to California, the Franciscan Formation, which dictates the vegetative communities. The Franciscan Formation is comprised of serpentine, sandstone, and other sedimentary rocks. This area is characterized by a Mediterranean climate; the winters are cool and wet, and the summers are hot and dry. Annual temperatures for this region range from about 30 to 100 degrees Fahrenheit. The Ukiah Valley is located approximately 30 miles east and inland from the Pacific Ocean. It runs north-south for approximately nine miles, with a maximum width of three miles. The Russian River enters the valley at the north end and runs south along the valley floor.

3. Background

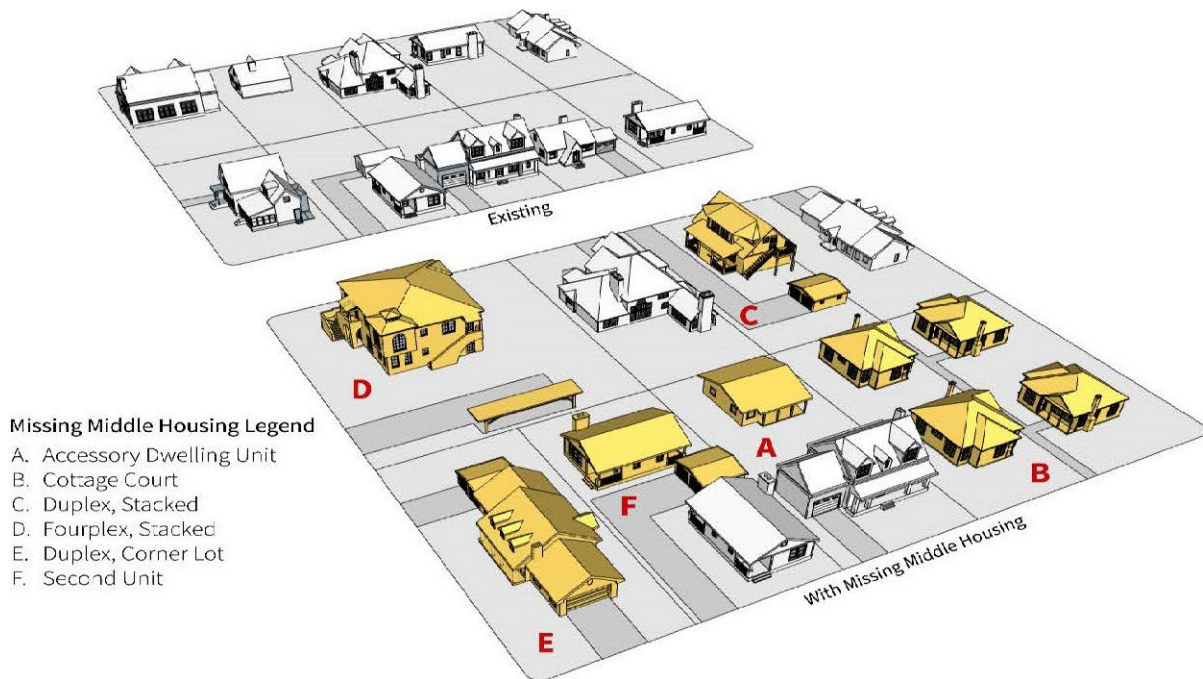
Ukiah 2040 General Plan

The Project is proposed to carry out the vision of incorporating 'Missing Middle Housing' found within the Ukiah 2040 General Plan. While housing and residential neighborhoods form the fabric that makes the City of Ukiah a cohesive community, finding a place to call home can sometimes be challenging. The City is not affordable for some prospective residents, and the range of housing types and sizes to accommodate varied households is limited. The domination of single-family neighborhoods and the trend towards building single-family homes geared toward higher-income earners has further contributed to the housing issues in the City. The State of California has been working with communities to help meet the number and affordability of housing units needed in the State. As part of the Housing Element process, the State dictates the number of units, at a variety of income levels, for which each region must plan. This process has analyzed the City of Ukiah's capacity for additional housing at 239 units, with 161 earmarked for very-low and low-income and 165 for moderate and above-moderate. To address the diversity of housing needed in Ukiah and meet the requirements of State law, the City of Ukiah strives for communities that are a heterogenous mix of housing types and price points. This housing, which lies between the low end of Medium Density Residential (MDR – 1-14 units/acre) and the high end of High Density Residential (HDR – 1-28 units/acre) is often referred to as "Missing Middle" housing and can include a mix of housing types including duplexes, triplexes, fourplexes, cottage courts/clusters, and townhomes (See **Exhibit 2, Missing Middle Housing**).

As discussed below, and part of the 2040 General Plan, a goal and policies are included to support the development of Missing Middle Housing within existing Ukiah neighborhoods. Exhibit 2 illustrates this concept using a variety of Missing Middle Housing types. In the graphic, the two blocks were laid out to be identical relative to lot lines and existing structures, with the dwelling units shaded in white being existing dwelling units in a variety of sizes, but all being single-family detached homes. The portion of the graphic on the bottom (labeled "With Missing Middle

Housing”) shows that same block with future development. The white shaded structures are those current units remaining and the gold shaded structures are new Missing Middle Housing types. Some are in addition to existing structures (“A” and “F”), one is a replacement structure on an existing lot (“C”), and two show the consolidation of two lots to create one larger lot (“B” and “D”). (City of Ukiah, 2022).

EXHIBIT 2: Missing Middle Housing (City of Ukiah 2040 General Plan)



Senate Bill 9 and Development Implications

To continue to stimulate housing, specifically Missing Middle Housing, and remove barriers by local government for expedited housing production, the State enacted Senate Bill 9 (SB 9). SB 9 creates a ministerial approval process for lot splits and duplex construction on parcels zoned for single-family uses, if the project meets specified requirements. Duplex construction or lot splits cannot demolish deed-restricted affordable housing or housing occupied by tenants in the past three years or occur in an historic district. Local governments may impose objective standards, unless they preclude the construction of two units or a lot split. Local agencies may require up to one parking space per unit, unless the parcel is within a half mile of a major transit stop or high-quality transit corridor (similar to ADU requirements).

Housing created pursuant to these provisions cannot be rented for terms shorter than 30 days (no vacation rentals). Applicants for lot splits must sign an affidavit declaring their intent to occupy one of the lots for at least three years, unless the applicant is a community land trust or nonprofit. Local agencies may deny an application for a duplex or lot split if it makes written findings of an adverse impact on public health, safety, or the physical environment. Local governments must identify units constructed pursuant to these provisions in their housing element Annual Progress Report. (City of Ukiah, 2022).

Ukiah 2040 General Plan Goals and Policies

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To promote the vision for Missing Middle Housing types, the Ukiah 2040 General Plan includes the following goal and policies.

Goal LU-9 To provide opportunities for housing that can accommodate the needs, preferences, and financial capabilities of current and future residents in terms of different housing types, tenures, density, sizes, and costs.

Policy LU-9.1 Mixed Residential Neighborhoods

The City shall encourage creation of mixed residential neighborhoods through new and innovative housing types that meet the changing needs of Ukiah households and expand housing choices in all neighborhoods. These housing types include, but are not limited to, single dwelling units, multi-family dwelling units, accessory dwelling units, small and micro units, use of pre-fabricated homes, and clustered housing/cottage housing

Policy LU-9.2 Housing Types and Designs

The City shall support housing types and designs that increase density while remaining consistent with the building scale and character present in existing neighborhoods. This includes multi-family units or clustered residential buildings that provide relatively smaller, less expensive units within existing neighborhoods.

Policy LU-9.3 Adaptation of Existing Residential Units

The City shall encourage the adaptation of existing residential units to support multi-family use.

4. Project Elements

The zoning code amendments proposed in the Project are consistent with the Ukiah 2040 EIR and General Plan as described above. A summary of the proposed amendments is provided in **Appendix A**. The proposed Ordinance Amendment will not require an amendment to the City of Ukiah's 2040 General Plan EIR, as discussed below under *IV. Evaluation of Environmental Impacts*. In addition, no development or physical changes to the environment are proposed.

IV. EVALUATION OF ENVIRONMENTAL EFFECTS

The following findings are made in compliance with CEQA Section 15183 – Project consistent with a Community Plan or Zoning.

Section 15183 of the State CEQA Guidelines states that a project shall qualify for an exemption if the following findings can be made:

- 1) The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.
- 2) There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects.
- 3) There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.
- 4) There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate.

- 5) There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.

A discussion of staff's finding of each potential environmental effect is provided below.

1. Density

The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.

Finding

The Project is consistent with the development density established by the Ukiah 2040 General Plan.

Discussion

Article 4 (R1) Low Density Residential District

In the Low Density Residential Zone, the minimum lot size is proposed to be reduced to 4,500sf (from 6,000sf). The total area for Low Density Residential zoning within the City of Ukiah is 626 acres, or 23.7% of the City area. The maximum density allowance in the Ukiah 2040 General Plan for Low Density Residential is 15 dwelling units per acre. The density incurred by the change from 6,000 sf to 4,500 sf is shown below. As 9.68 still falls well below the maximum density of 15 dwelling units/acre, this proposed change remains consistent with the development density of the Ukiah 2040 General Plan.

**Table 1
Maximum Density in the R1 Zone**

	Lot Size (sf)	Max Density (du/ac)
Current R1 Zoning Density	6,000	7.26
Proposed R1 Zoning Density	4,000	9.68

The introduction of 'Missing Middle Housing' in the form of 'cottage dwelling groups' and duplexes in the Low Density Residential Zone would not increase density, as they would be held to the same density standards as single-family homes, as illustrated in Exhibit 2.

The remainder of the zoning ordinance amendments offer no changes to density. In the Medium Density Residential Zone, a remnant phrase that accorded to the prior General Plan "The maximum density is one to fifteen (15) dwelling units per acre of land" has been removed. The remaining language enables this zoning category to be consistent with the Ukiah 2040 General Plan.

2. Effects

There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects

Finding

All potential impacts from the Project were evaluated with the Ukiah 2040 EIR. The proposed ordinance has no unique features that were not evaluated within the General Plan EIR.

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Discussion

The language changes and minor additions, rearrangements and deletions within Appendix A are directly applicable to the Ukiah 2040 General Plan vision of incorporating a more heterogeneous mix of housing types and price points within the City's residential zoning districts. For example, the inclusion of duplexes and multiple-family dwellings as an allowed use, pursuant to applicable design and development standards, removes barriers for low and moderate-income households to be more easily established in zoning designed for traditional single-family housing. In addition, the incorporation of landscaping standards in the Medium Density Residential and High Density Residential districts accord directly with the Ukiah 2040 EIR LU-11.10 Water Efficient Landscaping goal, *The City shall ensure that Zoning Code landscape standards and design guidelines reflect the most current water efficient landscape standards that include native, adaptive, and drought resistant vegetation, as well as provisions for street canopies and streetscape enhancement.* (City of Ukiah, 2022)

3. Impacts

There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects

Finding

There is no new information as a result of the proposed ordinance amendments that would result in more severe impacts. The amendments are consistent with the Ukiah 2040 General Plan density and land use designations for Low Density Residential, Medium Density Residential and High Density Residential. All potential impacts were evaluated with the General Plan EIR.

Discussion

Even though changes to height and setbacks are not specifically mentioned by name in the Ukiah 2040 General Plan goals and policies for 'Missing Middle' housing, these changes are implied within Policy LU-9.1 and LU-9.3 in the ability to expand housing choices and increasing density while maintaining the building scale and character present in existing neighborhoods. The setback and height modifications are minor and would more easily allow the implementation of LU-9.1 and LU-9.3.

To the same point, Low Barrier Navigation Centers are also included as allowed pursuant to Government Code sections 65660-65668, and even though not expressly discussed within the Ukiah 2040 General Plan, these and would follow the same density, regulations, and land use patterns of the other housing types in each residential zone.

4. Cumulative Impacts

There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate

Finding

There are no potentially significant offsite and/or cumulative impacts as a result of the proposed ordinance amendments.

Discussion

The Project is consistent with the density and use characteristics of the development considered by the Ukiah 2040 EIR. The EIR considered the incremental impacts of introducing 'Missing Middle' housing and no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.

5. New Information

There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR

Finding

There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.

Discussion

There is no new information as a result of the proposed ordinance that would result in more severe impacts. This zoning amendments are consistent with the Ukiah 2040 General Plan density and Land Use element. All potential impacts were evaluated with the Ukiah 2040 General Plan EIR.

Reducing setbacks, lot standards, and parking requirements

Reduction of existing standards is crucial for facilitating the development of 'Missing Middle' housing in the City of Ukiah. These regulatory adjustments help to create more flexible and affordable housing options by allowing for previously approved densities in the 2040 General Plan to be applied on existing lots, reducing the barriers for property owners and developers to build diverse housing types like duplexes, triplexes, and townhomes. Staff has proposed reductions in these standards to align with existing allowances for accessory dwelling units (ADUs) and nonconforming structures as currently conveyed in various zoning articles, promoting infill development and increasing the availability of moderate-income housing. No setback is reduced by more than 5', although some requirements are consolidated to the least restrictive consideration. These changes aim to support the City's General Plan housing goals by creating more opportunities for sustainable, walkable, and diverse neighborhoods while still maintaining consistency with existing regulations.

Landscaping (R2 & R3):

Minor updates to the landscaping standards included within the R2 & R3 zoning districts were updated to reflect Ukiah 2040 General Plan goals as discussed above. Drought resistant and native plants shall constitute the majority of plantings selected for developments that do not comply with the City's Objective Design and Development Standards. Notably, any residential construction that utilizes the City's Objective Design and Development Standards must provide landscaping commiserate with the expectations of the 2040 General Plan.

V. DETERMINATION

Summary of Findings: Section 15378 of the California Environmental Quality Act (CEQA) defines a "Project" as an activity that (1) is a discretionary action by a governmental agency; and

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(2) will either have a direct or reasonably foreseeable indirect impact on the environment. (Pub. Res. Cod, § 21065). “Project” means the whole of the action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700.

The Project includes zoning code amendments to the City of Ukiah’s Municipal Code in order to enact the goal and policies of the Ukiah 2040 EIR and General Plan regarding ‘Missing Middle Housing’. In implementing this housing type, the amendments are designed to also aid in meeting the City’s Regional Housing Needs Allocation (RHNA) by removing barriers (increasing maximum height, decreasing minimum site area, decreasing setbacks, parking) incurred by the existing residential zoning codes to promote a range of housing types and sizes to accommodate varied households.

While the Project is intended to facilitate housing development within the City of Ukiah, it does not include specific development designs or proposals, nor does it grant any entitlements for development. Development could also result in impacts to the physical environment depending on location, intensity, and other siting factors. However, the location, intensity, siting, and timing of such development is unknown.

All future development associated with the proposed zoning code amendments would be in residential or zoning districts where housing development is already generally allowed by right, or with an approved use permit and/or site development permit. Development could also result in impacts to the physical environment depending on location, intensity, and other siting factors. All future development would be analyzed on a project level basis for consistency with land use policies and development standards and would be subject to Building Permits for consistency with building and safety codes. In addition, depending on the type of development, location, and zoning district, future development could also require discretionary and environmental review of their individual and cumulative environmental impacts, as applicable.

In accordance with CEQA Guidelines Section 15183, the Project qualifies for an exemption because the following findings can be made:

- 1) The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.**
- 2) There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects.**
- 3) There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.**
- 4) There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate.**
- 5) There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.**



Signature

9/13/2024

Date

Katherine Schaefer, Planning Manager
Community Development Department
City of Ukiah
kschaefer@cityofukiah.com

VI. APPENDICES

Appendix A

Summary of Proposed Ordinance Amendments

Summary of Proposed Ordinance Amendments

PROPOSED ZONING CODE AMENDMENTS				
	Zoning District			
Development Standard	Article 3 (R1)	Article 4 (R2)	Article 5 (R3)	Article 5.5 (Dwelling Groups)
Density	Change wording to include density as consistent with RR (rural residential) along with LDR of the City general plan.	Conform the allowed density for the R-2 Zoning District to the 2040 MDR Land Use Designation (Remove 15 du/acre limit; thereby allowing conformance with the 2040 UKGP of 15 – 28 du/acre)	No change	Same as base zone
Allowed/ Permitted Uses	Remove language qualifying accessory uses as normally incidental to single-family residences Remove language qualifying residents and operators of community care facilities being considered a family Allow the securing of a variance for Fences over 7' as an alternative for a use permit, if a use permit is not required. Remove duplicative language regarding manufactured homes Allow Low Barrier Navigation Centers subject to the same density and regs as residential dwellings of the same type pursuant to Gov. Code 65660-65668 Include triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard buildings, cottage courts, dwelling-	Include duplexes as an allowed use Include Transitional and Supportive housing allowed subject to same density and regs as residential dwellings of same type (Ord. 1216) Allow Low Barrier Navigation Centers subject to the same density and regs as residential dwellings of the same type pursuant to Gov. Code 65660-65668 Include Mom and Pop Grocery Store as permitted (UP) Include Dwelling Groups as permitted (miUP) Include triplexes, fourplexes, multiplexes, condominiums, apartments,	Remove language qualifying residents and operators of community care facilities being considered a family Include duplexes as an allowed use Include Transitional and Supportive housing allowed subject to same density and regs as residential dwellings of same type (Ord. 1216) Allow Low Barrier Navigation Centers subject to the same density and regs as residential dwellings of the same type pursuant to Gov. Code 65660-65668	Dwellings groups not meeting the design and development standards in R2 and R3 must obtain a Site Development Permit. Include Cottage Dwelling Groups as permitted (UP) in R1 meeting the development criteria in Article 5.5. A Site Development Permit is required in R2 and R3 for any Dwelling Group that does not comply with the design and development standards as required by Chapter 2, Article 5.2 Include Cottage Dwelling Groups as not allowed on a parcel already containing an ADU/JADU, or developed with a duplex, triplex, apartment, or condominium. Include a parcel containing a single-family residence may be developed as a cottage dwelling group only if the single-family residence is included in the total floor area allowance of 2700 square feet.

PROPOSED ZONING CODE AMENDMENTS				
	Zoning District			
Development Standard	Article 3 (R1)	Article 4 (R2)	Article 5 (R3)	Article 5.5 (Dwelling Groups)
	groups, and single-room occupancies in the definition of 'multiple-family dwellings' as allowed if compliant with design and development standards of Chapter 2, Article 5.2 Include Condominiums, Cottage Dwelling Groups, and Mom and Pop Grocery Stores as permitted (UP) Require multiple-family dwellings to obtain a Site Development Permit if they do not comply with Chapter 2, Article 5.2	townhomes, courtyard buildings, cottage courts, dwelling-groups, and single-room occupancies in the definition of 'multiple-family dwellings' as allowed if compliant with design and development standards of Chapter 2, Article 5.2 Remove requirement for a permitted UP on a SFD on a 3,000 square foot lot	Include community care facilities as a permitted use, serving between 6-12 people Require multiple-family dwellings to obtain a Site Development Permit if they do not comply with subsection 9261B Include public/private parking lots as a permitted use	
Building Height Limits	Change to restrict non-residential accessory buildings to a height of 20' or maximum height of main building. Change to allow residential accessory buildings to exceed the height of the primary residential building. Include language referencing heights of ADUs and JADUs as codified in Chapter 2 Article 5.3 and Article 5.4. Change to allow dwelling and non-residential accessory structures to exceed height limits by securing a variance (not a Use Permit)	Change to restrict non-residential accessory buildings to a height of 20' or maximum height of main building. Change to allow residential accessory buildings to exceed the height of the primary residential building. Change to allow dwelling and non-residential accessory structures to exceed height limits by securing a variance (not a Use Permit)	Change to restrict non-residential accessory buildings to a height of 30' or maximum height of main building.	Same as allowed in base zone (R1, R2, or R3)

PROPOSED ZONING CODE AMENDMENTS				
	Zoning District			
Development Standard	Article 3 (R1)	Article 4 (R2)	Article 5 (R3)	Article 5.5 (Dwelling Groups)
Required Site Area	Reduce minimum lot sizes from 6,000 square feet to 4,500 square feet; Reduce corner lot width down to 6,000 (from 7,000) and width down to 60' (from 70') Interior lot width down to 40' (from 60') Clarification that a (minor) site development permit (not a Use Permit) is required for existing lots 4,500 square feet and less Remove site development permit requirement for existing lots 4,500 square feet and greater Remove requirement that nonconforming lots must be at least 40' in width.		Remove qualification of building site area	Minimum lot size 9,000 square feet. Maximum one cottage/2,500 square feet of lot area 2,7000 total building square footage
Required Yard Setbacks	Front: Change to 10' for residences (from 15') and accessory structures, remove requirement for garages Sides: Change to 5' for residences (from 10') Rear: Change to 10' for residences (from 15') Corner lots: Change to 10' (from 15') Corner lots: Include accessory structures in the exception if 50% of the same side of the block is already	Change in wording to include all primary and accessory structures, reducing front to 10', side to 5', and rear to 10' Insert exception to corner lot 10' front setback if 50% of the same side of the block is already built out, then average setback should apply	Front: Change to 10' for residences (from 15'), remove requirement for garages and accessory structures Sides: Remove requirement for garages and accessory structures Rear: Remove qualifications for different setbacks for amount of stories	Same as allowed in base zone (R1, R2, or R3). Rear yard min. 10'

PROPOSED ZONING CODE AMENDMENTS				
	Zoning District			
Development Standard	Article 3 (R1)	Article 4 (R2)	Article 5 (R3)	Article 5.5 (Dwelling Groups)
	built out, then average setback should apply Accessory Carports may be established 2' into any required setback			
Parking	SFD: Reduce to 1 on-site space (from 2) Duplex: Reduce to 1 on-site per unit (from 1.5)	SFD: Reduce to 1 on-site space (from 2) Duplex: Reduce to 1 on-site per unit (from 1.5) Multi-Family: Remove duplicative off-street parking standards		1/unit, 1 guest space/3 units. Accessory structures allowed per accessory structure setback requirements in base zone.
Other	Insert SB 9 language and requirements Insert requirement that all development must comply with additional or more restrictive criteria of the Ukiah Municipal Airport Land Use Compatibility Plan	Include drought resistant and native plants as constituting the majority of planting selected to align with water efficiency and native plant selection criteria of the Ukiah 2040 General Plan Insert requirement that all development must comply with additional or more restrictive criteria of the Ukiah Municipal Airport Land Use Compatibility Plan	Include drought resistant and native plants as constituting the majority of planting selected to align with water efficiency and native plant selection criteria of the Ukiah 2040 General Plan Insert requirement that all development must comply with additional or more restrictive criteria of the Ukiah Municipal Airport Land Use Compatibility Plan	Dwelling groups may not be rented less than 30 days Dwelling groups not allowed in airport compatibility zones 1, 2, 3, 5 200 square feet/unit of Common Open Space required, up to 60 sf may be private Dwelling units shall be clustered around common open space, not separated by fencing. Primary entry/covered porch encouraged. -Dwelling Group, Cottage -Duplex, Stacked -Duplex, Side by Side -Townhome Included in Ukiah City Code Ch. 2 Article 21 Definitions



AGENDA SUMMARY REPORT

SUBJECT: Consideration of Approval of Reclassification of the Rate and Resource Analyst Position into a Job Series and the Unfreezing of the Assistant Electric Utility Director Position; and Approval of Corresponding Budget Amendment.

DEPARTMENT: Electric Utility

PREPARED BY: Cindy Sauers, Electric Utility Director, Sheri Mannion, H.R. Director/Risk Manager

PRESENTER: Cindy Sauers, Electric Utility Director

ATTACHMENTS:

1. Electric Rate and Resource Analyst Series Job Descriptions
2. Management Unit Salary Schedule

Summary: Council will consider approving a reclassification of the Rate and Resource Analyst position into a job series and unfreezing the Assistant Electric Utility Director position. Council will also consider approval of a corresponding budget amendment.

Background: As part of the overall routine maintenance of the classification and compensation schedules for the City of Ukiah, the Human Resources Department is responsible for evaluating classifications, developing new classifications (including appropriate salary levels), examining salary grade adjustments, and making recommendations for additions, modifications, and/or corrections to classifications and Memoranda of Understanding.

Discussion: In the 2023 budget, the City Council approved the addition of a new position within the Electric Utility Department (EUD) to support rate development and the management of energy resources. Over the past year, the EUD has encountered challenges in recruiting for the Rate and Resource Analyst position and has been unable to attract candidates at this current classification level.

To expand the pool of potential candidates, the Electric Utility Department is requesting Council's approval of a reclassification of this position into a job series, to comprise three levels- Analyst I, Analyst II, and Senior Analyst. Staff believes this approach will offer greater flexibility by allowing the EUD to hire at an entry level with the opportunity for growth and advancement into the Senior Analyst role. The proposed structure mirrors the progression of other Management Analyst roles within the City. Please refer to the attached job descriptions (Attachment 1 - A, B, & C) and the Management Unit Salary Schedule (Attachment 2) for further details.

Additionally, Staff is seeking authorization to unfreeze the Assistant Electric Utility Director position. In 2017, Council approved the reclassification of the Power Engineer position into a series (Power Engineer or Senior Power Engineer) due to the competitive market for engineering professionals. The recent resignation of the current Senior Power Engineer has led the EUD to re-evaluate this position in relation to current operational needs. As a result of this re-evaluation, Staff believes that allowing the option to recruit either an Assistant Electric Utility Director with an engineering degree or a qualified engineering professional who could advance into senior-level roles could again provide a larger pool of candidates to choose from. Only one position will be filled at the appropriate level.

Ultimately, in Staff's opinion the reclassification of the Analyst position and unfreezing of the Assistant Electric Utility Director position are essential steps in ensuring the City has the flexibility needed to attract a larger, more diverse pool of qualified candidates. This flexibility is important to strengthen our team and support the long-term success of the Electric Utility.

To recruit and hire at the Assistant Electric Utility Director level, a budget amendment will be required for an increase of \$53,000. This position has been unfilled for a few years. Based upon a number of salary adjustments that have occurred since that time, the salary for the position has been slightly reduced in order to keep it in line with other Department Head positions (See Management Unit Salary Schedule - Attachment 2).

For all the reasons above, Staff recommends Council approve the reclassification of the Rate and Resource Analyst position into a job series, the unfreezing of the Assistant Electric Utility Director position, and the approval of a corresponding budget amendment.

Recommended Action: Approve reclassification of the Rate and Resource Analyst position into a job series and unfreeze the Assistant Electric Utility Director position; and approve corresponding budget amendment.

BUDGET AMENDMENT REQUIRED: Yes

CURRENT BUDGET AMOUNT: Budgeted at the Senior Power Engineer level \$221,616

PROPOSED BUDGET AMOUNT: \$274,616

FINANCING SOURCE: 80026400

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: Sheri Mannion, Human Resources/Risk Management Director

DIVERSITY-EQUITY INITIATIVES (DEI):N/A

CLIMATE INITIATIVES (CI):N/A

GENERAL PLAN ELEMENTS (GP):N/A

Approved:


Sage Sangiacomo, City Manager



JOB DESCRIPTION

ELECTRIC RATE AND RESOURCE ANALYST I

(Exempt / Management Position)

DEFINITION

Under general direction of the Electric Utility Director, performs detailed analytical work in support of a variety of Electric Utility projects and programs including electric rate development, energy supply and delivery analysis, detailed financial and rate analysis; participates in special studies in support of Electric Utility business; exhibits excellent judgment and decision-making regarding policies and procedures; collaborates with management and co-workers in providing consultation services in areas of Electric Utility expertise; and other related duties as required.

EXAMPLES OF DUTIES

These examples are intended only as illustrations of the various types of work performed in positions allocated to this class. The examples of work performed are neither restricted to nor all-encompassing of the duties to be performed under this job title.

- Gather, compile, tabulate, analyze and report statistical customer billing/usage information.
- Provide day-to-day support to other divisions regarding rates, data gathering and analysis, budgeting, and project management.
- Work with metering and billing personnel, as needed, to calculate customer account corrections.
- Review and confirm calculations associated with monthly large commercial bill processing and customer self-generation.
- Perform validation and auditing of customer rate class assignments and recommend re-assignment in accordance with approved rate schedules.
- Assist in the development of utility rates; monitor revenue and rate schedule performance.
- Develop an in-depth level understanding of the Utility system operation, including generation, transmission and distribution assets, planning requirements and compliance obligations.
- Research and compile data related to other electric utilities and prepare related reports.
- Research, analyze, and make recommendations regarding proposed legislation, regulatory changes, power supply contracts, energy transactions, and current trends that affect the City's position in the energy market.



- Gather data and prepare State and Federal compliance reports.
- Prepare and present staff reports for City Council, boards, and commissions.
- Assist with budget preparation and financial planning by compiling data, preparing and creating financial models and forecasts, and preparing financial reports.
- Perform complex technical and economic analyses; review and create a variety of documents and reports.
- Perform related work as required.

MINIMUM QUALIFICATIONS

Knowledge and Skills:

- Data analysis techniques, including technical, statistical and financial as it relates to electric utility data.
- Technical and professional business writing procedures and techniques.
- Electric utility operating practices and procedures.
- Principles and practices of mathematical and statistical analysis and modeling.
- Principles and practices of budget preparation and public administration.
- Research techniques and documentation methods.

Ability to:

- Create and use excel models and computer applications to analyze large, complex sets of data.
- Identify and interpret technical and numerical information.
- Prepare and give presentations; administer budgets; communicate effectively both orally and in writing.
- Interpret laws, regulations, and policies.
- Maintain record-keeping systems.
- Operate a variety of standard and specialized equipment and software.
- Travel to out-of-town meetings, occasionally with overnight stays.

Education and Experience:

Any combination of experience and education that would provide the required knowledge and ability is qualifying. A typical combination is:

- Possession of a bachelor's degree from an accredited college or university in a highly analytical field, such as engineering, finance, economics, accounting, science, or mathematics.



- Three years of professional experience involving exposure to multiple facets of electric utility rates and business practices; utility billing operation systems; working with databases, spreadsheets and other software applications as it relates to data compilation and analysis for a public agency. Knowledge of Tyler Munis, Electric Utility billing and metering is highly desirable.

Necessary Special Requirements:

- Possession of a valid Class C California Driver's License.

Working Conditions:

- Primarily office environment with some outside site visits and occasionally out-of-town/overnight travel, generally driving a car.
- Essential and marginal functions may require maintaining physical condition necessary for sitting, standing, and walking over uneven ground for prolonged periods of time.
- Using various office equipment, including a computer screen, keyboard, and telephone.
- Lifting up to 30 pounds.



JOB DESCRIPTION

ELECTRIC RATE AND RESOURCE ANALYST II

(Exempt / Management Position)

DEFINITION

Under general direction of the Electric Utility Director, performs detailed analytical work in support of a variety of Electric Utility projects and programs including electric rate development, energy supply and delivery analysis, detailed financial and rate analysis; participates in special studies in support of Electric Utility business; exhibits excellent judgment and decision-making regarding policies and procedures; collaborates with management and co-workers in providing consultation services in areas of Electric Utility expertise; and other related duties as required.

EXAMPLES OF DUTIES

These examples are intended only as illustrations of the various types of work performed in positions allocated to this class. The examples of work performed are neither restricted to nor all-encompassing of the duties to be performed under this job title.

- Gather, compile, tabulate, analyze and report statistical customer billing/usage information.
- Provide day-to-day support to other divisions regarding rates, data gathering and analysis, budgeting, and project management.
- Work with metering and billing personnel, as needed, to calculate customer account corrections.
- Review and confirm calculations associated with monthly large commercial bill processing and customer self-generation.
- Perform validation and auditing of customer rate class assignments and recommend re-assignment in accordance with approved rate schedules.
- Assist in the development of utility rates; monitor revenue and rate schedule performance.
- Develop an in-depth level understanding of the Utility system operation, including generation, transmission and distribution assets, planning requirements and compliance obligations.
- Research and compile data related to other electric utilities and prepare related reports.
- Research, analyze, and make recommendations regarding proposed legislation, regulatory changes, power supply contracts, energy transactions, and current trends that affect the City's position in the energy market.



- Gather data and prepare State and Federal compliance reports.
- Prepare and present staff reports for City Council, boards, and commissions.
- Assist with budget preparation and financial planning by compiling data, preparing and creating financial models and forecasts, and preparing financial reports.
- Perform complex technical and economic analyses; review and create a variety of documents and reports.
- Perform related work as required.

MINIMUM QUALIFICATIONS

Knowledge of:

- Basic knowledge of electric power resources (i.e. generation, transmission, distribution, energy efficiency, energy storage).
- Data analysis techniques, including technical, statistical and financial as it relates to electric utility data.
- Mathematics, statistical, financial and accounting methods for revenue, cost and rate analysis, and methods of graphic presentation.
- Technical and professional business writing procedures and techniques.
- Electric utility operating practices and procedures.
- Principles and practices of mathematical and statistical analysis and modeling.
- Principles and practices of budget preparation and public administration; electric utility personnel management; codes and laws.

Ability to:

- Perform complex professional and analytical work in support of a variety of Electric Utility projects and programs, especially as it relates to customer information services.
- Identify and interpret technical and numerical information.
- Observe and analyze problems; evaluate alternatives and make recommendations in accordance with regulations, operational and technical policies and procedures.
- Create and use database models and computer applications to analyze large, complex data sets.
- Prepare and give presentations; administer budgets; communicate effectively both orally and in writing.
- Interpret laws, regulations, and policies.
- Maintain record-keeping systems.
- Operate a variety of standard and specialized equipment and software.
- Travel to out-of-town meetings, occasionally with overnight stays.
- Establish and maintain cooperative relationships with those contacted during the course of work.

**Education and Experience:**

Any combination of experience and education that would provide the required knowledge and ability is qualifying. A typical combination is:

- Possession of a bachelor's degree from an accredited college or university in a highly analytical field, such as engineering, finance, economics, accounting, science, or mathematics.
- Two years of related electric utility professional experience.

Three years of professional experience involving exposure to multiple facets of electric utility rates and business practices; utility billing operation systems; working with databases, spreadsheets and other software applications as it relates to data compilation and analysis for a public agency. Knowledge of Tyler Munis, Electric Utility billing and metering is highly desirable.

Necessary Special Requirements:

Possession of a Class C California Driver's License

Working Conditions:

- Primarily office environment with some outside site visits and occasionally out-of-town/overnight travel, generally driving a car.
- Essential and marginal functions may require maintaining physical condition necessary for sitting, standing, and walking over uneven ground for prolonged periods of time.
- Using various office equipment, including a computer screen, keyboard, and telephone.
- Lifting up to 30 pounds.



JOB DESCRIPTION

SENIOR ELECTRIC RATE AND RESOURCE ANALYST

(Exempt / Management Position)

DEFINITION

Under general direction of the Electric Utility Director, performs complex and comprehensive analytical work in support of a variety of Electric Utility projects, programs including electric rate development, energy supply and delivery analysis, detailed financial and rate analysis; participates in special studies in support of Electric Utility business; exhibits excellent judgment and decision-making regarding policies and procedures; collaborates with management and co-workers in providing consultation services in areas of Electric Utility expertise; and other related duties including supervision as required.

EXAMPLES OF DUTIES

These examples are intended only as illustrations of the various types of work performed in positions allocated to this class. The examples of work performed are neither restricted to nor all-encompassing of the duties to be performed under this job title.

- Develop utility rates; monitors revenue and rate schedule performance.
- Conduct detailed energy resource planning studies to optimize the City's supply portfolio and provide analysis of electricity and natural gas market price trends and data.
- Research, analyze, and make recommendations regarding proposed legislation, regulatory changes, power supply contracts, energy transactions, and current trends that affect the City's position in the energy market.
- Develop, modify, maintain, and use computer-based models related to power production costs, current market transactions, forecasts of need and supply, and anticipated procurement costs; validate model assumptions and address needed changes in the model planning process, as appropriate.
- Participates with other agencies in the procurement, scheduling, and delivery of electric power and energy requirements to develop recommendations for Director approval.
- Gather data and prepare State and Federal compliance reports.
- Ensure compliance with policies and regulatory requirements, including resource adequacy, risk management, and reliability.
- Develop and maintain records of resource requirements, portfolio, and financial plans.
- Prepare, develop, and analyze various types of data to support Electric Department business activities, administer contracts, and develop agreements related to Utility needs.
- Prepare and present staff reports for City Council, boards, and commissions.



- Participate in various types of record system development, implementation, and performance monitoring of the record system for accuracy.
- Prepare Requests for Proposals (RFP's); evaluate RFP responses and assist with negotiation and drafting of contracts including, Professional Services Agreements and Power Purchase Agreements, and various operational contracts.
- Assist with budget preparation and financial planning by compiling data, preparing and creating financial models and forecasts, and preparing financial reports.
- Perform complex technical and economic analyses; reviews and creates a variety of documents and reports.
- Develop and implement goals, objectives, policies, and procedures related to areas of responsibility.
- Perform research and data development related to position analysis and performance measures.
- Perform related work as required.

MINIMUM QUALIFICATIONS

Knowledge of:

- Methods, techniques, principles, and practices used in power supply planning and contracts, electric economics, risk management, ratemaking, financial planning, and project development/management.
- Knowledge of applicable legislation, regulation, and other compliance requirements.
- Principles and practices of budget preparation and public administration; electric utility personnel management; codes and laws.

Ability to:

- Plan, initiate, and complete work assignments with a minimum of direction; analyze administrative problems, evaluate alternatives, and make creative recommendations; assume control of a project and make sound recommendations; properly interpret and make decisions in accordance with laws, regulations and policies; prepare and write complete and accurate reports.
- Perform skilled work in the areas of planning, evaluation, acquisition, and operation of bulk power supplies and delivery resources; develop electric rate schedules, participate in the budget process, and complete related work as required.
- Prepare and give presentations; administer budgets; communicate effectively both orally and in writing.
- Interpret laws, regulations, and policies.
- Maintain record-keeping systems.
- Operate a variety of standard and specialized equipment and software.
- Travel to out-of-town meetings, occasionally with overnight stays.
- Establish and maintain cooperative relationships with those contacted during the course of work.



Education and Experience:

Any combination of experience and education that would provide the required knowledge and ability is qualifying. A typical combination is:

- Possession of a bachelor's degree from an accredited college or university in a highly analytical field, such as engineering, finance, economics, accounting, science, or mathematics.
- Five years of related electric utility professional experience; two years of related experience and/or supervision.

Necessary Special Requirements:

Possession of a Class C California Driver's License

Working Conditions:

- Primarily office environment with some outside site visits and occasionally out-of-town/overnight travel, generally driving a car.
- Essential and marginal functions may require maintaining physical condition necessary for sitting, standing, and walking over uneven ground for prolonged periods of time.
- Using various office equipment, including a computer screen, keyboard, and telephone.
- Lifting up to 30 pounds.

Management Unit

Salary Schedule

Effective September 29, 2024

Grade	Classification		Step 0	Step 1	Step 2	Step 3	Step 4
2570	Assistant Electric Utility Director	Annual	\$ 180,810.84	\$ 189,851.40	\$ 199,344.00	\$ 209,311.20	\$ 219,776.76
		Monthly	\$ 15,067.57	\$ 15,820.95	\$ 16,612.00	\$ 17,442.60	\$ 18,314.73
		Hourly	\$ 86.93	\$ 91.27	\$ 95.84	\$ 100.63	\$ 105.66
2594	Electric Superintendent	Annual	\$ 168,657.64	\$ 177,090.48	\$ 185,945.04	\$ 195,242.28	\$ 205,004.40
		Monthly	\$ 14,054.80	\$ 14,757.54	\$ 15,495.42	\$ 16,270.19	\$ 17,083.70
		Hourly	\$ 81.09	\$ 85.14	\$ 89.40	\$ 93.87	\$ 98.56
2582	Assistant Finance Director	Annual	\$ 137,421.87	\$ 144,292.92	\$ 151,507.56	\$ 159,082.92	\$ 167,037.12
2571	Senior Power Engineer	Monthly	\$ 11,451.82	\$ 12,024.41	\$ 12,625.63	\$ 13,256.91	\$ 13,919.76
2573	Deputy Director of Public Works	Hourly	\$ 66.07	\$ 69.37	\$ 72.84	\$ 76.48	\$ 80.31
2574	Chief Building Official	Annual	\$ 115,560.78	\$ 121,338.84	\$ 127,405.80	\$ 133,776.12	\$ 140,464.92
2575	Chief Planning Manager	Monthly	\$ 9,630.07	\$ 10,111.57	\$ 10,617.15	\$ 11,148.01	\$ 11,705.41
2589	Senior Civil Engineer	Hourly	\$ 55.56	\$ 58.34	\$ 61.25	\$ 64.32	\$ 67.53
2595	Information Technology Manager						
2637	City Clerk						
2671	Airport Manager						
2674	Fleet & Facilities Maintenance Manager						
2580	Power Engineer	Annual	\$ 102,642.06	\$ 107,774.16	\$ 113,162.88	\$ 118,821.00	\$ 124,762.08
2593	Community Services Supervisor	Monthly	\$ 8,553.50	\$ 8,981.18	\$ 9,430.24	\$ 9,901.75	\$ 10,396.84
2601	Financial Services Manager	Hourly	\$ 49.35	\$ 51.81	\$ 54.41	\$ 57.13	\$ 59.98
2592	Controller						
2622	Housing & Grants Manager						
2572	Senior Electric Rate and Resource Analyst						
2591	Senior Management Analyst						
2620	Associate Engineer	Annual	\$ 95,033.50	\$ 99,785.16	\$ 104,774.40	\$ 110,013.12	\$ 115,513.80
2636	Building Official	Monthly	\$ 7,919.46	\$ 8,315.43	\$ 8,731.20	\$ 9,167.76	\$ 9,626.15
2623	GIS Analyst II	Hourly	\$ 45.69	\$ 47.97	\$ 50.37	\$ 52.89	\$ 55.54
2731	Payroll Administrator						
2621	Planning Manager						
2624	Project and Grants Administrator						
2725	Purchasing Manager						
2588	Senior Information Technology Specialist						
2596	Wastewater Treatment Plant Supervisor						
2598	Water Treatment Plant Supervisor						
2600	Water/Sewer/Streets Maintenance Supervisor						
2689	Billing & Customer Services Manager	Annual	\$ 83,130.42	\$ 87,286.92	\$ 91,651.32	\$ 96,233.88	\$ 101,045.52
2680	Building Maintenance Supervisor	Monthly	\$ 6,927.53	\$ 7,273.91	\$ 7,637.61	\$ 8,019.49	\$ 8,420.46
	Electric Rate and Resource Analyst II	Hourly	\$ 39.97	\$ 41.96	\$ 44.06	\$ 46.27	\$ 48.58
2659	Management Analyst II						
2684	Museum Director						
2686	Parks/Golf Superintendent						
2681	Recreation Supervisor						
2687	Senior Accountant						
2716	Senior Building Inspector						
2710	Associate Accountant	Annual	\$ 72,865.50	\$ 76,508.76	\$ 80,334.24	\$ 84,351.00	\$ 88,568.52
2735	Associate Planner	Monthly	\$ 6,072.13	\$ 6,375.73	\$ 6,694.52	\$ 7,029.25	\$ 7,380.71
2709	Assistant Billing & Collections Manager	Hourly	\$ 35.03	\$ 36.78	\$ 38.62	\$ 40.55	\$ 42.58
	Electric Rate and Resource Analyst I						
2708	GIS Analyst I						
2715	Management Analyst I						



AGENDA SUMMARY REPORT

SUBJECT: Consideration of Approval of Minor Reorganization of Housing and Grants Management Divisions of the Community Development Department; and Approval of Corresponding Budget Amendment.

DEPARTMENT: Community
Development

PREPARED BY: Craig Schlatter, Community Development Director

PRESENTER: Craig Schlatter, Community Development
Director

ATTACHMENTS:

1. Project and Grant Administrator Job Description
2. Management Unit Salary Schedule

Summary: Council will consider approval of a minor reorganization of the Housing and Grants Management Divisions of the Community Development Department; and approval of a corresponding budget amendment.

Background: As part of the overall routine maintenance of the classification and compensation schedules for the City of Ukiah, the Human Resources Department is responsible for evaluating classifications, developing new classifications (including appropriate salary levels), examining salary grade adjustments, and making recommendations for additions, modifications, and/or corrections to classifications and Memoranda of Understanding.

The Community Development Department is comprised of eight divisions - Planning, Building, Housing, Grants Management, Code Enforcement, Fire Prevention, Business Services, and Climate Adaptation and Resilience- and a staff of 12 full-time equivalent (FTE) employees. The Housing Division was created by City Council in Fall 2017. The Grants Management Division was created in Summer 2021. The two Divisions are currently staffed by two full-time positions, a Housing and Grants Manager and a Grants Manager (Management Analyst II), who share the activities and responsibilities of both Divisions.

Since the creation of the Housing Division seven years ago, and especially since the filling of the Housing and Grants Manager position in Fall 2021, the Division has grown from an administration of 1-2 housing-related programs to include multiple CDBG, HOME, Ukiah Housing Trust Fund, and related housing, infrastructure, economic development, public facilities, and planning study projects and programs. At one time during this period, the Division managed 10-15 federal and state grants totaling approximately \$5 million. The Grants Management Division has experienced a similar meteoric expansion in revenue since its creation in 2022, securing multiple grant awards for City departments totaling approximately \$27.5 million.

As the portfolio of grants administered and managed by the two Divisions has grown, the need for project management services for new programs and projects created through secured grants has also increased. For housing and economic development-related services, the Community Development Department has utilized existing personnel capacities across multiple divisions - code enforcement, fire prevention, planning, and building - to successfully implement and manage new programs and projects. The Department's cross-divisional approach for implementation of code enforcement and housing rehabilitation programs has been recognized by the State Department of Housing and Community Development as an innovative model for other communities across the state.

A growing unmet need, however, is project management responsibilities arising from newly secured grants for other City departments and divisions. One recent example of this is the Grants Management Division's securing of a \$5.6 million grant for construction of a broadband fiber optic infrastructure network. Although up to \$500,000 is available over a two-year period for project and construction management services, the City currently has limited in-house capacity to perform these services.

Discussion: To meet the current unmet and anticipated future needs related to project management and housing and grants management services, the Department proposes to add one new FTE Project and Grant Administrator position within the Community Development Department.

In the immediate term, this position would manage the construction of the broadband fiber optic network, which is anticipated to require up to 75% of one FTE position over an 18-month construction period. Gradually during this period, and upon completion of the broadband project, this position would transition into performing more construction and project management activities for other City departments. The position would also still support housing and grants activities within the divisions of Housing and Grants Management. A job description for the new Project and Grant Administrator is attached as Attachment 1. The pay range for the Project and Grant Administrator position, a Management Unit classification, would be \$95,033.50 - \$115,513.80. The Management Unit Salary Schedule is attached as Attachment 2.

The Department proposes to retain the existing positions - Housing and Grant Manager and Grants Manager (Management Analyst) - within both divisions. This would bring the total staffing for the Housing and Grants Management Divisions from two (2) to three (3) FTEs.

Although a budget amendment is required to add the new Project and Grant Administrator position, there is no net cost to the City as current grant revenues are more than adequate to fully fund all existing and future personnel within both divisions. Current "administration-staffing" revenue for the divisions is a total of \$1,350,000 over the next three years, consisting of \$700,000 in implementation funding and \$650,000 in indirect cost revenue.

Staff requests Council approve the minor reorganization of the Housing and Grants Management Divisions of the Community Development Department, as described above, as well as a corresponding budget amendment.

Recommended Action: Approve minor reorganization of the Housing and Grants Management Divisions of the Community Development Department and corresponding budget amendment.

BUDGET AMENDMENT REQUIRED: Yes

CURRENT BUDGET AMOUNT: 0

PROPOSED BUDGET AMOUNT: Expense 20023510 \$75,000; Revenue 20023510.43209 \$75,000

FINANCING SOURCE: Various grants

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: Sheri Mannion, Human Resources/Risk Management Director; Jim Robbins, Housing and Grants Manager

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI): N/A

GENERAL PLAN ELEMENTS (GP): N/A

Approved:


Sage Sangiacomo, City Manager



JOB DESCRIPTION

COMMUNITY DEVELOPMENT / PROJECT AND GRANT ADMINISTRATOR **(Exempt / Management Position)**

DEFINITION

Under the general supervision of the Housing and Grants Manager and Director of Community Development, the Project and Grant Administrator will manage all sizes of capital and grant funded improvement projects, mainly initiated and/or overseen by the Community Development Department but also in support of various City projects and programs. The position will manage all sizes of capital improvement projects from inception to completion. In addition, the position will research and develop funding proposals and volunteer efforts to support programs and capital improvement projects for the City of Ukiah.

EXAMPLES OF DUTIES

These examples are intended only as illustrations of the various types of work performed in positions allocated to this class. The examples of work performed are neither restricted to nor all-encompassing of the duties to be performed under this job title.

- Develop, implement, administer and maintain major and/or projects from program planning through final acceptance of construction and warranty.
- Initiate, prepare and present feasibility studies, complex cost estimates, schedules, and programs for the development of new facilities and the alteration of existing facilities.
- Organize, and direct the planning, design, and preparation of construction drawings, specification, financial analysis, schedules, and estimates for assigned projects.
- Conduct analyses and prepare responses on capital project proposals, and provide on-going reports on projects, attend meetings, and coordinate project work with other City staff and departments.
- Track and monitor all project activities; review work under construction to make sure that all new construction and alteration work being performed by contractors complies with plans, specifications and codes; coordinates the work of multi-disciplinary staff across organizational boundaries.
- Prepare budget reports and cost control analyses; keep projects within approved budgets and schedules; analyze claims and recommend approval of consultant/contract payments.
- Supervise the consultant and contractor selection process. Responsible for fee negotiations and oversight of related contracts.
- Oversee project consultants/contractors and attend meetings at various sites.
- Evaluate the performance of a contractor performing a service under a contract and recommend changes as indicated by quantity and quality of service provided.
- Coordinate and conduct community meetings associated with project(s) and respond to community issues and concerns.
- Conduct presentations to governmental and regulatory agencies, community groups and the City Council.



- Communicate effectively, oral and written, including the preparation and presentation of staff reports.
- Review revenues and expenditures, project status, to ensure proper implementation of funds.
- Coordinate and lead the activities to search, apply, and implement grants/loans that support programs and capital improvement projects for Community Development and other various City departments.
- Write, obtain reviews, and submit letters of intent for grant funds.
- Acquire information from program staff, develop draft narratives and budgets for submission to private and public sources.
- Manage the procurement process as it relates to the expenditure of grant funds.
- Maintain schedule of grant application deadlines and requirements.
- Develop and maintain relationships with funders and maintain funding files.
- Prepare timely reports as required to the granting agencies.
- Ensure full compliance of all proposals with grantor requirements as to content, format, and documentation.
- Collaborate in defining and implementing project funding strategies.
- Conduct interdepartmental meetings to identify and prioritize project needs and coordinate and research grant preparation assignments.
- Confer with personnel affected by proposed program to develop program goals and objectives, outline how funds are to be used, and explain procedures necessary to obtain funding.
- Develop and incorporate outcome measurement standards, evaluation processes, and reporting into all grant proposals.
- Review literature dealing with funds available through grants from governmental agencies and private foundations to determine feasibility of developing programs to supplement local annual budget allocations.
- Coordinate and plan scheduling of activities in accordance of funding guidelines.
- Work flexible hours, including weekends and holidays as required.
- Perform other related duties as assigned.

MINIMUM QUALIFICATIONS

Knowledge and Skills:

- Highly motivated individual with proven success in grant writing and/or project management.
- Excellent writing, editing, research, oral, and organizational skills.
- Computer skills necessary for researching and producing proposals including experience with Microsoft Office Suite applications.
- Knowledge of project and construction management practices, applicable safety standards.
- Knowledge of applicable federal, state and local laws, codes, rules & regulations.
- Knowledge of construction and building practices.
- Knowledge of grant application process and writing.
- Knowledge of various grant programs available to city government.
- Excellent organization skills.
- Excellent interpersonal skills.
- Safe work practices.



Ability to:

- Follow strict deadlines and be highly organized.
- Identifying new sources of funding.
- Work under pressure to meet deadlines for grant opportunities.
- Interpret building plans and construction specifications.
- Develop, write, and implement strategic plans and ability to provide necessary documentation to support grant requirements.
- Take initiative and utilize innovative techniques and ingenuity in preparing funding application.
- Read, interpret, and apply laws, rules, and regulations.
- Plan, prioritize and coordinate multiple projects.
- Gather, analyze, and evaluated a variety of data.
- Participate as a team player to lead and coordinate grant projects.
- Self-motivate.

Education and Experience:

Any combination equivalent to experience and education that could likely provide the required knowledge and abilities would be qualifying. A typical way to obtain these qualifications would be:

- At least three years of increasingly responsible experience in performing research, analysis and project management, as well as grant writing experience.
- A combination of education and experience that could likely provide the required knowledge, skills and abilities to perform the essential functions of the job. Additional coursework or training in project management and grant writing is desirable.

Necessary Special Requirements:

- Possession of a valid Class C California Driver's License.

Management Unit

Salary Schedule

Effective September 29, 2024

Grade	Classification		Step 0	Step 1	Step 2	Step 3	Step 4
2570	Assistant Electric Utility Director	Annual	\$ 181,006.51	\$ 190,056.84	\$ 199,559.64	\$ 209,537.64	\$ 220,014.48
		Monthly	\$ 15,083.88	\$ 15,838.07	\$ 16,629.97	\$ 17,461.47	\$ 18,334.54
		Hourly	\$ 87.02	\$ 91.37	\$ 95.94	\$ 100.74	\$ 105.78
2594	Electric Superintendent	Annual	\$ 168,657.64	\$ 177,090.48	\$ 185,945.04	\$ 195,242.28	\$ 205,004.40
		Monthly	\$ 14,054.80	\$ 14,757.54	\$ 15,495.42	\$ 16,270.19	\$ 17,083.70
		Hourly	\$ 81.09	\$ 85.14	\$ 89.40	\$ 93.87	\$ 98.56
2582	Assistant Finance Director	Annual	\$ 137,421.87	\$ 144,292.92	\$ 151,507.56	\$ 159,082.92	\$ 167,037.12
2571	Senior Power Engineer	Monthly	\$ 11,451.82	\$ 12,024.41	\$ 12,625.63	\$ 13,256.91	\$ 13,919.76
2573	Deputy Director of Public Works	Hourly	\$ 66.07	\$ 69.37	\$ 72.84	\$ 76.48	\$ 80.31
2574	Chief Building Official	Annual	\$ 115,560.78	\$ 121,338.84	\$ 127,405.80	\$ 133,776.12	\$ 140,464.92
2575	Chief Planning Manager	Monthly	\$ 9,630.07	\$ 10,111.57	\$ 10,617.15	\$ 11,148.01	\$ 11,705.41
2589	Senior Civil Engineer	Hourly	\$ 55.56	\$ 58.34	\$ 61.25	\$ 64.32	\$ 67.53
2595	Information Technology Manager						
2637	City Clerk						
2671	Airport Manager						
2674	Fleet & Facilities Maintenance Manager						
2580	Power Engineer	Annual	\$ 102,642.06	\$ 107,774.16	\$ 113,162.88	\$ 118,821.00	\$ 124,762.08
2593	Community Services Supervisor	Monthly	\$ 8,553.50	\$ 8,981.18	\$ 9,430.24	\$ 9,901.75	\$ 10,396.84
2601	Financial Services Manager	Hourly	\$ 49.35	\$ 51.81	\$ 54.41	\$ 57.13	\$ 59.98
2592	Controller						
2622	Housing & Grants Manager						
	Senior Electric Rate and Resource Analyst						
2591	Senior Management Analyst						
2620	Associate Engineer	Annual	\$ 95,033.50	\$ 99,785.16	\$ 104,774.40	\$ 110,013.12	\$ 115,513.80
2636	Building Official	Monthly	\$ 7,919.46	\$ 8,315.43	\$ 8,731.20	\$ 9,167.76	\$ 9,626.15
2623	GIS Analyst II	Hourly	\$ 45.69	\$ 47.97	\$ 50.37	\$ 52.89	\$ 55.54
2731	Payroll Administrator						
2621	Planning Manager						
2624	Project and Grants Administrator						
2725	Purchasing Manager						
2588	Senior Information Technology Specialist						
2596	Wastewater Treatment Plant Supervisor						
2598	Water Treatment Plant Supervisor						
2600	Water/Sewer/Streets Maintenance Supervisor						
2689	Billing & Customer Services Manager	Annual	\$ 83,130.42	\$ 87,286.92	\$ 91,651.32	\$ 96,233.88	\$ 101,045.52
2680	Building Maintenance Supervisor	Monthly	\$ 6,927.53	\$ 7,273.91	\$ 7,637.61	\$ 8,019.49	\$ 8,420.46
	Electric Rate and Resource Analyst II	Hourly	\$ 39.97	\$ 41.96	\$ 44.06	\$ 46.27	\$ 48.58
2659	Management Analyst II						
2684	Museum Director						
2686	Parks/Golf Superintendent						
2681	Recreation Supervisor						
2687	Senior Accountant						
2716	Senior Building Inspector						
2710	Associate Accountant	Annual	\$ 72,865.50	\$ 76,508.76	\$ 80,334.24	\$ 84,351.00	\$ 88,568.52
2735	Associate Planner	Monthly	\$ 6,072.13	\$ 6,375.73	\$ 6,694.52	\$ 7,029.25	\$ 7,380.71
2709	Assistant Billing & Collections Manager	Hourly	\$ 35.03	\$ 36.78	\$ 38.62	\$ 40.55	\$ 42.58
	Electric Rate and Resource Analyst I						
2708	GIS Analyst I						
2715	Management Analyst I						



AGENDA SUMMARY REPORT

SUBJECT: Consideration of Adoption of Resolution Reappointing Alyssa Ballard to the Demolition Permit Review Committee.

DEPARTMENT: City Clerk

PREPARED BY: Kristine Lawler, City Clerk

PRESENTER: Kristine Lawler, City Clerk

ATTACHMENTS:

1. Policy Resolution No. 2014-48
2. Nomination
3. Proposed Resolution

Summary: Council will review and possibly adopt a Resolution reappointing Alyssa Ballard to the Demolition Permit Review Committee.

Background: Resolution No. 2014-48, which sets forth the procedure for filling vacancies on City Commissions and Boards, is attached as Attachment 1.

The position on the Demolition Permit Review Committee for a representative of the Mendocino County Historical Society or other group/organization involved with local history, or a local historian, has been vacant and has been noticed since July 2024. The vacancy notice has been posted in the Office of the City Clerk, the Ukiah Branch of the Mendocino County Library, the Public View Binder, and the Civic Center Glass Case. A second vacancy on the Committee, for a *City of Ukiah resident with expertise in architecture, building, or closely related field* (Resolution No. 2002-34) has been noticed since May 2019.

Discussion: On October 8, 2024, the Clerk's office received an application from Alyssa Ballard seeking reappointment. Ms. Ballard is a member of the Mendocino County Historical Society and a volunteer with the Grace Hudson Museum and the Mendocino County Heritage Network. Councilmember Orozco, being the next in line to make a nomination to the Demolition Permit Review Committee, has nominated Ms. Ballard for appointment (Attachment 2).

Staff recommends that City Council adopt the attached resolution (Attachment 3), reappointing Alyssa Ballard to the *Mendocino County Historical Society or other group/organization involved with local history, or a local historian* position on the Demolition Permit Review Committee.

Recommended Action: Adopt Resolution reappointing Alyssa Ballard to the Demolition Permit Review Committee, with term to expire October 16, 2027.

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: N/A

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI): N/A

GENERAL PLAN ELEMENTS (GP): N/A

Approved:


Sage Sangiacomo, City Manager

RESOLUTION NO. 2014-48

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING PROCEDURE FOR FILLING VACANCIES ON CITY BOARDS AND COMMISSIONS**WHEREAS,**

1. Ukiah City Code 1151 and 1161 provides that members of the Design Review Board and Planning Commission shall be appointed in accordance with a procedure established by resolution of the City Council; and
2. The City Council has determined that using a uniform procedure will insure fair and consistent treatment of candidates and Councilmembers; and
3. The City Council has determined to amend its procedures for appointing board members and commissioners.

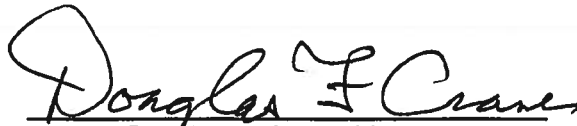
NOW, THEREFORE, BE IT RESOLVED, that the Ukiah City Council hereby adopts the following amended procedure for filling vacancies on the City's boards and commissions:

- The City Council shall develop a pool of applicants for vacancies by posting a general advertisement once a year, preferably in June before the June 30th expirations, in a newspaper of general circulation in Ukiah, and by noticing available vacancies as they occur on the city's website, in the library, on popular social media sites (Facebook and Twitter), and in the glass cabinet located in front of the Civic Center subject to Government Code Section 54970-54974. Applications shall be received, reviewed for eligibility, and brought forward as they are submitted.
- If more applications have been received than position(s) available, the City Council will conduct interviews for the position.
- All applications received shall be kept on file in the City Clerk's office for a period of one (1) year.
- Incumbents seeking reappointment for an additional term only need to complete the contact portion of the application and not the questionnaire.
- City staff seeking appointment in their capacity as City staff and elected officials seeking appointment in their capacity as elected officials do not need to fill out an application.
- **Nominations:** Each Councilmember, including the Mayor, shall have the right to nominate a candidate from the available pool of applicants.
 - a. The right to place a name before the City Council for consideration shall rotate among the Councilmembers based on seniority with the most senior Councilmember going first.
 - b. The Council shall vote on nominations presented.
 - c. A councilmember's right to make a nomination shall rotate to the next most senior Councilmember, once that Councilmember's nomination is approved by a majority vote of the Councilmembers present, or the Councilmember agrees to pass the nomination to the next most senior Councilmember.
 - d. This process for rotating the right to nominate candidates among Councilmembers to fill vacancies shall be followed for each separate board or commission.

1. The City Clerk shall maintain a record of the last Councilmember to make a nomination for each board or commission.
2. When another vacancy must be filled on that board or commission, the next Councilmember in line to make a nomination for that board or commission shall make the first nomination to fill the vacancy.

PASSED AND ADOPTED this 17th day of December, 2014, by the following roll call vote:

AYES: Councilmembers Mulheren, Doble, Brown, Scalmanini, and Mayor Crane
NOES: None
ABSTAIN: None
ABSENT: None


Douglas F. Crane, Mayor

ATTEST:


Kristine Lawler, City Clerk

MEMORANDUM

Date: October 16, 2024
To: Kristine Lawler, City Clerk
From: Juan V. Orozco, Councilmember
Subject: Nomination for Demolition Permit Review Committee

I nominate Alyssa Ballard for the Demolition Permit Review Committee to fill the *Mendocino County Historical Society or other group/organization involved with local history, or a local historian* position, to be considered at the October 16, 2024, Regular City Council meeting.

Signature Juan Orozco

RESOLUTION NO. 2024-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH REAPPOINTING ALYSSA BALLARD TO THE DEMOLITION PERMIT REVIEW COMMITTEE

WHEREAS, the position for a *representative of the Mendocino County Historical Society or other group/organization involved with local history, or a local historian* has been vacant and has been noticed since July, 2024; and

WHEREAS, the vacancy was duly noticed in the Office of the City Clerk, the Ukiah Branch of the Mendocino County Library, the Public View Binder, and the Civic Center Glass Case; and

WHEREAS, the City Clerk’s office received an application from Alyssa Ballard seeking reappointment. She is a member of the Mendocino County Historical Society, a volunteer with the Grace Hudson Museum, and with the Mendocino County Heritage Network; and

WHEREAS, Councilmember Orozco, being the next in line to make an appointment to this committee, has nominated Ms. Ballard for the position.

NOW, THEREFORE, BE IT RESOLVED, that the Ukiah City Council approve the nomination, submitted per procedures outlined in Resolution 2014-48, and does hereby appoint the following person and term:

BOARD/ COMMISSION	NAME	POSITION	NOMINATED BY COUNCILMEMBER
Demolition Permit Review Committee	Alyssa Ballard	Member representative of the Mendocino County Historical Society or other group/organization involved with local history, or a local historian (Term expires October 16, 2027)	Orozco

PASSED AND ADOPTED this 16th day of October 2024, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Douglas F. Crane, Vice Mayor

ATTEST:

Araceli Sandoval, Acting Clerk



AGENDA SUMMARY REPORT

SUBJECT: Consider Adoption of a Resolution to Adopt an Initial Study and Mitigated Negative Declaration for the Construction of a 1.9-Mile Multimodal Trail Segment of the Great Redwood Trail - Ukiah (Phase 4).

DEPARTMENT: Community
Development

PREPARED BY: Katherine Schaefers, Planning Manager

PRESENTER: Katherine Schaefers, Planning Manager; Jesse
Davis, Chief Planning Manager

ATTACHMENTS:

1. Notice of Intent (NOI)
2. Draft Initial Study and Mitigated Negative Declaration - ISMND
3. Public Agency Comments & Staff Response
4. Draft Resolution
5. 12a Presentation given at meeting

Summary: The City Council will conduct a public hearing and consider adoption of a resolution to adopt an Initial Study and Mitigated Negative Declaration for the construction of a 1.9-mile multimodal trail segment of the Great Redwood Trail (GRT) - Ukiah (Phase 4).

Background: In 1999, the City of Ukiah began to plan a new Class I trail facility (a paved right-of-way for bicycles and pedestrians), adjacent to the Northwestern Pacific (NWP) railroad tracks in the North Coast Railroad Authority (NCRA) right-of- way corridor. The trail concept first appeared in the City's 1999 Bicycle Master Plan. The planning for the overall NWP Rail Trail Project was further advanced in the 2002 Rail Trail Feasibility Study, and the Project was ranked as the highest priority in the Bicycle Master Plan in the 2006 Mendocino County Regional Bikeway Plan.

In 2012, the City approved the first phase of the project, which was the first rail-with-trail project to be designed and constructed within the NCRA right-of-way in Mendocino County. Phase 1 was completed in 2015, and in that same year, the Ukiah Bicycle & Pedestrian Master Plan was adopted by the City Council, furthering the City's efforts for a holistic transportation system. In 2018, the City approved the construction documents for Phases 2 and 3 of the Great Redwood Trail - Ukiah. Construction commenced in the winter of 2019 and was completed by the spring of 2020. In June 2020, the Ukiah City Council officially designated the trail as a recreation/park facility and renamed it the 'The Great Redwood Trail – Ukiah'. Later that year, the City adopted the Great Redwood Trail - Ukiah Linear Park Master Plan to evaluate ancillary trail features and uses.

In May 2021, the City was awarded an Urban Greening Grant from the California Natural Resources Agency to construct the Phase 4 segment of the Great Redwood Trail – Ukiah. In September 2021, the City Council awarded a professional services agreement to prepare the plans and specifications for Phase 4, which was subsequently amended in 2022. A contract was awarded by the City Council for the construction of Phase 4 in May 2024 to Granite Construction.

Phase 4 will construct a 1.9-mile multimodal trail segment of the Great Redwood Trail (GRT) in the south of Ukiah. The trail will provide a walking and biking facility from the existing southern terminus of the GRT-Ukiah at Commerce Drive to existing municipal facilities at Plant Road that will be improved to feature a small

parking area and trail head with seating and recreational amenities. In addition to the safety and connectivity improvements, the trail would provide opportunities for enhanced access to the GRT-Ukiah, as the Project would cross Airport Road and Norgard Lane, and include the proposed construction of two (2) pedestrian access points to Panda Express and the Holiday Inn parking lot within the Redwood Business Park. The proposed pathway would meander within the Great Redwood Trail Agency right-of-way and consist of a 10-foot wide asphalt concrete paved pedestrian and bicycle facility, with 2-foot-wide-gravel shoulders on either side, for a total width of 14 feet, paralleling the existing railroad tracks.

Originally, Phase 4 of the GRT - Ukiah was intended to be located on the centerline of the tracks, but the City of Ukiah elected to shift the alignment to the east side of the tracks based on concerns that rail-banking for this corridor would not be approved by the California Public Utilities Commission (CPUC) in a timely manner. To date, the lack of rail-banking remains an obstacle to the development of the GRT-Ukiah, as well as other segments of the GRT outside Ukiah. The result of shifting Phase 4 to the east of the tracks introduced several additional design and environmental requirements. In 2024, prior to commencing construction, it was determined that further environmental analysis under the California Environmental Quality Act (CEQA) was required to address the needs and considerations of agencies having jurisdiction.

On August 29, 2024, the City of Ukiah circulated Attachment 1, a Notice of Intent (NOI), commencing a 30-day period to identify environmental issue and areas potentially affected if the project were to be implemented. For the most part, the issues identified were generally related to grading, drainage, tree removal and wetland preservation. Nearly all of these considerations were interwoven into the project design, and agency permitting was addressed through additional contracts for environmental services and monitoring in 2023. The selected design for Phase 4 is proposed pursuant to the previously adopted rail-with-trail policy of the former North Coast Railroad Authority (NCRA), and thus can be constructed and operated adjacent to the existing railroad tracks without necessitating the abandonment or rail-banking of the subject property prior to approval.

More information about the Project can be found on the City of Ukiah weblink: <https://cityofukiah.com/great-redwood-trail-ukiah-phase-4/>

Discussion: As described within the Draft Initial Study and Mitigated Negative Declaration - ISMND (Attachment 2), the Project involves application for an Encroachment Permit to the Great Redwood Trail Agency (GRTA) to construct a 1.9 mile multimodal trail segment of the GRT - Ukiah (Phase 4). The Project will provide a Class 1 paved walking and biking facility from the existing southern terminus of the GRT - Ukiah at Commerce Drive to existing municipal facilities at Plant Road that will be improved to feature a small parking area and trailhead with seating and limited recreational amenities, such as tables. In addition to safety and connectivity improvements, the trail would provide opportunities for enhanced access to the GRT – Ukiah, as the Project would cross Airport Road and Norgard Lane and include the construction of two (2) pedestrian access points to commercial entities within the Redwood Business Park. No trail lighting is included, but lighting at the road crossings will be provided. Associated appendices for the ISMND are available for review via the aforementioned weblink.

The Project is located fully within a former railroad corridor that traverses residential, industrial, agricultural and commercial areas within and adjacent to the City of Ukiah, as well as areas within and adjacent to the County of Mendocino. The site is mostly flat with a 0 to 2 percent slope. While some naturalized areas remain along the trail, such as wetlands or valley oak woodlands, numerous segments appear highly disturbed, featuring substantial amounts of detritus and evidence of disturbance from encampments. These are located adjacent to public facilities, such as the Ukiah Municipal Airport.

The Great Redwood Trail - Ukiah is a designated park/recreation facility per Ukiah City Code §1965(C), and although not zoned, the project area is adjacent to a mixture of commercial, public facilities, residential and manufacturing uses. Nearly all the land adjacent to the Project, however, is under the ownership of the City, including the Ukiah Municipal Airport, recently annexed City-owned parcels south of Norgard Lane and north of the City's Wastewater Treatment Facility, an undeveloped parcel with frontage along Airport Park Boulevard, as well as three (3) parcels at the terminus of Airport Road.

The City in conjunction with its technical consultants prepared field work and studies to determine potential habitat and aquatic features, submitted necessary permit applications, and undertook coordination with the following regulatory agencies: U.S. Army Corps of Engineering (USACE) Clean Water Act (CWA) Section 404 permit – North Coast Regional Water Quality Control Board (NCRWQCB) Section 401 Water Quality Certification – California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement.

Both prior to and during the public review period, Staff received comments from representatives of GRTA, CDFW, Pacific Gas & Electric, the Northwest Information Center (NWIC), and the Native American Heritage Commission (NAHC). These comments from public agencies and entities are included in Attachment 3. Staff responses to comments from the GRTA and CDFW are also included in Attachment 3.

No substantive changes have been made since the Draft ISMND was circulated for public review. As such, Staff recommends the City Council approve the adoption of a Resolution (Attachment 4) to adopt the Initial Study and Mitigated Negative Declaration for the construction of a 1.9-mile multimodal trail segment of the Great Redwood Trail - Ukiah (Phase 4).

Recommended Action: Conduct a public hearing; and adopt the resolution adopting an Initial Study and Mitigated Negative Declaration for the construction of a 1.9-mile multimodal trail segment of the Great Redwood Trail (GRT) - Ukiah (Phase 4).

BUDGET AMENDMENT REQUIRED: No

CURRENT BUDGET AMOUNT: \$2,991.75 (CEQA - Environmental Document Filing Fees)

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: 51124210.80230.18253 (Great Redwood Trail - Phase 4)

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: Tim Eriksen, Director of Public Works / City Engineer; Jesse Davis, Chief Planning Manager

DIVERSITY-EQUITY INITIATIVES (DEI): Goal 5 – Instill diversity, equity, and inclusion as essential core elements of policy-making, accountability, and delivery of City services.

CLIMATE INITIATIVES (CI): 2b – Encourage active transportation as a viable alternative to automobiles. 2d – Continue to expand the Great Redwood Trail – Ukiah. 4a – Implement nature-based climate solutions. 7a – Expand sustainable water practices.

GENERAL PLAN ELEMENTS (GP): MOB 1-2 (Multi-modal Access); MOB 1-9 (Bikeway Network); MOB-2.3 (Pedestrian Facilities).

Approved:


Sage Sangiacomo, City Manager



City of Ukiah
Notice of Public Hearing and Intent to Adopt a
Mitigated Negative Declaration for
Great Redwood Trail - Ukiah (Phase 4)

NOTICE IS HEREBY GIVEN that a Draft Initial Study/Mitigated Negative Declaration (ISMND) under the California Environmental Quality Act has been prepared and is available for public review. A public hearing has been tentatively scheduled to consider adoption of the ISMND. See below.

PROJECT DESCRIPTION: The Project will construct a 1.9 multi-modal trail segment of the Great Redwood Trail (GRT) in the south of Ukiah. The trail will provide a walking and biking facility from the existing southern terminus of the GRT at Commerce Drive to existing municipal facilities at Plant Road that will be improved to feature a small parking area and trail head with seating and recreational amenities. In addition to the safety and connectivity improvements, the trail would provide opportunities for enhanced access to the GRT, as the Project would cross Airport Road and Norgard Lane, and includes the proposed construction of two (2) pedestrian access points to Panda Express and the Holiday Inn parking lot within the Redwood Business Park. The proposed pathway would meander within the Great Redwood Trail Agency right-of-way and consist of a 10-foot-wide asphalt concrete paved pedestrian and bicycle facility, with 2-foot-wide-gravel shoulders on either side, for a total width of 14 feet, paralleling the existing railroad tracks.

PROJECT LOCATION: Rail corridor from Commerce Drive to Plant Road

PROJECT IMPACTS: The Draft ISMND has been prepared for the Project and is available for public review from **August 29, 2024, through September 27, 2024**. The ISMND is intended to analyze the impacts associated with constructing the trail, in accordance with CEQA. The ISMND will be reviewed by City Council for final consideration. As described throughout the ISMND, construction of the trail would result in temporary impacts to air quality, biological resources and wetlands. However, with the implementation of the mitigation measures listed within the ISMND, all impacts would be reduced to less than significant. The ISMND and associated documents can be found online at: <http://www.cityofukiah.com/ceqa-review/> or at the Community Development Department, 300 Seminary Avenue, Ukiah, CA 95482. Written public comments may be submitted to Michelle Irace, Planning Manager via email at kschaefers@cityofukiah.com or via mail at the aforementioned address.

HEARING DATE/TIME: On **Wednesday, October 16 at 5:30 p.m.** or soon thereafter, the Ukiah City Council will conduct a public hearing and consider adoption of the ISMND. The meeting will take place both in-person at the Civic Center Council Chambers, located at 300 Seminary Ave., Ukiah, CA, and via teleconference. Teleconference attendance details will be included on the agenda posted to the City website, <http://www.cityofukiah.com/meetings/> and at the Civic Center Agenda Board no less than 72 hours prior to the meeting.

IF YOU CANNOT ATTEND: Written comments may be submitted via email or mail to the Planner listed below, or in person prior to the hearing at the Community development Department, located at 300 Seminary Avenue, Ukiah, CA 95482. Office hours: 8:00 am to 12:00 pm and 1:00 pm to 5:00 pm, Monday through Friday.

FOR MORE INFORMATION: Interested parties may contact Katherine Schaefer, Planning Manager (707) 463-6203 or kschaefers@cityofukiah.com ; or visit the Community Development Department, located at 300 Seminary Ave. Office hours: 8:00 am to 12:00 pm and 1:00 pm to 5:00 pm, Monday through Friday.

ADA ACCOMMODATION: If you plan to attend the public hearing and need a special accommodation because of a sensory or mobility impairment/disability, or have a need for an interpreter, please contact Kristine Lawler, City Clerk, at (707) 463-6217 or cityclerk@cityofukiah.com



**CEQA Initial Study for:
Great Redwood Trail – Ukiah (Phase 4)
Mitigated Negative Declaration
August 29, 2024**

SCH No: 2024081302

Prepared by:

**City of Ukiah
Community Development Department
Planning Division
300 Seminary Avenue, Ukiah, CA 95482
www.cityofukiah.com/community-development/planning-services/**

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I. PROJECT INFORMATION

Project Title: Great Redwood Trail – Ukiah (Phase 4)
Lead Agency Address and Phone Number: City of Ukiah Community Development Department 300 Seminary Avenue Ukiah, California 95482
CEQA Contact Person and Phone Number: Katherine Schaefer, Planning Manager City of Ukiah, Community Development Department (707) 463-6203 KSchaefer@cityofukiah.com
Applicant: City of Ukiah
Property Owner: Great Redwood Trail Agency (GRTA)
Project Location: Approximately 1.9 miles of inactive rail corridor between Commerce Drive and Plant Road, primarily within the City of Ukiah.
General Plan Designation: The Great Redwood Trail - Ukiah is a designated park/recreation facility per Ukiah City Code §1965(C), and although not provided a General Plan Land Use Designation, the project area is adjacent to a mixture of commercial, public facility, residential and manufacturing uses.
Zoning Designation: The Great Redwood Trail - Ukiah is a designated park/recreation facility per Ukiah City Code §1965(C), and although not zoned, the project area is adjacent to a mixture of commercial, public facility, residential and manufacturing uses.

II. INTRODUCTION

1. Purpose of the Initial Study Checklist

The purpose of this Initial Study (IS) is to determine the environmental impacts associated with the proposed project and to determine if the project will have a significant adverse effect on the environment. As such, only one option—the proposed project—need be evaluated. If the IS reveals that the project will have a significant adverse effect on the environment, an Environmental Impact Report (EIR) will be required. This will necessitate the consideration of a range of reasonable alternatives that would achieve most of the basic objectives of the project but would also avoid or substantially lessen any of the significant effects of the project.

The purpose of this project is to complete the Great Redwood Trail – Ukiah within city limits, creating a safe and efficient corridor for bicycle and pedestrian traffic, and providing direct non-vehicular access to major employment centers, public services, shopping areas, residential neighborhoods, and the future Mendocino County Courthouse.

2. Initial Study Checklist Document

This document in its entirety is an Initial Study Checklist prepared in accordance with the California Environmental Quality Act (CEQA), including all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

Section 15063(d) of the State CEQA Guidelines states the content requirements of an Initial Study as follows:

1. A description of the project including the location of the project.
2. An identification of the environmental setting.
3. An identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries.
4. A discussion of the ways to mitigate the significant effects identified, if any.
5. An examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls; and
6. The name of the person or persons who prepared or participated in the Initial Study.

III. PROJECT BACKGROUND

1. Project History

In 1999, the City of Ukiah began to plan a new Class I trail facility (a paved right-of-way for bicycles and pedestrians), adjacent to the Northwestern Pacific (NWP) railroad tracks in the North Coast Railroad Authority (NCRA) right-of-way corridor. The trail concept first appeared in the City's 1999 Bicycle Master Plan. The planning for the overall NWP Rail Trail Project was further advanced in the 2002 Rail Trail Feasibility Study, and the project was ranked as the highest priority in the Bicycle Master Plan in the 2006 Mendocino County Regional Bikeway Plan. In 2012, the City approved the first phase of the project, which was the first rail-with-trail project to be designed and constructed within the NCRA right-of-way in Mendocino County. Phase 1 was completed in 2015, and in that same year, the Ukiah Bicycle & Pedestrian Master Plan was adopted, furthering the City's efforts for a holistic transportation system. In 2018, the City of Ukiah approved the construction documents for Phases 2 and 3 of the Great Redwood Trail - Ukiah. Construction commenced in the winter of 2019 and it was completed by the spring of 2020. In June 2020, the Ukiah City Council officially designated the trail as a recreation/park facility and renamed it the 'The Great Redwood Trail – Ukiah'. Later that year, the City adopted the Great Redwood Trail - Ukiah Linear Park Master Plan to evaluate ancillary trail features and uses.

In May 2021 the City was awarded an Urban Greening Grant from the California Natural Resources Agency to construct Phase 4 segment of the Great Redwood Trail – Ukiah. In September 2021, the City Council awarded a professional services agreement to prepare the plans and specifications for Phase 4, which was subsequently amended in 2022. A contract was awarded by the City Council for the construction of Phase 4 in May 2024.

2. Project Location

The Project "Great Redwood Trail – Ukiah (Phase 4)" is located within an inactive 1.9-mile segment of railroad corridor/right-of-way subject to the jurisdiction of the Great Redwood Trail Agency (GRTA), formerly North Coast Railroad Authority (NCRA), between Commerce Drive and Plant Road with portions within the City of Ukiah incorporated area and the County of Mendocino unincorporated area. For an overview of the GRT- Ukiah Phases 1-4, refer to Exhibit 1. Phase 1 of the GRT- Ukiah stretches from Clark Avenue to Gobbi Street. Phase 2 runs from Gobbi Street south to Commerce Drive, and Phase 3 from Clark Avenue north to Brush Street.

3. Project Description

The Project involves application for an Encroachment Permit to the Great Redwood Trail Agency (GRTA) to construct a 1.9 multimodal trail segment of the GRT - Ukiah (Phase 4). The Project will provide a Class 1 paved walking and biking facility from the existing southern terminus of the GRT - Ukiah at Commerce Drive to existing municipal facilities at Plant Road that will be improved to feature a small parking area and trailhead with seating and limited recreational amenities, such as tables. In addition to safety and connectivity improvements, the trail would provide opportunities for enhanced access to the GRT – Ukiah, as the Project would cross Airport Road and Norgard Lane, and includes the proposed construction of two (2) pedestrian access points to commercial entities within the Redwood Business Park. No trail lighting is included, only lighting at the road crossings will be provided.

The proposed pathway would meander within the GRTA right-of-way and consist of a 10-foot-wide asphalt concrete paved Class I facility, with 2-foot-wide gravel shoulders on either side, for a total width of 14 feet and will parallel the existing track, which is proposed to remain (See Appendix A – Phase 4: GRT - Ukiah Plan Sheets).

The Project's application materials are on file with the City of Ukiah Community Development Department, located at 300 Seminary Avenue, Ukiah, CA 95482 and are hereby incorporated by reference.

4. Project Elements

Key Project elements are summarized below:

Trail Construction

The meandering pathway would consist of a 10-foot-wide asphalt concrete Class 1 facility, with 2-foot-wide gravel shoulders on either side, for a total width of 14 feet. The pathway will be, at minimum, offset by 10 feet from the railroad centerline as required per GRTA Design Guidelines. A variety of equipment is proposed for use to construct the Project, including graders, bulldozers, excavators, cranes, trucks to remove dirt and deposit base and asphalt, asphalt paving machines, compacters for base, soil and asphalt, stripers, and concrete trucks and pumpers to pump concrete into forms. Staging would occur within the railroad right-of-way, at least 50 feet away from the wetlands and the top bank of waters for any associated riparian area.

Grading would need to occur along the entire trail alignment to achieve accessible slopes and suitable trail width. Similarly, fill would be placed and compacted along the alignment to establish the trail's foundation. Grading permits would be obtained through the City and County, as needed. The civil grading design in the wetland impacted areas utilizes a more conservative interpretation of the wetland criteria. Grading activities were planned to maintain a specific area to encourage ponding and wetland generation to mitigate potential impacts engendered by construction activities.

Originally, Phase 4 of the Ukiah GRT was intended to be located on the centerline of the tracks, but the City of Ukiah elected to shift the alignment to the east side of the tracks based on concerns that railbanking would not be approved by the California Public Utilities Commission (CPUC). The result of shifting the trail to the east of the tracks introduced several additional design and environmental requirements. These issues are generally related to grading, drainage, structural integrity, tree removal and wetlands. These issues are interwoven with the environmental and resource agency permitting. The trail segment was designed pursuant to the previously adopted rail-with-trail policy of the former North Coast Railroad Authority and thus can be constructed and operated adjacent to the existing railroad tracks without necessitating the abandonment or railbanking of the subject property prior to approval.

Trail Bridges

Shifting the trail to the east of the tracks meant designing two new bridges, including efforts to coordinate the bridge foundations and related grading with existing nearby utilities. Crossings over riparian drainages identified as D1 and D2 within Appendix B (Aquatic Resource Report) will be clear spanned with pre-manufactured bridges set in place with a crane. The deck of the D1 bridge is approximately 200 square feet, while D2 is approximately 160 square feet. The deck will be concrete and 14 feet wide. Concrete footings will be cast in place 3 to 7 feet below grade and beyond the top of bank. No in-water work will be required to construct bridges.

Culvert Extensions

Culvert extensions will occur at drainages D3, D4, and D5, extending approximately 15 feet, 13 feet, and 16 feet respectively. Each culvert extension will require downstream erosion control features. As proposed, existing drainage structures such as culverts would be extended to promote drainage of the trail facility and ensure the railroad would not be adversely affected by Project-related drainage.

Trailhead Development

Trailhead improvements near Plant Road would include signage, bicycle parking, striping for parking, and additional trail amenities such as benches, shade structures, picnic tables, and landscaping. The design includes demolition of the existing parking lot, and new paving and parking layout to accommodate the trail to the east of the tracks

Tree & Vegetation Removal

Limited tree and vegetation removal would be required for construction of the Project. If vegetation removal (e.g., clearing and grubbing) or other project-related activities must occur during the nesting season (typically March 15 to September 1), a qualified Biologist has been identified to survey for active bird nests within seven (7) days prior to the beginning of project-related activities. Additionally, mitigation and monitoring reports will be prepared and submitted annually for five years following implementation. Any replacement or newly planted trees will be monitored for 5 years. Annual reports will be submitted to the Regional Water Board by January 31 of each year following construction.

Pedestrian Trail Connections

Two ADA compliant pedestrian trail connections will be constructed, consisting of an ADA compliant ramp, as well as stairs. They would be approximately 600 feet south of Commerce Drive in the Panda Express parking lot and 1,600 feet south of Commerce Drive in the Holiday Inn parking lot. The trail would be integrated into public existing at-grade crossings with bulb-outs/curb extensions, lighting, crosswalk enhancements, signage, and/or other improvements.

Tribal Consultation

On August 8, 2024, a letter was sent to the Native American Heritage Commission (NAHC) requesting a current SB 18 and AB52 Native American Contact List for the project vicinity. On August 12, 2024, the NAHC provided a list of 31 tribal contacts within the greater Mendocino and Lake County vicinity surrounding Planning Area. The NAHC also indicated that a Sacred Lands File check was positive for a potential Pinoleville Pomo Nation tribal cultural resource within the greater Mendocino and Lake County vicinity. In accordance with AB 52, both the Guidiville Rancheria, who had requested to be notified of projects within the City of Ukiah's jurisdiction, and the Pinoleville Pomo Nation, were sent a formal letter and project materials on August 13, 2024. As of the drafting of this Initial Study, no request for consultation has yet been received.

Public and Agency Input

During the preparation of this draft ISMND, a memorandum from Dave Anderson, PE, representing the GRTA, was received on July 23, 2024. The memorandum requests changes to the Project's Plan Sheets and Special Provisions (Appendices A and D of this draft ISMND) and raises questions on project features and design. The memorandum will be included in the draft ISMND circulation and addressed in the final Initial Study.

In addition, on August 28, 2024, a report from the Northwest Information Center (NWIC) was received indicating that previously recorded historic resources and unrecorded archaeological sites may be present within the Project area. The historical resources would likely be associated with the main stem railroad line, P-23-0003363, the Northwestern Pacific Railroad. NWIC recommends that, prior to commencement of project activities, P-23-0003363 should be assessed by a qualified professional

familiar with the architecture and history of Mendocino County. In addition, due to the lack of full and current archaeological survey coverage, archival and field studies for the entire project are recommended to be performed by a qualified archaeologist to identify any unrecorded archaeological resources.

Currently, the Great Redwood Trail Agency (GRTA) is developing a Great Redwood Trail Master Plan and associated program Environmental Impact Report (PEIR) for the Great Redwood Trail traversing Mendocino, Trinity and Humboldt counties. The PEIR process analyzes comprehensive environmental effects, including those of archaeological and cultural significance. Therefore, these NWIC results will be uploaded along with this draft ISMND and forwarded to the Great Redwood Trail Agency (GRTA) for commentary regarding the historical rail line within the Project area, and any cumulative impacts regarding archaeological or tribal cultural resources within the area.

Regulatory Permits

In order to construct the project, Staff determined that permits from the California Department of Fish and Wildlife, Regional Water Quality Control Board, and United States Army Corps of Engineers may be required. The City in conjunction with its technical consultants prepared field work and studies to determine potential habitat and aquatic features, submitted necessary permit applications, and undertook subsequent coordination with the following regulatory agencies.

- U.S. Army Corps of Engineering (USACE) Clean Water Act (CWA) Section 404 permit
- North Coast Regional Water Quality Control Board (NCRWQCB) Section 401 Water Quality Certification
- California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement

Existing Site Conditions/Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "...the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced..." (CEQA Guidelines §15125[a]).

The Project is located within a former railroad corridor that traverses residential, industrial, agricultural and commercial areas within and adjacent to the City of Ukiah, as well as areas within and adjacent to the County of Mendocino. The site is mostly flat with a 0 to 2 percent slope. While some naturalized areas remain along the trail, such as wetlands or valley oak woodlands, numerous segments appear highly disturbed, featuring substantial amounts of detritus and evidence of disturbance from encampments (See Appendix B Aquatic Resources Report).

The Great Redwood Trail - Ukiah is a designated park/recreation facility per Ukiah City Code §1965(C), and although not zoned, the project area is adjacent to a mixture of commercial, public facility, residential and manufacturing uses. Nearly all the land adjacent to the Project, however, is under the ownership of the City of Ukiah, including the City of Ukiah Municipal Airport, recently annexed City-owned parcels south of Norglard Lane and north of the City's Wastewater Treatment Facility, an undeveloped parcel with frontage along Airport Park Boulevard, as well as three (3) parcels at the terminus of Airport Road.

EXHIBIT 1: City of Ukiah – Great Redwood Trail Phases

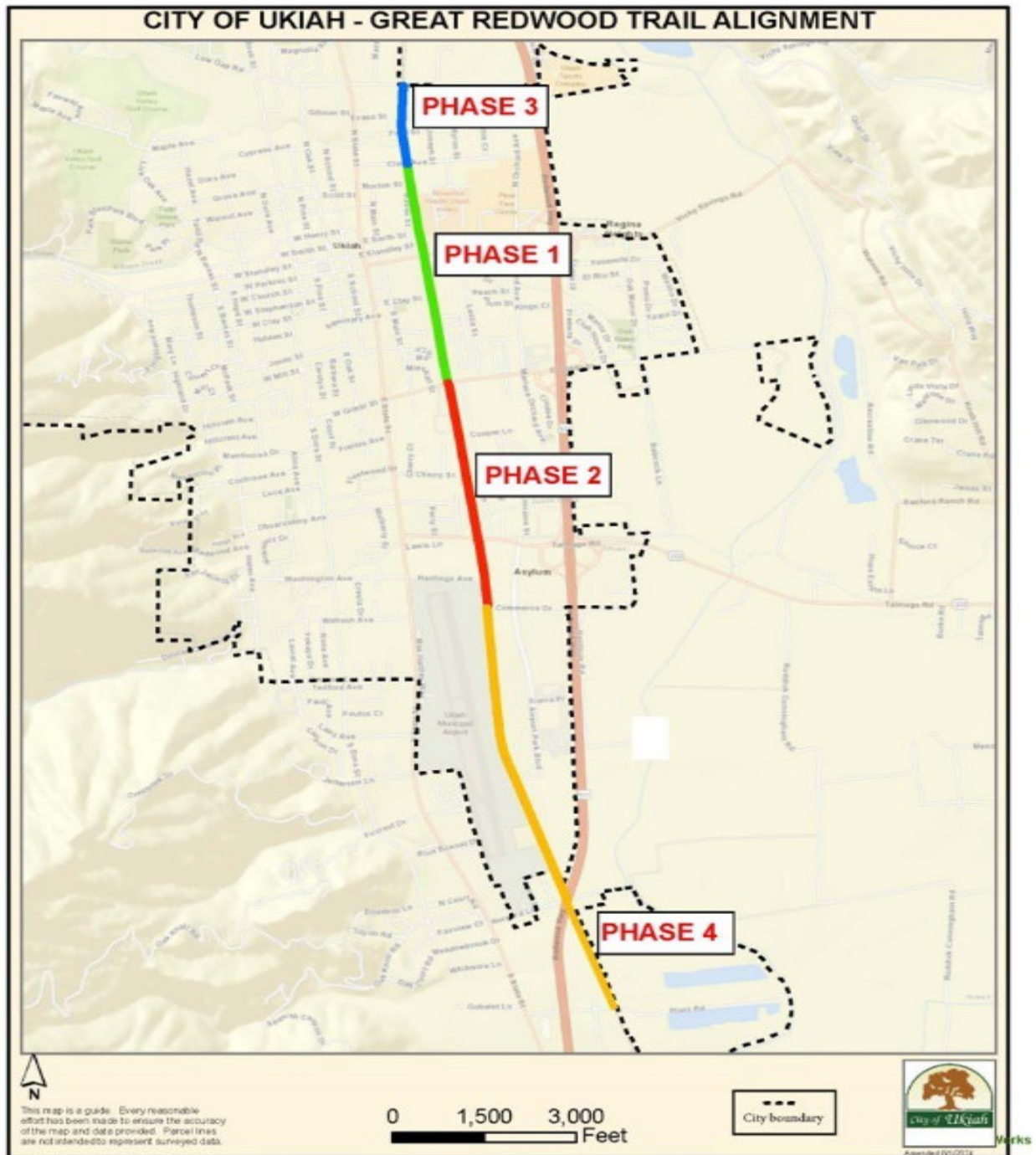
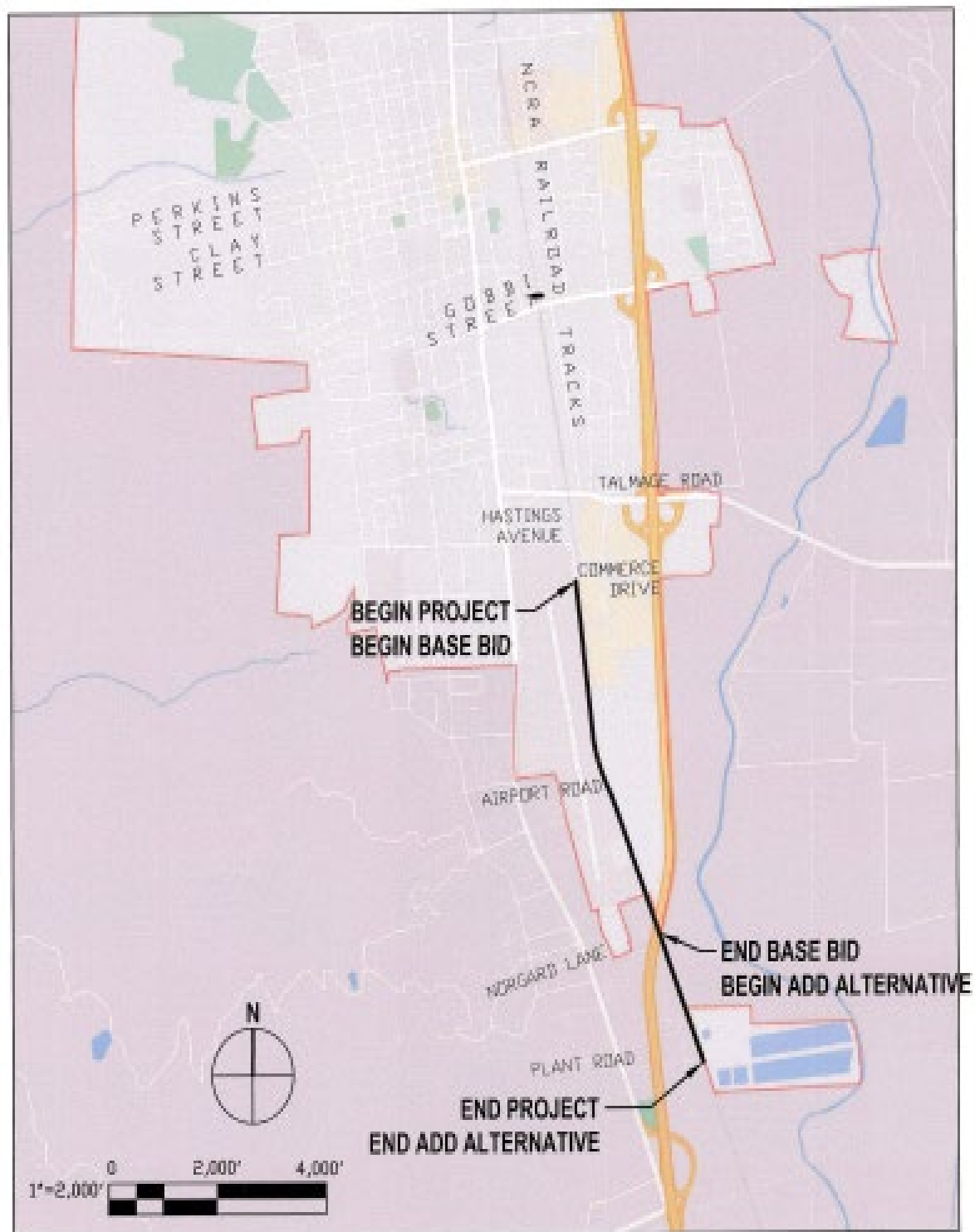


EXHIBIT 2: SITE PLAN



IV. EVALUATION OF ENVIRONMENTAL IMPACTS

Purpose of the Initial Environmental Study: This Initial Study Checklist has been prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. The Project is evaluated based on its potential effect on 20 environmental factors categorized as follows, as well as Mandatory Findings of Significance:

- | | |
|-------------------------------------|-----------------------------------|
| 1. Aesthetics | 11. Land Use and Planning |
| 2. Agriculture & Forestry Resources | 12. Mineral Resources |
| 3. Air Quality | 13. Noise |
| 4. Biological Resources | 14. Population & Housing |
| 5. Cultural Resources | 15. Public Service |
| 6. Energy | 16. Recreation |
| 7. Geology & Soils | 17. Transportation |
| 8. Greenhouse Gas Emissions | 18. Tribal Cultural Resources |
| 9. Hazards & Hazardous Materials | 19. Utilities and Service Systems |
| 10. Hydrology & Water Quality | 20. Wildfire |

Each factor is analyzed by responding to a series of questions pertaining to the impact of the Project on said factor in the form of a checklist. This Initial Study Checklist provides a manner to analyze the impacts of the Project on each factor in order to determine the severity of the impact and determine if mitigation measures can be implemented to reduce the impact to less than significant without having to prepare an Environmental Impact Report.

CEQA also requires Lead Agencies to evaluate potential environmental effects based, to the extent possible, on scientific and factual data. A determination of whether or not a particular environmental impact will be significant must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

The effects of the Project are then placed in the following four categories, which are each followed by a summary to substantiate why the Project does not impact the factor with or without mitigation. If “Potentially Significant Impacts” that cannot be mitigated are found, then the Project does not qualify for a Mitigated Negative Declaration and an Environmental Impact Report must be prepared.

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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No Impact: No impact(s) identified or anticipated. Therefore, no mitigation is necessary.

Less than Significant Impact: No significant impact(s) identified or anticipated. Therefore, no mitigation is necessary and no mitigation measures are required.

Less than Significant Impact with Mitigation Incorporated: Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.

Potentially Significant Impact: Potentially significant impact(s) have been identified or anticipated that cannot be mitigated to a level of insignificance. An Environmental Impact Report must therefore be prepared.

1. Aesthetics

AESTHETICS.				
Except as provided in Public Resources Code Section 21099, would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Significance Criteria: Aesthetic impacts would be significant if the Project resulted in the obstruction of any scenic vista open to the public, damage to significant scenic resources within a designated State scenic highway, substantial degradation to the existing visual character or quality of the site and its surroundings from public views, or generate new sources of light or glare that would adversely affect day or nighttime views in the area, including that which would directly illuminate or reflect upon adjacent property or could be directly seen by motorists or persons residing, working or otherwise situated within sight of the Project.

Environmental Setting: Scenic vistas as typically described as areas of natural beauty with features such as topography, watercourses, rock outcrops, and natural vegetation that contribute to the landscape's quality. Views of expansive hillsides, mostly within the County's jurisdiction, surround the City. Some hillsides are densely forested with evergreen trees, while others are relatively open in comparison, dominated by mature oak trees set amid scrub and grasslands. Specific to vistas within the City limits, one of the most notable are views of the Western Hills, rising above the valley floor on the west side of Ukiah. Views within the City of Ukiah include those typical of existing residential and commercial development. In addition, some views of agricultural land uses within the City limits, or immediately outside of City limits, are available. The California Department of Transportation (Caltrans) identifies U.S. Highway 101 through the entire Ukiah Valley as a local scenic corridor but no officially designated State scenic highways occur within the City limits.

From the Project site, partial views of the Western Hills are available in the background to the west, while views of trees, riparian plants, seasonal wetlands, and commercial, industrial, and some agricultural development along the Project's rail corridor are experienced throughout. Views within the Project Area are limited to the industrial railroad corridor, roadside vegetation, and adjacent structures

and are not considered scenic. The visual setting within the Project Area features the railroad corridor itself, and varies throughout the corridor in terms of adjacent land-uses.

Discussion:

(a-d) Less than Significant. The proposed Project would involve construction in a public scenic location within Ukiah Valley with occasional views of the Western Hills. Construction of the Project would require temporary facilities, staging areas and public safety systems such as flagging fences, barriers, lights, signs, detours, pedestrian walkways, driveway ramps and bridging as may be necessary to give adequate warning to the public that work is in progress and that dangerous conditions exist, to provide access to abutting properties and to permit the flow of pedestrian and vehicular traffic to safely and expeditiously pass the work. Construction would also require the removal of trees and other natural vegetative features to make way for the pathway on the eastern side of the tracks, which would also impact Wetlands C and D. Avoidance areas will be established to protect aquatic and biological resources within Wetlands A-D, and to allow for the re-establishment of vegetation on the site. Avoidance measures would also include the use of highly visible flagging and the temporary installation of silt fencing. The removal of trees and natural vegetation, and the presence of flagging, heavy equipment and safety materials would present a temporary visual intrusion into an otherwise scenic public place during construction.

The project is visually consistent with the railroad corridor. Any visual modifications be minimal. Apart from the required non-continuous fencing, the project does not include any tall elements that would obstruct public views.

Following construction, the Project site and adjacent wetlands would be restored, and equipment removed. Existing visual obstructions (debris and rubble) would be removed from the site and the riparian areas along, and adjacent to, the rail corridor. In addition, trees and shrubs (valley oak, common manzanita, ceanothus, and toyon) will be planted within the riparian zone along the south bank that would provide compensatory mitigation for removal of these resources during construction.

(b,c, d) No Impact

As noted in the project description, the Project site is in an urbanized area, surrounded by commercial and industrial development. The Project is also not located within a designated state scenic highway, and no lighting is proposed as part of the project. The proposed actions are consistent with zoning and other regulations governing scenic quality within the City of Ukiah. The project is anticipated to enhance the visual character of the area by introducing an aesthetically improved trail, facilitating pedestrian and bicycle mobility across the community, and providing opportunities for nature study and recreation. By formalizing and regulating public access within the project area, the project will reduce visual impacts caused by unauthorized use by transients and others.

Mitigation Measures: None

2. Agriculture and Forestry Resources

AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

Significance Criteria: The Proposed Project would have a potentially significant impact on agricultural resources if it would convert prime farmland to a non-agricultural use, conflict with a Williamson Act contract, or disrupt a viable and locally important agricultural use. The Project would have a potentially significant impact on forestry resources if it would result in the loss, rezoning or conversion of forestland to a non-forest use.

Environmental Setting: Early agricultural efforts in the Ukiah Valley included the raising of livestock, and the growing of various grains, hay, alfalfa, and hops. When the Northwestern Pacific Railroad was completed in 1889; prunes, potatoes, pears, and hops could be grown and sent to San Francisco and other regional markets. Wine grapes were planted, and irrigation was practiced on a small scale. Through the 1950s, hops, pears, prunes and grapes were the most widely planted crops in the Ukiah Valley. After the railroad was completed, lumber mills sprang up in the Ukiah Valley and became the

major industry in Mendocino County as trains took redwood logs and processed boards south to the San Francisco region. Today, much of the active agricultural land is located on the Valley floor and lower elevations along the Russian River system. Only a limited percentage of the Valley's agricultural lands are currently protected under Williamson Act Agricultural Preserve contracts.

The City historically had an Agricultural Exclusive (A-E) combining district within the zoning code, but it was not applied to any lands within the city. The City's 2040 General Plan, adopted on December 7, 2022, created an Agriculture (AG) land use designation, and also includes the City's first Agricultural Element. The Project site is not designated as farmland, but is approximated by three City-owned Prime Farmland parcels, APN 184-080-37, and APN 184-090-01 roughly 150-250 ft south of Norgard lane to the east, with a General Plan designation as Public, zoned as Public Facilities (PF) with an Agricultural (A) combining district. In August 2024, the City of Ukiah introduced a Right-to-Farm Ordinance, which further strengthened awareness and protections for existing agricultural operations.

Discussion:

(a-d) No Impact. According to the California Department of Conservation Farmland Mapping & Monitoring Program, California Important Farmland Finder, the Project site is designated as "Urban Built-Up Land" and does not contain Unique Farmland, or Farmland of Statewide Importance. As such, the Project would not convert Farmland or conflict with existing zoning for agriculture or forest land. In addition, there are no parcels enrolled in Williamson Act Contracts within the Project Area. Therefore, construction and operation of the Project would have no effect on agricultural zoning or Williamson Act contracts because the Project does not involve any Williamson Act parcels.

Forest lands, timberland, or land zoned timberland production are also not present within the Project Area; therefore, no forest land or timberland would be converted to non-forest or non-timberland use. Roadside trees and vegetation currently exist within the Project's corridor that are proposed for removal. However, the Project area is not zoned forest land and the trees to be removed are not considered forest land resources. Potential biological impacts associated with tree removal are discussed in Section 4. Biological Resources. No impact would occur.

(e) Less than Significant. As mentioned under questions a through d, the Project would not be constructed or maintained on land designated as farmland or forest land. However, three parcels adjacent to the Project site to the east between Norgard Lane and Plant Road are designated as "Prime Farmland". Project construction activities that could indirectly affect adjacent agricultural lands include ground disturbance and vehicle use, which could result in dust emissions that could deposit dust on crops, and traffic delays associated with debris off hauling along Norgard Lane. Although indirect effects would occur, such effects would be temporary and would not result in any permanent conversion of farmland or forest lands. Indirect effects would be less than significant.

Mitigation Measures: None

3. Air Quality

AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Significance Criteria: The Proposed Project would have a significant impact to air quality if it would conflict with an air quality plan, result in a cumulatively considerable net increase of criteria pollutant which the Mendocino County Air Quality Management District (MCAQMD) has designated as non-attainment, expose sensitive receptors to substantial concentrations of air pollutants, or result in emissions that create objectionable odors or otherwise adversely affect a substantial number of people.

Environmental Setting: The Project is located within the North Coast Air Basin (NCAB), which includes Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma Counties. The area's climate is considered Mediterranean, with warm, dry summers and cooler, wet winters. Summer high temperatures average in the 90s with high temperatures on very warm days exceeding 105 degrees. Summer low temperatures range between 50-60 degrees. Winter high temperatures generally range in the 50s and 60s. The average annual temperature is 58 degrees. Winter cold-air inversions are common in the Valley from November to February.

Prevailing winds are generally from the north. Prevailing strong summer winds come from the northwest; however, winds can come from the south and east under certain short-lived conditions. In early autumn, strong, dry offshore winds may occur for several days in a row, which may cause air pollution created in the Sacramento Valley, Santa Rosa Plain, or even San Francisco Bay Area to move into the Ukiah Valley.

Air districts are responsible for attaining and maintaining the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for criteria air pollutants. The Project is located within Mendocino County (County) which is within the North Coast Air Basin (NCAB). Air quality within Mendocino County is regulated by the Mendocino County Air Quality Management District (MCAQMD). The MCAQMD is classified as attainment or unclassified for all state and federal standards except for the state respirable particulate matter (PM₁₀) standard (CARB, 2018; CARB, 2019); therefore, the MCAQMD has prepared the Particulate Matter Attainment Plan (PM Attainment

Plan) to “prevent significant deterioration of local air quality and make reasonable efforts toward achieving attainment status for all pollutants” (MCAQMD, 2005). The Environment and Sustainability Element of Ukiah’s General Plan 2040 contains the following goal pertaining to air quality (City of Ukiah, 2022),

Goal ENV-7: To improve air quality to the benefit of public health, welfare, and reduce air quality impacts with adverse effects on residents’ health and wellbeing.

Discussion:

(a) Less than Significant with Mitigation.

The MCAQMD Particulate Matter (PM) Attainment Plan is the applicable air quality plan for the region; it includes a description of local air quality, the sources of local PM emissions, and recommended control measures to reduce future PM levels. The PM Attainment Plan recommends control measures that would be applicable to the Project and is the permit requirement for projects with over one acre of disturbance. Since the development of the PM Attainment Plan, this control measure has been adopted as a rule by the MCAQMD and accordingly, the Project will be subject to this measure.

In addition to the PM Attainment Plan, the Project would be required to comply with any other applicable MCAQMD rules and regulations including Rule 1-400(a), Rule 1-430(a), and Rule 1-430(b). Rule 1-430 requires implementation of precautions and mitigation measures to reduce the amount of fugitive dust generated by construction and grading activities. The Project would implement **Mitigation Measure AQ-1, Fugitive Dust Reduction Measures**, consistent with the requirements of Rule 1-430. Therefore, with adherence to the requirements of all applicable MCAQMD rules and implementation of the fugitive dust control measures (listed at the end of this section), the Project would not conflict with or hinder the implementation of the applicable air quality plan and the impact would be less than significant with mitigation incorporated.

(b) Less than Significant with Mitigation

As discussed above, Mendocino County is considered a non-attainment area for the state PM10 standard and is designated as either attainment or unclassified for all other state and federal ambient air quality standards. As part of an effort to attain and maintain the ambient air quality standards, the MCAQMD has established thresholds of significance for emissions criteria air pollutants and their precursors, as shown in **Table AQ-1**, below. Emissions of criteria air pollutants that exceed the applicable thresholds of significance for ozone precursors (reactive organic gases [ROG] and nitrogen oxides [NOx]), PM10 exhaust, or fine particulate matter (PM2.5) exhaust would be considered significant. The MCAQMD takes a qualitative approach to evaluating impacts from fugitive dust in that projects that implement Best Management Practices during construction would be considered to have a less than significant impact with respect to fugitive dust emissions (MCAQMD, 2010).

**Table AQ-1
MCAQMD THRESHOLDS OF SIGNIFICANCE**

	ROG (ppd)	No _x (ppd)	PM ₁₀ Exhaust (ppd)	PM _{2.5} Exhaust (ppd)
Construction Emissions Threshold	54	54	82	54
Operational Emissions Threshold	180	42	82	54

NOTE: ppd = average pounds per day

SOURCE: MCAQMD, 2010

The Project would include habitat restoration and stormwater drainage improvements, groundwater recharge and water quality enhancements, and would provide a safe an ecologically interpretive experience for park visitors. Construction emissions generated from construction of the Project would

not result in emissions of criteria air pollutants in quantities that would exceed the MCAQMD CEQA thresholds of significance. Furthermore, the Project would implement Mitigation Measure AQ-1 and **Mitigation Measure AQ-2: Best Management Practices** which would ensure that the Project implements the control measures required by Rule 1-430, as well as the Best Management Practices required by the MCAQMD. Therefore, the Project would have a less than significant impact with mitigation incorporated with respect to emissions of fugitive dust during construction.

During operation, the Project would generate minimal criteria air pollutant emissions from use of employee vehicles for routine maintenance. These operational emissions would be the same as what is currently being performed during regular maintenance of the park and would not represent a significant new source of air pollutant emissions that could exceed the MCAQMD thresholds of significance. Since both construction and operational activity associated with the Project would not generate emissions of criteria air pollutants in amounts that would exceed the applicable thresholds of significance, the Project would not result in a cumulatively considerable net increase of any criteria air pollutant for which the Project region is in non-attainment, and the impact would be less than significant.

(c) Less than Significant.

Sensitive land uses are those where sensitive population groups are located and include residences, schools, hospitals, convalescent homes, and other facilities where people spend significant amounts of time. Project impacts related to increased community health risk can occur by introducing a new source of toxic air contaminants (TACs) with the potential to adversely affect existing sensitive receptors in the Project vicinity. Sensitive receptors in the vicinity of the Project site include residences to the east and west off Norgard Lane. The nearest residence is located within 100 feet from the Project site boundary. The Project would generate emissions of TACs during temporary construction activity. Although operation of the Project would generate occasional employee trips associated with maintenance activity, these trips would likely be made by light-duty vehicles, which are not considered to be a source of substantial TACs or PM_{2.5} emissions. Vehicle trips related to the operation and maintenance of the trail would encompass activities such as annual inspections, trash and debris removal, vegetation management, repaving, and striping. The project is expected to generate minimal traffic, as motorized access will be restricted to light maintenance, police, and emergency service vehicles. Maintenance of the trail is anticipated to be conducted by City personnel.

Project construction is not expected to include intensive or prolonged construction equipment use. Due to the short duration (no one area of prolonged or intense construction activity), the Project would not result in the exposure of sensitive receptors to substantial pollutant concentrations. Therefore, the potential construction-related impact would be less than significant.

Following construction, the Project would not include any stationary sources of air emissions or new mobile source emissions that would result in substantial long-term operational emissions of criteria air pollutants. In fact, Project operation would reduce VMT resulting in reduced emissions as compared to current conditions. Vehicle trips related to the operation and maintenance of the trail would encompass activities such as annual inspections, trash and debris removal, vegetation management, repaving, and striping. The project is expected to generate minimal traffic, as motorized access will be restricted to light maintenance, police, and emergency service vehicles. Maintenance of the trail is anticipated to be conducted by City personnel. Therefore, Project operation would not expose nearby sensitive receptors to substantial levels of pollutants. The potential operation-related impact would be less than significant.

(d) Less than Significant.

During construction, use of diesel-powered vehicles and construction equipment could temporarily generate localized odors, which would cease upon Project completion and would not result in significant odorous impacts.

Typical land uses with the potential to generate considerable odorous impacts and odor complaints during operation including wastewater treatment plants, solid waste landfills, and composting facilities. The Project includes habitat restoration as well as groundwater improvements at a designated park/recreation facility that does not include land uses identified as common odor sources. Therefore, operation of the Project would not generate substantial odorous emissions and would not result in significant odor impacts.

Mitigation Measures

AQ-1: Fugitive Dust Reduction Measures.

The Project would implement the precautions and mitigation measures required by Rule 1-430 including (MCAQMD, 2011):

- Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, the following provisions:
 - Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
 - Installation and use of hoods, fans, and fabric filters, to enclose and vent the handling of dusty materials.
 - The screening of all open-outdoor sandblasting and similar operations;
 - The use of water or chemicals for the control of dust during the demolition of existing buildings or structures.
- The following airborne dust control measures shall be required during all construction operations, the grading of roads, or the clearing of land:
 - All visibly dry disturbed soil and road surfaces shall be watered to minimize fugitive dust emissions.
 - All unpaved areas shall have a posted speed limit of 10 mph.
 - Earth or other material tracked onto neighboring paved roads shall be removed promptly.
 - Approved chemical soil stabilizers shall be applied to exposed earth surfaces in active construction areas and exposed stock piles (i.e. sand, gravel, dirt).
 - Dust generating activities shall be limited during periods of high winds (over 15 mph).
 - Access of unauthorized vehicles onto the construction site during non-working hours shall be prevented.
 - A daily log shall be kept of fugitive dust control activities.

AQ-2: Best Management Practices.

The Project shall implement the Bay Area Air Quality Management District Best Management Practices as recommended by the MCAQMD's Adopted Air Quality CEQA Thresholds of Significance and District Interim CEQA Criteria and GHG Pollutant Thresholds (MCAQMD, 2010; MCAQMD, 2013). The District Interim CEQA Criteria and GHG Pollutant Thresholds indicates that the agencies should use the Bay Area CEQA thresholds for projects in Mendocino County. Therefore, the Project shall implement the following Best Management Practices (BAAQMD, 2017):

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxic control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturers specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. The person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

4. Biological Resources

BIOLOGICAL RESOURCES				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Significance Criteria: Project impacts upon biological resources would be significant if any of the following resulted: substantial direct or indirect effect on any species identified as a candidate, sensitive, or special status species in local/regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) or any species protected under provisions of the Migratory Bird treaty Act (e.g. burrowing owls); substantial effect upon riparian habitat or other sensitive natural communities identified in local/regional plans, policies, or regulations or by the agencies listed above; substantial effect (e.g., fill, removal, hydrologic interruption) upon state or federally protected wetlands; substantially interfere with movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors;

conflict with any local policies/ordinances that protect biological resources or conflict with a habitat conservation plan.

Environmental Setting:

Databases queried for the presence of biological resources included the California Department of Fish and Wildlife California Natural Diversity Database (CNDDB), the U.S Fish and Wildlife Service's (USFWS) Critical Habitat Mapper. In addition, on March 10, 2023, the Project received a North Coast California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreement (Agreement) that identified potentially impacted biological species (See Appendix F). From these resources, existing fish or wildlife resources the project could substantially adversely affect include Chinook Salmon (*Oncorhynchus tshawytscha*), Steelhead Trout (*Oncorhynchus mykiss*), Pacific Lamprey (*Entosphenus tridentata*), Coastal Giant Salamander (*Dicamptodon tenebrosus*), California Newt (*Taricha torosa*), Red-bellied Newt (*Taricha rivularis*), Foothill Yellow-legged Frog (*Rana boylei*), Northwestern Pond Turtle (*Actinemys marmorata*), along with other amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

On March 3, 2022, an Aquatic Resources Report/Delineation of Water of the United States, Including Wetlands, was performed for the Project by Jane Valerius Environmental Consulting. Four seasonal wetland areas (Wetlands A-D) and five drainages (D1-D5) were mapped for the Project area (See Appendix B Aquatic Resources Report).

- Starting in the south of the Project site, Wetland Area A is approximately 9,351 sf and is located south of Plant Road and is drier in the southern portion and then becomes more wetland as it goes north with saturated soils, algal matting and wetland plants defining this area.
- Drainage D1 occurs approximately 5,433 sf within the Project site at Plant Road, is approximately 20-feet wide at the high-water mark, is rock lined with little to no soil development, and is proposed for integration with trailhead seating and recreational amenities.
- Drainage D2 lies approximately 639 sf within the Project site and has been previously disturbed by both the railroad and Highway 101.
- Wetland Area B is a small 109 sf seasonal wetland within the Project site dominated by Himalayan blackberry and ryegrass.
- Wetland Area C is approximately 2,489 sf within the Project area and is fed by the culverts under the railroad tracks and is also dominated by Himalayan blackberry and ryegrass.
- Wetland Area D is approximately 6,502 sf within the Project area, contains wetland vegetation, some willow trees (*Salix* spp.) and has been disturbed by homeless encampments including human refuse.
- Drainage D3 includes 99 sf within the Project area and is associated with a culvert under the railroad tracks.
- Drainage D4 is approximately 284 sf within the Project area and is also associated with a culvert under the railroad tracks.
- Drainage D5 is approximately 3,580 sf within the Project area, and includes an area proposed for a park.

Plant species observed ranged from facultative (FAC) plants such as Dallis grass (*Paspalum dilitatum*), ryegrass (*Festuca perennis*), and Himalayan blackberry (*Rubus armeniacus*), to facultative wetland (FACW) plants such as tall flat sedge (*Cyperus eragrostis*), to obligate (OBL) plants such as iris-leaved rush (*Juncus xiphioides*) and pennyroyal (*Mentha pulegium*). Wetland Area A is dominated by FAC species at the south end and then becomes dominated by OBL plants from the central to the north end of the mapped area. Wetland Areas B and C are also dominated by FAC species are disturbed, marginal wetlands. Wetland Area D is dominated by iris-leaved rush, which is an OBL plant

species. This area is also highly disturbed from homeless people camping and leaving trash in the area, but it appears there may be groundwater supporting this wetland area as soils were saturated but not ponded.

The study also identified non-native annual grassland with annual grasses such as wild oats (*Avena barbata/sativa*), bromes (*Bromus diandrus*, *B. hordaceus*), hare barley (*Hordeum murinum* ssp. *leporinum*), medusa-head grass (*Elymus caput-medusae*), tall fescue (*Festuca arundinacea*), Harding grass (*Phalaris aquatica*), and weedy annual forbs such as wild radish (*Raphanus sativus*), fennel (*Foeniculum vulgare*), prickly lettuce (*Lactuca serriola*), vetch (*Vicia sativa*), and moth mullein (*Verbascum blattaria*), outside of the wetland areas.

Valley oak (*Quercus lobata*) woodland was observed along drainage D1 and D5 and valley oak trees along with many saplings occur within the study area. Other tree and shrub species noted include maple (*Acer* sp.), coyote brush (*Baccharis pilularis*), and poison oak (*Toxicodendron diversilobum*). Some willows (*Salix* spp.) occur at Wetland Area D. See Appendix B Aquatic Resources Report for images and locations.

The Project will construct five encroachments, located at drainages D1-D5, adjacent to the Mendocino Railroad stream crossing infrastructure on the east side of the railroad grade.

Two encroachments are for the replacement of pedestrian bridges (D1 and D2). The encroachments at D1 and D2 will include:

- Excavating the banks
- Removing the existing footings and abutments
- Concrete footing and abutment from construction, pouring, and curing
- Backfilling and compaction of fill, and
- Installing the bridge superstructure
- Enhancement and restoration activities (D1)

The encroachments at D3, D4, and D5 are culvert extensions that extend the existing railroad grade stream crossings and will include:

- Removing trees and vegetation
- Grading
- Placing culvert beddings
- Installing culvert extensions
- Backfilling and compaction of fill
- Installing rock slope protection below the culvert outlets and headwalls, and
- Installing a manhole between the existing culvert and the extension (D3)
- Dewatering (D4)
- Enhancement and restoration activities (D5)
- Constructing the pedestrian trail per design plans per Appendix A Phase 4: GRT – Ukiah Plan Sheets

As listed above, the Project proposes to perform enhancement and restoration activities to improve the functionality and quality of drainages (D1 and D5). A wetland area outside of the Project footprint on the west side of the railroad tracks, south of Drainage D3 and north of Wetland D, will be enhanced and restored as mitigation for the partial loss of Wetland D habitat with Project activities. This wetland feature is currently scattered with significant debris and garbage. Enhancement activities would

include removal of trash and other man-made debris and will establish an additional 4,400 square feet of wetland.

Discussion:

(a) Less than Significant with Mitigation The activities described above may directly affect fish, wildlife and their habitat via loss or decline of riparian habitat, loss of benthic organisms, impediment of up or downstream migration, water quality degradation and damage to aquatic habitat and function. During construction, sensitive species may be killed, injured, or forced to abandon habitat by vegetation removal, human and vehicle traffic, excavation, and other disturbance.

As part of the Project design, avoidance and minimization measures have been incorporated to address these impacts and include:

1. ESA Flagging or Fencing of Wetlands

Prior to construction activities, adjacent wetlands will be flagged or fenced to clearly delineate wetlands to be protected during construction. All crews will have a set of environmental drawings showing the locations of the known wetlands. The plans will also define the fencing installation procedure. The Project's special provisions package will provide clear language regarding acceptable fencing material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within wetland areas.

2. Prevent Impacts to Nesting Birds

To the extent feasible, tree and vegetation removal activities shall occur during the non-nesting season (September 1 to March 1st).

If construction activities begin during the nesting season (February 15 to August 31), a qualified biologist shall conduct a preconstruction nest survey of all trees and other potential nesting habitat within and adjacent to the work area no more than seven (7) days prior to the initiation of work. In addition to surveying the work area, the biologist shall survey within 50 feet of the work area for passerine nests and scan all trees within 250 of the work area for raptor nests.

If the survey indicates the presence of nesting birds, the biologist shall determine an appropriately sized buffer around the nest in which no work would be allowed until the young have successfully fledged (or the nest has been abandoned). The size of the nest buffer shall be determined by the biologist and shall be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 250 feet for raptors and 50 feet for other birds should suffice to prevent disturbance of active nests, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

In addition to these avoidance measures, mitigation, as proposed by the California Department of Fish and Wildlife (See Appendix F) would reduce these affects to less than significant with **Mitigation Measure BIO-1**. This measure would include extending the avoidance window of nesting birds to March 15, mitigating impacts to aquatic life during stream/wetland dewatering, and a prohibition on monofilament netting (see Mitigation Measures below for full text).

The mature trees and utility poles within the Project site provide perches for raptors, including white-tailed kite and osprey, seeking prey in the annual grasslands below. Mature trees offering crevices

and cavities may provide habitat for bat roosting. Preservation of existing mature trees, and the planting of new native trees could support raptors and other birds as well as common and special status bats, including pallid bat. The enhancement of dense groundcover would support the presence of several common ground-nesting bird species for roosting, nesting, and protection from predators, such as California quail. During construction, vegetation removal could kill or injure nesting birds or roosting bats or result in nest or roost abandonment. These impacts would be significant. However, **Mitigation Measures BIO-1** would be implemented to reduce impacts on nesting birds and roosting bats to a less than significant level.

(b) Less than Significant with Mitigation Vegetation trimming and removal will be necessary for movement of equipment, installation of the trail and restoration features. In addition, ground disturbance may result in erosional flow towards the wetlands, potentially damaging riparian vegetation and contributing to sediment transport. These potential impacts to riparian habitat during construction would be significant.

As part of the Project design, avoidance and minimization measures have been incorporated to address these impacts and include:

1. Implementation of Storm Water Pollution and Prevention Plan (SWPPP)

A stormwater pollution pretention plan (SWPPP) will be developed and implemented, which will prescribe Best Management Practices such as silt fencing or other sediment control infrastructure. To prevent impacts from spills, construction equipment should be staged away from wetlands or sensitive habitat, and a spill prevention plan shall be in place to prevent runoff and contamination into the surrounding wetlands and drainage ditches. Excavated materials will be stockpiled away from sensitive habitat, in areas that are relatively level, and runoff control measures as described above will be used to prevent delivery of sediment to wetlands and watercourses. If wattles are used, they will consist of certified sterile, weed-free materials.

2. Spill Prevention Plan

To prevent impacts from inadvertent spills a spill prevention plan shall be in place to prevent runoff and contamination into adjacent waters and wetland drainage ditches. The Plan shall address the following:

- Construction equipment will be staged at least 50 feet away from the wetlands and the top of bank of waters.
- Construction equipment shall be cleaned and inspected prior to use. Mechanized construction equipment that will be used on the banks and in the channel will be cleaned and inspected daily prior to use. Servicing and refueling of vehicles and equipment shall be conducted a minimum of 50 feet from wetlands and waters at designated staging areas to avoid contamination through accidental drips and spills.
- Equipment shall be inspected daily by the operator for leaks or spills. If leaks or spills are encountered, they shall be cleaned up, and the cleaning materials shall be collected and shall be properly disposed. The source of the leak shall be identified prior to operating the equipment with resolution of the leak documented by the foreman. Spills shall be cleaned up immediately using spill response equipment.

- Hazardous materials shall not be stored within 200 feet of wetlands or waters.

Mitigation Measure BIO-2 will require the submittal of the SWPPP and issuance of the North Coast Regional Water Quality Control Board's Construction General Permit. Along with adherence to **Mitigation Measure BIO-1** and **BIO-3** (see discussion below), the potential adverse effects on riparian habitat would be mitigated to less than significant.

(c) Less than Significant with Mitigation The Project may have the beneficial effect of expanding the trail's riparian corridor's diverse array for habitat of vegetation and wildlife. Enhancement of native wetland surrounding the off-site mitigation area west of Wetland D, including removal of contaminated soils would improve water quality. Additionally, the Project enhancement would increase habitat complexity by promoting improved primary and secondary food web production. Wetlands and waters along, and adjacent to, the rail corridor have been degraded over time by a variety of debris and trash. Connecting and enhancing the riparian areas where there are large gaps in riparian vegetation along some of the waters could better support dispersal opportunities of species such as western pond turtle and foothill yellow legged frog while increasing flood capacity.

Similarly, native vegetation enhancement of the seasonal wetlands would support a more complex wetland habitat and accommodate more extreme flood events through grading, stabilization, and planting of native species. Soil re-nourishment, control of weeds, and improvement of native plant recruitment would encourage native plant populations throughout the Project site.

Ground disturbances during construction could result in erosional flow into wetland areas, causing damage to the vegetation or soils. This potential indirect impact to seasonal wetlands during construction could be significant. Solid fill impacts from the construction of the trail will be mitigated by the enhancement of wetlands and enhancement and restoration of waters within the vicinity of, and hydrologically connected to, the Project (See **Table BIO-1** below for a summary of impacts and mitigation).

Table BIO-1
WATERS AND WETLANDS IMPACTS AND ENHANCEMENT RESTORATION

Feature	Action	Square Feet	Acre
Waters D5	Enhancement (debris removal, plantings)	16,125	0.37
Waters D1	Enhancement (plantings)	2,000	0.05
TOTAL Waters Mitigation		18,125	0.42
TOTAL Waters Fill Impact		351	0.009
Existing Wetland West of Rail	Enhancement and Restoration	1,015	0.02
New Wetland West of Rail		4,400	0.10
TOTAL Wetlands Mitigation		5,415	0.12
TOTAL Wetlands Fill Impact		4,976	0.11

As part of the Project design, the following actions and success criteria have been developed to minimize impacts to waters and wetlands.

1. Enhancement and Restoration of Existing Wetland West of Rail

This wetland area is located outside the project footprint, on the west side of the rail, south of Waters D3 and north of Wetland D, (trail improvements occur on the east side rail at this location). This wetland feature is scattered with significant debris and garbage. Enhancement activities include removal of trash and other man-made debris and will occur within 625 square feet (48 linear feet) of this wetland feature. In addition, a rug placed at the northern end of the wetland has cut water flow to additional wetland area to the north. When the carpet is removed, it is anticipated that approximately 390 square feet of wetland will be restored in this area.

Success criteria will be measured by the complete removal of the man-made debris and garbage. Vegetation is anticipated to naturally grow back in patches that have been blocked by sun or cut off from water. Monitoring is proposed for year one to verify vegetation accretes naturally to the extent there is little difference as compared to adjacent existing wetland vegetation (based on pre-construction photos). If it is determined after one year, that the vegetation is not accreting at a satisfactory rate, as determined by a wetland ecologist/botanist, a wetland seed mix (See Appendix G Avoidance and Minimization Measures) will be spread in bare patches. If reseeding is required, then monitoring will occur for an additional year with pre and post conditions photo documented.

2. Enhancement and Restoration of Water D5 and Enhancement of Waters D1

To accommodate the trail, the existing two culverts at D5 will be extended 10 feet east from the existing outlet. Downstream of D5, substantial trash, debris, and concrete rubble has been dumped within the channel. Although removing the concrete rubble could be considered restoration, for the purposes of simplifying calculations, the entire length from the D5 culvert to Airport Boulevard Road is calculated as one number. Enhancement and restoration activities include removal of all trash and concrete rubble from top of bank to top of bank within the channel. In addition, approximately 31 trees and shrubs (valley oak, common manzanita, ceanothus, and toyon) will be planted within the riparian zone along the south bank to enhance water quality and habitat. The enhancement and restoration area within the D5 channel is approximately 11,125 square feet (445 linear feet) and the enhancement area within the riparian is approximately 5,000 square feet.

Success criteria will be measured by the complete removal of the trash and concrete rubble within the channel. No monitoring is required for trash and concrete removal. Tree and shrub plantings will be monitored for health and survival for five years. Success criteria will be measured by an 85% survival rate after five years. Photo documentation from a consistent vantage point and written documentation as to the quantity and health of the trees and shrubs will be compiled in a memo each year. If the survival rate falls below 85%, new plantings will occur following the recommendation of the qualified arborist or plant ecologist monitoring the site.

3. Establish Wetland West of Rail

At the suggestion of North Coast Regional Board staff during a site visit in June of 2024, three areas on the west side of the rail, in the vicinity of Wetland C and D, will receive minor depression grading at the culvert inlets to extend out the existing wetland (see Sheet C-111, C-112, and C-113 of Appendix A). These areas will be in the vicinity of the existing wetland to be enhanced and restored. The graded areas will be reseeded with an appropriate wetland seed mix (See Appendix G Avoidance and Minimization Measures for details).

Monitoring will be performed by a qualified wetland biologist/ecologist and is proposed to occur for up to three years or until the graded areas match the vegetation density of the existing wetland and are dominated by wetland plants. The existing wetland will be used as a benchmark for

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determining density. If it is determined after year one of monitoring that the vegetation is not progressing at a satisfactory rate to support a functional wetland, the area will be considered for reseeded or plugs.

Impacts to wetlands would be mitigated to a less-than-significant level through implementation of **Mitigation Measures BIO-3**. This measure would include adherence to the Project's Avoidance and Minimization measures as outlined above, review of mitigation success by the North Coast Regional Water Quality Control Board (NCRWQCB), and mitigation monitoring and project tracking (see Mitigation Measures below for full text).

(d) Less than Significant

All five drainages on the site flow east towards the Russian River, which can be a seasonal movement corridor for fish and wildlife species, including the Chinook Salmon (*Oncorhynchus tshawytscha*), Steelhead Trout (*Oncorhynchus mykiss*), Pacific Lamprey (*Entosphenus tridentata*) identified by the CDFW (Appendix F). Work within or affecting this community during construction may temporarily inhibit the use of this area as a wildlife corridor or nursery site. However, following construction, the wetlands and drainages will be maintained and expanded, providing for continued use as a movement corridor and potential nursery site. In addition, **Mitigation Measure BIO-1** would reduce this impact to less than significant by adhering to all avoidance and minimization measures as written in the CDFW Lake and Streambed Alteration Agreement for the Project, including requiring sufficient water flow through all cofferdams or other artificial obstructions, and instating protocols on stranded aquatic life.

(e) Less than Significant with Mitigation. The City of Ukiah 2040 General Plan, and specifically the Environment and Sustainability Element, (adopted December 7, 2022) contains goals and policies related to preservation and protection of environmental resources, such as trees, sensitive species and habitat, water quality, the Russian River and its tributaries, and wetlands. Additionally, the Public Facilities, Services and Infrastructure Element contains policies specificity to maintenance of parks and recreation facilities (City of Ukiah, 2022).

The City of Ukiah Tree Management Guidelines (City of Ukiah, 2023) provides policy guidelines for the preservation, maintenance, and enhancement of the urban forest in parks and other areas maintained by the staff and contractors of the City of Ukiah. As part of the Project design, the following actions have been developed to minimize impacts to trees by the City Engineer and contractors.

1. The locations of trees planned for removal are shown on the Plans. The Engineer shall be contacted a minimum of 48-hours prior to any tree removal to perform an on-site inspection and clearance. Trees shall be removed in a manner satisfactory to the Engineer. Tree roots that are identified on the Plans to be removed that are in conflict with new facilities shall be removed in their entirety or to provide the minimum clearances to new facilities as indicated below, regardless of root diameter. Where tree roots that are not identified on the Plans to be removed interfere with the construction or reconstruction of curb, gutter, sidewalk, pavement, utilities, other facilities, the Contractor shall excavate and expose the roots for inspection by the Engineer. Upon approval from the Engineer, the Contractor shall remove tree roots which are four (4) inches or less in diameter to provide a minimum clearance of six inches to any new facility.

In addition, **Mitigation Measure BIO-4** will require a Tree Protection and Replacement Plan to ensure compliance with the City of Ukiah Tree Management Guidelines.

(f) No Impact. No adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan is applicable to the Project site. Thus, there would be no impact.

Mitigation Measures:

BIO-1: Adherence to CDFW LSAA

All Project work shall adhere to the measures to protect fish and wildlife as written in the California Department of Fish and Wildlife (CDFW) Lake or Streambed Alteration Agreement Notification (LSAA) No. EPIMS-MEN-32359-R1C including the following measures:

1. Avoidance of Nesting Birds. Vegetation maintenance or removal (e.g., clearing and grubbing) shall occur between September 1 and March 15 unless Nesting Bird Surveys are completed and submitted to CDFW. Removal areas should be managed once cleared to reduce nesting potential during the breeding season.
2. Nesting Bird Surveys. If vegetation maintenance or removal (e.g., clearing and grubbing) or other project-related activities must occur during the nesting season, typically March 15 to September 1 (and depending on species and habitat quality from mid-January to mid-September) a qualified Biologist shall survey for active bird nests within seven (7) days prior to the beginning of project-related activities. Surveys shall begin prior to sunrise and continue until vegetation, nesting behavior, and nests have been sufficiently observed. A report of the surveys shall be submitted to CDFW by email within three (3) business days of survey completion. The report shall include a description of the area surveyed, time and date of surveys, ambient conditions, species observed, active nests observed, evidence of breeding behaviors (e.g., courtship, carrying nesting material or food, etc.), and a description of any outstanding conditions that may have impacted survey results (e.g., weather conditions, excess noise, predators present, etc.). If an active nest is found, Permittee shall implement avoidance measures in consultation with CDFW. IF a lapse in project-related work of seven (7) days or longer occurs, the qualified Biologist shall repeat surveys before project work can resume.
3. Maintain Aquatic Life. When any cofferdam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life below the obstruction pursuant to Fish and Game Code §5937.
4. Stranded Aquatic Life. The Permittee shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include hand nets, dip nets, buckets, and/or by hand. Captured aquatic life shall be released immediately in the closest suitable aquatic habitat adjacent to the work site. Permittee shall submit detailed information regarding species that were stranded and relocated to the CDFW as described in the LSAA agreement.

BIO-2: Development of a SWPPP and compliance with the NCRWQCB Construction General Permit

The Construction Site Operator shall develop a Stormwater Pollution and Prevention Plan (SWPPP) and comply with the permit issued by the North Coast Regional Water Quality Control Board (NCRWQCB) for the National Pollutant Discharge Elimination System (NPDES) Department of Water Quality Construction General Permit, Permit No. 2009-0009. prior to commencement of construction activities.

BIO-3: Adherence to NCRWQCB Water Quality Certification

All Project work shall adhere to the Avoidance and Minimization Measures as approved by the North Coast Regional Water Quality Control Board Water Quality Certification ECM PIN CW-882169; WDID 1B22090WNME including the following project-specific measures:

1. Compensatory mitigation shall be implemented in accordance with the *Attachment 2 The Great Redwood Trail Phase 4 Project – Avoidance and Minimization Measures* submitted by the Applicant on January 13, 2023, and any subsequent revisions approved by the Executive Officer. Project mitigation includes a plan to remove trash and debris, extend wetlands with depressional grading, and plant in riparian areas as described by the plan. The Applicant proposes to monitor the revegetation to ensure 85% planting success criteria are met after 5 years which may be supplemented by appropriate volunteer riparian species. The applicant shall restore all temporary impact areas to pre-project condition.
2. Mitigation success shall be subject to the review and acceptance by Regional Water Board staff and shall not be considered successful until a minimum of five years of monitoring has occurred. Plants shall not be considered successful until irrigation has been terminated and plants are self-sustaining for a minimum of two years.
3. Mitigation and monitoring reports shall be submitted annually for five years following mitigation implementation (Reports). Reports shall be submitted to the Regional Water Board by January 31 and detail the monitoring results from the prior calendar year. The reports shall be submitted to the following email address: NorthCoast@waterboards.ca.gov
Reports shall include:
 - Year 1 report will include as-built plans for all plants;
 - Maintenance activities performed
 - Monitoring methods
 - Monitoring data summarized
 - Time-series photographs
 - Annual performance and whether success criteria are met
 - Recommendations for adaptive measures
4. Within 30 days of issuance of this Order, the Applicant shall upload Project information to EcoAtlas using the “Project Tracker” form found at the following website: <http://ptrack.ecoatlas.org/> Required information includes a Project map that may either be uploaded to EcoAtlas or created within EcoAtlas by using the “draw polygon” tool. Required mitigation monitoring reports shall be uploaded to EcoAtlas by March 1 following the certification January 31 monitoring report due date.

BIO-4 Approval of a Tree Protection and Replacement Plan

1. A Tree Protection and Replacement Plan, consistent with City of Ukiah General Plan and the City of Ukiah Tree Management Guidelines, shall be submitted for review and approval from the Public Works Department prior to Project construction. All requirements and restrictions within those documents would be complied with, including the incorporation of replacement trees for each tree removed. Guidance on tree protection, removal, and replacement provided in Sections 7.1 and 7.2 of the City of Ukiah’s Tree Management Guidelines (City of Ukiah, 2023) shall be followed.

5. Cultural Resources

CULTURAL RESOURCES.				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Significance Criteria: The proposed Project would significantly impact cultural resources if the significance of a historical or archaeological resource were substantially changed, or if human remains were disturbed. Historical resources under CEQA include historic-era architectural resources within the built environment such as buildings, structures, and other objects. Archaeological and unique archeological resources can also be considered historical resources, according to CEQA Section 15064.5 and Section 21083.2(g).

Section 15064.5 states the term “historical resources” includes the following:

- 1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4850 et seq.);
- 2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant;
- 3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:
 - a. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
 - b. Is associated with the lives of persons important in our past;

c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or d. Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code section 5020.1(j) or 5024.1.

a. "Historical resource" includes, but is not limited to, any object, building, structure, site, area, place record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

Section 15064.5 also states that a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. "Substantial adverse change in the significance of a historical resource" means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

The significance of a historical resource is materially impaired when a project:

- a. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- b. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in a historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- c. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

Section 21083.2(g) identifies a unique archeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- 1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- 2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- 3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

The California Office of Historic Preservation (OHP) houses the Built Environment Resource Directory (BERD). BERD files provide information regarding non-archaeological resources in OHP's inventory. Each resource listed in BERD is assigned a status code, which indicates whether resources have been evaluated as eligible under certain criteria. This tool provides information to assist in identifying potentially historic resources throughout the County.

Environmental Setting: The City of Ukiah is in the traditional ancestral lands of the Northern Pomo, which early ethnographers described as spanning along the coast from Fort Bragg to the Navarro River and stretching eastward to Clear Lake. Ethnographers referred to the people in this indigenous group as the Northern Pomo because they spoke of one of the seven Pomo language dialects that ethnographers distinguished based on geographic location (McLendon and Oswalt 1978; Golla 2007). Thus, the Northern Pomo lands were bordered to the south by the Central Pomo and to the east by Eastern Pomo. Ethnographers noted Yukian groups living to the north (Welch 2013)

The City of Ukiah was first settled in 1856 by Samuel Lowry. Initially incorporated into Sonoma County, an independent Mendocino County government was established in 1859 with Ukiah as the chosen county seat. Logging, cattle, and agricultural ventures contributed to the early settlement and growth of Ukiah throughout the remainder of the 19th century and early 20th century. 1889 is the date recorded for the first arrival of the train to Ukiah, quickly resulting in increased settlement of the City and its environs.

The late 19th century saw slow growth in the community, with a slight decline after the turn of the century. The town grew steadily, though it remained a relatively remote outpost in the hinterlands of Northern California for several more decades. The area around the intersection of the current Perkins and Main streets was one of the earliest settlement locations for the town. Absalom Tidwell Perkins built a house for his family near the southwest corner of the current Perkins and Main streets, and built a feed stable on the Project site around 1857. By 1860, Ukiah had approximately 25 dwellings and a budding commercial district. Ukiah's sparse population and relative remoteness delayed the arrival of the railroad. In 1886 the Cloverdale and Ukiah Railroad was formed to extend north to Ukiah; and the line was completed in 1889, 20 years after it began in Petaluma in 1869. The improved transportation network did open up Mendocino County to greater commercial and industrial growth, though the population did not expand rapidly.

For 92 years the Northwestern Pacific Railroad (NWP) ran trains through the City, and the broader Mendocino County. Lumber mills and other customers provided significant traffic along the railway. Passenger service was discontinued in 1958. In 1989, the North Coast Railroad Authority (NCRA) was formed by the State Legislature to ensure continuation of railroad service. In 1998, the entire line was closed due to flood damage, and no trains have operated on the railway since that time. The Great Redwood Trail Agency (GRTA), formed in 2021 from the NCRA currently manages the GRT in Mendocino County. An amended 2020 license agreement between the City of Ukiah and the GRTA authorizes the City to construct, install, maintain, reconstruct, remove, repair and manage a multi-modal public path for bicyclists, pedestrians, wheelchairs, joggers, and other non-motorized uses pursuant to the NCRA's Rails-with-Trails Policy and Procedure Manual (See Appendix C NCRA License Agreement).

Discussion: (a-c) Less than Significant. The Project area has historically been used for municipal (public) purposes and is previously disturbed. Ukiah's Historic and Architectural Inventory Table shows no historic structures within the Project area. The California Built Environment Resources Directory (BERD) does show that the Northwestern Pacific Railroad Depot at 305 E. Perkins Street north of the Project site as designated historic.

On August 13, 2024, the Northwest Information Center (NWIC) was queried for potential sensitive archaeological and historical resources. The results, received on August 28, 2024, indicate that previously recorded historic resources may be present within the Project area. These resources would likely be associated with the main stem railroad line, P-23-0003363, the Northwestern Pacific Railroad. NWIC recommends that, prior to commencement of project activities, P-23-0003363 should be assessed by a qualified professional familiar with the architecture and history of Mendocino County. These NWIC results will be uploaded along with this draft ISMND and forwarded to the Great Redwood Trail Agency (GRTA) for commentary regarding the historical rail line within the Project area. Along with the comments received from the GRTA project engineer on July 23, 2024, any additional information provided for the historical components of P-23-0003363 will be incorporated into the assessment of the final ISMND.

In regard to archaeological resources and human remains, on August 8, 2024, a letter was sent to the Native American Heritage Commission (NAHC) requesting a current SB 18 and AB52 Native American Contact List for the project vicinity. On August 12, 2024, the NAHC provided a list of 31 tribal contacts within the greater Mendocino and Lake County vicinity surrounding Planning Area. The NAHC also indicated that a Sacred Lands File check was positive for a potential Pinoleville Pomo Nation tribal cultural resource within the greater Mendocino and Lake County vicinity. In accordance with AB 52, both the Guidiville Rancheria, who had requested to be notified of projects within the City of Ukiah's jurisdiction, and the Pinoleville Pomo Nation, were sent a formal letter and project materials on August 13, 2024. As of the drafting of this Initial Study, no request for consultation has yet been received.

As discussed under 3. Biological Resources, the proposed off-site wetland mitigation area west of Wetland D, south of Waters D3 and north of Wetland D, on the west side of the rail would also require shallow excavation for new wetland habitat. While these areas are both previously disturbed, the potential for inadvertent discovery of cultural material or human remains is still present. As part of the project design (See Appendix D), mitigation has been incorporated to address these potentials and reduce impacts to less than significant, including the following:

1. If archaeological resources are discovered at the job site, including chipped or ground stone, historic debris, building foundations, and human bone, do not disturb the resources. Immediately stop all work within 100 feet of the discovery, protect the discovery area, and notify the Engineer.
2. If human remains of Native American origin are discovered during project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code 5097). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The County Coroner has been informed and has determined that no investigation of the cause of death is required; and
 - If the remains are of Native American origin, the descendants of the deceased Native Americans have made a recommendation to the landowner of the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code 5097.98
3. If human remains are discovered during any demolition/construction activities, all ground-disturbing activities within a 330 foot radius of the remains shall be halted immediately, and

the Mendocino County coroner shall be notified immediately, according to Section 5097.98 of the state Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the NAHC shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The City shall consult with the Most Likely Descendant, if any, identified by the NAHC regarding the treatment and disposition of the remains.

4. Should paleontological resources be identified at any project construction site, the Contractor shall cease operation within a 330-foot radius of the discovery and immediately notify the City. The City will provide a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering any suggested mitigation proposed by the paleontologist, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the discovery, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

Mitigation Measures: None

6. Energy

ENERGY				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Significance Criteria: The Proposed Project would significantly impact energy if construction or operation of the Project would result in wasteful, inefficient or unnecessary consumption of energy resources or if the Project would conflict with a state or local plan for renewable energy or energy efficiency.

Environmental Setting: The Environment and Sustainability Element and the Mobility Element of the City's 2040 General Plan contains goals, policies, and implementing programs to promote energy use efficiency and conservation. Among the goals are the following local goals pertaining to energy conservation: Goal ENV-1.3 Open Space and Renewable Energy Production; MOB-2.1 Vehicle Miles Traveled Reduction (City of Ukiah, 2022).

Discussion:

(a) Less than significant. The Project's construction would consume energy in the form of diesel and gasoline fuels to power equipment and transport materials to the Project site. Operation and maintenance of the Project is not anticipated to increase consumption of diesel or gasoline fuel, compared to existing conditions. There would be a temporary increase in local truck trips during construction, primarily associated with export of debris from the Project site. However, this energy use would be limited to fuel required to transport materials, haul off debris, and power equipment for restoration of the Project site. No electrical infrastructure or lighting is proposed or required as part of the Project. Therefore, the Project would not increase energy use during operation and maintenance. Following construction, the park would be maintained in a manner consistent with existing conditions. Thus, energy use would not be wasteful, inefficient, or unnecessary for construction or operation of the Project. Impacts associated with temporary fuel use during construction of the Project would be less than significant.

(b) No Impact. Although the Project's construction would include the use of fuels to transport vehicles, materials, and equipment to the Great Redwood Trail, the Project would not interfere with or obstruct the implementation of City energy efficiency goals or policies as outlined in the City's general plan. The Project would utilize energy efficient vehicles, as feasible, for construction. No state plans regarding renewable energy would be applicable to the Project. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Under this criterion, there would be no impact.

Mitigation Measures: None

7. Geology and Soils

GEOLOGY AND SOILS				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Significance Criteria: The Proposed Project would result in a significant impact to geological or soil resources if the Project exposed people or buildings to seismic risk; ruptured a known fault; produced strong seismic ground shaking, ground failure, liquefaction, landslides or substantial soil erosion; is located on expansive soil or unstable ground or create unstable ground; or destroyed a unique paleontological resource or geologic feature.

Environmental Setting: The Ukiah Valley is part of an active seismic region that contains the Mayacama Fault, which traverses the Valley in a generally northwest-southeast direction, approximately 0.8-mi east of the City limits at its closest point. The Ukiah Valley is located within the North Coast Range geologic province, comprised of a geologic feature unique to California, the Franciscan Formation. The Franciscan Formation is comprised of serpentine, sandstone, and other sedimentary rocks. Based on California Geological Survey maps and the Background Report for the County of Mendocino General Plan Update (prepared by P.M.C., 2003), the City of Ukiah is outside of known areas of historic faults, Holocene Fault, Late Quaternary Fault and the Alquist-Priolo Earthquake Fault Zone. Because most of the lands within the City are generally flat, slope instability hazards are not a concern, with the exception of lands within the Western Hills.

Three soil types were mapped within the delineation study area based on the Natural Resources Conservation Service (NRCS) Web Soil Survey (2022). These are Cole loam, drained, 0 to 2 percent slopes; Russian loam, 0 to 2 percent slopes; and urban land. Cole loam, drained, 0 to 2 percent slopes is typically a very deep, somewhat poorly drained soil that occurs on alluvial plains and fans. It formed in recent alluvium derived primarily from sedimentary rock (USDA 1991). Russian loam, 0 to 2 percent slopes, is a very deep, well drained soils that occurs on flood plains and low stream terraces. It formed in alluvium derived primarily from sedimentary rock (USDA 1991). Urban land soils occur on terraces and alluvial plains in Ukiah. In the project area the urban land soils unit occurs in areas that have been altered by cutting and filling or grading, specifically for the construction of the railroad. Soils in the project area ranged from very gravelly loam to clay loam and are primarily urban land soils.

The City of Ukiah contains five geologic units: Quaternary alluvium, Quaternary terrace deposits, Plio-Pleistocene sedimentary rocks, Cretaceous marine sedimentary rocks, and the Franciscan Complex. Quaternary alluvium underlies the majority of the Planning Area and includes various Holocene-aged deposits including floodplain deposits, active stream channel deposits, alluvial fan deposits, and artificial fill. These various sediment types generally consist of loose to moderately consolidated, gravel, sand, and silt, and due to its Holocene age (e.g. within the past 11,700 years) is generally too young to preserve paleontological resources as fossils and therefore has a low paleontological sensitivity. However, Quaternary terrace deposits underlie portions of the Planning Area, which contain deposits of Pleistocene age (e.g. from around 2.58 million to 11,700 years ago) consisting of moderately to well-cemented, poorly sorted, silty or clayey sand and gravel. No significant fossil localities are known from Pleistocene alluvial deposits in either the City of Ukiah or the broader Mendocino County, but similar sediments in nearby Lake and Sonoma Counties have produced fossils such as mastodon (*Mammuth*), ground sloth (*Nototheriops*, *Paramylodon*), horse (*Equus*), bison (*Bison*), camel, deer, and plants. Given the fossil-producing history of similar sediments in this region of California, Quaternary terrace deposits have high paleontological sensitivity.

Discussion:

(a-e) No Impact. The Project site sits at approximately 597 feet in elevation and is relatively flat. According to the U.S. Department of Agriculture, Natural Resources Conservation Service's Web Soil Survey, and the Aquatic Resources Report (Appendix B), the soils within the Project site are characterized as "210 Urban Land", which is described as soils in highly populated areas containing largely built-out environments. In addition, according to the U.S. Geological Survey (USGS), the site is not susceptible to landslides, nor strong seismic ground shaking. There are no unique geologic features, and no unique paleontological features occur in the Project area. All development and construction for the Project will adhere to California Building Code requirements pertaining to erosion, soil stability and seismic regulations. (See Appendix D). For the above reasons, the Project would have no impact to geology and soils.

(f) Less than Significant. Ground disturbance in the areas demarcated for wetland grading and improvements underlain by Quaternary terrace deposits may result in potentially significant impacts to paleontological resources. Ukiah 2040 contains the following proposed goal and policies related to reducing impacts to paleontological resources.

Goals ENV-3: To preserve and protect historic and archaeological resources in Ukiah.

Policy ENV-3.2: Archaeological Resource Impact Mitigation. The City shall ensure appropriate and feasible mitigation for new development that has the potential to impact sites likely to contain archaeological, paleontological, cultural, or tribal resources.

Policy ENV-3.3: Protect Archaeological Resources. The City shall require any construction, grading, or other site altering activities cease if cultural, archaeological, paleontological, or cultural resources are discovered until a qualified professional has completed an evaluation of the site.

Although this proposed goal and policies would reduce impacts, ground disturbing construction activities may impact paleontological resources if previously undisturbed, high-sensitivity Quaternary terrace elements are encountered below the surface. Consequently, damage to or destruction of fossils could occur due to wetland grading. As part of the project design (See Appendix D), mitigation has been incorporated to address this potential and reduce impacts to less than significant, including the following:

1. Should paleontological resources be identified at any project construction site, the Contractor shall cease operation within a 330-foot radius of the discovery and immediately notify the City. The City will provide a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering any suggested mitigation proposed by the paleontologist, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the discovery, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

Mitigation Measures: None

8. Greenhouse Gas Emissions

GREENHOUSE GAS EMISSIONS				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Significance Criteria: The Project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Environmental Setting: Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs may be emitted as a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change.

The state of California has adopted various administrative initiatives and legislation relating to climate change, much of which set aggressive goals for GHG emissions reductions statewide. Although lead agencies must evaluate climate change and GHG emissions of projects subject to CEQA, the CEQA Guidelines do not require or suggest specific methodologies for performing an assessment or specific thresholds of significance and do not specify GHG reduction mitigation measures. No state agency has developed binding regulations for analyzing GHG emissions, determining their significance, or mitigating significant effects in CEQA documents. Thus, lead agencies exercise their discretion in determining how to analyze GHGs. Because there are no adopted GHG thresholds applicable to the Project, and because the Project is considered “small scale,” meaning that it does not include new large buildings or components requiring significant construction that would result in increased GHGs, the below qualitative analysis is appropriate.

The Mendocino County Air Quality Management District (MCAQMD), under whose air quality jurisdiction the City of Ukiah lies, defers to the Bay Area Air Quality Management District (BAAQMD) guidelines for CEQA review of projects in Mendocino County. The BAAQMD adopted the *2017 Clean Air Plan* on April 19, 2017. The 2017 Clean Air Plan, which focuses on protecting public health and the climate, defines an integrated, multi-pollutant control strategy that includes all feasible measures to reduce emissions of ozone precursors (including transport of ozone and its precursors to neighboring air basins), particulate matter (PM), and toxic air contaminants (TAC). To protect public health, the control strategy will decrease population exposure to PM and TACs in communities that are most impacted by air pollution, with the goal of eliminating disparities in exposure to air pollution between communities (BAAQMD 2017).

The 2017 Clean Air Plan does not include control measures that apply directly to individual development projects. Instead, the control strategy includes stationary-source control measures to be implemented through BAAQMD regulations; mobile-source control measures to be implemented through incentive programs and other activities; and transportation control measures to be implemented through transportation programs in cooperation with the Metropolitan Transportation Commission, local governments, transit agencies, and others. Under BAAQMD's methodology, a determination of consistency with CEQA Guidelines thresholds should demonstrate that a project:

- Supports the primary goals of the 2017 Clean Air Plan;
- Includes applicable control measures from the 2017 Clean Air Plan; and
- Does not disrupt or hinder implementation of any 2017 Clean Air Plan control measures.

Discussion:

(a) Less than Significant.

Pursuant to the 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*, BAAQMD does not recommend a construction-related climate impact threshold. The proposed thresholds for land use projects are designed to address operational GHG emissions that represent the vast majority of project GHG emissions. Therefore, the evaluation of GHG emissions impacts associated with project implementation is focused on operational emissions.

As described in 3. Air Quality, demolition activities requiring the use of heavy equipment, tools (mechanical ram, dump truck, excavator, pickup truck, backhoe, front end loader, bobcat & stinger for concrete demolition) and vehicle trips (construction workers, equipment transportation, and dump truck haul trips) could result in direct GHG emissions. Demolition activities including the use of diesel engine equipment would be subject MCAQMD/BAAQMD regulations intended to address air quality impacts and GHG emissions. With the temporary nature of demolition activities and adherence to the aforementioned regulations, impacts related to GHGs would be less than significant.

In addition, during operation the Project would help to achieve Ukiah 2040's Environment and Sustainability Element Goal, ENV-8 *To achieve carbon neutrality by or before the year 2045* and match up with the BAAQMD's 2017 Clean Air Plan, by promoting more sustainable means of transportation across the community reducing per capita vehicle miles traveled. In particular, the Clean Air Plan's Control Measure TR9 encourages planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities. The Project supports an efficient and safe bicycle and pedestrian system that would improve the connectivity and accessibility in the southern section of the City, and would fulfill a number of Ukiah 2040 General Plan Policies, namely:

- Policy ENV-7.2 which prioritizes pedestrian and bicycle access, infrastructure, and education to increase active transportation use.
- Goal LU-2 encouraging mixed-use development that creates walkable districts, through pedestrian orientation that creates a comfortable environment for walking (Policy LU-2.4).
- Policy LU-4.5 calling for pedestrian access to commercial uses from residential areas.
- Goals MOB-1, MOB-2, and MOB-5, along with associated policies, which aim to create a more bikeable and walkable city. Specifically, Policy MOB-1.2 strives for multi-modal access to new development projects; Policies MOB-1.9 and MOB-1.10 encourage a complete bikeway network with bicycle parking; Policy MOB-2.7 encourages public transportation to be bicycle

accessible; and Policy MOB-5.1 calls for incentives for travel alternatives to single-occupant vehicles such as secure bicycle parking.

(b) Less than Significant.

Pursuant to AB 32, CARB adopted the *Climate Change Scoping Plan* in January 2009 (reapproved by CARB on August 24, 2011) outlining measures to meet the GHG reduction goal to reduce emissions to 1990 levels by 2020 (CARB, 2009). The Scoping Plan is required by AB 32 to be updated at least every 5 years. On December 14, 2017, CARB approved the current Climate Change Scoping Plan, *California's, 2017 Climate Change Scoping Plan* (2017 Scoping Plan Update). The 2017 Scoping Plan Update outlines the proposed framework of action for achieving the 2030 GHG target of 40 percent reduction in GHG emissions relative to 1990 levels. The 2017 Scoping Plan Update identifies key sectors of the implementation strategy, which includes improvements in low carbon energy, industry, transportation sustainability, natural and working lands, waste management, and water. CARB determined that the target statewide 2030 emissions limit is 260 million metric tons of CO₂e (MMTCO₂e) and that further commitments will be needed to achieve an additional reduction of 50 MMTCO₂e beyond current policies and programs (CARB, 2017).

The 2017 Scoping Plan Update establishes the framework for achieving the 2030 statewide GHG reduction target of 40 percent below 1990 levels, established by SB 32. The plan update details local actions that land-use development projects and municipalities can implement to support the statewide goal. For project-level CEQA analyses, the 2017 Scoping Plan Update states that projects should implement feasible mitigation, preferably measures that can be implemented onsite.

CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. As described below, the Project would be consistent with CARB's 2017 Scoping Plan Update.

The 2017 Scoping Plan Update incorporates a broad array of regulations, policies, and state plans designed to reduce GHG emissions. Those that are applicable to the construction and operation of the proposed Project are listed in Table GHG-1. As shown below, the Project would be consistent with goals described in the Scoping Plan Update to reduce energy use and transportation emissions, consistent with statewide strategies and regulations. As a result, the proposed Project would not conflict with applicable Climate Change Scoping Plan strategies and regulations to reduce GHG emissions; and the impact would be less than significant.

**Table GHG-1
CONSISTENCY WITH APPLICABLE GREENHOUSE GAS REDUCTION ACTIONS IN 2017
SCOPING PLAN UPDATE**

Strategy	Description	Consistency Analysis
AB 1493 (Pavley Regulations)	Reduces GHG emissions in new passenger vehicles from model year 2012 through 2016 (Phase I) and model years, 2017–2025 (Phase II). Also reduces gasoline consumption to a rate of 31 percent of 1990 gasoline consumption (and associated GHG emissions) by 2020.	Consistent. The standards would apply to all vehicles used by construction workers and maintenance workers associated with the Project. The Project would be consistent with this regulation and would not conflict with implementation of the vehicle emissions standards.
Low Carbon Fuel Standard (Executive Order S-01-07)	Establishes protocols for measuring lifecycle carbon intensity of transportation fuels and helps to establish use of alternative fuels.	Consistent. The standards would apply to all vehicles used by construction workers and maintenance workers associated with the Project. The Project would be consistent with this regulation and would not conflict with

		implementation of the transportation fuel standards.
Advanced Clean Cars Program	In 2012, CARB adopted the Advanced Clean Cars (ACC) program to reduce criteria pollutants and GHG emissions for model year vehicles 2015 through 2025. ACC includes the Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the ZeroEmission Vehicle (ZEV) regulation, which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric vehicles (PHEV) in the 2018 through 2025 model years.	Consistent. The standards would apply to all vehicles used by construction workers and maintenance workers associated with the Project. Therefore, the proposed project would be consistent with this regulation and would not conflict with implementation of the ACC program.

As discussed above, the Project would be consistent with the applicable strategies and policies included in the 2017 Scoping Plan Update. Therefore, the Project would not conflict with applicable plan, policies or regulations adopted for the purpose of reducing the emissions of greenhouse gases and the impact would be less than significant.

Mitigation Measures: None.

9. Hazards and Hazardous Materials

HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Significance Criteria: The Project would result in significant hazards or hazardous materials impacts if it exposed people to hazardous materials or placed them into hazardous situations; if it released hazardous materials or emissions into the environment or within 0.25 miles of a school; if it is located on a listed hazardous materials site; if it would create a hazard due to its proximity to a public airport or private airstrip; if it would create excessive noise for people in the area; if it would interfere with an emergency response or evacuation plan; or if it would expose people or structures to significant risks due to wildland fire.

Environmental Setting: The Safety Element of the City of Ukiah 2040 General Plan addresses a wide variety of approaches pertaining to hazard management and mitigation (City of Ukiah, 2022). Other regional hazards and hazardous materials guidance documents include, but are not limited to,

the Community Wildfire Protection Plan, Hazardous Waste Management Plan, Operational Area Emergency Plan, and the Mendocino County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP), which was adopted by the County in December 2020 (Mendocino County, 2020). The MJHMP discusses prevalent hazards within the County; identifies risks to vulnerable assets, people, and property; and provides a strategy to achieve the greatest risk reduction based upon available resources. The four cities within Mendocino County, including the City of Ukiah, contributed to the MJHMP to individually assess hazards, explore hazard vulnerability, develop mitigation strategies, and create their own plan for each respective city. The Jurisdictional Annex to the MJHMP, was adopted by the City of Ukiah in 2020. Hazards identified for the City of Ukiah include earthquakes, wildfire, dam failure, flood, and pandemic (Mendocino County, 2020).

The City of Ukiah Emergency Operation Plan (May 2021) is designed to ensure continuity of operations and essential services, such as police, fire, utilities, and other day-to-day operations during and after an emergency or disaster. This plan was developed in consultation with the Ukiah Disaster Council it complies with all local ordinances, state law, and aligns with contemporary emergency planning guidance. This plan serves as the primary guide for reducing emergency and disaster risk within the City of Ukiah and establishes roles and procedures for deployment of the City's Emergency Operations Center. A current map of evacuation zones and routes is also maintained on the City of Ukiah's Office of Emergency Management webpage.

Mendocino Council of Governments (MCOG) prepared the Mendocino Evacuation Plan (July, 2020) that identifies evacuation routes within the County. This Plan describes existing conditions, access concerns, and strategies for managing evacuations which exceed the day-to-day capabilities of the various public safety agencies in Mendocino County. The City of Ukiah is identified as being located within "Planning Area 2" and "Zone 2f" of the Evacuation Plan. As noted in the plan, Highways 101 and 20 are identified as primary evacuation routes for the Ukiah area. The selection of specific (additional) evacuation routes (in effect during an emergency) will be done in the field at the Incident Command Post, according to the plan (MCOG, 2020).

The Ukiah Municipal Airport is located within the City of Ukiah jurisdictional limits. The Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP) was adopted by the Mendocino County Airport Land Use Commission on May 20, 2021 and adopted by the Ukiah City Council on June 16, 2021. The UKIALUCP identifies areas (known as "compatibility zones") with potential hazards and impacts to persons using or working within the vicinity of the airport.

Under Government Code Section 65962.5, both the State Water Resources Control Board (SWRCB) and the California Department of Toxic Substances Control (DTSC) are required to maintain databases of sites known to have hazardous substances present in the environment.

All lands within the City of Ukiah are within the jurisdiction of the Ukiah Valley Fire Authority. None of the lands within the City of Ukiah are located within a California Department of Forestry (CalFire) State Responsibility Area (SRA). However, some parcels within the western boundary of the City limits, are designated as "Very High" fire severity within the Local Responsibility Area (LRA). The Project site is not located within a High or Very High fire severity zone.

Discussion:

(a-b) Less than Significant.

Potentially hazardous substances may be used during construction of the project, including fuel, lubricant, and solvents for equipment. However, construction would be subject to implementation of appropriate BMPs to address the use and transport of hazardous materials and the potential discharge of contaminants. The Project's Special Provisions (Appendix D) incorporates by reference the

CalTrans Standard Specifications, in particular section 14-10 Solid Waste Disposal and Recycling (CalTrans, 2018 p. 230), which requires appropriate Best Management Practices (BMPs). Based on the implementation of these BMPs, impacts resulting from hazardous materials during construction are expected to be less than significant.

(c) No Impact.

The Project site is not within 0.25 mile of an existing or proposed school. The closest school is Ukiah Junior Academy, approximately 0.38 miles southwest of the Project site. The Project would not emit or handle hazardous materials, substances, or waste within 0.25 mile of a school. The City and its contractors would be required to comply with existing and future hazardous materials laws and regulations covering the transport, use, and disposal of hazardous materials, and because of the nature and quantity of the hazardous materials to be potentially used by the Project, the impact related to the use of hazardous materials during construction would have no impact.

(d) Less than Significant with Mitigation.

The Project is located along an industrial railroad corridor, which is known to include past use of heavy metals, creosote wood products, and other constituents associated with historical railroad activity and construction. Groundwater dewatering is generally not expected but may be required. Groundwater encountered during construction would be from shallow groundwater and not associated with a deeper aquifer. Outside of the Project Area but within the 1/8 mile buffer, there is at least one site classified with a hazard ranking

From the EnviroStor Database of the Department of Toxic Substances (DTSC), The Coast Wood Preserving Federal Super Fund site is located on approximately 8 acres on the southwest corner of Taylor Drive and Plant Road, adjacent to the southern terminus of the Project's railway corridor. In 1983 the US Environmental Protection Agency placed Coast Wood Preserving on the Superfund List. However, the DTSC has been the lead regulatory agency for the investigation and cleanup. The effects of an adjacent site's leaking of chromium into the soil and groundwater has the potential to cause a hazard during project grading and restoration activities.

The remedy for soil and groundwater contamination selected in DTSC's September 1989 Remedial Action Plan (RAP) and the United States Environmental Protection Agency's (US EPA) 1989 Record of Decision (ROD) included paving the site with an asphalt or concrete cap to prevent run-off and leaching of wood treatment solutions to the subsurface; installation of a down gradient slurry wall; groundwater extraction, treatment and reinjection; and soil excavation and off-site disposal after plant closure. Institutional controls were also implemented at the site through a Land Use Covenant between DTSC and CWP, which imposes a limitation on the site for non-residential use only.

In July 1999, DTSC approved with US EPA concurrence, an amendment to the 1989 RAP which changed the remedial action for groundwater from extraction and treatment to in situ reduction and fixation of hexavalent chromium via direct injection and infiltration of calcium polysulfide reductant. The RAP Amendment also included a provision for using the in-situ reduction and fixation for treating hexavalent chromium in soil. Remedial actions have continued by direct injection into the groundwater and infiltration of reductant with the use of infiltration trenches up gradient of the slurry wall. Infiltration of reductant occurred January of 2015 and February 2016. Hexavalent chromium and total chromium contamination in groundwater currently remain above their respective clean up levels in a few isolated areas, and have fluctuated in concentration during this review period, possibly associated with seasonal variation in groundwater levels. In December 2017, DTSC, US EPA, Coast Wood Preserving and Environmental Liability Transfer, Inc. (ELT) signed a Consent Decree for the transfer of cleanup responsibility to ELT. On June 8, 2018, Environmental Liability Transfer, Inc. (ELT) became the new owners of Coast Wood Preserving. In 2018, Coast Wood Preserving closed their operations and in

accordance of the Consent Decree, ELT began the process of completing the RAP implementation. Future work, as required by the RAP, includes soil investigation and soil removal. Groundwater monitoring will continue. (EnviroStor, 2019).

In order not to exacerbate existing contamination that may be present within the Project area, and mitigate risks to on-site personnel and the environment, **Mitigation Measures HAZ-1** would be implemented. This measure would reduce the impact of potential exposure from hazardous materials to construction workers, nearby receptors, and the environment to a less-than-significant level by conducting site investigatory soil pre-characterization for specific contaminants of concern (COCs), and requiring the proper handling and disposal of hazardous wastes per applicable local, state and federal regulations and/or guidelines. A Sampling Analysis Plan (SAP) shall be prepared to determine if specific COCs are present above regulatory thresholds. Once pre-characterization is complete and depending on the results of pre-characterization, a project-specific Soil and Groundwater Management Plan (SGMP) and/or a Soil Excavation, Stockpiling and Transportation Plan (SESTP) will be prepared. The purpose of the SGMP is to document, in accordance with best risk management practices, the general procedures for worker safety protocols, and for managing excavated soil and/or groundwater removed during construction.

(e) Less than Significant.

The Project is located within Airport Compatibility Zones 2 (Inner Approach/Departure Zone), 3 (Inner Turning Zone) and 5 (Sideline Zone) within the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP). While overflights may be intrusive to some outdoor activities, these zones do not contain any regulations regarding intensity of use or other standards specific to airport safety concerns that would be applicable to the Project. According to Table 3A of the UKIALUCP, local parks are considered conditionally compatible in Zones 2 and 3 provided there are no permanent facilities where people congregate, and that residential intensity criteria is met. As the Project proposes no permanent structures, either residential or commercial, the Project's use in these areas is compatible. Those areas of the Project in Zone 5 are considered normally compatible. The Project would not result in a safety hazard or excessive noise related to airport operations for people working in the Project area. Impacts would be less than significant.

(f) Less than Significant.

The primary routes for evacuation from the City of Ukiah are identified as Highways 101 and 20, as these routes are well maintained and have adequate carrying capacity for evacuation purposes (MCOG, 2020). Although there are no specific evacuation routes discussed in either the Mendocino County Emergency Operations Plan, Mendocino County Multi-Hazard Mitigation Plan, nor the City of Ukiah's jurisdictional annex to the Multi-Hazard Mitigation Plan (Mendocino County, 2016; 2020), Highway 101 is identified as a primary route in the (recently completed) Mendocino County Evacuation Plan (MCOG, 2020). The proposed Project trail alignment would be adjacent to existing streets, not considered major roadways in the City of Ukiah. Emergency access to the Project Area already exists from these streets and would continue to exist under the proposed Project during both construction and operation. Operation and maintenance of the Project would not result in substantial additional daily traffic from maintenance activities or truck trips along local roadways, and would, therefore, not affect emergency services or response times in the area. Additionally, no roadway closures are proposed during construction, nor during normal operation of the Project. A less than significant effect on emergency access would result.

(g) Less than Significant.

Based on mapping by the California Department of Forestry and Fire Protection (CAL FIRE) Forest Resource Assessment Program (FRAP) the Project site is not within a Very High Fire Hazard Severity Zone (CAL FIRE, 2007). The use of construction equipment and the possible temporary on-site

storage of fuels and/or other flammable construction chemicals could pose an increased fire risk resulting in injury to workers or the public during construction. However, contractors would be required to comply with hazardous materials storage and fire protection regulations, which would minimize potential for fire creation, and ensure that the risk of wildland fires during construction would be less than significant.

Mitigation Measures:

HAZ-1: Sampling Analysis Plan

Mitigation Measure HAZ-1 would reduce the impact of potential exposure from potential hazardous materials to construction workers, nearby receptors, and the environment to a less-than-significant level by conducting site investigatory soil pre-characterization for specific contaminants of concern (COCs) and requiring the proper handling and disposal of hazardous wastes per applicable local, state and federal regulations and/or guidelines. A Sampling Analysis Plan (SAP) shall be prepared to determine if specific COCs are present above regulatory thresholds in disturbed areas near the proposed terminus of the trail at Plant Road. Once pre-characterization is complete and depending on the results of pre-characterization, a project-specific Soil and Groundwater Management Plan (SGMP) and/or a Soil Excavation, Stockpiling and Transportation Plan (SESTP) will be prepared, if determined necessary. The purpose of the SGMP is to document, in accordance with best risk management practices, the general procedures for worker safety protocols, and for managing excavated soil and/or groundwater removed during construction. The SGMP and/or SESTP shall address specific training requirements for soil and groundwater management, materials handling, dewatering, soil stockpiling, transportation, and disposal procedures.

1. A Sampling Analysis Plan (SAP) shall be prepared by the City or its contractor to define sample locations, boring depths based upon design, estimated soil volumes, and number of borings to adequately pre-characterization project alignment soils and/or groundwater. The SAP shall include precharacterization of soil and groundwater for potential constituents of concern (COCs) and shall include an assessment of CAM-17 metals and petroleum hydrocarbons prior to initiating construction activities. The SAP shall further include specifications for surficial samples that will be collected to the proposed depth of excavation in the areas where ground disturbing activities are proposed.
2. Prior to construction of the Project, limited pre-characterization shall be conducted at SAP identified locations in proximity to the Coast Wood Preserving Federal Super Fund Site where ground disturbance is expected to occur adjacent to Plant Road in conjunction with the project.
3. If pre-characterization analysis results determine COCs above regulatory background thresholds for human and environmental health exposure, then a site-specific Soil and Groundwater Management (SGMP) shall be prepared to address proper handling of potentially impacted soil and groundwater prior to waste stream characterization, proper disposal, and handling requirements for worker protection. The SGMP shall proactively plan for and manage potentially encountered hazardous materials affected soils, and to provide special soil and groundwater handling and stockpiling details throughout the Project Area construction areas for worker protection, final waste disposal purposes and to mitigate potential project construction delays. Key elements of the SGMP will include management options for excavated soils, waste characterization options for excavated soils, areas of impact soil and or groundwater, sampling strategy for stockpiled soils, special handling requirements, record keeping, and HAZWOPER training. The SGMP shall indicate the specific level of protection required for construction workers and include preparation of a site-specific health and safety plan in accordance with federal OSHA regulations (29 CFR 1910.120) and Cal-OSHA

regulations (8 CCR Title 8, Section 5192) to address worker health and safety issues during construction.

4. Where Project construction design proposes to include demolition or deconstruction of existing structures (bridges), subsequent pre-demolition hazard materials sampling shall occur for asbestos and lead at locations where structural demolition would occur.
5. If required, a Soil Excavation, Stockpiling and Transportation Plan (SESTP) shall be prepared once the areas of Project ground disturbance are confirmed and prior to construction. The SESTP will specify measures to appropriately manage soil spills during Project construction for waste characterization, worker protection, fugitive emissions control and disposal. Alternatively, soil spoils can be initially field screened (visual, olfactory, photo-ionization detector, etc.) and stockpiled, then subsequently characterized for appropriate disposal methods according to applicable waste facility requirements.
6. If construction activities include dewatering, and if laboratory analysis of pre-construction soil borings indicate elevated total and Soluble Threshold Limit Concentration (STLC) concentrations of 1,000 ppm and 5 mg/L, respectively, then dewatered groundwater will be stored in tanks, and characterized for waste disposal or permitted for treatment and discharge to sanitary sewer, storm drain, or land. - All potentially contaminated materials encountered during Project construction activities shall be evaluated in the context of applicable local, state and federal regulations and/or guidelines governing hazardous waste. All materials deemed to be hazardous shall be remediated and/or disposed of following applicable regulatory agency regulations and/or guidelines. Disposal sites for both remediated and non-remediated soils shall be identified prior to beginning construction. Management of these sites shall be documented in a Material Management Plan acceptable to applicable agencies. All evaluation, remediation, treatment, and/or disposal of hazardous waste shall be supervised and documented by qualified hazardous waste personnel.

With the incorporation of Mitigation Measure HAZ-1, the potential impact to construction workers, nearby receptors, or the environment would be less than significant.

10. Hydrology and Water Quality

HYDROLOGY AND WATER QUALITY				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in a substantial erosion or siltation on- or off-site;	☐	☒	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☒	☐	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☒	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Significance Criteria: The Project would significantly impact hydrology and water quality if it violated water quality standards or waste discharge requirements or substantially degraded surface or groundwater quality; substantially decreased groundwater supplies or impeded sustainable groundwater management; altered drainage patterns in a manner that would cause substantial on- or off-site erosion, polluted runoff or excessive runoff that caused flooding; impeded or redirected flood flows; risked a release of pollutants due to inundation if in a flood hazard, tsunami or seiche zone; or conflicted with a water quality plan or sustainable groundwater management plan.

Environmental Setting: Average rainfall in Ukiah is slightly less than 35 inches. Most of the precipitation falls during the winter. Rainfall is often from brief, intense storms, which move in from the northwest. Virtually no rainfall occurs during the summer months. Surface water supplies for the Ukiah

Valley include the Eel River, from which water is diverted into the Russian River watershed through the Potter Valley Project, Lake Mendocino, and the Russian River. Groundwater is drawn from the Ukiah Valley groundwater basin. The Ukiah Valley groundwater basin is the northernmost basin in the Russian River water system and underlies an area of approximately 60 square miles. Water enters the groundwater system via percolation of surface waters and through the soil. The creeks and streams in the Ukiah Valley provide drainage channels for groundwater recharge, as well as domestic and agricultural water supply.

As discussed under 3. Biological Resources, there are four mapped wetlands in the Project area. Full descriptions of these features may be found within Appendix B Aquatic Resource Report. Wetland Area A is approximately 9,351 sf and is located south of Plant Road. This is a seasonal wetland that is drier in the southern portion and then becomes more wetland as it goes north with saturated soils, algal matting and obligate wetland plants defining this area. The wetland ends at a change in elevation from a long, linear ditch feature to an upland “berm”. Drainage D1 is rock lined with little to no soil development. Drainage D2 contains a total area of 639 sf within the Aquatic Resources Report (Appendix B) study area. The drainage has been altered and disturbed by both the railroad and Highway 101. Wetland Area B is a small 109 sf seasonal wetland dominated by FAC species such as Himalayan blackberry and ryegrass. Refer to photo 6 for this feature. Wetland Area C is also a seasonal wetland, extending approximately 2,489 sf within the Aquatic Resources Report study area. Water for this area comes from culverts under the railroad tracks. This site is dominated by Himalayan blackberry and Harding grass.

Wetland Area D is approximately 6,502 sf within the study area and is dominated by iris-leaved rush, which is an obligate wetland plant. There were also some willows in the area. This area has been disturbed by homeless encampments and includes a lot of human trash.

In addition, on March 10, 2023, the Project received a North Coast Regional Water Quality Control Board (NCRWQCB) water quality certification (Certification) that identified total permanent impacts to approximately 0.15 acres/49 Linear Feet of waters of the state, including 0.127 acres of wetlands (Wetland C and Wetland D), 0.017 stream channels (D3, D4, D5) and 0.023 acres of riparian areas. (See Appendix E NCRWQCB Water Quality Certification). This report requires mitigation for these impacts that are outlined at the end of Appendix E and entitled “Attachment 2 Avoidance and Minimization Measures.” Updated avoidance and minimization measures are provided in Appendix G, as allowed under Project-Specific Condition 1. Of the NCRWQCB Water Quality Certification. These measures have been integrated as mitigation under BIO-2.

Discussion:

(a) Less than Significant with Mitigation

The Project would include soil disturbing activities such as grading and site contouring, which have the potential to mobilize sediment, silt, and other contaminants through runoff. As construction of the Project would disturb more than 1 acre of soil, compliance with the General Permit for Stormwater Discharges Associated with Construction Activity, Order No. 2009-0009-DWQ (commonly referred to as the Construction General Permit) is required (See Appendix E). Construction activity subject to this permit includes clearing, grading, and ground disturbances such as stockpiling or excavation. The Construction General Permit requires the development of a Stormwater Pollution Prevention Plan (SWPPP) including specific measures to control erosion and limit contamination of ground and surface waters.

The Project’s ground disturbance in the absence of measures to protect riparian vegetation may result in erosional flow towards the Russian River and adjacent wetlands, potentially contributing to sediment into the river. To reduce potential effects **Mitigation Measure BIO-2**, would be implemented to ensure

that regulatory requirements consistent with the terms of the Construction General Permit, SWPPP, general wetland avoidance measures, and stormwater BMPs would control and limit runoff from the Project site, consistent with water quality standards. To ensure that ground disturbance does not result in conditions of runoff on or off site and that habitats are protected, **Mitigation Measure BIO-1** (described in Section 4, Biological Resources) would also be implemented. These measures would limit disturbance of existing wetlands and riparian woodlands and prevent the Project from contributing to the siltation of the Russian River and adjacent wetlands.

As discussed in Section 9, Hazards and Hazardous Materials, there are existing hazards in proximity to the site which could contaminate ground or surface water quality during construction ground disturbing activities, such as excavation and movement of soils. **Mitigation Measure HAZ-1** would be implemented to reduce potential impacts. This measure would require soil, groundwater, and asbestos investigations and the proper handling and disposal of hazardous wastes per applicable local, state and federal regulations and/or guidelines. Impacts associated with the Project's construction would be less than significant with mitigation implemented. (Refer to Section 9 for the text of Mitigation Measure HAZ-1).

Following construction, the City of Ukiah would be responsible for maintaining the revegetation and managing the Great Redwood Trail in a manner that would provide for ongoing protection of water quality. Water quality impacts during operation and maintenance of the Project would be less than significant.

(b, e) No Impact.

The Project would not utilize groundwater resources during construction or operation but will instead utilize water provided by connections to the Willow County Water District. In excavating waste piles of concrete and other debris, and restoring associated wetlands, the Project improves conditions for groundwater recharge in the project area.

(c.i) Less than Significant with Mitigation.

The Project includes extensive alteration of drainage patterns for the purpose of recontouring the site and restoring wetland habitat areas within and adjacent to the rail corridor. The proposed design for the Project does not include the extensive addition of impervious surface areas. Construction would require implementation of a SWPPP which would include measures to minimize erosion and control runoff on and off-site. Resource avoidance measures, as described in Appendix G, include flagging or fencing of wetlands to prevent contamination of wetlands during construction. To ensure that appropriate measures to limit runoff are taken prior to and during construction including preparation of a SWPPP and an erosion and sediment control plan, **Mitigation Measure BIO-2**, would be implemented.

With adherence to stormwater and associated water quality regulatory requirements and implementation of Mitigation Measure BIO-1 outlining basic requirements of the SWPPP and erosion control plan to be prepared for the Project, erosion and sedimentation/siltation would be controlled during construction. Impacts would, therefore, be less than significant with mitigation.

(c.ii) Less than Significant.

The project may increase the rate or amount of surface runoff due to additional impervious surface area from the paved concrete walkway. BMPs implemented during construction (See Appendix D) would serve to minimize stormwater runoff impacts, and the construction of the culvert extensions would minimize post-construction stormwater runoff impacts. In addition, the Project addresses existing drainage issues through removal of concrete rubble and relic debris to allow for the enhancement of seasonal (existing and constructed) wetlands.

(c.iii) Less than Significant with Mitigation.

The Project design would allow for appropriate drainage to facilitate wetland restoration as discussed in the Project's Plans and Special Provisions (Appendices A and D). Although extensive grading and recontouring of the site would be implemented, such work would be subject to the City of Ukiah's design standards and erosion and sediment control requirements. Consistent with these standards, measures will be taken to minimize or otherwise limit runoff during construction, subject to City engineering review and approval. Site soils would be stabilized and revegetated following disturbance. With implementation of **Mitigation Measure BIO-2** ensuring development of a SWPPP required for the construction general permit, impacts would be reduced to less-than-significant levels.

(c.iv) Less than Significant.

The Project meanders in and out of FEMA mapped areas with a 0.2% and 1% annual chance of a flood hazard, and areas with reduced risk of flooding due to levees (FEMA, 2024). BMPs implemented during construction (See Appendix D) and the construction of the culvert extensions would ensure that flood flows are not impeded or redirected into the surrounding site. Through the removal of relic debris from the Project site and restoration of the wetland areas within the Project site, the proposed Project, as implemented, would result in improved conditions for the functionality of flood flows.

d) Less than Significant with Mitigation.

The Project site is not located in the coastal zone or in a tsunami inundation zone. The wetlands and drainages adjacent to the site are not large enough or deep enough to produce a seiche. Therefore, there is no risk for release of pollutants associated with these hazards for the site and surroundings.

The Project is within FEMA mapped areas subject to periodic inundation. Under existing conditions there is potential for release of contaminants during inundation. Proposed soil excavation and movement could increase the risk of contamination. Therefore, measures to reduce this risk would be needed during construction of the Project.

Implementation of **Mitigation Measure BIO-2** would ensure compliance with water quality requirements including preparation of a SWPPP. **Mitigation Measure HAZ-1** would be implemented to ensure that potential hazards are identified and safely removed from the site, thereby limiting contamination of surface and groundwaters. Impacts would be less than significant with mitigation measures implemented.

Mitigation Measures:

BIO-1, BIO-2, BIO-3, HAZ-1

11. Land Use and Planning

LAND USE AND PLANNING				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Significance Criteria: The Project would significantly impact land use if it physically divided an established community or conflicted with a land use plan, policy or regulation intended to avoid or mitigate an environmental impact, such as the general plan or zoning code.

Environmental Setting: The City of Ukiah includes contiguous lands at the city center, as well as lands owned and managed by the city for a total of approximately 4.72 square miles of incorporated area. Ukiah serves as the County Seat of Mendocino County, as well as the county's main commercial hub. Zoning and land uses are governed by the City's Zoning Ordinance, as outlined in Division 9, Chapter 2 of the Ukiah City Code. Predominant land uses in the City include single family residential, multi-family residential, and commercial uses ranging from local commercial to heavy commercial, as well as manufacturing, industrial, agricultural, and public facilities. The City's 2040 General Plan was adopted by City Council on December 7, 2022, and contains the following goals and policies that are applicable to the Project (City of Ukiah, 2022).

Public Facilities, Services, and Infrastructure Element

Goal PFS-12: To provide parks, recreational facilities, and trails for residents and visitors.

Policy PFS-12.1: Connected Park System. The City shall provide an interconnected park system that creates an urban greenbelt and links all trail systems within the City.

Policy PFS-12.2: Expansion of Recreational Amenities and Programs. The City shall expand amenities and recreational programs in parks and recreational facilities that accommodate a variety of ages and address the needs of families.

Policy PFS-12.3: Equitable Access to Parks and Recreation Facilities. The City shall establish new parks and recreation facilities to ensure all residents have access within a one-mile radius of their place of residence regardless of socio-economic status.

Environment and Sustainability Element

Goal ENV-5: To ensure the health and viability of the Russian River and its tributaries.

Policy ENV-5.1: Local Collaboratives. The City shall participate in local collaborative efforts to restore and preserve the health of the Russian River as a habitat for riparian species.

Policy ENV-5.3: Russian River Riparian Area. The City shall support the County in maintaining the Russian River as a natural riparian corridor.

Goal ENV-6: To preserve and restore creeks, streams, riparian areas, and wetlands.

Policy ENV-6.2: Contamination and Sedimentation Prevention. The City shall require new development to use site preparation, grading, and construction techniques that prevent contamination and sedimentation of creeks and streams. (Source: New Policy)

Policy ENV-6.3: Waterway Restoration. The City shall encourage and provide resources to landowners in the city to remove invasive species, plant native plant species, and prevent pollution from entering local creeks and waterways. (Source: New Policy)

Policy ENV-6.4: Waterway Channelization. The City shall actively support the use of natural waterways within the city by avoiding any new waterway channelization within the city and collaborating with local and regional agencies to restore channelized waterways where feasible. (Source: New Policy)

Policy ENV-6.5: Creek Protection. The City shall require new development located adjacent to stream corridors to include appropriate measures for creek bank stabilization, erosion and sedimentation prevention, and natural creek channel and riparian vegetation preservation. (Source: Existing Programs OC-7.5(a), OC-9.2d, OC-9.2e, modified)

Policy ENV-6.6: Erosion Control Plans. The City shall require new development that requires significant grading near creeks, streams, wetlands, and riparian areas to prepare erosion control plans that address grading practices that prevent soil erosion, loss of topsoil, and drainageway scour, consistent with biological and aesthetic values. (Source: New Policy).

Policy ENV-6.8: Research and Educational Access. The City shall work with public and private landowners adjacent to creeks to allow public access to creeks, streams, waterways, and riparian areas for educational and research programs

Land Use Element

Policy LU-11.8: Tree Preservation. The City shall encourage the preservation of trees on public and private property. Priority should be given to the preservation of trees considered significant due to their size, history, unusual species or unique quality.

Discussion:

(a-b) No impact. The Project would consist of restoration and enhancement of a designated public park/recreational facility, with no change of use or other alteration that would physically divide an established community; therefore, there would be no impact under this criterion. The proposed Project would be located within the existing railroad right of way and is not zoned. The Project does not conflict

with the City's General Plan and is specifically supported in and is consistent with the elements noted above. Since the rail corridor already exists and has historically acted as a divider in the community, converting a portion of the corridor into a bike path would not introduce a new division. Instead, it could enhance connectivity within the city by providing a safe, alternative route for pedestrians and cyclists, potentially bridging gaps between neighborhoods and other community areas where trail segments already exist. Therefore, the project is unlikely to further divide an established community. In fact, it may help to integrate different parts of the city by creating new, accessible connection.

Mitigation Measures: None

12. Mineral Resources

MINERAL RESOURCES				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Significance Criteria: Impacts to mineral resources would be considered significant if the proposed Project were to result in the loss of a known mineral resource that has value to the region and state or is otherwise locally important as designated on a local land use plan.

Environmental Setting: The Surface Mining and Reclamation Act of 1975 (SMARA) requires Geologists of the State to classify lands into Mineral Resource Zone (MRZ) categories based on the known or inferred mineral resource potential of that land. The mineral resource land classification supports the protection and wise development of California's mineral resources (California Department of Conservation, 2019).

Aggregate resource minerals, primarily sand and gravel, found along many rivers and streams in Mendocino County is considered the most prominent mineral resource found in the county, including along the Great Redwood Trail.

Discussion:

(a-b) No impact. According to the California Geological Survey, the land within the Project Site is not assigned as an MRZ indicating a low potential for the presence of valuable mineral resources based on the site geography (California Department of Conservation, 2020.) The United States Geological Survey (USGS) Mineral Resources Data System also indicates no mineral resources within the Project site (USGS, 2020). The City's 2040 General Plan does not indicate the presence of mineral resources, nor an important mineral resource recovery site within the Project site (City of Ukiah, 2022). Therefore, the Project would not result in the loss of mineral resources or a mineral resource recovery site. Under these criteria, there would be no impact.

Mitigation Measures: None

13. Noise

NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

Significance Criteria: The Project would have a significant impact if it temporarily or permanently exceeded local noise standards in the vicinity of the Project, generated excessive ground borne noise or vibration; or would expose people residing or working in the area to excessive noise levels from public airports or private airstrips.

Environmental Setting: The Ukiah City Code's Noise Ordinance (Division 7, Chapter 1, Article 6) establishes ambient base noise level standards, ranging from 40 to 70 decibels, that apply to specific zoning districts within the City of Ukiah. "Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. These are specific to operation (not construction). For the purpose of the Noise Ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen (15) minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made. Land uses exceeding these standards for long periods of time are considered to be significant.

Project construction can also generate varying degrees of noise and ground borne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates noise and vibration that spreads through the atmosphere and ground and diminishes in amplitude with distance from the source. While the Ukiah City Code (UCC) does not contain thresholds for analyzing noise impacts from construction-related noise, UCC §6054 *Construction of Buildings and Projects* states that it shall be unlawful for any person within a residential zone, or within a radius of five hundred feet (500') therefrom, to operate equipment or perform any outside construction or repair work on buildings, buildings or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist or any other construction type device (between

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the hours of 7:00 p.m. of one day and 7:00 a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefor has been duly obtained from the Director of Public works.

In addition, guidance documents from the Federal Highway Administration and the Federal Highway Administration provide information on maximum noise and vibration levels associated with construction equipment and thresholds of significance for analyzing such impacts.

Discussion:

(a) Less than Significant.

From the Project's Special Provisions for Great Redwood Trail Phase 4 Specification No. 21-02 (Appendix D), construction activities would generally occur between the hours of 7:00 a.m. and 7:00 p.m. as prescribed by UCC §6054. Project design incorporates policies that will minimize the results of constructions noise, operations not exceeding 86dB at a distance of 50 feet from the noise source. In addition, the Project will locate all stationary noise generating construction equipment such as air compressors and generators as far as practical from the nearby residences. Unnecessary idling of internal combustion engines will also be prohibited. Once operational, the Project would not include any stationary noise sources. Maintenance would consist of regular checks on the erosion control devices and irrigation systems, mowing upland areas, tree trimming, trash removal, weed control, plant viability monitoring, and overall site good housekeeping measures. The Project would not generate a substantial permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the Ukiah City Code's Noise Ordinance. This impact would be less than significant.

(b) Less than Significant.

Construction activity can result in varying degrees of ground-borne vibration, depending on the type of soil, equipment, and methods employed. Operation of construction equipment can cause ground vibrations that spread through the ground and diminish in strength with distance. Buildings on the soil near the construction site respond to these vibrations with varying results, ranging from no perceptible effects at the lowest levels, low rumbling sounds and perceptible vibrations at moderate levels, and slight damage at the highest levels. While ground vibrations from construction activities do not often reach the levels that can damage structures, fragile buildings must receive special consideration.

Construction activities may generate perceptible vibration while impact equipment or heavy earth moving equipment are in use. Equipment expected to be used for Project construction, as shown in Table NOI-1, do not include any high vibration generating equipment such as pile drivers, drill rigs or vibratory compactors. The Federal Transit Administration's *Transit Noise and Vibration Impact Assessment Manual* identifies 0.2 inches per second peak particle velocity (in/sec PPV) as the level at which potential damage could result to non-engineered timber and masonry buildings. Additionally, Caltrans identifies 0.24 in/sec PPV as the level at which vibration is distinctly perceivable to humans. Based on ground-borne vibration levels for standard types of construction equipment provided by the FTA, of the equipment proposed to be used for Project construction, the use of the stinger jack hammer would be expected to generate the highest vibration levels (typically 0.035 in/sec PPV at a distance of 25 feet). Since the operation of equipment would produce vibration levels below the aforementioned thresholds, the Project would not result in significant ground borne vibration, and impacts would be less than significant.

**Table NOI-1
TYPICAL NOISE LEVELS FROM CONSTRUCTION EQUIPMENT**

Type of Equipment	L _{max} at 50 feet, dBA	Acoustical Usage factor (%)
Backhoe	54	40
Dozer	180	40
Dump Truck	76	40
Excavator	81	40
Front End Loader	79	40
Grader	85	40
Pickup Truck	75	40
Roller	80	20

SOURCE: FHWA, 2017

Once operational, the Project would not include any new sources of vibration. Therefore, the Project would have no operational impacts with regard to ground-borne vibration.

(c) Less than Significant. A portion of the Project is in proximity to the Ukiah Municipal Airport, and the Project is located within Airport Compatibility Zones 2 (Inner Approach/Departure Zone), 3 (Inner Turning Zone) and 5 (Sideline Zone) within the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUC). The airport serves as a CalFire Air Attack Base. Throughout fire season, CalFire uses the airport to assist in battling wild and forest fires in the region. The airport is also used for flight training in the area, which is most active during the summer months. This UKIALUCP takes into account potential long-term growth in airport activity as well as the noise impacts associated with busy fire attack aircraft activity. Noises in associated compatibility zones are typically above 55dB, with areas of the Project in Zone 2 consistently above 60dB. Outdoor Non-Group Recreation is considered a Normally Compatible or Conditionally Compatible Land Use, and the trail itself could also be considered a 'Transportation Route' which is similarly considered as a Normally Compatible or Conditionally Compatible Land Use.

Mitigation Measures: None

14. Population and Housing

POPULATION AND HOUSING				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Significance Criteria: The proposed Project would result in significant impacts to the local population or housing stock if it directly or indirectly induced substantial unplanned population growth or displaced a substantial number of people or housing such that the construction of replacement housing would be required.

Environmental Setting: The City of Ukiah is approximately 4.72 square miles in size and located within Mendocino County. Overall, the City of Ukiah's population has increased moderately over the past nearly 30 years, with a more accelerated increase in the last five years. Projections from the California State University Chico Center for Economic Development - Mendocino County Economic/Demographic Profile show this trend continuing. As described in the City's Housing Element (2019) of the General Plan, the City's annual growth rate between 1990 and 2018 averaged approximately 0.3%. Between 2000 and 2010, the City added 545 residents, or 3.7%, to its population. According to the California Department of Finance, the population in the County of Mendocino was 59,985 in 2018 and 16,226 in the City of Ukiah. The 2020 Census data identifies the City of Ukiah population as 16,607.

Discussion:

(a) No Impact. In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development that would not otherwise occur in the absence of that project. The Project does not include inhabitable structures, such as housing or businesses. Nor would the Project result in permanent employment opportunities that could indirectly induce population growth. The Project's construction and associated restoration efforts would be likely to require a small, temporary workforce, which is expected to be drawn from the local labor pool or from neighboring counties. Although the Project may enhance the public enjoyment or use of the trail the Project would not lead to substantial increased population. There would be no impact associated with population growth.

(b) No impact. The Project would not displace any existing housing or remove residents. Therefore, no replacement housing would be required to be constructed elsewhere and no impact would occur under this criterion.

Mitigation Measures: None

15. Public Services

PUBLIC SERVICES				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☐	☒

Significance Criteria: The Project would result in a significant impact to public services if it resulted in a requirement for increased or expanded public service facilities or staffing, including fire or police protection, schools and parks.

Environmental Setting: Police protection services for the entire City limits is provided by the Ukiah Police Department, while the Mendocino County Sheriff's Department provides police services for areas outside of the City limits. Fire protection services in the City are provided by the Ukiah Valley Fire Authority. Educational facilities in the City are provided by the Ukiah Unified School District (UUSD) and County Office of Education. Additionally, there are several private and charter schools serving residents within the City of Ukiah. As mentioned below in Section 16, *Recreation*, of this Initial Study, there are 13 City parks, a municipal golf course, and a skate park managed by the City of Ukiah, as well as other recreational facilities in the area.

Discussion:

(a.i) No Impact.

The City of Ukiah Fire Department and Ukiah Valley Fire District are two departments that work as one, referred to as Ukiah Valley Fire Authority, maintaining comprehensive coverage for the City and the surrounding Ukiah Valley (City of Ukiah, 2020). The Ukiah Valley Fire District is located within 1 mile of the Project site. The Project would not result in an increase in population or the construction of facilities that would increase demand for fire protection services or impact service ratios, such that new fire protection facilities would be required to be constructed. The Project's construction and operation would not result in a substantial increase in demand for fire protection services that could not be met by existing local service systems. Therefore, no impact would occur under this criterion.

(a.ii) No Impact.

The City of Ukiah's Police Department provides law enforcement services to the City of Ukiah. The department's communications center handles all 9-1-1 calls and non-emergency calls for both the City of Ukiah and City of Fort Bragg police departments. Ukiah's Police Department is located at 300 Seminary Avenue, approximately 1.6 miles northwest of the Project site. Construction and maintenance of the Project would not result in an increase in demand for police protection or impact service ratios that could not be met by existing local public service providers. As a non-motorized transportation facility, the Project would not necessitate any related new or altered public service facilities. The Project would solely be used for recreational purposes. The Project would facilitate an increase in bicycle, foot, and other non-motorized travel. The Project is not expected to substantially increase the need for patrols by local law enforcement or emergency services. The Project may ultimately have the beneficial effect of reducing the need for patrol by encouraging more formalized and regulated public use and discouraging existing transient activity in the area. Therefore, no impact would occur under this criterion. The trail would be included as a public area monitored by Ukiah Police Department within the City limits and by Mendocino County Sheriff's Office deputies on unincorporated portions of the trail.

(a.iii) No Impact.

The Ukiah Unified School District serves the City of Ukiah. There are 14 schools servicing grades preschool through High School within the District. As described in Section 2.2.14, Population and Housing, the Project would not result in an increase in housing or population. Therefore, the Project would not generate an increase in demand for local school facilities. No impact would occur under this criterion.

(a.iv) Less Than Significant

As described in 14, *Population and Housing*, the Project is not expected to result in a temporary or permanent increase of local population. Thus, existing parks or other public facilities would not be impacted and a need for additional parks or public facilities would not be necessary. Although improvements of the trail may attract a slight increase in visitors following construction, that potential increase would be considered a less than significant impact. Operationally, maintenance of the trail is within the City's existing capacity and already undertaken across existing segments.

(a.v) No Impact

The Project would not include any residential development or otherwise increase the local population such that the provision of additional public facilities would be needed. Therefore, there would be no impact pertaining to the construction of such facilities associated with the proposed Project.

Mitigation Measures: None

16. Recreation

RECREATION				
	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Significance Criteria: Impacts to recreation would be significant if the Project resulted in increased use of existing parks or recreational facilities to the extent that substantial deterioration was accelerated or if the Project involved the development or expansion of recreational facilities that would have an adverse effect on the physical environment.

Environmental Setting: The City maintains a wide variety of park and building facilities to meet the needs of the community. Most parks are open daily to the public between the hours of 6:00 a.m. and 10:00 p.m. Many facilities may also be reserved for a low rental fee. Rental operations include picnic and barbecue facilities, conference and meeting rooms, banquets and wedding facilities, a board room and auditorium, sports stadium and complex, swimming pool, amphitheaters, covered gazebo, and a pavilion. The Project is a park/recreation facility as defined under UCC §1965 and includes all that real property designated in the license agreement between the City of Ukiah and the now named Great Redwood Trail Authority (formerly the North Coast Rail Authority), which includes the entire rail corridor within the City limits. The license agreement also allows the City to develop the railway corridor until the south end of Taylor Drive, bordering properties within the County of Mendocino jurisdiction, and terminating at Plant Road. Former completed phases of the Great Redwood Trail running through the City of Ukiah are currently used by pedestrians, joggers and cyclists for exercise and recreation, and by office professionals on a lunchtime stroll.

Discussion:

(a) No impact. The Project proposes a new recreational amenity within the City of Ukiah and an unincorporated area of Mendocino County. As stated in 14, *Population and Housing*, the Project would not introduce a new population or induce growth such that substantial deterioration would occur to existing recreational facilities in Ukiah. However, The Project would enhance the recreational experience for residents of the surrounding communities and contribute to the use of an existing recreational facility. The Project would include enhancement of the Great Redwood Trail - Ukiah and support environmental education through native riparian plantings and placement of interpretive signage. Therefore, following construction, the Project would benefit existing neighborhoods and deter potential overuse of other existing and nearby parks. The proposed trail is a recreational facility that could encourage the construction of other facilities, predominantly other connecting trails or related amenities. Such future projects would be subject to CEQA review and other environmental approvals, as applicable, once proposed. There would be no adverse impact under this criterion.

(b) Less than Significant.

As discussed above, the Project would qualitatively enhance the existing Great Redwood Trail – Ukiah recreational facility. Following construction, operation of the Project would improve recreational resources along with improved site drainage, water quality, wetland habitat, riparian and native vegetation and would not generate long-term adverse physical effects to the environment. Therefore, the impact associated with construction would be temporary and less than significant.

Mitigation Measures: None

17. Transportation

TRANSPORTATION				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b), Criteria for Analyzing Traffic Impacts?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Significance Criteria: Impacts to transportation and traffic would be significant if the Project conflicted with a local plan, ordinance or policy addressing transit, roadway, bicycle and pedestrian facilities; conflicted with CEQA Guidelines Sec. 15064.3(b), which contains criteria for analyzing transportation impacts; substantially increased hazards due to geometric design features; or resulted in inadequate emergency access.

The City of Ukiah's 2040 General Plan contains a number of goals, policies, and implementation programs pertaining to the circulation and transportation system. Specifically, the Mobility Element of Ukiah 2040 focuses on enhancing transportation options for Ukiah residents, workers, and visitors and improving mobility through increased connectivity and efficient management of existing infrastructure. The 2040 General Plan increases the emphasis on providing multi-modal street facilities that meet the needs of all users, including pedestrians, bicyclists, motorists, transit, movers of commercial goods, children, seniors, and persons with disabilities (City of Ukiah, 2022).

Additionally, the following local plans have historically addressed transportation issues within the City of Ukiah: 2017 Ukiah Bicycle and Pedestrian Master Plan, City of Ukiah Safe Routes to School Plan (2014), Mendocino County Rail Trail Plan (2012), the Ukiah Downtown Streetscape Improvement Plan (2009), MCOG's Regional Transportation Plan (RTP) and Active Transportation Plan (ATP) (adopted in 2022) and Section 5, Circulation and Transportation, of the Ukiah Valley Area Plan (2011) addresses transportation within the larger Ukiah Valley.

The RTP/ATP provides an overview of both short- and long-term transportation goals, objectives and policies for the region, as well as a list of potential projects intended for implementation. The RTP/ATP considers all modes of transportation including automobile, trucking, bicycle, pedestrian, air, public transit, rail, maritime, and any related facilities needed for an effective transportation system. The Plan also assesses current and long-range transportation issues, identifies needs and deficiencies, considers funding options and suggests actions to address these items, in an effort to improve the overall transportation system in the region.

Per CEQA Guidelines Section 15064.3, vehicle miles traveled (VMT) for land use projects exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. In addition, projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

On April 17, 2024, the Ukiah City Council adopted a resolution on measuring potential impacts for VMT which aligns with Ukiah 2040's General Plan Mobility Element Goal MOB-2 *To reduce vehicle miles traveled (VMT) to and from residences, jobs and commercial uses in Ukiah*; General Plan Policy MOB-2.1-*Reduce vehicle miles traveled (VMT) to and from residences, jobs and commercial uses in Ukiah*; and Environment and Sustainability Element, General Plan Goal ENV-8-*To achieve carbon neutrality by or before the year 2045*. The VMT threshold screening criteria described in the resolution exempts the Project from a quantitative VMT analysis, as it falls within the category of a *Transportation Project* defined as "Roadway, transit, bicycle, and pedestrian projects that do not lead to a measurable increase in vehicle travel."

Even so, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. Such qualitative analysis of construction traffic utilizing guidance from the Office of Planning and Research (OPR) will be applied below to Project impacts.

In 2018, the OPR published a Technical Advisory on Evaluating Transportation Impacts in CEQA (2018) which is intended to provide advice and recommendations for evaluating VMT, which agencies and other entities may use at their discretion. As discussed further below, the Technical Advisory offers that screening thresholds may be used to identify when land use projects, such as small-scale projects, should be expected to cause a less-than-significant impact without conducting a detailed traffic study.

Environmental Setting: The City of Ukiah generally lies west of U.S. 101 between the U.S. 101/North State Street interchange, and the U.S. 101 / South State Street interchange. Three major interchanges along U.S. 101, Talmage Road, Gobbi Street, and Perkins Street (from south to north), provide access to southern and central Ukiah. The City of Ukiah is developed in a typical grid pattern with streets generally oriented north to south and east to west. Bicycle lanes are located throughout the City and public transit is provided by the Mendocino Transit Authority (MTA).

The Project would be located between the intersection of Commerce Drive and Airport Road in the north, and the eastern terminal end of Plant Road to the south. Crossings would occur at Airport Road, Norgard Lane and Plant Road which will require Encroachment Permits from the City of Ukiah Public Works Department, and with the Mendocino County Department of Transportation. The Standard Specifications and the Standard Plans of the California State Department of Transportation 2018 will be applied to the Project.

Discussion:

(a) Less than Significant.

Construction would result in vehicle trips by construction workers and haul-truck trips for material off-haul and deliveries via Highway 101. Construction-related traffic would be temporary, would vary daily, and would be distributed over the course of a workday and work week. The number of construction-related vehicles traveling to and from the Project Area would vary daily. Construction hours would generally be limited to 7:00 a.m. to 7:00 p.m. on weekdays. Nighttime construction is not anticipated, however, the possibility for occasional nighttime work periods cannot be entirely discounted. Due to

the infrequency of truck traffic and the temporary nature of construction, Project construction is not anticipated to conflict with plans, policies or programs related to the effectiveness of the circulation system.

Once complete, the proposed Project is not expected to increase vehicle traffic on local streets, as it would not increase the area's population or redirect on-road traffic patterns. The Project would support increased non-motorized travel to and from the area by trail users. Maintenance of the trail is anticipated to be performed by City staff. It is anticipated that Project operation and maintenance would generate minimal traffic trips, as motorized access would be limited to light maintenance, police, and emergency service vehicles.

(b) No Impact.

Transportation Impacts in CEQA (OPR 2018) which contains guidance on methodology and recommendations for establishing screening criteria and thresholds for VMT evaluation, which is used to evaluate impacts in this Initial Study. OPR's Technical Advisory specifies that transportation impact analysis be based on either a project's VMT per capita (or other efficiency metric like VMT per household, per employee) or total VMT change (before and after project). As noted in OPR's Technical Advisory, projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis, include additions of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel (OPR 2018). The Project would construct a Class I Trail (pedestrian and bicycle trail). The Project does not include new or expanded parking facilities. The Project would not add additional motor vehicle capacity to the roadway network and would not lead to additional vehicle travel.

The proposed Project does not include any component that could be characterized as resulting in a potential increase to VMT. To the contrary, the Project would promote multi-modal transportation. By its nature, the Project is VMT-reducing. By promoting multi-modal transportation, the Project will reduce VMT throughout the Project Area and would thus not result in an environmental impact under CEQA. Instead, the Project would result in an environmental benefit by reducing the existing VMT in the City.

PRC 21099 (b) (1), upon which the CEQA VMT guidance is based, specifically states the purpose of the VMT criteria is to promote, "the development of multimodal transportation networks," consistent with the fundamental goals and objectives of the Project. Similarly, the OPR Technical Advisory notes the overall purpose of updating CEQA to include VMT analysis is to help achieve California's long-term criteria pollution and greenhouse gas emission goals, based on four strategies that include, "plan and build communities to reduce vehicular greenhouse gas emissions and provide more transportation options (OPR 2018)," which is also directly supported by the Project's goals and objectives related to multi-modal transportation.

Thus, the Project is consistent with the expectations of the OPR guidance for evaluating transportation impacts in CEQA. Lastly, the OPR guidance clarifies that when evaluating impacts to multimodal transportation networks, lead agencies generally should not treat the addition of new transit users as an adverse impact. Therefore, any success the Project ultimately achieves to increasing multi-modal transit (e.g., additional pedestrians and bicyclists using the trail) would not be considered an environmental impact under CEQA. No impact would result.

(c) Less than Significant.

Crossing upgrades would require an encroachment permit from the City of Ukiah Public Works Department and with the Mendocino County Department of Transportation. The Project's Technical Specifications (Specification No. 21-02, Appendix D), informed by the California State Department of

Transportation's Standard Specification and Standard Plans (2018), would be implemented during construction in accordance with City requirements, which would include the use of traffic controls, signs, and flaggers, message boards, pedestrian and bicycle control measures, and other measures. Through required compliance with City of Ukiah traffic control requirements and implementation of Specification No. 21-02, construction activities would not result in substantial adverse effects or conflicts with the local roadway system. The impact would be less than significant.

Railroad crossings within city street crossings would remain unaltered, except when providing connections to existing pedestrian facilities (including curb, gutter and sidewalk) located adjacent to the trail. Consistent with applicable design standards, crossings would include detectable warning surfaces. The proposed trail may have potential conflicts between users who are stationary (such as birdwatchers) and bicyclists due to the difference in these activities. However, since the proposed trail would have striping, signage, and unpaved shoulders on both sides which could be used by birdwatchers and other uses who want to get out of the main travel lanes, substantial safety related conflicts between trail users and stationary individuals would be avoided. Based on the information above, the proposed Project would not substantially increase hazards due to a design feature; therefore, the impact is less than significant.

(d) Less than Significant.

The proposed Project trail alignment would be adjacent to existing streets. Emergency access to the Project Area already exists from these streets and would continue to exist under the proposed Project during both construction and operation.

Since the trail alignment corridor is already served by emergency and law enforcement personnel, the proposed trail would not slow or hinder emergency response, would not require additional emergency services, and would maintain emergency access to all trail segments. Some alignment scenarios would involve limited work on residential streets to paint markings and install signage, which would generally be brief. Ground disturbance on residential streets would not occur. Painting markings, striping, and installing signage on residential streets would be brief in nature and would not impede emergency access or evacuation routes. The potential impact to emergency access would remain less than significant.

Following construction, all properties along the Project alignment would continue to have emergency access. Operation and maintenance of the Project would not result in substantial additional daily traffic from maintenance activities or truck trips along local roadways, and would, therefore, not affect emergency services or response times in the area. Additionally, no roadway closures are proposed during construction, nor during normal operation of the Project. No operational impact on emergency access would result.

Mitigation Measures: None

18. Tribal Cultural Resources

TRIBAL CULTURAL RESOURCES				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Significance Criteria: An impact to tribal cultural resources would be significant if the Project were to substantially reduce the significance of a tribal cultural resource, a listed or eligible historic resource, or a resource considered significant by a California Native American tribe. Tribal cultural resources include “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe” that are eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources. Lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the Proposed Project.” The consultation process must be completed before a CEQA document can be certified.

Environmental Setting: As discussed in Section 5. *Cultural Resources*, areas that are most typically culturally sensitive include those adjacent to streams, springs, and mid-slope benches above watercourses because Native Americans and settlers favored easy access to potable water.

Tribes known to be present within the Ukiah area include (but are not limited to) the following:

- Coyote Valley Band of Pomo Indians
- Guidiville Indian Rancheria of Pomo Indians
- Hopland Band of Pomo Indians
- Pinoleville Pomo Nation
- Potter Valley Rancheria
- Redwood Valley Little River Band of Pomo Indians
- Sherwood Valley Rancheria of Pomo Indians
- Noyo River Indian Community
- Scotts Valley Band of Pomo Indians
- Yokayo Tribe, not federally recognized

Discussion:

(a-b) Less than Significant. As discussed under III. Project Background, the City of Ukiah received a report from the Northwest Information Center (NWIC) indicating that unrecorded archaeological sites may be present within the Project area. As part of the draft ISMND circulation, the NWIC results will be forwarded the Great Redwood Trail Agency for assessment of any cumulative impacts regarding archaeological or tribal cultural resources within the Project area. The City also sent an AB 52 notification to the Guidiville Rancheria including Project information and a location map by email and certified mail on August 13, 2024. Commentary or potential mitigation that results from the above communications will be published under the project's Final Initial Study.

If any previously unrecorded archaeological resources or human remains are identified during ground-disturbing construction activities and are found to qualify as a tribal cultural resource pursuant to PRC Section 21074(a)(1) (determined to be eligible for listing in the California Register or in a local register of historical resources), any impacts to the resource resulting from the Project could be potentially significant.

As discussed under 2. Cultural Resources, as part of the project design (See Appendix D), the following mitigation has been incorporated to address these potentials and reduce impacts to less than significant, including the following:

1. If archaeological resources are discovered at the job site, including chipped or ground stone, historic debris, building foundations, and human bone, do not disturb the resources. Immediately stop all work within 100 feet of the discovery, protect the discovery area, and notify the Engineer.
2. If human remains of Native American origin are discovered during project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code 5097). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The County Coroner has been informed and has determined that no investigation of the cause of death is required; and
 - If the remains are of Native American origin, the descendants of the deceased Native Americans have made a recommendation to the landowner of the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code 5097.98

If human remains are discovered during any demolition/construction activities, all ground-disturbing activities within a 330 foot radius of the remains shall be halted immediately, and the Mendocino County coroner shall be notified immediately, according to Section 5097.98 of the state Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the NAHC shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The City shall consult with the Most Likely Descendant, if any, identified by the NAHC regarding the treatment and disposition of the remains.

Mitigation Measures: None

19. Utilities and Service Systems

UTILITIES AND SERVICE SYSTEMS				
Would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Significance Criteria: Impacts to utility and service systems would be significant if the Project resulted in the construction or expansion of utilities that could cause significant environmental effects; have insufficient water supplies available to the Project during normal to extremely dry years; resulted in inadequate capacity of the wastewater treatment plant; generated solid waste exceeding the capacity of local infrastructure or impairing the achievement of solid waste reduction goals; or failed to comply with any management and reduction statutes or regulations related to solid waste.

Environmental Setting: The majority of City properties are served by City water, sewer, electricity and trash collection as summarized below.

Electricity. Ukiah has its own Electric Utility Department that provides service to residents in the City. The City's Electric Utility Department is a municipally owned utility that maintains its own powergenerating capabilities, such as the 3.5 Megawatt Lake Mendocino Hydroelectric Plant, which is one of the City's major sources of electricity (City of Ukiah, 2022).

Water. The primary source for water in Ukiah is surface waters of the Russian River, which are diverted from the Eel River and stored in Lake Mendocino. There are five major providers of community water

services in the Ukiah Valley. The City's water service area comprises nearly 100 percent of the population residing within City limits. Millview County Water District provides water to north Ukiah and an unincorporated area bordering the city to the north. Willow County Water District provides water to south Ukiah and an unincorporated area bordering the City to the south. Calpella County Water District provides water to the community of Calpella (City of Ukiah, 2022). All water suppliers are regulated by the California Department of Health Services. The City of Ukiah adopted the 2020 Urban Water Management Plan (UWMP) in 2021. The UWMP considers multiple growth scenarios and determined there is adequate capacity to serve projected hookups through the 2045 planning horizon.

Sewer and Wastewater. The City of Ukiah provides wastewater collection and treatment for approximately two-thirds of the City and operates its own wastewater treatment plant (WWTP). A separate agency, the Ukiah Valley Sanitation District (UVSD) serves the remaining portions of Ukiah. The City's 2020 UWMP identifies that the WWTP has a dry-weather capacity of 3.01 million gallons per day (mgd) and that in 2020, the WWTP collected a total of 2,671 acre-feet per year (AFY), which is equivalent to 2.4 mgd (City of Ukiah, 2022).

Solid Waste. The Ukiah landfill, outside City limits on Vichy Springs Road, stopped receiving municipal solid waste in 2001 and the City is working on capping the landfill. Ukiah contracts its solid waste, recycling, and composting to the private company C&S Waste Solutions. Solid waste is transported to the Ukiah Valley Transfer Station, located at 3151 Taylor Drive in Ukiah. Solid waste generated in Ukiah (not capable of recycling or reuse) is exported from the transfer station for disposal to the Potrero Hills Landfill in Solano County. According to California Department of Resources Recycling and Recovery (CalRecycle) the maximum permitted capacity for the Ukiah Transfer Station is 400 tons per day, with no reported estimated capacity closing date (CalRecycle 2024). As of 2020 the facility receives an average of 120 to 130 tons per day (City of Ukiah, 2022).

Discussion:

(a) No Impact. The Project would not require or result in the relocation or construction of any new wastewater treatment, electric power, natural gas, telecommunication facilities, or other utilities. No change to the City's facilities maintenance is anticipated. Following construction, the park would continue to be maintained by the City, as under existing conditions. There would be no impact.

(b) Less than Significant. Construction of the Project would require water for dust control, which would be provided from municipal sources onsite and/or trucked to the site. A slight increase in water use would also be expected in order to successfully establish native riparian plantings and site landscaping, proposed as part of the Project. Other than temporary irrigation, the Project does not include or require the extension of any water infrastructure. Thus, the Project would not induce growth or increase demand during operation and maintenance. Therefore, the Project would not result in water supply impacts. Under this criterion, there would be a less than significant impact primarily associated with construction.

(c) Less than Significant. Temporary portable toilets may be utilized during construction. Temporary facilities would be provided by the contractor selected to construct the Project and serviced by an approved sanitation facility. Under this scenario, the Project would not incur the need for increased wastewater treatment capacity. The Project would not result in any service change during construction, nor during operation and maintenance. Restrooms are not included in the Project. Therefore, there would be a less than significant impact.

(d) Less than Significant. Solid waste proposed for removal includes concrete sidewalk, curb ramp, meridians, shoulder and curb and gutter, pipe, fences, headers, planters culverts, rubble, walls, walks, steps and similar facilities where necessary for new construction or installation as indicated on the

project plans (See Appendix A). In addition to these items, existing railroad equipment, including foundation and associated electrical cabinetry is proposed for removal and salvaged to NWP Co. Existing conduits would be capped and abandoned. The existing concrete foundation for this equipment will be demolished and brought to local facilities, including the Ukiah Transfer Station & Recycling Center, where metal materials would be recycled and non-recyclable materials would be disposed of in accordance with all applicable local, state and federal regulations. The Project would include waste receptacles, spaces for recycling bins, and pet waste stations. Solid waste collected as a part of the Project would be disposed of by the City of Ukiah during regular maintenance activities. Impacts related to solid waste would be less than significant.

(e) Less than Significant. The Project would be required to follow all construction and demolition waste diversion requirements from the 2010 California Green Code. No other federal, state, or local regulations would apply to the Project. As a result, the Project would comply with all federal, state, and local management reduction statutes and regulations related to solid waste

Mitigation Measures: None

20. Wildfire

WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Significance Criteria: Impacts to wildfire would be significant if the Project were located in or near a State Responsibility Area (SRA) or lands classified as very high fire hazard severity zones and substantially impaired an emergency response plan; exposed Project occupants to wildfire pollutants or uncontrolled spread of wildfire due to site conditions such as slope and prevailing winds; require the installation or maintenance of infrastructure that could exacerbate fire risk; or expose people or structures to significant risks as a result of post-fire runoff, slope instability or drainage changes.

Environmental Setting: All lands within the City of Ukiah are within the jurisdiction of the Ukiah Valley Fire Authority. None of the lands within the City of Ukiah are located within a California Department of Forestry (CalFire) State Responsibility Area (SRA). However, some parcels within the western boundary of the City limits are designated as “Very High” fire severity within the Local Responsibility Area (LRA). The Project site is not located in an area identified as having a High or Very High fire severity risk.

As discussed in Section V.9, *Hazards and Hazardous Materials*, the County’s EOP plan and MJHMP address emergency operations, natural disasters (including wildfire), as well as mitigation strategies to reduce potential risks. The City of Ukiah adopted its “jurisdictional annex” chapter of the MJHMP on November 18, 2020. Hazards identified for the City of Ukiah include earthquakes, wildfire, dam failure, flood and pandemic. Table 1-13 of the City’s jurisdictional annex lists each hazard and mitigation action for City of Ukiah.

Discussion:

(a) Less than Significant. The Project site is accessed via existing driveways and roads, and there are no components of the Project that would conflict with or impair the adopted MJHMP, EOP, or other

adopted emergency response plan or emergency evaluation plan. As described in Section 9, *Hazards and Hazardous Materials*, the Project site is not located within a High or Very High fire severity zone and is being maintained by the City to reduce fire risk. In addition, although there are no specific evacuation routes discussed in either the Mendocino County Emergency Operations Plan or the Mendocino County Multi-Hazard Mitigation Plan (Mendocino County, 2016; 2020), Highway 101 is described in the Mendocino County Evacuation Plan as a primary evacuation route. The Project site is within 400 feet of a Highway 101 on-ramp from Commerce Drive via Airport Park Boulevard and Talmage Road. The CAL FIRE Mendocino Unit Strategic Fire Plan contains goals and policies that relate to identifying and reducing wildland fire hazards in the region, promoting land use planning processes that reduce wildland fire hazards, and developing the resources necessary to implement fire prevention strategies. The Project would not conflict with the implementation of any of these goals or objectives.

(b) Less than Significant. In general, The trail would be located in the railroad corridor within a fairly flat topographical area. During Project construction, heavy equipment such as excavators, dozers, and dump trucks would be used. The presence and use of heavy equipment and vehicles would introduce a slight risk of ignition, as a spark from a piece of equipment or a vehicle could ignite surrounding vegetation and result in a fire. However, due to the existing site conditions, and proximity to water which could be used in an emergency situation, the risk of a construction ignition resulting in a fire would be very low. Considering the limited duration of the construction period and the small size of the construction crew and equipment required, the increase in fire risk introduced by construction of the Project would be minimal and temporary. The Project involves a park and floodplain restoration with no inhabitable structures proposed as part of the Project. With respect to fire risk, operation of the site and surroundings would continue as under existing conditions. Although the Project is located near lands susceptible to the spread of wildland fire, the physical characteristics of the Project site and proximity to water would decrease that risk. Thus, under operations, the Project would have no impact with regard to increased risk for the spread of wildland fire. Most trail users would be within the Project Area for a short period of time given the purpose is for passive recreational and non-motorized transportation use. Due to the expected intermittent use of the site by pedestrians, that the Project does not provide any structures to be used for human occupancy, and the fact that the Project is located within an area of “moderate” fire risk, it is not anticipated to exacerbate wildfire risks and thereby expose users to pollutants. Overall impacts associated with construction would be less than significant.

(c) Less than Significant. The Project includes the removal of existing debris, grading and recontouring, berm construction, installation of a concrete path, and wetland and vegetation restoration. These components of the Project would not increase fire risk. The Project would not require additional roads, fuel breaks, emergency water sources, power lines or other utilities. Electrical connections for street lights would occur in select locations but would not increase fire risk. Operation and maintenance activities currently occur under existing conditions and, following construction, the Project would not result in the need for substantial additional operation and maintenance activities. The Project would not require the installation or maintenance of infrastructure which could exacerbate fire risk or result in ongoing impacts to the environment. Impacts, primarily related to construction (as discussed in question b), would be limited in duration and less than significant.

(d) Less than Significant. The Project site is relatively level and there are no residences located immediately downslope or downstream of the Project site. The closest residence is located just under 50 feet from of the Project site at Norgard Lane. However, the Project would be designed, constructed, and maintained such that slope instability would not occur. Stormwater from the trail will have a chance to infiltrate into previous material and soil prior to reaching the jurisdiction areas downslope of the proposed trail. However, post-construction hydrology will remain essentially the same, as existing

flows will not be redirected, and volume will not increase. Therefore, there would be a less than significant impact.

Mitigation Measures: None.

21. Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE				
	Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion:

(a) Less than Significant with Mitigation. Once constructed, the proposed Project has the potential to improve the quality of the environment as the project would remove potentially hazardous debris and enhance wetlands within Great Redwood Trail. However, the analysis presented in this Initial Study has identified potentially significant impacts to Air Quality, Biological Resources, Hazards and Hazardous Materials, and Hydrology and Water Quality, attributable to the Project's construction. To reduce impacts associated with these resource areas, mitigation measures have been proposed. As required by CEQA, these mitigation measures are required to be implemented as directed herein. With implementation of the prescribed mitigation measures, the Project does not have the potential to degrade the quality of the environment, including fish and wildlife species and their habitat, plant or animal communities, or otherwise eliminate examples of major periods of California history or prehistory. With implementation of mitigation, the impacts identified in this Initial Study would be reduced to less than significant levels.

(b) Less than Significant with Mitigation.

A consideration of past, present, and recently foreseeable future projects in Ukiah indicates that the proposed Project would have a less than significant cumulative impact. Given the type, size, and location of the proposed Project relative to other projects proposed in Ukiah, this analysis of potential

cumulative impacts is focused on the southern portion of the City and adjacent unincorporated communities in Southern Mendocino County.

The City is undertaking municipal development such as current and future housing, municipal infrastructure projects, roadway improvements, and other construction, which has the potential to overlap with construction of the Project.

As described in the various resource sections of this document, the Project would either have no impacts or temporary and less than significant impacts (not requiring mitigation measures) for the following resource categories: Aesthetics, Agriculture, Cultural Resources, Energy, Geology/Soils, Greenhouse Gas Emissions, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Wildfire. The Project would not contribute cumulatively considerable impacts for these resources.

The Project could have potentially significant impacts with respect to Air Quality, Biological Resources, Hazards and Hazardous Materials, and Hydrology and Water Quality. However, such impacts would be generally limited to the immediate vicinity of the site and, where necessary, mitigated such that impacts would not substantially combine with other off-site impacts of other projects. Moreover, other projects would also be required to comply with regulatory requirements to reduce effects from these projects. With implementation of mitigation measures and the associated compliance with applicable regulations, the effects from other projects would be reduced and would not be cumulatively considerable when combined with the effects of the Project (also subject to these regulations). Therefore, the impacts would not be cumulatively significant.

(c) Less than Significant with Mitigation. Potentially significant impacts on human beings (that could occur either directly or indirectly) are identified in this IS/MND. These are primarily associated with construction of the proposed Project generating potentially significant impacts to Air Quality, Hazards and Hazardous Materials, and Transportation. In each of these sections of the MND mitigation is provided to reduce impacts to less-than-significant levels. Implementation of the mitigation measures identified in this document, along with the necessary compliance with federal, state, and local agency statutes and regulations, potential impacts to human beings would be reduced to less than significant levels.

IV. DETERMINATION

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| ☐ Aesthetics | ☐ Agriculture & Forestry | ☒ Air Quality |
| ☒ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology / Soils | ☐ Greenhouse Gas Emissions | ☒ Hazards & Hazardous Materials |
| ☒ Hydrology/Water Quality | ☐ Land Use / Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population / Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities/Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

Summary of Findings: The Great Redwood Trail Phase 4 Project proposes to extend a 1.9-mile portion of the trail through the City of Ukiah and to provide a pedestrian area and bike path connection while simultaneously restoring wetland area and natural vegetation. The trail alignment follows the existing decommissioned Northwestern Pacific Railroad.

The Project comprises preparation of the site, removal of debris, grading/site recontouring, enhancement of wetlands, a new 10-foot-wide asphalt/concrete walkway with 2-foot gravel shoulders, ecologically appropriate landscaping, and signage improvements. Once constructed the proposed Project would improve the quality of the environment as potentially hazardous debris would be removed from the site and wetlands within the rail corridor would be enhanced.

The analysis presented in the Initial Study has identified potentially significant impacts to Air Quality, Biological Resources, Hazards and Hazardous Materials, and Hydrology and Water Quality, attributable to the Project’s construction. However, with implementation of the mitigation measures described throughout the Initial Study, all impacts would be reduced to less than significant levels.

On the basis of the initial evaluation that follows:

- ☐ The proposed Project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ Although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures and project revisions have been identified that would reduce all impacts to a less than significant level. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ The proposed Project MAY have a significant effect on the environment. An **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ The proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature

Date

Craig Schlatter, Director
Community Development Department
City of Ukiah
cschlatter@cityofukiah.com

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VII. APPENDICES

Appendix A

Phase 4: GRT - Ukiah Plan Sheets

Appendix B

Aquatic Resource Report

Appendix C

NCRA License Agreement

Appendix D

Special Provisions for Great Redwood Trail Phase 4 Spec. no 21-02

Appendix E

NCRWQCB Water Quality Certification

Appendix F

CDFW Lake and Streambed Alteration Agreement

Appendix G

Avoidance and Minimization Measures

All appendices are available via the following City of Ukiah weblink:

<https://cityofukiah.com/great-redwood-trail-ukiah-phase-4/>



Katherine Schaefer
 Planning Manager
 Community Development Department
 300 Seminary Avenue
 Ukiah, CA, 95482

October 8, 2024

Subject: Response to CEQA Comments on the Great Redwood Trail - Ukiah (Phase 4) – Initial Study and Mitigated Negative Declaration (SCH# 2024081302)

Pursuant to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and provide the general public with an opportunity to comment on the Draft ISMND.

On August 29, 2024, the City of Ukiah circulated a Notice of Intent (NOI) for a 30-day period to identify potential significant environmental effects if the project were to be implemented. The NOI was e-mailed or otherwise provided to public agencies, the CEQA State Clearinghouse, as well as organizations and individuals considered likely to be interested in the project and its potential impacts. The NOI was also posted on the City of Ukiah's CEQA website and made available at the Ukiah Civic Center.

This Response to Comments consists of the following replies to the California Department of Fish and Wildlife (CDFW), as well as representatives of the Great Redwood Trail Agency (GRTA). Responses to the Northwest Information Center at Sonoma State University, the California Native American Heritage Commission, and Pacific Gas and Electric Company were not required given the Project's incorporation of regulations, permits, outreach attempts, and safety protocols. Please see below for more information:

Great Redwood Trail Agency (GRTA) – Staff Response (June 11, 2024) – Exhibit A

GRTA Comments in *italics*

1. *Plan calls to remove the RR Signal Cabinet (CIL) at Commerce Drive. The removal of any GRTA property shall be approved and coordinated with GRTA*
 - Agreed. Please advise on steps on process or removal.
2. *There is a fiber optic line under much of the project. Has the owner of the utility reviewed the plans?*
 - Utility companies will be notified to mark their utilities during preconstruction efforts. Any utilities that are in conflict with the trail plans will be remediated with the City Engineer.

3. *What is the need for the water tanks at approx. Sta. 404+50, 414+20 and 417+50?*
 - These water tanks are for irrigation purposes in providing water to the native plants that are planned for installation during construction and after by volunteer groups. The City of Ukiah will supply and provide the water.
4. *Trail plan states that there may be areas that require slight shift of plans for preservation of existing trees. What type of tree protection will be used? Is there an Arborist Report?*
 - There is no arborist report. Tree protection will be on a case-by-case basis in coordination with the Resident Engineer.
5. *There are a total of 9 trees that are marked with an X which the plans indicate as tree removal. Are any of these possible to save?*
 - The original plan called for the removal of nearly 40 trees. After City/community review and several field walks, these trees were agreed to be eliminated. Had railbanking been facilitated by the CUPC, no tree removal would be required.
6. *Does the ramp and stairs to Panda Express at Sta. 406+00 lead to a public walkway?*
 - Yes. The City has an access easement with the property owner and made their site development conditional on granting such trail access to the public.
7. *Plan typical section number callouts are the same on 3 plan sheets. This is confusing.*
 - No response.
8. *On Sheet C-108 how is the fill constructed around the new 48" CMP extensions? Are there permits we can review? Same questions for the 24" CMP extension.*
 - Refer to C-108 and detail C-503 "Rock Slope Protection". The project has an approved permit with California Department of Fish and Wildlife under notification no. EPIMS-MEN-32359-R1C that can be reviewed upon arranged request.
9. *Where are the outlets for the drainage handled for trail segments that have a drainage ditch between RR embankment and trail?*
 - It's unclear which area this question is referring to, but all areas of the trail will be properly graded to drain away from both the tracks and trail.

10. *Is Airport Park Blvd still closed? If so, will it continue to be closed? If it is to be reopened what safety measures would be implemented?*

- Airport Road is still closed. Signage and pedestrian safety including an ADA crosswalk across. Airport Road will be constructed with the anticipation of the road being reopened. See sheet C-402.

11. *Sheet C-113 calls out wetland grading on the opposite side of the tracks. Is this required as mitigation? If so, please provide details of the requirement*

- This wetland mitigation is required and detailed both in the project specifications and North Coast Regional Water Quality Control Board permit ECM PIN CW-882169; WDID 1B22090WNME.

12. *Trail Profile is lacking top of rail profile.*

- No Response

13. *There is approximately 575 ft of existing linear encroachment along GRTA's east right-of-way. These encroachments coincide with trail stationing from Sta. 471+25 to 477+00. The plans provide how the Ukiah Animal Shelter 330 ft of encroachment is addressed only (See comment 14).*

- No Response

14. *How will the additional 245 ft of encroachments be addressed? There is a well-used dirt roadway assumed for vineyard overlapping the planned trail.*

- All the vineyards in question are owned by the City of Ukiah and all contractors employed at those locations are under contract with the City of Ukiah. The animal shelter is in negotiations to move and the City is in coordination with the County on future use of this property. Project plans do not interrupt current operations of this facility.

15. *The trail ends at Plant Road. The track crossing at this location is in very poor condition, as is the road itself are there plans to improve these conditions? (see below photo).*

- This road is outside the project scope and belongs to Mendocino County and not within the City of Ukiah's pavement rehabilitation program. As a terminus to the trail, the project will provide crosswalk striping within the roadway and an ADA ramp for future connections. See sheet C-404.

16. *Sheet C-121 and C-122 ("Drainage Plan 1 & 2") have five plans that indicate the railroad embankment requires regrading at these locations. Cross sections show catch points with line to edge of trail indicating all drainage of RR embankment drains onto trail?*

- Any drainage from the RR running across the trail will continue in slope across and off the trail as shown at 1.5%

17. *Erosion Control. There are areas where the RR embankment slope is without erosion control. Example Sta. 441+20 below:*

- Any area disturbed will have erosion control unless not allowed by State regulatory permits.

18. *All existing RR signage is to remain. If RR signage or striping is to be removed or replaced, GRTA approval is required. No track modification or removal is allowed.*

- Agreed. Please advise on steps on process or removal.

19. *Airport Park Blvd. and Commerce Dr. do not have S2 signage (RECTANGULAR RAPID FLASHING BEACON). This seems inconsistent with other crossings on the trail.*

- Because of the grant funding, this type of improvement was limited.

Great Redwood Trail Agency (GRTA) – Staff Response (September 27, 2024) – Exhibit B

GRTA Comments/Questions in *italics*

1. *The stairways at the north end (near Commerce Drive- at Panda Express and Holiday Inn parking lot) need to be tied into their associated parking areas in a way that is safe and supports pedestrians and bicyclists. Please explain how the GRT will safely tie into these two parking areas.*

- The City has an access easement with the property owner and made their site development conditional on granting such trail access to the public.

2. *Are the water tanks shown on the Phase 4 plans for irrigating plantings associated with the GRT?*

- These water tanks are for irrigation purposes in providing water to the native plants that are planned for installation during construction and after by volunteer groups. The City of Ukiah will supply and provide the water.

3. *Do you know how deep the existing fiberoptic cable is buried in GRTA's ROW?*

- Utility companies will be notified to mark their utilities during preconstruction efforts. Any utilities that are in conflict with the trail plans will be remediated with the City Engineer.
4. *Are there plans to eventually open Airport Road and connect to Airport Park Blvd. (where there is currently a gate)?*
- Airport Road is still closed. Signage and pedestrian safety including an ADA crosswalk across Airport Road will be constructed with the anticipation of the road being reopened. See sheet C-402.
5. *The Norgaard/Highway 101 underpasses have buried fiberoptic cable, drainage ditches, etc. - it appeared to GRTA staff that the best location for the GRT in this area would be **west** of the railroad tracks; however, it appears the plans show the GRT east of the tracks. We'd like to walk this section with City staff asap to confirm the plans for the GRT, as there is a lot going on in this area.*
- This wetland mitigation [at this location and detailed on Sheet C-113] is required and detailed both in the project specifications and North Coast Regional Water Quality Control Board permit ECM PIN CW-882169; WDID 1B22090WNME. Staff is open to any requested evaluation or site visit to the areas planned for the GRT – Ukiah (Phase 4).
6. *North of Taylor Drive and Plant Road, there are Mendocino County Animal Control-associated encroachments into GRTA ROW, as well as fencing, and vineyards on GRTA property. What are the plans for addressing these encroachments as part of the Phase 4 GRT project? We'd like to walk this area with City staff as well, to review the issues and Phase 4 plans.*
- All the vineyards in question are owned by the City of Ukiah and all contractors employed at those locations are under contract with the City of Ukiah. The animal shelter is in negotiations to move and the City is in coordination with the County on future use of this property. Project plans do not interrupt current operations of this facility. Staff is open to any requested evaluation or site visit to the areas planned for the GRT – Ukiah (Phase 4).

NAHC – Public Comment (August 12, 2024) – Exhibit C

No Response

SSU-NWIC – Public Comment (August 27, 2024) – Exhibit D

No Response

California Department of Fish & Wildlife (August 27, 2024) – Exhibit E

CDFW Comments and Recommendations in *italics*

I. Environmental Setting and Related Impact Shortcoming

*The draft MND does not include an analysis of potential impacts to listed species, Species of Special Concern, rare plants, riparian habitat or other Sensitive Natural Communities. The Project's identification and analysis of potential impacts to these resources was informed by an Aquatic Resources and Wetland Delineation Report. This report did not include floristic survey results, and the survey documented was conducted outside the blooming period for most plant species with the potential to occur. Within a half mile of the Project, the California Natural Diversity Database (CNDDDB) documents occurrences of Baker's Meadowfoam (*Limnanthes bakeri*), a State-listed species with a California Plant Rank of 2.B1.*

CDFW Recommendation 1: *Adequate biological surveys should be conducted at the appropriate time of year to determine whether rare plants, Sensitive Natural Communities, and Species of Special Concern or their habitat are present.*

- While it is acknowledged that Biological Surveys and floristic surveys can provide substantial evidence to support conclusions about potential impacts, there is no explicit requirement that an ISMND must include these studies. This ISMND has provided substantial evidence to support its findings on impacts to Biological Resources, specifically to listed species, Species of Special Concern, rare plants, riparian habitat or other Sensitive Natural Communities via queries into the California Natural Diversity Database (CNDDDB) Rare Find, and the California Native Plant Society (CNPS) Inventory of Rare Plants, along with adherence to the mitigation measures from the California Department of Fish and Wildlife Lake and Streambed Alteration Agreement (Appendix F), the Aquatic Resources and Wetland Delineation Report (Appendix B), and the North Coast Regional Water Quality Control Board (NCRWQCB) Water Quality Certification (Appendix E).
- In addition, as referenced in Appendix D (Special Provisions) and Appendix G (Avoidance and Minimization Measures), and as conditioned in the ISMND and the NRCWQCB Water Quality Certification (Appendix E), to ensure no impacts to listed species, Species of Special Concern, rare plants, riparian habitat or other Sensitive Natural Communities occur, a qualified biologist shall conduct environmental awareness training for Project contractors prior to initiation of construction. Though no significant impacts on Baker's meadowfoam or other listed species or habitat are anticipated with adherence to existing project design and mitigation measures, the incorporation of Baker's meadowfoam will be recommended for inclusion in the training and review.

CDFW Recommendation 2: *If Baker's meadowfoam or other listed species or associated habitat is identified within the Project area, and potential impacts to these species are unavoidable, consult with CDFW to seek the appropriate take authorization for species listed under the Native Plant*

Protection Act (Fish & G. Code, § 1904) or the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.).

- With Project design and mitigation measures, a take is not anticipated.

II. Mitigation Measure or Alternative and Related Impact Shortcoming

Issue 1: *The Project proposes to remove “trees and other natural vegetative features” (page 24) along the trail alignment, but the species or their natural communities are not identified. The Project proposes revegetation and restoration activities, which include natural regeneration along the trail alignment and planting trees and shrubs within riparian zones to enhance water quality and habitat (page 27).*

CDFW Recommendation 3: *Revise Mitigation Measure BIO-2 and BIO-4 to require Project revegetation and enhancement plans identify the species and natural community proposed for removal, and propose a planting palette comprised of the appropriate native tree and shrub species that are suitable for that natural community.*

- From the Project’s “Special Provisions for the Great Redwood Trail Phase 4” (Appendix D), the Project has been designed to adhere to a Planting Plan, which identifies the species to be removed and introduced (incl. valley oak, common manzanita, ceanothus, and toyon). In addition, Appendix A (Phase 4 GRT – Ukiah Plan Sheets) identifies the location and species of each tree to be removed. The Project will also need to adhere to the City of Ukiah’s Tree Management Guidelines and will be facilitated by Community Services staff and horticulturalists in conjunction with contracted arborists. Appendix G (Avoidance and Minimization Measures) provides the incorporated project requirement that a qualified wetland biologist/ecologist shall monitor the revegetation and restoration activities for up to three years or until the graded areas match the vegetation density of the existing wetland and are dominated by wetland plants. The existing wetland will be used as a benchmark for determining density. If it is determined after year one of monitoring that the vegetation is not progressing at a satisfactory rate to support a functional wetland, the area will be considered for reseeding or plugs (pg. 5). A proposed Wetland Seed Mix table, identifying species and quantity is also included in the analysis. This requirement is also echoed in the ‘Project-Specific Conditions’ of the NCRWQCB Water Quality Certification (Appendix E). As revegetation and enhancement plans are already embedded into the Project’s design, revisions to Mitigation Measure BIO-2 and BIO-4 are not warranted.

Exhibit A: GRTA – Public Comment Dave Anderson (June 11, 2024); **Exhibit B** (GRTA – Public Comment Louisa Morris (September 27, 2024); **Exhibit C:** NAHC – Public Comment (August 12, 2024); **Exhibit D:** SSU-NWIC – Public Comment (August 27, 2024); **Exhibit E:** CDFW – Public Comment (August 27, 2024)

MEMORANDUM

Date: June 11, 2024

To: Elaine Hogan, GRTA Executive Director

From: Dave Anderson, PE

Re: Ukiah Phase 4 review Comments/Questions

-
- 1) Plan calls to remove the RR Signal Cabinet (CIL) at Commerce Drive. The removal of any GRTA property shall be approved and coordinated with GRTA.



- 2) There is a fiber optic line under much of the project. Has the owner of the utility reviewed the plans?
- 3) What is the need for the water tanks at approx. Sta. 404+50, 414+20 and 417+50?
- 4) Trail plan states that there may be areas that require slight shift of plans for preservation of existing trees. What type of tree protection will be used? Is there an Arborist Report?
- 5) There are a total of 9 trees that are marked with an X which the plans indicate as tree removal. Are any of these possible to save?
- 6) Does the ramp and stairs to Panda Express at Sta. 406+00 lead to a public walkway?
- 7) Plan typical section number callouts are the same on 3 plan sheets. This is confusing.

- 8) On Sheet C-108 how is the fill constructed around the new 48" CMP extensions? Are there permits we can review? Same questions for the 24" CMP extension.
- 9) Where are the outlets for the drainage handled for tail segments that have a drainage ditch between RR embankment and trail?
- 10) Is Airport Park Blvd still closed? If so, will it continue to be closed? If it is to be reopened what safety measures would be implemented?



- 11) Sheet C-113 calls out wetland grading on the opposite side of the tracks. Is this required as mitigation? If so, please provide details of the requirement.
- 12) Trail Profile is lacking top of rail profile.
- 13) There is approximately 575 ft of existing linear encroachment along GRTA's east right-of-way. These encroachments coincide with trail stationing from Sta. 471+25 to 477+00. The plans provide how the Ukiah Animal Shelter 330 ft of encroachment is addressed only (See comment 14).
- 14) How will the additional 245 ft of encroachments be addressed? There is a well-used dirt roadway assumed for vineyard overlapping the planned trail.

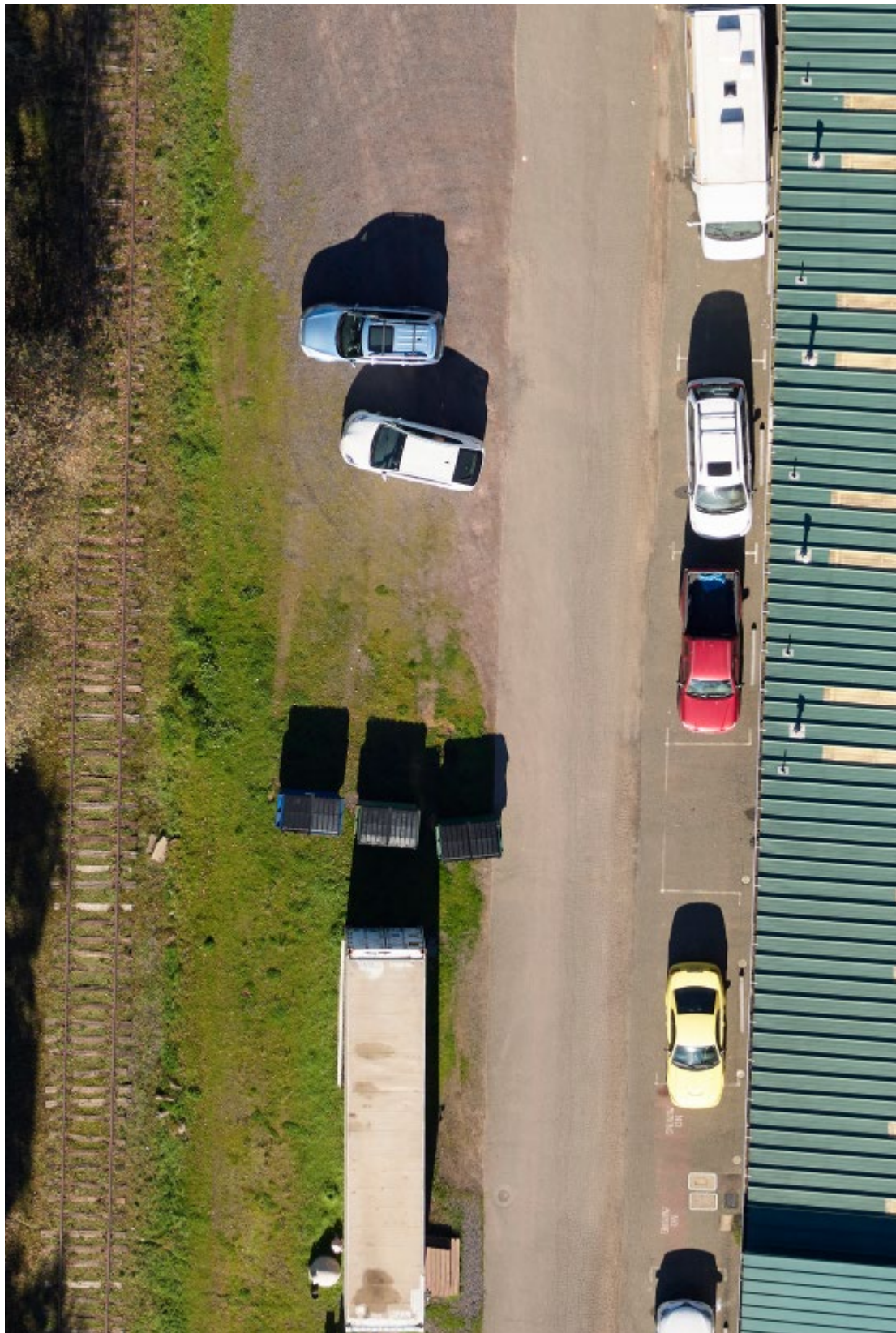
Below is an overall Google Earth view of the area of encroachment. A detailed series of 6 aerial photos follow showing the 575 ft of encroachments. **The photos start at the north end and overlap going south:**











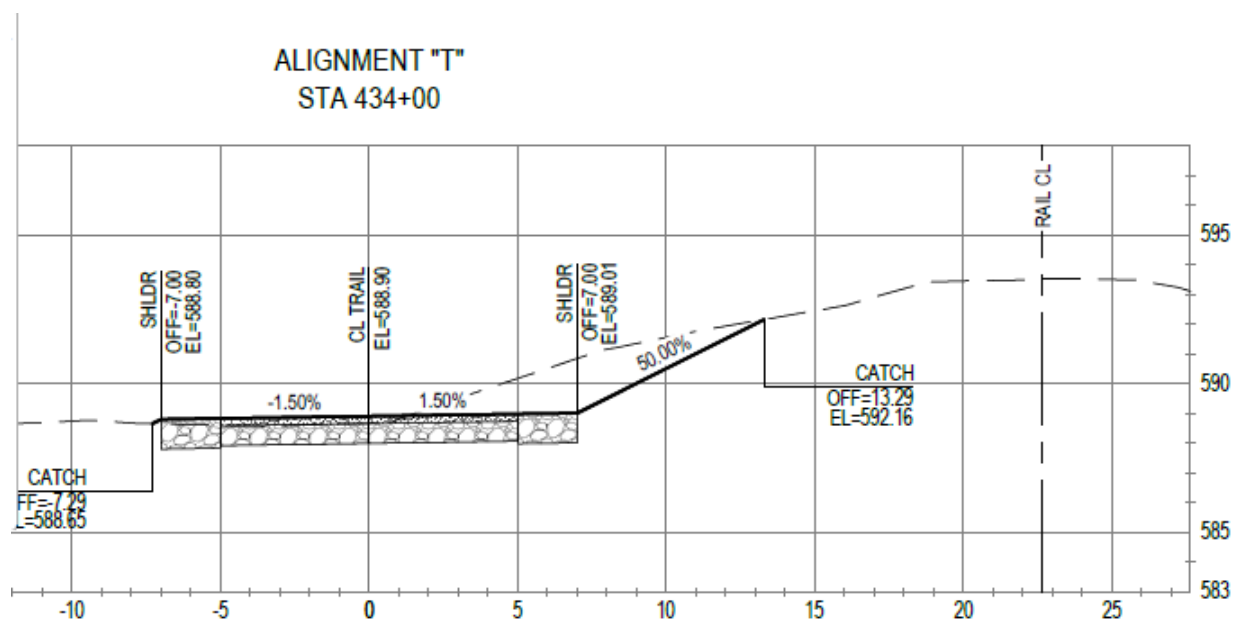




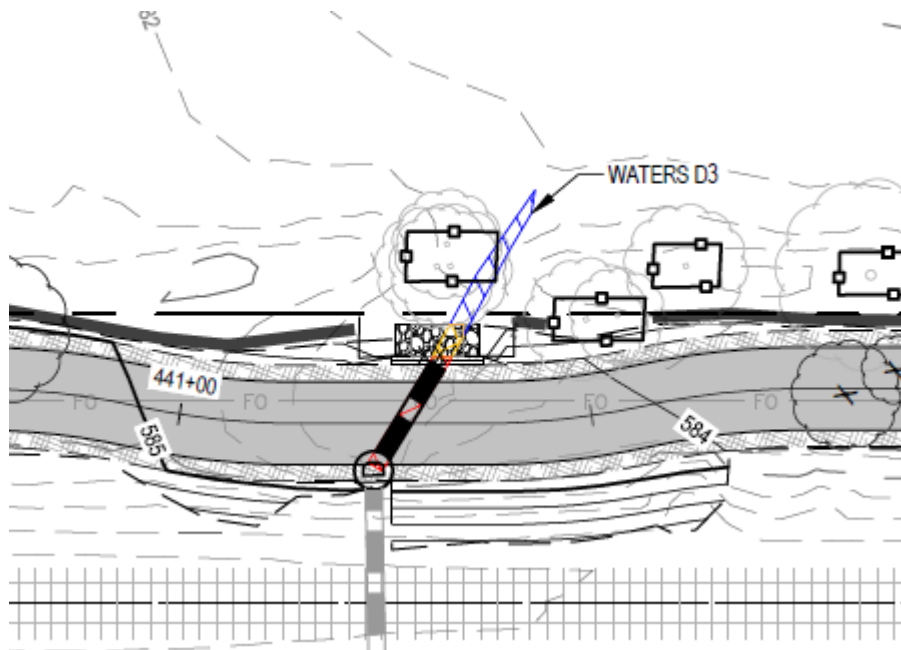
- 15) The trail ends at Plant Road. The track crossing at this location is in very poor condition, as is the road itself are there plans to improve these conditions? (see below photo).



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- 17) Erosion Control. There are areas where the RR embankment slope is without erosion control.
Example Sta. 441+20 below:



- 18) All existing RR signage is to remain. If RR signage or striping is to be removed or replaced, GRTA approval is required. No track modification or removal is allowed.
- 19) Airport Park Blvd. and Commerce Dr. do not have S2 signage (RECTANGULAR RAPID FLASHING BEACON). This seems inconsistent with other crossings on the trail.

From: [Morris, Louisa@SCC](mailto:Morris.Louisa@SCC)
To: [Katherine Schaefer](#); [Jesse Davis](#)
Cc: [Elaine Hogan](#)
Subject: GRTA comments on GRT Ukiah Phase 4 MND/plans
Date: Friday, September 27, 2024 9:33:01 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Katherine and Jesse,

Here are GRTA's additional comments/questions on the Phase 4 GRT-Ukiah designs and MND:

1. The stairways at the north end (near Commerce Drive- at Panda Express and Holiday Inn parking lot) need to be tied into their associated parking areas in a way that is safe and supports pedestrians and bicyclists.
 - Please explain how the GRT will safely tie into these two parking areas.
2. Are the water tanks shown on the Phase 4 plans for irrigating plantings associated with the GRT?
3. Do you know how deep the existing fiberoptic cable is buried in GRTA's ROW?
4. Are there plans to eventually open Airport Road and connect to Airport Park Blvd. (where there is currently a [gate](#))?
5. The Norgaard/Highway 101 underpasses have buried fiberoptic cable, drainage ditches, etc. - it appeared to GRTA staff that the best location for the GRT in this area would be **west** of the railroad tracks; however, it appears the plans show the GRT east of the tracks.
 - We'd like to walk this section with City staff asap to confirm the plans for the GRT. as there is a lot going on in this area.
6. North of Taylor Drive and Plant Road, there are Mendocino County Animal Control-associated encroachments into GRTA ROW, as well as fencing, and vineyards on GRTA property.
 - What are the plans for addressing these encroachments as part of the Phase 4 GRT project?
 - We'd like to walk this area with City staff as well, to review the issues and Phase 4 plans.

Thank you! We are excited to work with you to make this next phase of the GRT happen.

Best,

Louisa

Louisa Morris, Project Manager

Great Redwood Trail

State Coastal Conservancy | www.scc.ca.gov

1515 Clay Street, Suite 1000, Oakland 94612

Phone: 510-286-4185

STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

August 12, 2024

Katherine Schaefer
City of UkiahVia Email to: KSchaefer@cityofukiah.com**Re: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Great Redwood Trail - Ukiah (Phase 4) Project, Mendocino County**

Dear Ms. Schaefer:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The NAHC also recommends, but does not require that lead agencies include in their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential affect (APE), such as:

CHAIRPERSON
Reginald Pagaling
ChumashVICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
NomlakiSECRETARY
Sara Dutschke
MiwokPARLIAMENTARIAN
Wayne Nelson
LuiseñoCOMMISSIONER
Isaac Bojorquez
Ohlone-CostanoanCOMMISSIONER
Stanley Rodriguez
KumeyaayCOMMISSIONER
Laurena Bolden
SerranoCOMMISSIONER
Reid Milanovich
CahuillaCOMMISSIONER
Bennae Calac
Pauma-Yuima Band of
Luiseño IndiansEXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok, Nisenan**NAHC HEADQUARTERS**
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The result of the Sacred Lands File (SFL) check conducted through the Native American Heritage Commission was positive. Please contact the Pinoleville Pomo Nation on the attached list for more information.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand well help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Cameron.vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

Attachment

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1400 Valley House Drive, Suite 210
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<https://nwic.sonoma.edu>

August 27, 2024

File No.: 24-0237

Katherine Schaefer, Planner
City of Ukiah
Department of Planning & Community Development
300 Seminary Avenue
Ukiah, CA 95482

re: Great Redwood Trail Ukiah - Phase 4/ Commerce Dr (39°07'57"N 123°12'01"W) to Plant Rd (39°06'44"N 123°11'33"W)/ City of Ukiah

Dear Katherine Schaefer,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.

Project Description:

Phase 4 implementation of Ukiah's Great Redwood Trail. The project (Phase 4 in attached "GRT Phasing Map") is located within an inactive 1.9-mile segment of railroad corridor/right-of-way subject to the jurisdiction of the Great Redwood Trail Agency. The project will provide a Class 1 walking and biking facility from the existing southern terminus of the Great Redwood Trail in Ukiah at Commerce Drive (39°07'57"N 123°12'01"W) to existing municipal facilities at Plant Road (39°06'44"N 123°11'33"W) that will be improved to feature a small parking area and trailhead with seating and recreational amenities.

Previous Studies:

XX This office has record of the below previous cultural resource studies by a professional archaeologist or architectural historian for portions of the proposed project area (*see recommendation below*):

Report No	Authors	Year	Title
S-000680	Thomas L. Jackson	1977	Archaeological Reconnaissance of the Proposed Ukiah Wastewater Facilities Improvements, Ukiah, California
S-013223	Thomas M. Origer	1991	An Archaeological Survey of the Redwood Business Park, South of Ukiah, Mendocino County, California
S-022729	Lynn Compas	2000	Cultural Resources Inventory for the California Department of Forestry and Fire Protection, Ukiah Air Attack Base Relocation Project, Mendocino County, California
S-026863	Allen G. Pastron and Jonathan Goodrich	2003	Phase I Cultural Resources Evaluation of the Wastewater Treatment Plant Improvement Project Area, Located in the City of Ukiah, Mendocino County, California
S-033268	Paula Boghosian	1985	Architectural and Historical Resources Inventory Report, Ukiah, California
S-036144	Wesley Wills	2009	A Cultural Resources Study for the Recycled Water and Stormwater Development Project in the City of Ukiah, Mendocino County, California
S-051012	Gina Caretti and Courtney Higgins	2018	Cultural Resources Monitoring for the Redwood Fire, Mendocino County, California

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological sites. Due to the lack of full coverage, combined with passage of time since the previous surveys and the changes in archaeological theory and method since that time, we recommend a qualified archaeologist conduct further archival and field study for the entire project area to identify any unrecorded archaeological resources.

XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

 The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

Built Environment Recommendations:

XX The proposed project area contains, or is directly adjacent to P-23-003663, the Northwestern Pacific Railroad. Prior to commencement of project activities, it is recommended that this resource be assessed by a qualified professional familiar with the architecture and history of Mendocino County.

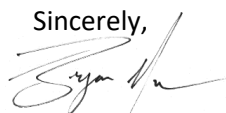
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Mendocino County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,



Bryan Much
Coordinator



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 27, 2024

Katherine Schaefer
Planning Manager
City of Ukiah - Community Development Department
300 Seminary Avenue
Ukiah, CA 95482
kschaefer@cityofukiah.com

**SUBJECT: GREAT REDWOOD TRAIL - UKIAH (PHASE 4), MITIGATED NEGATIVE
DECLARATION, STATE CLEARINGHOUSE NUMBER: 2024081302**

Dear Katherine Schaefer:

The California Department of Fish and Wildlife (CDFW) received a notice of a draft Initial Study and Mitigated Negative Declaration (MND) for the City of Ukiah's Phase 4 Great Redwood Trail Project (Project) on August 29, 2024.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW may need to exercise regulatory authority as provided by the Fish and Game Code. For example, the Project is subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.) and a Lake or Streambed Alteration Agreement has been issued. Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the

Conserving California's Wildlife Since 1870

Katherine Schaefer, Planning Manager
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September 27, 2024
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California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The City of Ukiah (City) proposes to construct a 1.9-mile segment of the Great Redwood Trail (GRT) within the City that would connect the existing southern terminus of the GRT at Commerce Drive south, to the City's existing facilities at Plant Road. Project implementation will include construction of a 10-foot-wide paved trail with a 2-foot-wide gravel shoulder on either side of the trail. The Project will include pedestrian access points, a new trailhead, two new pedestrian and bike bridges, and three culvert extensions at existing water crossings. Construction will include earthmoving equipment including graders, bulldozers, excavators, cranes and trucks to remove excavated soil and supply asphalt and concrete.

Location:

The Project is located within the City of Ukiah and unincorporated areas of Mendocino County along an inactive 1.9-mile segment of railroad corridor between Commerce Drive to the north, and Plant Road to the south.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

I. Environmental Setting and Related Impact Shortcoming

The draft MND does not include an analysis of potential impacts to listed species, Species of Special Concern, rare plants, riparian habitat or other Sensitive Natural Communities. The Project's identification and analysis of potential impacts to these resources was informed by an Aquatic Resources and Wetland Delineation Report. This report did not include floristic survey results, and the survey documented was conducted outside the blooming period for most plant species with the potential to occur. Within a half mile of the Project, the California Natural Diversity Database (CNDDB) documents occurrences of Baker's Meadowfoam (*Limnanthes bakeri*), a State-listed species with a California Plant Rank of 2.B1.

CDFW Recommendation 1: Adequate biological surveys should be conducted at the appropriate time of year to determine whether rare plants, Sensitive Natural Communities, and Species of Special Concern or their habitat are present.

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CDFW Recommendation 2: If Baker's meadowfoam or other listed species or associated habitat is identified within the Project area, and potential impacts to these species are unavoidable, consult with CDFW to seek the appropriate take authorization for species listed under the Native Plant Protection Act (Fish & G. Code, § 1904) or the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.).

II. Mitigation Measure or Alternative and Related Impact Shortcoming

Issue 1:

The Project proposes to remove "trees and other natural vegetative features" (page 24) along the trail alignment, but the species or their natural communities are not identified. The Project proposes revegetation and restoration activities, which include natural regeneration along the trail alignment and planting trees and shrubs within riparian zones to enhance water quality and habitat (page 27).

CDFW Recommendation 3: Revise Mitigation Measure BIO-2 and BIO-4 to require Project revegetation and enhancement plans identify the species and natural community proposed for removal, and propose a planting palette comprised of the appropriate native tree and shrub species that are suitable for that natural community.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

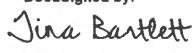
Katherine Schaefer, Planning Manager
City of Ukiah
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CONCLUSION

CDFW appreciates the opportunity to comment on the draft MND to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Jennifer Garrison, Senior Environmental Scientist (Specialist) at (707) 477-7792 or Jennifer.Garrison@wildlife.ca.gov.

Sincerely,

DocuSigned by:

1D82ADE7303A474...

Tina Bartlett, Regional Manager
Northern Region

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

Rebecca Garwood, Angela Liebenberg, Jennifer Garrison
California Department of Fish and Wildlife

Katherine Schaefer, Planning Manager
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REFERENCES

California Department of Fish and Wildlife. California Natural Diversity Database. September 13, 2024.

California Department of Fish and Wildlife. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. March 20, 2018.

City of Ukiah. CEQA Initial Study for: Great Redwood Trail – Ukiah (Phase 4) Mitigated Negative Declaration. August 29, 2024

Jane Valerius Environmental Consulting. Aquatic Resources Report/Wetland Delineation of Waters of the United States for the Ukiah Great Redwood Trail Phase 4 Project. March 3, 2022.

RESOLUTION NO. 2024-**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH ADOPTING AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE CONSTRUCTION OF A 1.9 MULTI-MODAL TRAIL SEGMENT OF THE GREAT REDWOOD TRAIL – UKIAH (PHASE 4).****WHEREAS:**

1. The City of Ukiah, as the Lead Agency, prepared an Initial Study and Mitigated Negative Declaration (ISMND) for the Great Redwood Trail – Ukiah Phase 4 Project (SCH 2024081302) under the California Environmental Quality Act (CEQA); and
2. The Lead Agency (City) consulted with all responsible agencies and trustee agencies; and
3. The Draft ISMND was circulated for public review on the California State Clearinghouse (CEQANET) website from August 29, 2024 through September 27, 2024; and
4. The Notice of Availability for the public review period for the ISMND, and the Notice of Intent to adopt the ISMND and conduct a public hearing were provided in the following manner, in accordance with the Ukiah City Code and California Environmental Quality Act (CEQA) Guidelines Section 15073: Provided to agencies and departments with jurisdiction or interest over the project on September 16, 2024; posted on the City's CEQA webpage during the public review period; provided to property owners within 300 feet of the Project, posted at the Civic Center (glass case), and posted at the Project site 72 hours before the hearing; and
5. Based on the findings and conclusions contained in the ISMND, the proposed Project would not have environmental effects which would cause substantial adverse effects on humans, either directly or indirectly; and there is no substantial evidence in light of the whole record before the City of Ukiah (including the ISMND and any comments received) that the Project would have a significant effect on the environment; and
6. The ISMND reflects the City's independent judgment and analysis of the potential environmental effects of the Project.

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are true and correct, and incorporated herein by this reference.
2. The City Council hereby adopts the Initial Study and Mitigated Negative Declaration which has been completed in compliance with the California Environmental Quality Act (CEQA).

BE IT FURTHER RESOLVED that:

1. The ISMND and record of proceedings of the decision on the Project are available for public review at the City of Ukiah Community Development Department, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA.
2. On October 16, 2024, the City Council held a public hearing to receive public comment and consider approval of the ISMND for the Project. The ISMND was approved by the City Council via Resolution and reflects the City Council's independent judgment and analysis.

PASSED AND AOPTED this 16th day of October, 2024, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Douglas F. Crane, Vice Mayor

ATTEST:

_ Araceli Sandoval, Acting Clerk

DRAFT



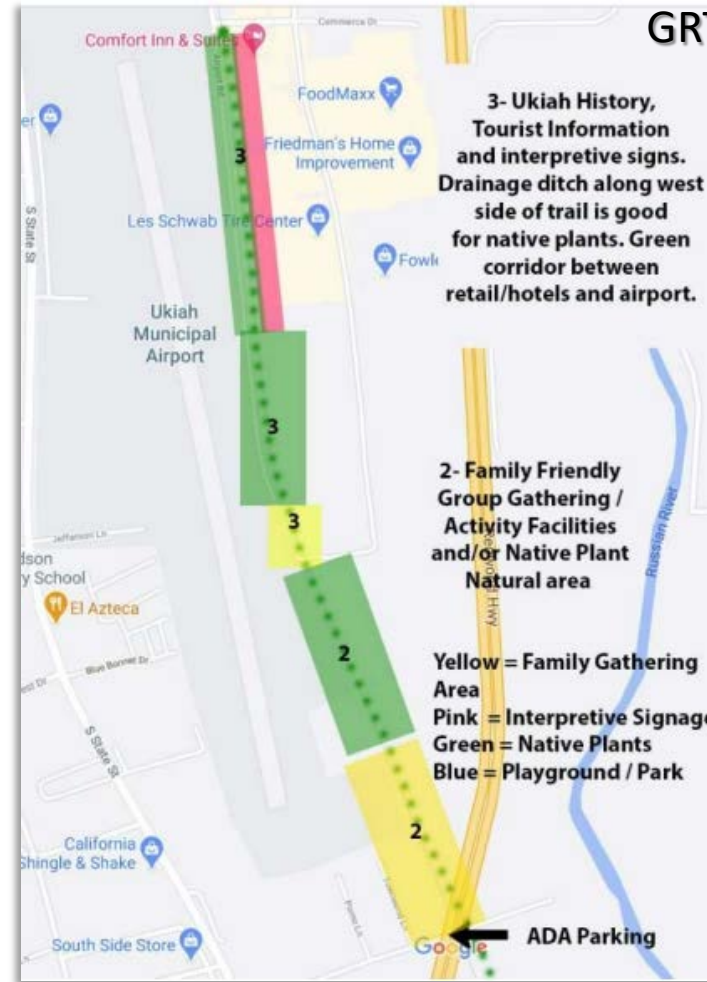
Great Redwood Trail (GRT) – Ukiah (Phase 4) CEQA Initial Study – Mitigated Negative Declaration

City of Ukiah
Department of Community Development
Planning Division

10/16/2024

Phase 4 Overview

- Design Plans approved May 2024
- Connects Commerce Drive to Plant Road
- Includes parking area and recreational amenities
- Provides multiple pedestrian access points



Commerce Ln. to Norgard St.

GRT – Ukiah Park Master Plan (2020)



Norgard St. to Plant Rd.

Environmental Review

- CEQA review identified issues: grading, drainage, tree removal, wetlands
- Adjustments made to mitigate impacts
- Coordination with multiple regulatory agencies
- All necessary permits obtained



*Commerce Lane,
looking south*



*Plant Road,
looking north*



Recommendation

Adopt the resolution adopting an Initial Study and Mitigated Negative Declaration for the construction of a 1.0-mile multimodal trail segment of the Great Redwood Trail (GRT) - Ukiah (Phase 4) as presented during the public hearing.



AGENDA SUMMARY REPORT

SUBJECT: Council will Receive an Update on the Public Benefits Program, Consider Approving Revised Energy Efficiency Programs and Rebates, and Consider a Budget Amendment in the Amount of \$30,000 for Energy Efficiency Rebates.

DEPARTMENT: Electric Utility

PREPARED BY: Diann Lucchetti, Administrative Secretary

PRESENTER: Cindy Sauer, Electric Utility Director

ATTACHMENTS:

1. Residential-Commercial Rebates Charts
2. CARES Program Credits and Rebate Details
3. Ukiah Res DI and Comm DIY Lghtng Prgrm PSA and SOW
4. 13a Presentation given at meeting

Summary: The Electric Utility will provide an overview of the Department's updated Public Benefit Programs and revised rebates for City Council's consideration and approval. Additionally, Council will consider the approval of a budget amendment in the amount of \$30,000 for energy efficiency rebates.

Background: Ukiah Electric Utility administers the Public Benefit (PB) Program established under California State Assembly Bill 1890 (AB1890) in 1996. The legislation mandates that electric utilities implement programs benefiting customers in four key areas: Low-Income Assistance, Energy Conservation, Renewable Energy, and Research, Development & Demonstration projects. AB1890 also requires that 2.85% of gross electric energy sales be allocated to these programs.

To ensure optimal use of the available funds, the Electric Utility collaborates closely with its program administrator, Efficiency Services Group (ESG), in designing, implementing, and managing energy efficiency and renewable energy programs for customers.

Discussion: Public Benefit funds are allocated to support Energy Efficiency Programs and Services, as well as Low-Income Billing Assistance. Below is a summary of the existing programs:

The **Energy Efficiency Programs and Services** are designed to help customers reduce their energy consumption and lower their electric bills. The Utility regularly reviews these programs to ensure they provide meaningful opportunities for customers to reduce energy usage through rebates and other initiatives. In 2023, these programs resulted in 159,395 kilowatt-hours (kWh) of energy savings, a significant increase from 2022's 77,745 kWh. This improvement is largely due to the second phase of the Direct Install Program, which was approved by the Council in August 2022. A detailed list of available rebates for Ukiah Electric customers is provided for the Council's review (Attachment 1).

The **Low-Income Billing Assistance Program** offers two options: the Senior Citizen Monthly Discount and the Non-Senior Household Monthly Discount, both designed to help low-income customers manage their electric bills. The City's discount is a fixed amount, based on income level. Due to recent rate increases, Staff recommends raising the discount by 25% for eligible customers (see Attachment 2), which will help those most affected by the higher rates. Customers can also apply for state funding, but it cannot be used simultaneously with these discounts. Increased use of state programs has reduced the Utility's expenditures, making sufficient

funds available for the proposed increase. Ukiah dedicates over 40% of its Public Benefits budget to low-income assistance, a significantly higher proportion than other utilities.

The **Electric Yard Equipment Rebate** program, approved by Council on June 21, 2023, aimed to reduce carbon emissions by offsetting the cost of new electric yard equipment. Unfortunately, abuse of the program has been identified, with customers allowing individuals outside of city limits to apply using their Ukiah address. This has led to the rebate benefiting people in areas like Willits, Ft. Bragg, and even outside the county, making management of the program increasingly difficult. As a result, Staff has reconsidered the program for rebate items that are not installed in the home and recommends discontinuing the program.

The **Residential Direct Install (DI) Program**, which aims to deliver energy savings while enhancing the customer experience with the Electric Utility. This program provides immediate energy-saving measures, identifies additional opportunities for efficiency, and raises awareness of Ukiah's Energy Efficiency Programs. Historically, the program has focused on low-income customers who already participate in the City's bill assistance programs. The City's low income customers have had the opportunity to participate in this program in FY23 and FY24. Staff proposes opening participation to all income levels on a first-come, first-served basis, with customers contacting ESG to enroll. Staff recommends allocating \$30,000 toward this program.

The **Commercial DIY Lighting Program** helps business customers upgrade inefficient lighting by providing LED fixtures at no cost. Customers are responsible for installation, which they can perform themselves or hire an electrician to complete. ESG will verify all installations. This program has been successful in neighboring cities, encouraging participation from businesses that might not have engaged in Ukiah's standard lighting program. Benefits include enhanced customer relationships, significant energy and cost savings, reduced maintenance costs, improved security, and progress toward AB2021 energy efficiency targets. This opportunity will initially be offered to small, locally owned commercial customers. Staff recommends allocating \$70,000 for this program.

These Direct Install and Commercial Lighting programs not only help customers reduce their energy bills but also support the Utility's broader goals for energy efficiency and decarbonization. They contribute to efforts to restore a safe climate by incentivizing energy-efficient upgrades in both residential and commercial properties.

All programs are offered as budget allows and may be adjusted based on funding availability. Currently, there is \$100,000 budgeted for energy efficiency programs and rebates. Staff is requesting a budget amendment in the amount of \$30,000, to ensure funding for both programs and the standard energy efficiency rebates.

Upon Council approval, the Utility will move forward with implementing these initiatives. Please refer to Attachment 3 for the detailed Scope of Work for both the Residential and Commercial Direct Install Programs.

Recommended Action: Approve revised customer programs and rebates, and a budget amendment in the amount of \$30,000 for energy efficiency rebates.

BUDGET AMENDMENT REQUIRED: No

CURRENT BUDGET AMOUNT: 80626450.52135 \$342,500

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: 80626450; Public Benefits Fund

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: N/A

DIVERSITY-EQUITY INITIATIVES (DEI): **Goal 2** – Eliminate internal and external barriers to Diversity, Equity, and Inclusion within the systems of our organization.

CLIMATE INITIATIVES (CI): **1c** – Install energy-efficient outdoor lighting. **1f** – Continue to explore rebate programs.

GENERAL PLAN ELEMENTS (GP):GP-A4 - Public Facilities, Services, and Infrastructure Element

Approved: 
Sage Sangiacomo, City Manager

RESIDENTIAL REBATE CHART

Form No.	CATEGORY / MEASURE	BLDG VINTAGE	BLDG TYPE	EXISTING CONDITION	FINAL CONDITION	REBATE UNIT	REBATE PER UNIT
RESIDENTIAL LIGHTING							
RL	Screw-In or Pin-Based LED (up to 22W)	New / Existing	Single-Family / Multifamily / Manufactured Homes	Standard (Incandescent or Halogen) Unit	ENERGY STAR® Certified Unit (up to 22W)	Bulb	\$5.00
	LED Holiday Lights	New / Existing	Single-Family / Multifamily / Manufactured Homes	Standard (Incandescent) Unit	ENERGY STAR® Certified and bring old string into the office	70 Lamp String	Up to 100% of purchase price
					ENERGY STAR® Certified Unit		\$15.00
	Ceiling Fan	New / Existing	Single-Family / Multifamily / Manufactured Homes	Standard Efficiency Unit	ENERGY STAR® Certified Unit	Fan	\$25.00
RESIDENTIAL HVAC							
RH	Central AC	Existing	Single-Family / Manufactured Homes	Standard Efficiency Unit	16 SEER (15.3 SEER2) and 13 EER (12.5 EER2)	Ton	\$75.00
					17 SEER (16.2 SEER2) and 13.3 EER (12.8 EER2)		\$100.00
	Ductless Mini-Split AC	Existing	Single-Family / Manufactured Homes	Standard Efficiency Unit	16 SEER (15.3 SEER2) and 13 EER (12.5 EER2)	Ton	\$100.00
	Air Source Heat Pump (includes ductless)	Existing	Single-Family / Manufactured Homes	Standard Efficiency Unit	16 SEER (15.3 SEER2) and 13 EER (12.5 EER2)	Ton	\$300.00
	Smart Thermostats	Existing	Single-Family / Manufactured Homes	Central AC or Heat Pump with programmable or non-programmable thermostat	Central AC or Heat Pump with ENERGY STAR® Certified Smart Thermostat	Unit	\$50.00
RH & RC-DS	Duct Sealing with Duct Blaster Pre- and Post-Test	Existing	Single-Family	Central AC with Existing Duct System with Excessive Leakage of Conditioned Air into Unconditioned Space	Central AC with Existing Duct System Sealed and Repaired and Overall CFM Reduction of 20% or Greater	System	\$75.00
Seasonal Energy Efficiency Rating (SEER/2), Energy Efficiency Ratio (EER/2) and Heating Seasonal Performance Factor (HSPF/2) represent the efficiency ratings 12,000 Btuh = 1 Ton of Cooling Cubic Feet per Minute (CFM) represents the amount of airflow							
RESIDENTIAL ELECTRIC VEHICLES							
EV-B	Approved Electric-CARE customer E-Bike	New / Existing	Single-Family / Manufactured Homes	Income approved applicants only. Intended to replace trips otherwise taken by automobile: E-bikes purchased solely for recreation do not qualify (i.e. Mountain Bikes).	New E-Bike; maximum one E-Bike rebate per account	Bike	\$700.00
	E-Bike purchased at a local Ukiah retailer	New / Existing	Single-Family / Manufactured Homes	Intended to replace trips otherwise taken by automobile: E-bikes purchased solely for recreation do not qualify (i.e. Mountain Bikes).	New E-Bike; maximum one E-Bike rebate per account	Bike	\$400.00
	E-Bike purchased from a retailer outside of Ukiah	New / Existing	Single-Family / Manufactured Homes	Intended to replace trips otherwise taken by automobile: E-bikes purchased solely for recreation do not qualify (i.e. Mountain Bikes).	New E-Bike; maximum one E-Bike rebate per account	Bike	\$300.00
	E-Bike conservation kit	New / Existing	Single-Family / Manufactured Homes	Intended to replace trips otherwise taken by automobile: E-bikes purchased solely for recreation do not qualify (i.e. Mountain Bikes).	New E-Bike; maximum one E-Bike rebate per account	Bike	\$50.00
EV-C	Home Level 2 Charger	New / Existing	Single-Family / Manufactured Homes	No existing home charger; Pre-approval is required to ensure eligibility and availability of funds	Level 2 Qualifying Charger	Charger	\$500.00

RESIDENTIAL WEATHERIZATION							
RW	Ceiling/Attic Insulation	Existing	Single-Family / Multifamily	Central AC or Electric Space Heat with Insulation Less Than or Equal To R-19	Central AC or Electric Space Heat with Insulation R-30 or Greater	Sq/Ft	\$1.00
	Wall Insulation	Existing	Single-Family / Multifamily	Central AC or Electric Space Heat with Insulation R-0	Central AC or Electric Space Heat with Insulation R-13 or Greater	Sq/Ft	\$0.50
	Solar Attic Fan	Existing	Single-Family / Multifamily	Hard wire or plug-in Electric-Powered Unit	Solar-Powered Unit (before and after photos showing disconnected electric fan are required)	CFM	\$0.20
	Replacement Windows	Existing	Single-Family / Multifamily	Central AC or Electric Space Heat with Single or Dual-Pane Windows	Central AC or Electric Space Heat with Replacement Windows with U-Value 0.32 or Less and SHGC 0.25 or Less	Sq/Ft	\$3.00
RW & RW-AS	Air Sealing with Blower Door Pre- and Post-Test	Existing	Single-Family	Central AC with Air Leakage of 0.35 ACH or Greater	Central AC with Building Air Gaps Sealed and Overall ACH Reduction of 30% or Greater	Home	\$25.00
NC	New Construction	New	Single Family & Multi Family	Title 24 minimum required to meet code	Rebate is based on annual kWh's saved over Title 24 minimum, documented by Title 24 report	kWh	\$0.20
R-Value represents resistance to heat transfer Solar Heat Gain Coefficient (SHGC) represents the solar transmittance Air Changes per Hour (ACH) represents the amount of air leakage							

RESIDENTIAL EQUIPMENT							
RE-N	Clothes Washer	New / Existing	Single-Family / Multifamily / Manufactured Homes	Electric Water Heat with Standard Efficiency Unit	Electric Water Heat with ENERGY STAR® Certified Unit with Integrated Modified Energy Factor (IMEF) of 2.06 minimum	Unit	\$100.00
	Clothes Dryer	New / Existing	Single-Family / Multifamily / Manufactured Homes	Standard efficiency electric unit	Electric ENERGY STAR® Certified Unit with 2.68 Combined Energy Factor (CEF) minimum	Unit	\$100.00
	Standard Size Dishwasher	New / Existing	Single-Family / Multifamily / Manufactured Homes	Electric Water Heat with Standard Size (8+ place settings) and Efficiency Unit	Electric Water Heat with ENERGY STAR® Certified Unit with 270 kWh maximum Annual Energy Use	Unit	\$50.00
	Induction Range	Existing	Single-Family / Multifamily / Manufactured Homes	Existing natural gas range	Electric oven with Induction cooktop or standalone Induction cooktop (before and after photos required to document existing gas appliance)	Unit	\$750.00
	Portable Induction Cooktop	New / Existing	Single-Family / Multifamily / Manufactured Homes	Existing electric resistance range or cooktop	Portable Induction cooktop	Unit	\$100.00
	Refrigerator	New / Existing	Single-Family / Multifamily / Manufactured Homes	Standard Size Efficiency Unit >7.75 cu. ft. Compact < 7.75 cu. ft. are not eligible.	ENERGY STAR Certified Unit >7.75 cu. ft.	Unit	\$100.00
	Heat Pump Water Heater	New / Existing	Single-Family / Multifamily / Manufactured Homes	Forced Air Electric Space Heat with Electric Resistance Unit with EF 0.89 or Lower	ENERGY STAR® Certified Minimum 2.8 Uniform Energy Factor (UEF)	Unit	\$150.00
				Heat Pump Space Heat with Electric Resistance Unit with EF 0.89 or Lower	ENERGY STAR® Certified Minimum 2.8 Uniform Energy Factor (UEF)	Unit	\$500.00
	Smart Power Strip	New / Existing	Single-Family / Multifamily / Manufactured Homes	Single Switch Unit without Control Mechanism	Smart Unit with Control Device	Unit	\$15.00
	Variable Speed Pool Pump	Existing	Single-Family	Standard Unit 1 hp or Greater	Variable Speed Unit with Variable Speed Unit Control no greater than 3 HP	Unit	\$400.00

Additional Terms and Conditions
 All rebates are subject to availability of funds and may be changed or discontinued at any time.
 All rebate requests must be received within 6 months of purchase/installation.
 All rebates are limited to 100% of purchase/installation cost and \$2000 per measure
 Some measures may be subject to additional installation and specification requirements - Call (707) 467-5700 for more information.

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COMMERCIAL REBATE CHART

Form No.	INSULATION	BUILDING VINTAGE	EXISTING CONDITION	FINAL CONDITION	REBATE UNIT	REBATE PER UNIT
	Attic Insulation	Existing	R-19 or Less	Minimum R-44	Sq/Ft	\$1.00

Form No.	HVAC	BUILDING VINTAGE	EXISTING CONDITION	FINAL CONDITION	REBATE UNIT	REBATE PER UNIT
CH	Central AC: <65,000 Btuh	Existing	Standard Efficiency Unit	16 SEER (15.3 SEER2) minimum	Ton	\$400.00
	Central AC: 65,000 and <134,000 Btuh	Existing	Standard Efficiency Unit	12 EER (11.5 EER2) <u>and</u> 19 IEER minimum	Ton	\$75.00
	Central AC: 135,000 and <239,000 Btuh	Existing	Standard Efficiency Unit	12 EER (11.5 EER2) <u>and</u> 17.5 IEER minimum	Ton	\$50.00
	Central AC: 240,000 and 759,000 Btuh	Existing	Standard Efficiency Unit	10.8 EER (10.3 EER2) minimum	Ton	\$25.00
	Heat Pump: <55,000 Btuh	Existing	Standard Efficiency Unit	16 SEER (15.3 SEER2) minimum	Ton	\$200.00
	Heat Pump: 55,000-64,000 Btuh	Existing	Standard Efficiency Unit	16 SEER (15.3 SEER2) minimum	Ton	\$125.00
	Heat Pump: 65,000-239,000 Btuh	Existing	Standard Efficiency Unit	12 EER (11.5 EER2) minimum	Ton	\$100.00
	Heat Pump: 240,000 Btuh	Existing	Standard Efficiency Unit	10 EER (9.6 EER2)	Ton	\$125.00
	Package Terminal Air Conditioner, Hotel/Motel	Existing	Standard Efficiency Unit	<7,000 Btuh - Min 11.29 EER (10.8 EER2) 7,000-15,000 Btuh - Min 10.27 EER (9.8 EER2) >15,000 Btuh - Min 9.29 EER (8.9 EER2)	Ton	\$350.00
	Package Terminal Heat Pump, Hotel/Motel	Existing	Standard Efficiency Unit	<7,000 Btuh - Min 11.17 EER (10.7 EER2) 15,000 Btuh - Min 10.15 EER (9.7 EER2) >15,000 Btuh - Min 9.13 EER (8.7 EER2)	Ton	\$175.00
Energy Efficiency Ratio (EER/2), Seasonal Energy Efficiency Ratio (SEER/2), Integrated Energy Efficiency Ratio (IEER), and Heating Seasonal Performance Factor (HSPF/2) represent the efficiency ratings 12,000 Btuh = 1 Ton of Cooling						

Form No.	ELECTRIC VEHICLE CHARGER	BUILDING VINTAGE	EXISTING CONDITION	FINAL CONDITION	REBATE UNIT	REBATE PER UNIT
EV-C	Workplace or Public Level 2 Single Hose	Existing / New	No existing EV charger. Pre-approval is required to ensure eligibility and availability of funds.	Level 2 Qualifying Charger	Unit	\$3,000.00
	Workplace or Public Level 2 Dual Hose	Existing / New	No existing EV charger. Pre-approval is required to ensure eligibility and availability of funds.	Level 2 Qualifying Charger	Unit	\$4,000.00

Form No.	REFRIGERATION	BUILDING VINTAGE	EXISTING CONDITION	FINAL CONDITION	REBATE UNIT	REBATE PER UNIT
CR	Ice Maker, Air-Cooled	New or Existing	Standard efficiency unit air-cooled ice making machine	Qualifying models must meet ENERGY STAR® Version 3.0 specifications and be listed in the California Energy Commission database. Valid for machines generating 60 grams (2 oz.) or lighter ice cubes, as well as flaked, crushed, or fragmented ice machines. Only air cooled machines are eligible. Performance data is based on AHRI Standard 810. See Qualified Products List.	Unit	\$200.00
	Glass or Solid-Door Refrigerator	New or Existing	Standard efficiency unit	Qualifying models must meet ENERGY STAR® Version 4.0 specification and must be listed in the California Energy Commission database. Products on this list qualify for purchases from the date they are added until the date they are removed. See Qualified Products List.	Unit	\$250.00
	Glass or Solid-Door Freezer	New or Existing	Standard efficiency unit	Qualifying models must meet ENERGY STAR® Version 4.0 specification and must be listed in the California Energy Commission database. Products on this list qualify for purchases from the date they are added until the date they are removed. See Qualified Products List.	Unit	\$250.00
	EC Motor for Walk-In	New or Existing	Shaded-Pole Evaporator Fan Motor	High Efficiency EC Motor with 66% Efficiency or Greater	Motor	\$75.00
	EC Motor for Reach-In	New or Existing	Shaded-Pole Evaporator Fan Motor	High Efficiency EC Motor with 66% Efficiency or Greater	Motor	\$50.00

EC Motor with Controller for Walk-In	New or Existing	Shaded-Pole Evaporator Fan Motor with No Controls	High Efficiency EC Motor with 66% Efficiency or Greater and Controller	Motor	\$100.00
Strip Curtains for Walk-In	New or Existing	Existing Doorway Between Refrigerated and Non-Refrigerated Spaces without Infiltration Barrier	New Strip Curtains	Sq Ft of Door	\$5.00
New Refrigerated Case	New or Existing	Existing Refrigerated Display Case with No Doors	New Refrigerated Display Case with Doors, EC Evaporative Fan Motors and T8 Lamps with Electronic Ballast	Lin Ft of Case	\$125.00
Auto Door Closer for Walk-In	New or Existing	Main Walk-In Door of Walk-In Cooler or Freezer without Auto-Closer	New Auto-Closer	Unit	\$100.00
Anti-Sweat Heater Control	New or Existing	Refrigerated Display Case with Anti-Sweat Heaters without Controller	Refrigerated Display Case with Anti-Sweat Heaters with Controller	Lin Ft of Case	\$50.00
Vending Machine Controller	New or Existing	Standard Unit with No Controls	Unit with Occupancy Sensor Controller Installed	Unit	\$125.00

Form No.	APPLIANCES	BUILDING VINTAGE	EXISTING CONDITION	FINAL CONDITION	REBATE UNIT	REBATE PER UNIT
CA	Electric Combination Oven	Existing Construction	Standard Electric Combination Oven - Various Sizes of pans for Half and Full Size Ovens	Qualifying electric combination oven/steamer models must have a tested steam mode cooking energy efficiency of $\geq 50\%$ and convection mode cooking energy efficiency of $\geq 70\%$ utilizing ASTM F2861, and meet the idle rate requirements in Table 1. (see below) ASTM F2861 Idle Rate Requirements for Commercial Comination Oven/Steamers. See Qualified Products List.	Cavity	\$2,500 per Cavity
	Electric Convection Oven	Existing Construction	Standard Electric Convection Oven - Half and Full Size	Electric ovens must meet ENERGY STAR specifications and have a tested heavy load potato cooking energy efficiency of 71% or more, utilizing ASTM Standard F1496. Full-size electric ovens must have an idle rate of 1.6 kW or less. Half-size electric ovens must have an idle rate of 1.0 kW or less. See Qualified Products List.	Oven	\$600 for Half size \$750 for Full size per cavity
	Electric Deck Oven	Existing Construction	Standard, Full Size Electric Deck Oven	Qualifying electric deck ovens must have a tested heavy load cooking energy efficiency of $\geq 60\%$ and an idle energy rate $\leq 1,300$ W, utilizing ASTM Standard F1965. Multiple-deck oven configurations are paid per qualifying oven deck. See Qualified Products List.	Cavity	\$1,500 per cavity
	Electric Conveyor Toaster	Existing Construction	Standard performance electric conveyer toaster	Only countertop and standalone machines are eligible. Qualifying electric conveyor toasters must have an energy per sandwich less than or equal to 3.75 W/sandwich utilizing ASTM Standard F2380. See Qualified Products List.	Unit	\$600 per unit
	Electric Fryer	Existing Construction	Electric Fryer < and > 18 inch Vats	Qualifying electric fryer models (vat width < 18-inches) must meet ENERGY STAR specifications for energy efficiency and have a tested heavy load cooking energy efficiency of 83% and an idle energy rate ≤ 800 W utilizing ASTM Standard F1361. Qualifying electric fryer models (vat width ≥ 18 -inches) must meet ENERGY STAR specifications for energy efficiency and have a tested heavy load cooking energy efficiency of 80% and an idle energy rate $\leq 1,100$ W utilizing ASTM Standard F2144. See Qualified Products List.	Unit	\$650 per vat
	Electric Griddle	Existing Construction	Electric Griddle - Need base case info for Cooking Efficiency; Idle Energy Rate (KW); Preheat Energy (kWh); Production Capacity (Lb/Hr)	Qualifying electric griddle models must have a tested heavy-load cooking energy efficiency of 70% or greater and an idle energy rate of 355 Watts per ft ² of cooking surface or less, utilizing ASTM Standard F1275. See Qualified Products List.	Ft	\$200 per ft (nominal width)
	Electric Insulated Hot Food Holding Cabinet	Existing Construction	Half Size (10 Cu Ft) or Full Size (25 Cu Ft)	Measure does not include cook and hold equipment. All measures must be electric hot food holding cabinet that are fully insulated. Qualifying full-size cabinets must have an idle energy rate ≤ 25 W/cu.ft. and qualifying half-size cabinets must have an idle energy rate ≤ 35 W/cu.ft. in accordance with ASTM F2140. See Qualified Products List.	Unit	\$200 for 1/2 size \$750 for full size
	Electric Steam Cooker	Existing Construction	Electric Steam Cooker various pan configurations	Qualifying electric steam cooker models must have a tested heavy load potato cooking energy efficiency of $\geq 50\%$ and meet the idle rate requirements in Table 2 utilizing ASTM Standard F1484. See Qualified Products List.	Unit	\$2,000 per cavity
	Dishwasher, Under-Counter	Existing Construction	Existing Under-Counter standard efficiency dishwasher	Qualifying high temperature sanitizing under counter dishwashers must meet ENERGY STAR® Version 3.0 specifications and have an idle energy rate ≤ 0.30 kW, a washing energy of ≤ 0.35 kWh/rack, and a water consumption ≤ 0.86 gal/rack to meet Tier 1 requirements. High temperature sanitizing under counter machines must have an idle energy rate ≤ 0.30 kW, a washing energy ≤ 0.30 kWh/rack, and a water consumption ≤ 0.73 gal/rack to meet Tier 2 requirements. Qualifying low temperature sanitizing under counter dishwashers must meet ENERGY STAR® Version 3.0 specifications and have an idle energy rate ≤ 0.25 kW, a washing energy of ≤ 0.15 kWh/rack, and a water consumption ≤ 1.19 gal/rack to meet Tier 1 requirements. Low temperature sanitizing under counter machines must have an Tier 2 requirements. idle energy rate ≤ 0.25 kW, a washing energy ≤ 0.13 kWh/rack, and a water consumption ≤ 1.01 gal/rack to meet Tier 2 requirements. See Qualified Products List.	Unit	\$500 per unit

Dishwasher, Door-Type	Existing Construction	Existing Door-Type standard efficiency dishwasher	Qualifying high temperature sanitizing door-type dishwashers must have an idle energy rate ≤ 0.55 kW, a washing energy ≤ 0.35 kWh/rack, and a water consumption ≤ 0.76 gallons/rack per the ENERGY STAR test method. Qualifying low temperature sanitizing door-type dishwashers must have an idle energy rate ≤ 0.30 kW, a washing energy ≤ 0.15 kWh/rack, and a water consumption ≤ 1.00 gallons/rack per the ENERGY STAR test method. See Qualified Products List.	Unit	\$500 per unit
Hand Wrap Machine	Existing	Always-on hand wrap machine	Qualifying models must be from the utility qualified products list. On-demand machine must utilize a mechanical or optical sensor to activate the largest heating element. See Qualified Products List.	Unit	\$250 per unit
Induction Range	Existing	Existing natural gas range	Electric oven with Induction cooktop or standalone Induction cooktop (before and after photos required documenting existing gas appliance)	Unit	\$750.00
Portable Induction Cooktop	New / Existing	Existing electric resistance range or cooktop	Portable Induction cooktop	Unit	\$100.00
Multifamily Clothes Washer, In Tenant Unit	New or Existing	Electric Water Heat with Standard Efficiency Unit	Electric Water Heat with ENERGY STAR Unit with minimum 2.06 Modified Energy Factor <u>and</u> maximum 4.3 Integrated Water Factor	Unit	\$100.00
Multifamily Clothes Washer, In Common Area	New or Existing	Electric Water Heat with Standard Efficiency Unit	Electric Water Heat with ENERGY STAR Unit with minimum 2.20 Modified Energy Factor <u>and</u> maximum 4.0 Integrated Water Factor	Unit	\$300.00
Kitchen Demand Ventilation Control	New or Existing	Type I Standard Unit with No Control	Type I Unit with VFD Control	Exhaust Fan Hp	\$450.00

Form No.	ELECTRONICS	BUILDING VINTAGE	EXISTING CONDITION	FINAL CONDITION	REBATE UNIT	REBATE PER UNIT
CE	Uninterrupted Power Supply	New or Existing	Standard Unit	ENERGY STAR Certified Unit	Unit	\$175.00
	Plug-Load Occupancy Sensor	New or Existing	Standard Unit with No Control Mechanism	Occupancy Sensor-Controlled Unit	Unit	\$20.00
	Smart Power Strip	New or Existing	Standard Unit with No Control Mechanism	Smart Unit	Unit	\$25.00

LIGHTING						
	1-For-1 or Other Upgrades		Varies	Varies	Annual kWh	\$0.15

CUSTOM						
N/A	Special Projects with Pre-Approval		Varies	Varies	Project	Varies

Additional Terms and Conditions

All rebates are subject to availability of funds and may be changed or discontinued at any time.

All rebate requests must be received within 6 months of purchase/installation.

Commercial Rebates are limited to 70% of job cost up to \$7,500 per project.

Some measures may be subject to additional installation and specification requirements - Call (707) 467-5700 for more information.

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Ukiah C.A.R.E.S. Program Assistance Levels

Current Programs	Less than 100% of *FPIG	101% - 150% of *FPIG	151% - 200% of *FPIG	Payments
Senior Citizen Monthly Discount	\$40	\$30	\$20	Monthly bill credits
Non-Senior Household Monthly Discount	\$30	\$20	\$10	Monthly bill credits

Proposed Programs	Less than 100% of *FPIG	101% - 150% of *FPIG	151% - 200% of *FPIG	Payments
Senior Citizen Monthly Discount	\$50	\$37.50	\$25	Monthly bill credits
Non-Senior Household Monthly Discount	\$37.50	\$25	\$12.50	Monthly bill credits

EXHIBIT A

RESIDENTIAL AND COMMERCIAL DIRECT INSTALL PROGRAM SCOPE OF WORK

Efficiency Services Group (ESG) is pleased to present this Scope of Work to the City of Ukiah (Ukiah) for a Residential Income-Qualified (IQ) Direct Install (DI) Program (Residential IQ DI Program) and a Commercial DIY and Lighting Program (Commercial Program). The scope of work is divided into two sections below.

The budget for this Scope of Work is \$100,000: allocated as \$30,000 for residential and \$70,000 for commercial. Allocations can be adjusted with written notice from the City of Ukiah.

1. RESIDENTIAL DIRECT INSTALL PROGRAM

The goal of the Residential Direct Install (DI) Program is to deliver energy savings and provide a great customer experience with Ukiah. The program will provide customers with instant savings measures, identify opportunities for additional major measures, and increase customer awareness of Ukiah's Energy Efficiency programs. In the past, this program has focused on lower-income customers who are currently participating in Ukiah's bill assistance programs. ESG proposes to expand participation to any income level on a first-come first-served. This will require participants to contact ESG to sign up for the service. The funding mechanism for this program is Ukiah's Public Benefit Fund.

The Residential Direct Install Program provides all residential customers with a program that delivers instant energy savings and benefits and is not cost-restrictive for their participation. ESG recommends the installation of energy and water-saving measures to deliver real savings on customer electric, water, and sewer costs. These measures can be installed in the customer's home at no charge to them while helping Ukiah reach their energy savings goals. In addition, ESG recommends completing a snapshot audit while in the customer's home.

Benefits

ESG believes that offering this program will provide the following benefits to Ukiah:

- Strengthen residential customer relationships by providing a great customer experience
- Provide energy and cost savings to targeted customers
- Serve customers that are not traditionally able to participate in PB programs
- Collect information and site data to be used in future offerings and targeted marketing

Customer Eligibility

The program will be open to Ukiah residential customers. ESG will coordinate with Ukiah to finalize a strategy to approach customers and generate sign-ups for the program.

Pricing

The fees for the DI Program are on a per-measure-installed basis. Prices include all labor, materials and expenses associated with installation of the products and delivery of services. Fees for direct installed measures and snapshot audits are shown in the following table. Additional measures can be added to the program with prior approval.

Measure	Cost Unit	Fee per Cost Unit	kWh Saved per Unit
Home Snapshot Audit	Audit	\$40	0
Screw-In LEDs (DI)	Lamp	\$18	Varies based on wattage and location installed
Standard Showerhead 1.5 GPM (DI)	Showerhead	\$20	87.8
Handheld Showerhead 1.5 GPM (DI)	Showerhead	\$30	87.8
Thermostatic Shower Valve (DI)	Valve	\$50	72.1
Combo TSV and Showerhead 1.5 GPM (DI)	Unit	\$70	136
Faucet Aerator (DI) Kitchen 1.5 GPM	Aerator	\$5	71.8
Faucet Aerator (DI) Bathroom 1.0 GPM	Aerator	\$5	81.7
Advanced Power Strips (DI)	Power Strip	\$90	64.33
Door Sweeps (DI)	Door Sweep	\$75	25.58
Door Sweeps (Requested Leave Behind)	Door Sweep	\$30	12.79
Smart Thermostat (Requested Leave Behind) Google Nest	Thermostat	\$160	57.2

Note: DI: Measures are installed by an Energy Efficiency Advisor

Requested Leave Behind: Measures are left with the customer for the customer to install

Measure Descriptions

Home Snapshot Audit

While in the customer's home installing products, Energy Efficiency Advisors (EEAs) will acquire the customer demographic and site/equipment data, which will help develop and market programs.

LED Lamps (screw-in based)

All LED lamps, reflectors, globes, and candelabras offered in the program will be UL-listed and ENERGY STAR-certified.

Advanced Power Strips

Advanced Power Strips (APS) utilize infrared, motion detection, and load sensing paired with a configurable countdown timer to manage both active and standby power loads for controlled devices connected to the device. If the timer is not reset by activity, the power strip turns off power to that connected device eliminating its "phantom" or standby power usage.

High-Performance Showerheads

High-performance showerheads reduce the amount of water used to shower, saving costs on water, sewer, and energy. Only customers with electric water heating will qualify for this measure.

Thermostatic Shower Valves

Thermostatic shower valves are designed to reduce water and energy waste by reducing the water flow of a shower to a trickle once the water reaches 95 degrees. This prevents the waste that occurs when people leave the shower running to get warm before they get in.

Thermostatic Shower Valve and Showerhead Combination

This unit combines the valve and high-performance 1.5 gallons per minute showerhead. This is available to homes with electric water heaters only.

Faucet Aerators

High-performance aerators reduce the flow rate of water without compromising on pressure, which means less water is heated and used overall. This reduction in hot water usage directly translates to lower energy consumption, as less energy is needed to heat the water. Only homes with electric hot water will qualify.

Door Sweeps

Adding door sweeps to exterior doors with air gaps is an effective way to reduce energy waste. Door sweeps seal the gap between the bottom of the door and the threshold, preventing drafts from entering and conditioned air from escaping. This helps maintain a consistent indoor temperature, reducing the need for heating and cooling systems to work harder. As a result, you can save on energy costs and improve the overall efficiency of your home. Plus, door sweeps can also help keep out dust, insects, and noise, making homes more comfortable.

Smart Thermostats

Replacing programmable and manual thermostats with smart thermostats is a great way to save energy. Smart thermostats learn your schedule and preferences, automatically adjusting the temperature to

optimize energy use. They can detect when you're home or away and adjust the settings accordingly, thereby ensuring you're not heating or cooling an empty house.

Professional Installations

All DI services will be performed by experienced staff, with an emphasis on providing a great customer experience.

Customer Satisfaction

The program is designed to be easy for customers to participate in, and all staff are focused on providing a great customer experience. ESG and our partners understand the importance of emphasizing to the customer that the program is coming from Ukiah and using the program experience to help Ukiah build and strengthen its relationships with its customers.

Reporting and Invoicing

ESG thoroughly understands the SB1037 reporting requirements for utility energy efficiency programs. DI program activity will be included in Ukiah's monthly EE program reports.

Marketing Activities

ESG will work with Ukiah to develop marketing materials for the Residential Program. This may include a letter informing the customers about the Residential Program and requesting that they call in to schedule an appointment, a flyer discussing the benefits of the measures installed, and any other promotional materials as agreed upon to be distributed by the EEAs.

Implementation Partner

ESG will serve as the program administrator. We plan to utilize RD Energy Solutions in the implementation of the program. ESG has had a relationship with this partner for several years and has successfully delivered utility programs with them.

RD Energy Solutions is the installation partner for our commercial and residential direct install programs. ESG and RD have partnered to implement EE programs for over twenty utilities in California and the Northwest. RD will perform the following tasks:

- Contacting customers to schedule DI visits
- Ordering product needed to complete DI installs
- Installing DI measures
- Entering DI activity for each home served
- Providing all DI measure install data to ESG for each home served

Payment Schedule

ESG will submit invoices to Ukiah monthly, accompanied by detailed reports on services performed for each customer served. ESG's payment terms are Net 20 days. If an invoice error is identified by Ukiah, a corrected invoice will be submitted by ESG within five business days of receiving notification from Ukiah.

2. COMMERCIAL DIY LIGHTING PROGRAM

The goal of the Commercial DIY Lighting Program is to help business customers upgrade their inefficient lighting.

The Program is designed to have a focused, efficient approach to helping customers upgrade their lighting. Fixtures are provided to the customer at no cost and the customer is responsible for the installation. Customers may install the fixtures themselves or hire an electrician to install the fixtures for them. ESG has found that most customers hire an electrician to install the fixtures. ESG verifies the installation of all LED fixtures before invoicing Ukiah. The program has proven to effectively persuade some customers to pay for the installation that would otherwise not participate in Ukiah's standard lighting program.

ESG believes that the Program will provide the opportunity for Ukiah to:

- Continue to strengthen and build on the relationships established with customers through the standard rebate program
- Afford significant energy and cost savings to targeted customers
- Reduce customer maintenance costs and increase customer security
- Contribute savings toward AB2021 targets

Mix of Measures

The Program includes options for LED upgrades to existing exterior and interior fixtures. The Program will include the following measures:

- LED Screw-In Base Retrofit Lamps: Screw directly into existing screw-in base HID fixtures. Requires rewiring the fixture to bypass the existing ballast.
- LED Canopy Lighting: Replace existing HID fixtures commonly found in gas station island canopies and building overhangs.
- LED Pole/Wall Lighting: LED Shoebox and Cobra head fixtures replace existing HID fixtures commonly found throughout commercial parking lots, roadways, auto dealerships, and building perimeters.
- LED Wall packs: replace pre-existing HID wall packs found on commercial buildings.
- LED Commercial New Fixture replacements for existing T5/T8/T12 fluorescent lighting, such as wraparounds, strip/channels, troffers, etc.
- LED Retrofit Lamps and Ballasts to replace existing T8/T12 fluorescent lighting, while keeping the original housing in place and replacing only the internal lamps and ballasts.

Subscribing the Program

Energy Efficiency Advisors (EEAs) visit customer sites, explain the program, and encourage the customer to participate. During customer site visits, the EEA will:

- Ask to talk with the decision-maker.
- Explain the Program offer to the customer.
- Encourage the customer to agree to install/upgrade their lighting with LEDs.

- If the customer agrees, verify the quantity and type of fixtures or upgrade kits needed for the lights.
- Schedule follow-up visits with the customer to deliver the LED lighting equipment and schedule installations.

When the EEA delivers the LED lighting equipment to the customer, the EEA will schedule another appointment with the customer to return and verify the installation of the fixtures. This will provide the customer with an installation deadline.

ESG has learned through experience that it can take several contacts with a customer and can be a time-intensive task to get them ready to take delivery of LED lighting equipment for installation. EEAs have demonstrated the persistence needed to accomplish this task. Additionally, offering interior T8/T12 LED installations will help motivate the customer. Please note that kWh and demand kW savings vary based on existing/replacement wattage, location, as well as time of use.

Measure Descriptions	Utility Pricing
Site Visit & Program Presentation	\$100.00
Completed Project Administration	\$375.00
Fluorescent CFL Pin Base 13W-45W	\$33.00
CFL/Incandescent Edison 13W-100W	\$18.00
4', 2-Lamp T8	\$126.50
4', 3-Lamp T8	\$230.00
4', 4-Lamp T8	\$276.00
2', 2-Lamp T12	\$120.75
3', 2-Lamp T12	\$80.50
4', 1-Lamp T12	\$97.75
4', 2-Lamp T12	\$172.50
4', 3-Lamp T12	\$270.08
4', 4-Lamp T12	\$276.51
8', 1-Lamp T8	\$51.75
8', 1-Lamp T8, HO	\$115.00
8', 2-Lamp T8	\$189.75
8', 2-Lamp T8, HO	\$189.75
8', 1-Lamp T12	\$218.50
8', 1-Lamp T12, HO	\$241.50
8', 2-Lamp T12	\$371.80
8', 2-Lamp T12, HO	\$451.29
4', 2-Lamp T5, HO	\$230.00
4', 4-Lamp T5, HO	\$403.36
4', 6-Lamp T5, HO	\$374.08
Metal halide, (1) 150W lamp	\$320.55

Metal halide, (1) 175W lamp	\$354.84
Metal halide, (1) 250W lamp	\$388.33
Metal halide, (1) 400W lamp	\$417.98
Metal halide, (1) 750W lamp	\$476.43
Metal halide, (1) 1000W lamp	\$605.05
Wall Pack 70W MH	\$293.00
Wall Pack 100W MH	\$293.00
Wall Pack 150W MH	\$316.00
Wall Pack 175W MH	\$350.00
Wall Pack 250W MH	\$383.00
Wall Pack 400W MH	\$560.00
HID – Ballast Bypass 70 Watt	\$163.00
HID - Ballast Bypass 100 Watt	\$188.00
HID - Ballast Bypass 150 Watt	\$188.00
HID - Ballast Bypass 175 Watt	\$213.00
HID - Ballast Bypass 250 Watt	\$383.00
HID - Ballast Bypass 400 Watt	\$413.00
HID - Ballast Bypass 750 Watt	\$475.00
HID - Retrofit Kit w/Driver 750 Watt	\$572.00
HID - Ballast Bypass 1000 Watt	\$655.00
HID - Retrofit Kit w/Driver 1000 Watt	\$700.00
Canopy Parking/Perimeter 70W HID	\$240.00
Canopy Parking/Perimeter 100W HID	\$240.00
Canopy Parking/Perimeter 150W HID	\$280.00
Canopy Parking/Perimeter 175W HID	\$304.00
Canopy Parking/Perimeter 250W HID	\$327.00
Canopy Parking/Perimeter 400W HID	\$520.00
Canopy Gas Stations 175W HID	\$396.00
Canopy Gas Stations 250W HID	\$425.00
Canopy Gas Stations 320W HID	\$599.00
Canopy Gas Stations 400W HID	\$638.00
Area Light (Pole/Wall) 150W HID	\$490.00
Area Light (Pole/Wall) 175W HID	\$665.00
Area Light (Pole/Wall) 250W HID	\$687.00
Area Light (Pole/Wall) 400W HID	\$770.00
Area Light (Pole/Wall) 750W HID	\$985.00
Area Light (Pole/Wall) 1000W HID	\$985.00

Customer Satisfaction

A final verification inspection will be performed on all completed projects. During the final visit, the EEA will ensure that any customer questions or concerns are addressed and resolved before closing the project and invoicing Ukiah. ESG understands the importance of emphasizing to the customer that the program is coming from Ukiah and using the program experience to help Ukiah build and strengthen its relationships with its customers.

Reporting and Invoicing

ESG thoroughly understands the CEC reporting requirements for utility energy efficiency programs. Because of this, ESG can generate complete and accurate activity reports and invoice formats that make it easy for Ukiah to track budgets, and program expenses, and report program results to the CEC. ESG will prepare monthly activity reports and invoices as required by Ukiah.

Program Administration

ESG will provide complete program administration, including:

- Program development (product selection, marketing materials, customer outreach)
- Customer service/support
- Delivery of LED lighting equipment
- Warranty information
- Reporting/invoicing
- CEC compliance support

Incentive Structure

Interior and exterior LED fixtures/lamps will be provided at no cost to the customer. The customer will be responsible for their installation (either maintenance staff or hiring an electrician).

Pricing

ESG's fees for this program include:

- A fee for marketing and presenting the program offer to each customer
- A program subscription/administration fee for projects completed in the program
- Cost per fixture/lamp installed

Program fees cover all costs, including program development activities, marketing/outreach, labor, materials (including mounting hardware and photocells), state sales tax, travel expenses and admin/overhead.

If needed, additional measures can be added with prior approval by Ukiah.

Energy Savings

Energy savings values for all measures are based on calculations based on pre/post wattages, assumes exterior fixtures are on all night and fluorescent fixtures are on a minimum of 8 hours per day. Based on quantities per business in other programs, ESG estimates 80,000 kWh per \$50,000 of program budget.

Strategic Partners

ESG will serve as the program administrator. We plan partner with RD Energy Solutions of 7333 SE Ellis St, Portland OR on the implementation of the program. ESG has had a relationship with this partner for over ten years and has successfully delivered utility programs with them; including the Residential Direct Install Program for Ukiah.

Marketing Activities

ESG will work with Ukiah to develop/assemble any program or marketing collateral Ukiah would like presented to the customers during the EEAs visit. The remainder of the marketing/sales activities will be relational, face-to-face discussions between the customers and the EEA. It may take several conversations and/or site visits by the EEA to subscribe and complete projects under this program.

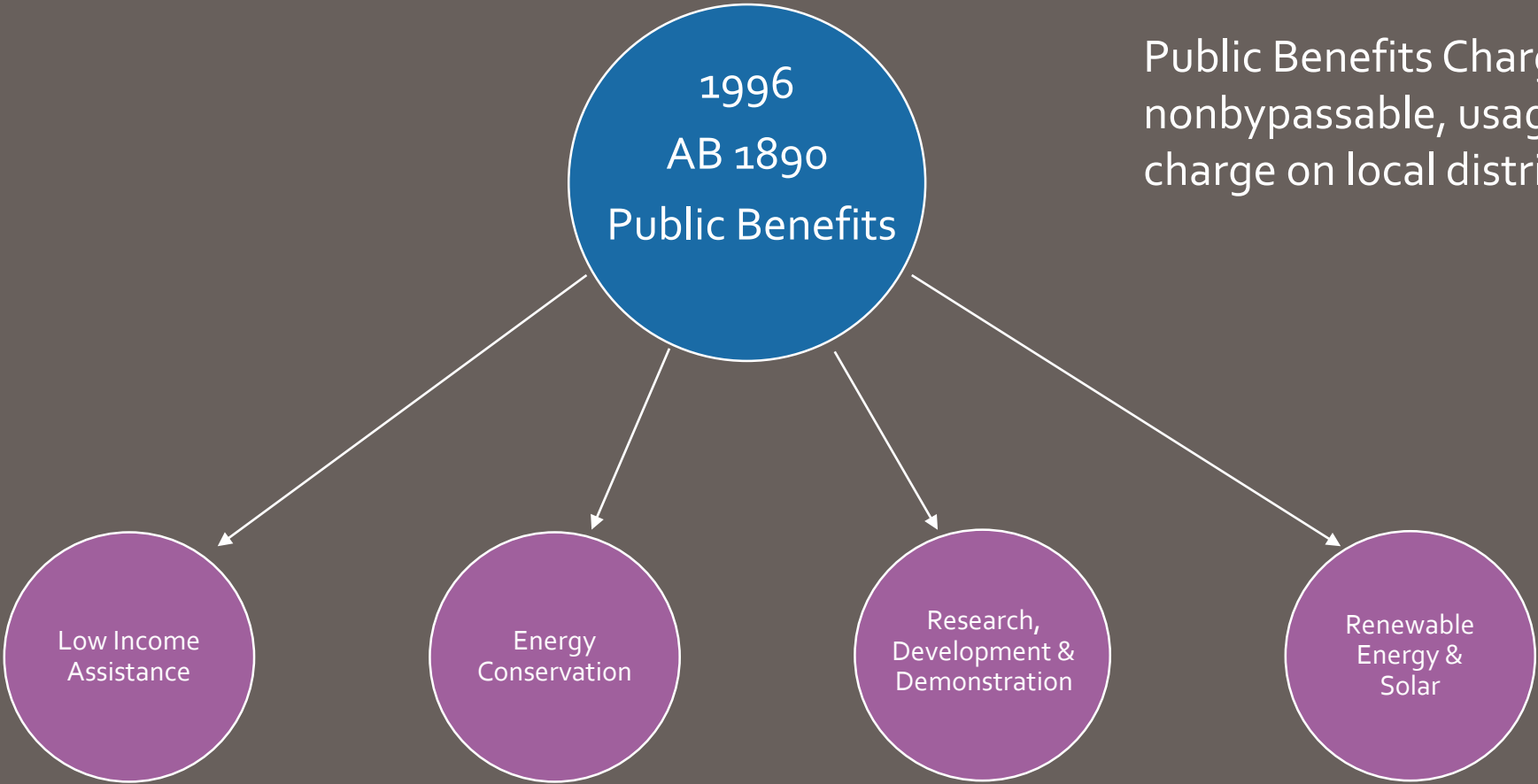
Payment Schedule

ESG will submit invoices to Ukiah monthly, accompanied by detailed reports showing each site visited and work performed at each customer/business site. ESG's payment terms are net 30 days. If an invoice error is identified by Ukiah, a corrected invoice will be submitted by ESG within five business days of receiving notification from Ukiah.

Public Benefits Program Update

October 16, 2024

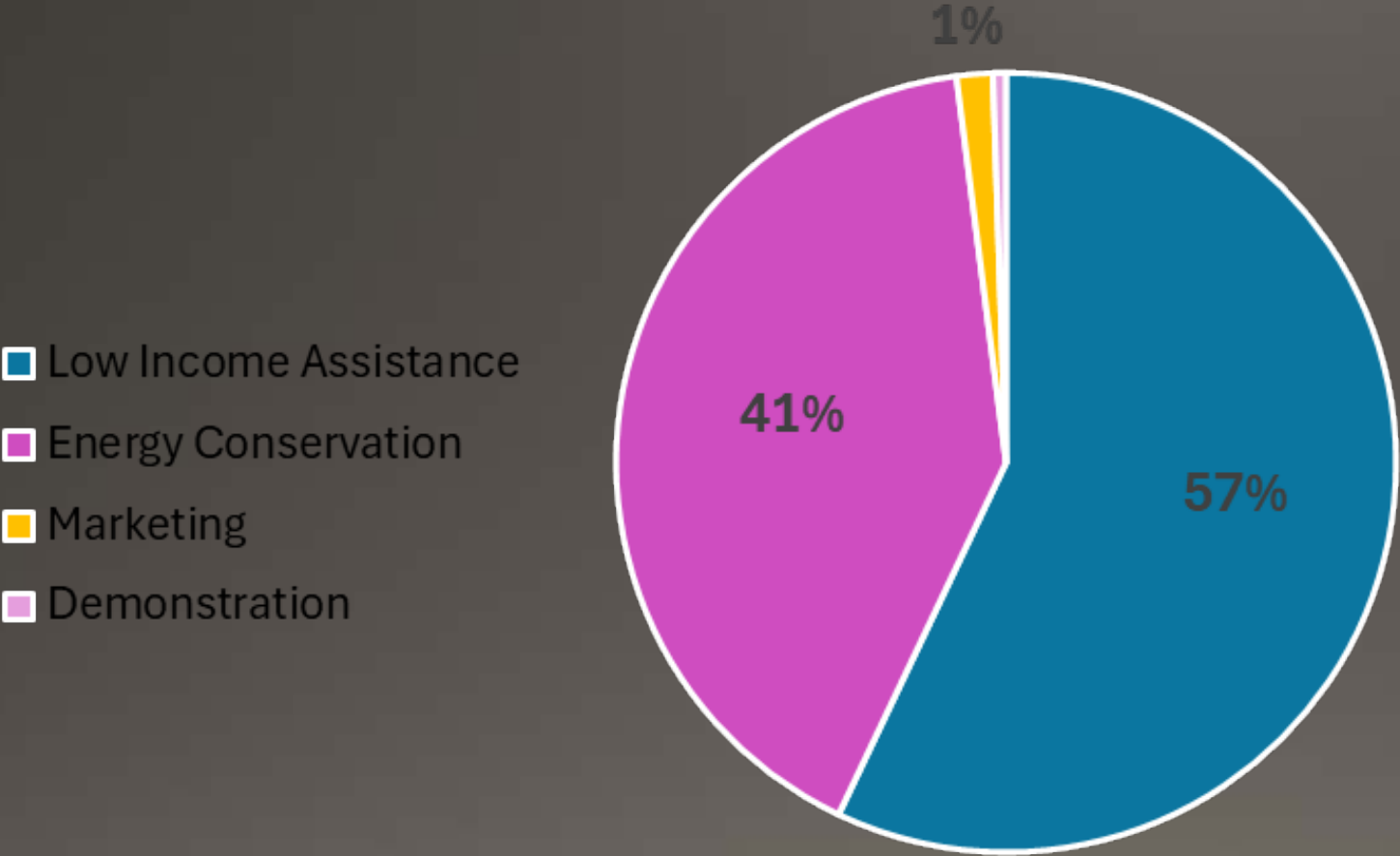
History of Public Benefits



Public Benefits Charge is a nonbypassable, usage based charge on local distribution service.

2.85% of Revenues

Public Benefit Expenditures FY 23/24



Utility Public Benefit Low Income Assistance Comparison

Utility	Percentage of PB funds to Low Income Assistance
Alameda	25%
Healdsburg	25%
Lassen	25%
Lodi	30%
Shasta Lake	25%
Ukiah	41%

Ukiah	2020	2021	2022	2023	2024
Energy Conservation	\$36,421	\$22,860	\$54,671	\$100,627	\$78,896
Low Income Assistance	\$172,325	\$179,045	\$140,731	\$107,842	\$110,112
Research & Demonstration	\$8,596	4,884	\$1,307	\$1,050	\$1,050
Marketing Materials	\$1,812	\$965	\$1,986	\$3,687	\$2,882

Low Income Discount Increase Recommendation

Ukiah C.A.R.E.S. Program Assistance Levels

Current Programs	Less than 100% of *FPIG	101% - 150% of *FPIG	151% - 200% of *FPIG	Payments
Senior Citizen Monthly Discount	\$40	\$30	\$20	Monthly bill credits
Non-Senior Household Monthly Discount	\$30	\$20	\$10	Monthly bill credits

Proposed Programs	Less than 100% of *FPIG	101% - 150% of *FPIG	151% - 200% of *FPIG	Payments
Senior Citizen Monthly Discount	\$50	\$37.50	\$25	Monthly bill credits
Non-Senior Household Monthly Discount	\$37.50	\$25	\$12.50	Monthly bill credits

*Federal Poverty Income Guidelines

Energy Efficiency Program Recommendations FY 24/25

Residential Direct Install Program

- Two previous cycles focused on low-income customers
- Open program to all residential customers
- Customers must enroll

Commercial DIY Lighting Program

- Provides commercial customers with new fixtures at no cost
- Customers will perform installation themselves, or with an electrician
- Efficiency Services Group will verify installation
- Offered to small, locally owned businesses

Recommend Eliminating Yard Equipment Rebate

- In June 2023, Council approved rebates for conversion of outdoor yard equipment
- Extremely generous rebates, 50% of cost of new gas-powered equipment
- No other Northern California Utility provides such a rebate
- Is being misused

Questions?



AGENDA SUMMARY REPORT

SUBJECT: Consider Adopting a Resolution Authorizing the Issuance of Tax and Revenue Revolving Notes.

DEPARTMENT: Finance

PREPARED BY: Dan Buffalo, Finance Director

PRESENTER: Dan Buffalo, Finance Director

ATTACHMENTS:

1. Ukiah 2024-25 Tax and Revenue Anticipation Note - Resolution_v4_2
2. Ukiah - Final Revised Term Sheet \$10MM TRAN_ signed
3. Ukiah Umpqua TRAN Note Purchase Agreement 4881-2220-3627 v.3

Summary: Council will consider adoption of a resolution authorizing the issuance of tax and revenue revolving notes.

Background: The City of Ukiah has ongoing infrastructure projects, notably the Recycled Water System, which require significant upfront expenditures. These projects are largely funded through grants and other revenue sources, but there are timing discrepancies between when expenditures are incurred and when revenues are received; given that most grants work on a reimbursement basis. The City typically sees larger revenue collections later in the fiscal year, primarily from property tax revenues, while significant disbursements occur earlier in the year for construction and development projects.

To address this cash flow mismatch, the City and its Municipal Advisor (NHA Advisors) evaluated various short-term financing options over the past 12 months and identified a Tax and Revenue Revolving Note program as the most efficient and cost-effective solution. This program has been successfully implemented by many municipalities across the state to cover short-term liquidity needs. The revolving note will provide immediate access to funds and must be repaid within the fiscal year (by June 30), ensuring alignment with the City's financial planning and fiscal discipline.

Discussion: The Tax and Revenue Revolving Note with Umpqua Bank is structured to provide up to \$10,000,000 in financing at any given time, with the ability to reborrow amounts as long as the total outstanding does not exceed 85% of the City's anticipated uncollected tax, income, and other revenues for FY 2024-25. The facility will allow the City to cover expenditures for key projects, including Phase 4 of the Recycled Water Project, without depleting its reserves.

Key elements of the financing structure include:

- **Amount:** Maximum \$10,000,000, revolving, with reborrowing allowed under certain conditions.
- **Term:** Maturity on June 30, 2025. The City retains the right under this action to renew the Note annually by adopting a new resolution and entering into a new Note Purchase Agreement each fiscal year, as necessary. The terms for future years, including the interest rate, will be subject to prevailing conditions at the time of renewal.
- **Interest Rate:** Variable, currently 6.33%, tied to the Federal Funds Rate.
- **Fees:** Umpqua Bank has agreed to waive the annual loan fee of \$25,000 if the City opens a second operating account with the bank within three months of closing the facility. Additionally, Umpqua will provide an Earnings Credit Rate (ECR) for all analyzed accounts of 1.1% to offset monthly banking

services fees. (The ECR is the imputed interest rate calculated by banks to account for the money they hold in non-interest-bearing accounts. ECRs are calculated on a daily basis and are often tied to the price of low-risk government bonds. ECRs are often used by banks to credit customers for services, reduce fees, or offer incentives for new depositors.)

- **Repayment Source:** General fund revenues or revenues from the fund in which temporary cash flow is needed, supplemented by grant reimbursements.
- **Payment structure:** Revolving loan with required monthly interest payments, balance due at maturity which shall occur no later than June 30 each year in which the Note is available.
- **Issuance costs (one-time):** The following costs are one-time, irrespective of the total term of the Note.
 - Municipal Advisor (NHA Advisors): \$49,500 for analysis and managing financing evaluation process over last 12 months
 - Bank Counsel (Nixon Peabody): \$25,000 for legal document drafting

The flexible interest-only repayment structure ensures that the City is only charged when funds are drawn, offering a prudent approach to managing cash flow fluctuations.

Staff sees the benefits to the City of the financing as follows:

1. **Liquidity for Critical Projects:** This revolving note provides immediate access to \$10 million, ensuring that the City has the liquidity needed to continue critical infrastructure projects like the Recycled Water System without delay, even if revenue from grants and taxes is received later in the fiscal year.
2. **Prudent Cash Flow Management:** By matching disbursements with revenue collection, the financing helps smooth out cash flow timing differences, allowing the City to meet its obligations without tapping into its reserves.
3. **Cost-Effective:** The financing structure includes flexible interest payments, which means the City only incurs costs when the funds are actually drawn. This minimizes the financial burden on the City by reducing unnecessary interest costs.
4. **Low Fees:** Umpqua Bank's waiver of the \$25,000 annual loan fee, in exchange for opening a second operating account, represents a significant cost-saving opportunity for the City, further enhancing the attractiveness of the deal.
5. **Potential Interest Rate Decline:** The variable interest rate allows the City to potentially benefit from lower interest rates in the future, if economic conditions change favorably.
6. **Annual Renewal Option:** The City retains the ability to renew the Note annually, ensuring continued liquidity for future fiscal years if needed. This flexibility allows the City to respond to evolving financial needs and project timelines.

Potential Risks:

1. **Variable Interest Rate Exposure:** While the current interest rate is favorable, it is tied to the Federal Funds Rate. Should interest rates rise, the cost of borrowing could increase, leading to higher-than-anticipated interest payments. This risk can be mitigated through careful financial monitoring and potentially locking in rates in future fiscal years.
2. **Repayment Obligation:** The note must be repaid by the end of the fiscal year (June 30, 2025). If revenue collections do not align as expected or if grant reimbursements are delayed, the City may need to draw on reserves or find alternative funding sources to meet this repayment obligation.
3. **Dependence on Future Revenue:** This financing relies heavily on the timely collection of tax revenues and grant reimbursements. Any unforeseen delays in these revenues could create cash flow challenges, although the City's strong financial planning mitigates this risk.

4. **Impact on Future Borrowing Capacity:** While the note provides short-term liquidity, the City must consider its long-term borrowing capacity and ensure that future borrowing needs are not hampered by the revolving nature of this note.

This financing solution provides the City with a tool to address short-term liquidity needs while ensuring the continuity of infrastructure projects. While variable interest rate exposure poses a risk, the City's active financial monitoring and close relationship with its financial advisor will enable timely responses to any significant rate changes. Additionally, should the City's anticipated revenues not materialize as expected, Staff is prepared to explore alternative funding sources or temporarily draw on reserves, ensuring compliance with repayment obligations. The added flexibility of renewing the Note annually gives the City a long-term option for managing future financial demands. However, careful attention to interest rate movements and cash flow timing is essential to mitigate the risks associated with this type of short-term financing.

Looking ahead, the City will continue to evaluate its financing options for future years, including the potential of locking in more favorable interest rates if market conditions improve. Given the City's ongoing infrastructure needs and the timing discrepancies between revenue collection and project expenditures, adopting this resolution is a crucial step toward ensuring the successful and timely completion of key projects without impacting the City's reserves or overall fiscal health.

Timing:

Upon Council adoption of the resolution, Staff and the financing team plan to close the issuance of the 2024 Notes in late October or early November 2024.

Note Purchase Agreement:

To proceed with the issuance of the 2024 Notes, the City Council must adopt the Resolution recommended above. As referenced in the recommended resolution, Staff recommends the Director of Finance or authorized designees be authorized to execute and deliver the 2024 Note and that the Director of Finance, or authorized designees, be authorized to enter into and deliver the 2024 Note Purchase Agreement (Purchase Agreement) described below.

The Note Purchase Agreement is between the City and the Bank. The Purchase Agreement sets forth requirements under which the Bank will purchase the new portion of the 2024 Note, establishes the interest rate mechanism, outlines repayment terms, contains representations and warranties of the City and the Bank, and specifies conditions precedent to the Bank entering into the Purchase Agreement.

Budget Amendment:

A budget amendment is required for the issuance costs and interest expenditures in the event draws are made. An estimate of interest expenditures for the remainder of the current fiscal year is provided below. Issuance costs are provided as well. A budget amendment is not required for draws against the revolving note nor to the principal repaid, as the receipt and use of proceeds are not considered either revenues, expenditures, other financing sources or uses. The draw and repayment of principal are for short-term cash flow purposes at the balance sheet level.

Staff recommends the City Council adopt a resolution authorizing the issuance of Tax and Revenue Revolving Notes. These notes will provide the necessary liquidity to maintain the City's fiscal stability during the construction of its critical infrastructure projects, including the Recycled Water System.

Recommended Action: Adopt a resolution that 1) authorizes the issuance and sale of the City of Ukiah 2024 Tax and Revenue Revolving Note in an aggregate principal amount not to exceed \$10,000,000, to be sold through a direct bank placement; and 2) approves in substantially final form the Note Purchase Agreement and authorizes the Finance Director or other authorized officers to execute the Note Purchase Agreement with Umpqua Bank N.A., and other related documents as necessary in connection with the issuance of the 2024 Notes and authorizes other related actions.

BUDGET AMENDMENT REQUIRED: Yes

CURRENT BUDGET AMOUNT: 0

PROPOSED BUDGET AMOUNT: \$25,000 interest expense (20000000.70102), \$74,500 issuance costs (20000000.70110)

FINANCING SOURCE: Tax Revenue Anticipation Revolving Note

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: Sage Sangiacomo, City Manager

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI): N/A

GENERAL PLAN ELEMENTS (GP): N/A

Approved:


Sage Sangiacomo, City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF UKIAH PROVIDING FOR THE BORROWING OF FUNDS FOR FISCAL YEAR 2024-25 AND THE ISSUANCE AND SALE OF THE CITY OF UKIAH 2024-25 TAX AND REVENUE ANTICIPATION NOTE AND APPROVING THE EXECUTION OF A NOTE PURCHASE AGREEMENT RELATING TO SUCH NOTE AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, pursuant to Sections 53850 to 53858, both inclusive, of the California Government Code, being Article 7.6, Chapter 4, Part 1, Division 2, Title 5 thereof (the "Law"), the City Council (the "Council") of the City of Ukiah (the "City") has found and determined that at least \$10,000,000 is needed by the City in Fiscal Year 2024-25 to satisfy obligations of the City (including, but not limited to, to help manage cash flow during construction of the City's Recycled Water System and other infrastructure projects) payable from the General Fund of the City (the "General Fund") during Fiscal Year 2024-25 before the receipt of taxes, income, revenue, cash receipts and other moneys of the City to be received for or accrued to the General Fund during Fiscal Year 2024-25 will be available for such purpose, and that it is necessary that at least such sum be borrowed for such purpose by the issuance of a temporary note in anticipation of such receipt; and

WHEREAS, the City intends to initially borrow up to \$10,000,000 to be outstanding at any time for such purpose by the issuance and sale of its 2024-25 Tax and Revenue Anticipation Note (as defined more particularly in Section 3 hereof, the "Note"), which such principal may be repaid and reborrowed up to a principal amount that, when added to the interest payable thereon and to all previous principal amounts borrowed, in the aggregate, does not exceed eighty-five percent (85%) of the estimated amount of the estimated uncollected taxes, income, revenue, cash receipts and other moneys of the City anticipated to be received for or accrued to the General Fund during Fiscal Year 2024-25 that will be available for the payment of the interest on and the principal of the Note (such amount, the "Maximum Amount"); and

WHEREAS, it appears, and the Council hereby finds and determines, that the total principal amount of the Note, when added to the interest payable thereon, will not exceed eighty-five percent (85%) of the estimated amount of the estimated uncollected taxes, income, revenue, cash receipts and other moneys of the City anticipated to be received for or accrued to the General Fund during Fiscal Year 2024-25 that will be available for the payment of the interest on and the principal of the Note; and

WHEREAS, no money has heretofore been borrowed by the City in anticipation of the receipt of, or payable or secured by, any taxes, income, revenue, cash receipts or other moneys of the City to be received for or accrued to the General Fund during Fiscal Year 2024-25; and

WHEREAS, in compliance with Government Code Section 8855, the City has previously adopted a local debt policy and the Council hereby finds and determines that the Note will be issued in conformance with said policy; and

WHEREAS, pursuant to Government Code Section 5852.1, the Council has obtained from NHA Advisors, its Municipal Advisor (the "Municipal Advisor"), certain good faith estimates of (a) the true interest cost of the Note, (b) the finance charge of the Note, (c) the amount of proceeds received for the sale of the Note, less the finance charge and any reserves or capitalized interest paid or funded with the proceeds of the Note, and (d) the total payment amount calculated to the final maturity of the Note, and such estimates are disclosed and set forth in Exhibit C attached hereto; and

WHEREAS, the City wishes to authorize the issuance of the Note (to be issued in portions) to be purchased by Umpqua Bank (including its successor and assigns, the “Bank”) in an amount not to exceed the Maximum Amount from the City in accordance with a note purchase agreement by and between the City and the Bank, as originally executed and as they may be amended from time to time in accordance with its terms (the “Note Purchase Agreement”); and

WHEREAS, pursuant to the Law, certain taxes, income, revenue, cash receipts and other moneys of the City which will be received for or accrued to the General Fund during Fiscal Year 2024-25 can and will be pledged for the payment of the principal of and interest on the Note; and

WHEREAS, pursuant to the Law and this Resolution, the City has pledged all Revenues (as such terms are defined in the Note Purchase Agreement) to the payment of the principal of and interest on the Note.

NOW THEREFORE, the City Council of the City of Ukiah does hereby resolve, find, and determine as follows:

Section 1. Recitals. All of the recitals hereinabove set forth are true and correct, and the Council so finds and determines and the Council further finds and determines that all acts, conditions and things required by law to exist, to have occurred and to have been performed precedent to the issuance and sale of the Note do exist, have occurred and have been performed in regular and due time, form and manner as required by law, and that the Council is empowered under the Law to issue and sell the Note as provided herein.

Section 2. Defined Terms. Unless otherwise defined herein, capitalized terms used in this Resolution shall have the meanings given such terms in the Note Purchase Agreement.

Section 3. Issuance of Note.

- a. Solely for the purpose of anticipating taxes, income, revenue, cash receipts and other moneys of the City to be received for or accrued to the General Fund during Fiscal Year 2024-25, the City hereby determines at this time to and shall borrow up to the initial principal sum of \$10,000,000 by the issuance of the Note under the Law, designated the “City of Ukiah 2024-25 Tax and Revenue Anticipation Note.”
- b. The Note is subject to optional prepayment, without premium, prior to the maturity date thereof, in accordance with the terms of the Note Purchase Agreement; and each draw thereupon can be prepaid without premium or penalty. Amounts repaid under the Note may be reborrowed in an amount not to exceed \$10,000,000 at any time; provided, however, that such additional principal amount, when added to the interest payable thereon and to all previous principal amounts borrowed under the Note, does not exceed the Maximum Amount.
- c. The Note shall be dated the date of issuance thereof and shall mature and be payable as provided in the Note Purchase Agreement. Interest on the Note shall be calculated upon the amount of principal outstanding for each Interest Period (as such term is defined in the Note Purchase Agreement), in no event to exceed ten percent (10%) per annum. The principal amount of the Note (including the portions purchased by the Bank thereof) and the then applicable

interest rate shall be noted by the Bank on the form of the Note in accordance with the Note Purchase Agreement and shall not exceed the Maximum Amount.

- d. The Note shall be issued in the name of the City and registered in the name of the Bank, as the registered owner thereof (together with any of the Bank's successors or assigns as permitted in the Note Purchase Agreement, the "Owner"), and shall be evidenced by a single note. The Bank shall have the right to sell or transfer the Note or to otherwise directly or indirectly transfer or assign any interest in the Note only to the extent permitted in the Note Purchase Agreement. The City shall be entitled to treat the Bank as the "Owner" of the Note as indicated therein and as the absolute owners of the Note for all purposes under this Resolution and for purposes of payment of principal of and interest on such Note, notwithstanding any notice to the contrary received by the City.
- e. The City Manager, the Director of Finance or their authorized designees (each an "Authorized Representative"), each acting alone, are hereby authorized and directed to provide any notices or other directions of the City to the Bank pursuant to the Note Purchase Agreement.
- f. An Authorized Representative will maintain or cause to be maintained, at his or her office in Ukiah, California, sufficient books for the registration of the Note.

Section 4. Form of Note. The Note shall be issued without coupons and shall be substantially in the form thereof set forth in Exhibit A attached hereto and incorporated herein, together with such changes, additions, and deletions thereto as deemed necessary and as approved by an Authorized Representative before the execution, authentication and delivery of the Note.

Section 5. Execution of Note. Each Authorized Representative (including officials acting in this position on an interim basis) acting alone are authorized to execute the Note by their manual or facsimile signature, and the City Clerk (including officials acting in this position on an interim basis) is hereby authorized to countersign the Note by manual or facsimile signature. The Note shall not be valid, however, unless and until an Authorized Representative (including the person acting in such position on an interim basis) shall have manually authenticated such Note by executing the Certificate of Authentication printed thereon.

Section 6. Use of Proceeds of Note. The City shall, immediately upon receiving the proceeds of the sale of the Note or portions thereof, deposit in the General Fund all amounts representing the proceeds of the Note received from such sale, and such proceeds shall be used for the purpose specified in the Note Purchase Agreement or otherwise permitted by applicable law.

Section 7. Security for Note; Security Interest.

- a. The City hereby pledges all Revenues (as that term is defined in the Note Purchase Agreement) excluding moneys which, when received by the City, will be encumbered for a special purpose (collectively, the "Pledged Revenues") to the payment of the principal of and interest on the Note. The Note shall be equally and ratably secured by the Pledged Revenues. This pledge is valid and binding in accordance with the terms of this Resolution and the Pledged

Revenues shall immediately be subject to the pledge, and the pledge shall constitute a first lien and security interest which shall immediately attach to the Pledged Revenues and be effective, binding, and enforceable against the City, its successors, creditors, and all others asserting the rights therein, to the extent set forth, and in accordance with this Resolution irrespective of whether those parties have notice of the pledge and without the need for any physical delivery, recordation, filing, or further act.

- b. Subject to written consent from the Bank, nothing in this Resolution shall prohibit the City from issuing additional tax and revenue anticipation notes payable from the Pledged Revenues or other available funds on a basis subordinate to the Note ("Subordinate Notes"); provided that with respect to any such Subordinate Notes, the City shall not, prior to the payment in full of the Note, (i) make any scheduled payments of principal of or interest on such Subordinate Notes prior to the payment of principal of or interest on the Note, (ii) make any prepayment thereof, or (iii) issue any such Subordinate Notes that have a maturity date earlier than the stated maturity date of the Note.

Section 8. Sale of Note. The Note Purchase Agreement, in the form thereof set forth in Exhibit B attached hereto and incorporated herein, is hereby approved, and the Authorized Representatives, or their designee, each acting alone, are hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver to the Bank the Note Purchase Agreement in said form (which Note Purchase Agreement shall contain the maturity date and the interest rates and the prepayment provisions for the Note), with such changes as such Authorized Representative may require, deem necessary, or approve upon consultation with the City Attorney, such approval to be conclusively evidenced by the execution and delivery thereof; provided however, the maximum rate of interest on the Note shall not exceed 10.00%, for the utilized portion of the Note.

Section 9. Further Actions. Each Authorized Representative is hereby authorized and directed to execute and deliver the Note to the Bank in accordance with the Note Purchase Agreement, and the City Manager, the Director of Finance, and the City Clerk are hereby authorized and directed, for and in the name and on behalf of the City, to do any and all things and take any and all actions and execute any and all certificates, agreements and other documents, including but not limited to an agreement relating to the breakage fee related to the Note, which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the Note in accordance with this Resolution, and all actions heretofore taken by such officers with respect to the sale and issuance of the Note are hereby approved, confirmed and ratified. Any authority delegated under this Resolution to a specified official (including officials acting in these positions on an interim basis) of the City may also be exercised by the specified official's authorized designee.

Section 10. Resolution to Constitute Contract. It is hereby covenanted and warranted by the City that all representations and recitals contained in this Resolution are true and correct, and that the City, and its appropriate officials, have duly taken all proceedings necessary to be taken by them, and will take any additional proceedings necessary to be taken by them, for the levy and collection and deposit of the Revenues (as defined in the Note Purchase Agreement) pledged hereunder in accordance with the Law and with this Resolution and for carrying out the

provisions of this Resolution. It is hereby further covenanted and warranted by the City that the provisions of the Note and of this Resolution shall constitute a contract between the City and the Owner, and such provisions shall be enforceable by mandamus or any other appropriate suit, action or proceeding at law or in equity in any court of competent jurisdiction; provided, that notwithstanding any other provision hereof to the contrary, upon the City's failure to observe, or refusal to comply with, the covenants contained herein, no one other than the Owner or former Owner of the Note shall be entitled to exercise any right or remedy under this Resolution on the basis of the City's failure to observe, or refusal to comply with, such covenants.

Section 11. Amendments. This Resolution may be amended by a supplemental resolution adopted by the Council with the written consent of the Owners of one hundred percent (100%) of the principal amount of the Note outstanding.

Section 12. Severability. If any one or more of the provisions of this Resolution shall to any extent be declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the decision, finding, order or decree of which becomes final, none of the remaining provisions of this Resolution shall be affected thereby, and such provisions shall be valid and enforceable to the fullest extent permitted by applicable law.

Section 13. Effective Date. This Resolution shall take effect from and after its adoption.

Section 14. Certification. The City Clerk shall certify as to the adoption of this Resolution.

ADOPTED this 16th day of October, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

DISQUALIFIED:

Douglas F. Crane, Vice Mayor

ATTEST:

Kristine Lawler, City Clerk

EXHIBIT A

FORM OF NOTE

R-__

ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL SINCE THE REGISTERED OWNER HEREOF HAS AN INTEREST HEREIN. THIS NOTE IS NON-NEGOTIABLE AND THE OWNER HEREOF HAS THE RIGHT TO SELL OR TRANSFER THE NOTE OR TO OTHERWISE DIRECTLY OR INDIRECTLY TRANSFER OR ASSIGN ANY INTEREST IN THE NOTE ONLY TO THE EXTENT PERMITTED BY THE NOTE PURCHASE AGREEMENT.

**CITY OF UKIAH
2024-25 Tax and Revenue Anticipation Note**

INTEREST RATE	DATED DATE	MATURITY DATE
As set forth in the Note Purchase Agreement	October__, 2024	June 30, 2025

REGISTERED OWNER: UMPQUA BANK (including its successors and assigns)

PRINCIPAL AMOUNT: UP TO \$10,000,000 TO BE OUTSTANDING AT ANY TIME AND NOT TO EXCEED THE MAXIMUM AMOUNT (AS DEFINED HEREIN)

FOR VALUE RECEIVED, the City of Ukiah, California ("City") acknowledges itself indebted to and promises to pay to the Registered Owner hereof (together with any of its successors and assigns as permitted under the Note Purchase Agreement (defined below), the "Bank"), at the office of the City, the principal sum stated above, in lawful money of the United States of America, on the dates and in the amounts, together with interest on the principal amount outstanding hereunder from time to time, calculated upon the amount of principal outstanding for each Interest Period (as such term is defined in the Note Purchase Agreement) at the rate or rates per annum set forth above and computed on the basis set forth in that certain Note Purchase Agreement (the "Note Purchase Agreement") by and between the City and the Bank dated as of _____, 2024 in like lawful money from the date hereof until payment in full of said principal sum. Interest hereon shall be payable to the Registered Owner at the address shown on the registration books of the City; provided that the address may be changed pursuant to the terms of the Note Purchase Agreement, and at such other times as may be required under the Note Purchase Agreement. The principal of and interest at maturity on this Note shall be payable only to the Registered Owner and in the manner provided in the Note Purchase Agreement. This Note is subject to a default rate upon the occurrence of an Event of Default, as provided in the Note Purchase Agreement. Upon payment in full of this Note, this Note shall be surrendered for cancellation.

It is hereby certified, recited and declared that this Note is entitled "City of Ukiah 2024-25 Tax and Revenue Anticipation Note" (the "Note"), and is authorized and issued under and pursuant to the authority of Article 7.6, Chapter 4, Part 1, Division 2, Title 5 of the Government Code of the State

of California and in accordance with Resolution No. _____ adopted by the City Council of the City on October 16, 2024, (together with the Note Purchase Agreement appended thereto, the "Resolution"), and that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Note have existed, happened and been performed in regular and due time, form and manner as required by law, and that this Note, together with all other indebtedness and obligations of the City does not exceed any limit prescribed by the Constitution or laws of the State of California. Capitalized terms not otherwise defined herein shall have the meaning ascribed thereto in the Resolution.

The Note is subject to optional and mandatory prepayment prior to the maturity date thereof, in accordance with the terms of the Note Purchase Agreement. Amounts repaid under this Note may be reborrowed in an amount not to exceed \$10,000,000 at any time pursuant to the terms of the Note Purchase Agreement; provided, however, that such additional principal amount, when added to the interest payable thereon and to all previous principal amounts borrowed under the Note, does not exceed eighty-five percent (85%) of the estimated amount of the estimated uncollected taxes, income, revenue, cash receipts and other moneys of the City anticipated to be received for or accrued to the General Fund during Fiscal Year 2024-25 that will be available for the payment of the interest on and the principal of the Note (such amount, the "Maximum Amount").

Pursuant to the Resolution, the City has pledged all Revenues to the payment of the principal of and interest on the Note. The Note shall be equally and ratably secured by the Pledged Revenues. The Note is a general obligation of the City and is payable from the Pledged Revenues and the income derived from the investment of moneys held in the accounts as provided in the Resolution. The principal of the Note and the interest thereon shall constitute a first lien and charge on such Pledged Revenues, and shall be payable therefrom, and to the extent not so paid from any other moneys of the City lawfully available therefor.

This Note shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Director of Finance of the City, or their designee.

IN WITNESS WHEREOF, the City of Ukiah has caused this Note to be executed by the manual or facsimile signature of its Director of Finance and countersigned by the manual or facsimile signature of the City Clerk, all as of the first day of _____, 2024.

CITY OF UKIAH

By:

Director of Finance

Countersigned:

By:

Its: City Clerk

CERTIFICATE OF AUTHENTICATION

This Note is the City of Ukiah, California 2024-25 Tax and Revenue Anticipation Note described in the within mentioned Resolution.

Date of Authentication: _____, 2024

[Authorized Representative]

**TRANSACTION ON
2024-25 Tax and Revenue Anticipation Note**

DATE	NOTE PORTION AMOUNT	REMAINING MAXIMUM AMOUNT	INTEREST RATE	AMOUNT OF PRINCIPAL PAID	DATE TO WHICH INTEREST PAID	NOTATION MADE BY
------	---------------------------	--------------------------------	---------------	--------------------------------	--------------------------------------	---------------------

EXHIBIT B

FORM OF NOTE PURCHASE AGREEMENT

[TO BE ATTACHED]

EXHIBIT C

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Note authorized by this Resolution. Such good faith estimates have been provided to the City by NHA Advisors (the "Municipal Advisor") reflecting the market interest rates and terms provided in the proposal from Umpqua Bank

Estimated Principal Amount. The Municipal Advisor has informed the City that, based on the City's financing plan and current market conditions, the good faith estimate of the aggregate principal amount of the Note is \$10,000,000 (the "Estimated Principal Amount").

True Interest Cost. The Municipal Advisor has informed the City that the good faith estimate of the true interest cost of the Note, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Note, is 6.4141185%.

Finance Charge. The Municipal Advisor has informed the City that the good faith estimate of the finance charge for the Note, which means the sum of all fees and charges paid to third parties for costs in connection with the issuance and sale of the Note (the "Finance Charge"), is \$74,500. The City has stated that all costs of issuance will be paid from funds on hand and not from proceeds of the Note.

Amount of Proceeds to be Received. The Municipal Advisor has informed the City that the good faith estimate of the amount of proceeds of the Note expected to be received by the City, less the Finance Charge, and any reserves or capitalized interest paid or funded with proceeds of the Note, is \$10,000,000.

Total Payment Amount. The Municipal Advisor has informed the City that the good faith estimate of the total payment amount, which means the sum total of all principal and interest payments made for the Note, plus the Finance Charge, not paid with proceeds of the financing, calculated to the final maturity of the Note, is \$10,420,241.67, assuming a \$10,000,000 draw on the closing date.

The foregoing estimates constitute good faith estimates only. The estimates above may differ from the actual amounts due to (a) the actual dated date of the Note being different from the date assumed for purposes of such estimates, (b) the actual aggregate principal amount of the Note being different from the Estimated Principal Amount, (c) the actual interest rate on the Note, (d) the actual amortization of the debt service on the Note being different from the amortization assumed for purposes of such estimates, (e) other market conditions, or (f) alterations in the City's financing plan, or a combination of such factors. The actual dated date of the Note and the actual aggregate principal amount of the Note will be determined by the City based on market conditions and other factors.

City of Ukiah
Revised Term Sheet Dated 9/25/2024
Tax Revenue Anticipation Revolving Note

Umpqua Bank ("Umpqua") would like to express its interest in underwriting and obtaining credit approval for the following loan (the "Credit Facility") for the City of Ukiah (the "City") on the terms and conditions outlined below.

Preface: Umpqua's expression of interest in underwriting and obtaining credit approval for the Credit Facility is for discussion purposes only and does not constitute a commitment from Umpqua. Any commitment to lend that we might make is subject to the fulfillment of a number of conditions that include, but are not limited to, our normal credit approval process, an in-depth investigation of the purpose of the loan, the City, and collateral the results of which are deemed satisfactory to Umpqua in our sole discretion.

Confidentiality: Except as required by law, neither this expression of interest nor its contents will be disclosed publicly or privately except to those individuals who are your officers, employees or advisors who have a need to know as a result of being involved in the proposed financing. The foregoing confidentiality provisions shall not apply to the disclosure of the federal income tax structure or treatment of the proposed financing.

Loan Amount:	\$ 10,000,000
Loan Purpose:	Allow the City to adequately manage cash flow during the construction of the City's Recycled Water System and other infrastructure projects. The City may utilize the line to cover construction disbursements for phase 4 of the City's Water Recycling Project and other projects supported by grant revenue.
Structure / Security	Primary: Annual ordinary general fund revenue sources as approved by annual budget and current investment balances as required. Secondary: Grant Revenue Reimbursements for cash funds used to pay current period expenses.
Term	Initially, maturity shall be June 30, 2025, and, thereafter, 12 months with annual renewal provision, provided that such annual renewal will require the City to approve a new resolution and documentation which will be substantially similar to the documents created for the original Credit Facility.
Rate	- Indicative Taxable Variable Rate of 6.33% (Based on the Federal Funds Rate as of 9/24/2024 of (4.83%+1.50%)), with a floor of 4% going forward - Rate lock 2 weeks prior to closing
Fees	- Umpqua will waive the annual loan fee of \$25,000 if the City opens their second operating account with Umpqua, within 3 months of the closing of the initial Credit Facility. - Additionally, Umpqua will provide an ECR rate for all analyzed accounts of 1.1% to offset monthly banking services fees.
Payment Structure	Revolving loan with required monthly interest payments, balance due at maturity which shall occur no later June 30 of each fiscal year.
Cost of Issuance	All documents to be prepared by Umpqua Bank's counsel Rudy Salo of Nixon Peabody, LLP. Legal fees and expenses of Nixon Peabody, LLP shall be \$25,000, assuming no delays or protracted negotiations. All other filing fees and related fees shall be paid by the City in connection with the issuance, including CDIAAC fees. Umpqua will also require an opinion of the City Attorney regarding the

resolution and documentation and approval that Bank Counsel shall prepare a draft of.

Financial Reporting

- Audited annual financial statements due 270 days of fiscal year end
- Adopted annual budget due 30 days of adoption
- Additional reporting requirements that are typical of a Credit Facility of this type

Material Change

Any change (whether material or not) in the amount to be financed or a material change in the financial condition, or prospects of the City may constitute a re-pricing event and Umpqua may, at its option and in its sole discretion, terminate this Term Sheet and/or the Interest Rate may be adjusted.

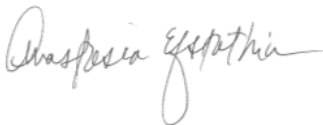
Additional Conditions

Periodic financial and collateral reporting by the City, as well as representations and warranties of the City regarding its status and ability to repay and related matters, and covenants and conditions that are appropriate for a Credit Facility of the scope and nature proposed herein will be determined as part of Umpqua's normal underwriting and approval process. The Credit Facility will be subject to a default rate equal to the proposed interest rate + 3.0% should an event of default occur and continue.

PDFs of all executed and other documents listed on the Closing Index prepared by Umpqua shall be provided to the Bank no later than 24 hours before the time of the requested wire; provided, that if any documents can only be signed after receipt of the wire those documents shall be provided immediately after receipt of the wire.

NOTWITHSTANDING ANYTHING CONTAINED HEREIN TO THE CONTRARY, IN THE EVENT ANY MATERIAL CHANGE SHALL OCCUR IN THE FINANCIAL MARKETS AFTER THE DATE OF THIS TERM SHEET, BUT BEFORE CLOSING, INCLUDING BUT NOT LIMITED TO ANY GOVERNMENTAL ACTION OR OTHER EVENT WHICH MATERIALLY ADVERSELY AFFECTS THE EXTENSION OF CREDIT BY BANKS, LEASING COMPANIES OR OTHER LENDING INSTITUTIONS, BANK MAY MODIFY THE INDICATIVE PRICING DESCRIBED ABOVE.

Sincerely,



Anastasia Efstathiou
 VP/Relationship Manager
 Public Finance - Southern Region

Please pursue underwriting and approval of a commitment for the described Credit Facility.

Borrower

By:



Printed Name: Daniel Buffalo

Title: Finance Director, City of Ukiah

NOTE PURCHASE AGREEMENT

by and between

CITY OF UKIAH, CALIFORNIA

and

UMPQUA BANK

City of Ukiah, California
2024-25 Tax and Revenue Anticipation Note

Dated as of _____, 2024

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EXHIBIT A – FORM OF PURCHASE NOTICEA-1

EXHIBIT B – LIST OF INFORMATION PROVIDED BY THE CITY TO UMPQUA BANK
PURSUANT TO SECTION 4.07 B-1

This NOTE PURCHASE AGREEMENT, dated as of _____, 2024, is entered into by and between the CITY OF UKIAH, CALIFORNIA, a [general law city] existing under and by virtue of the laws of the State of California (the “City”), and UMPQUA BANK, an Oregon state chartered bank (including its successors and assigns, the “Bank”).

W I T N E S S E T H:

WHEREAS, the City desires to sell its City of Ukiah, California 2024-25 Tax and Revenue Anticipation Note (together with the portions thereof, the “Note”) in anticipation of its receipt of Revenues (as defined herein) in order to support its cash flow needs; and

WHEREAS, the Bank is willing, on the terms and conditions contained herein, to purchase the Note as further described herein from the City; and

NOW, THEREFORE, in consideration of the respective agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

ARTICLE I DEFINITIONS

Section 1.01 Definitions. The following terms have the meanings indicated below or in the referenced Section of this Agreement, unless the context shall clearly indicate otherwise:

“Agreement” means this Note Purchase Agreement, as amended, modified and supplemented from time to time.

“Applicable Lending Office” means, in the case of any Note Portion, the office of the Bank at which the Note is carried on the books and records of the Bank as set forth in Section 7.09 herein.

“Authorized Representative” means any of the following officers of the City: the City Manager, the Director of Finance, or any of their designees, or any individual designated in writing to the Bank as an Authorized Representative.

“Authorizing Law” means California Government Code Sections 53850 to 53858 (inclusive). “Bank” has the meaning assigned to that term in the introductory paragraph of this Agreement.

“Borrowing Availability” means, at any time, the Maximum Amount, *minus* the aggregate principal amount of outstanding Note Portions hereunder.

“Business Day” means any day that is not a Saturday, Sunday or other day on which commercial banks in San Francisco, California are authorized or required by law to remain closed.

“Change in Law” means (a) the adoption of any law, rule or regulation after the date of this Agreement, (b) any change in any law, rule or regulation or in the interpretation or application thereof by any Governmental Authority after the date of this Agreement, or (c) compliance by the

Bank (or by the Applicable Lending Office of the Bank) with any request, guideline or directive (whether or not having the force of law) of any Governmental Authority made or issued after the date of this Agreement; *provided* that notwithstanding anything herein to the contrary, (x) the Dodd-Frank Wall Street Reform and Consumer Protection Act and all requests, rules, guidelines or directives thereunder or issued in connection therewith, and (y) all requests, rules, guidelines or directives promulgated by the Bank for International Settlements, the Basel Committee on Banking Supervision (or any successor or similar authority) or the United States or foreign regulatory authorities, in each case pursuant to Basel III, shall in each case be deemed to be a “Change in Law,” regardless of the date enacted, adopted or issued.

“City Council” means the City Council of the City.

“Commitment Termination Date” means June 29, 2025, unless terminated earlier as provided herein.

“Default” means the occurrence of any event or the existence of any circumstances that, with the passage of time, the giving of notice, or both, would become an Event of Default.

“Default Rate” means the Interest Rate plus 3.00% per annum as more particularly described in Section 2.05(b) hereof.

“Designated Jurisdiction” means any country or territory to the extent that such country or territory itself is the subject of any Sanction.

“Dollars” and “\$” means the lawful currency of the United States of America.

“Effective Date” means _____, 2024.

“Event of Default” has the meaning assigned to that term in Section 6.01 hereof.

“Federal Funds Rate” means, for any day, the weighted average of the rates on overnight federal funds transactions with members of the Federal Reserve System arranged by federal funds brokers, as published for such day (or, if such day is not a business day, for the next preceding business day) by the Federal Reserve Bank of New York or, if such rate is not so published for any day which is a business day, the average of the quotations for such day on such transactions received by the Bank from three federal funds brokers of recognized standing selected by it.

“Fiscal Year” means each twelve-month period commencing on July 1 and ending on June 30.

“General Fund” means the fund of the City into which Revenues are received and/or deposited.

“Governmental Authority” means the government of the United States of America, or any political subdivision thereof, whether state or local, and any agency, authority, instrumentality, regulatory body, court, central bank or other entity exercising executive, legislative, judicial, taxing, regulatory or administrative powers or functions of or pertaining to government.

[“Grant” means [TO COME].]

“Indebtedness” means, without duplication, (a) all indebtedness (including principal and interest) of the City for borrowed money or for the deferred purchase price of property; (b) all liabilities secured by any Lien on any property owned by the City, whether or not such liabilities have been assumed by the City; (c) the aggregate amount required to be capitalized under leases under which the City is the lessee; and (d) all Contingent Obligations of the City. As used in this definition, the term “Contingent Obligation” means, as to the City, any obligation of the City guaranteeing or intended to guarantee any Indebtedness, leases, dividends or other obligations (“primary obligations”) of any other Person (the “primary obligor”) in any manner, whether directly or indirectly including, without limitation, any obligation of the City, whether or not contingent, (i) to purchase any such primary obligation or any property constituting direct or indirect security therefor, (ii) to advance or supply funds (x) for the purchase or payment of any such primary obligation or (y) to maintain working capital or equity capital of the primary obligor or otherwise to maintain the net worth or solvency of the primary obligor, (iii) to purchase property, securities or services primarily for the purpose of assuring the holder of any such primary obligation of the ability of the primary obligor to make payment of such primary obligation or (iv) otherwise to assure or hold harmless the holder of such primary obligation against loss in respect thereof; provided, however, that the term Contingent Obligation shall not include endorsements of instruments for deposit or collection in the ordinary course of business. The amount of any Contingent Obligation shall be deemed to be an amount equal to the stated or determinable amount of the primary obligation in respect of which such Contingent Obligation is made or, if not stated or determinable, the maximum reasonably anticipated liability in respect thereof (assuming the City is required to perform thereunder) as determined by the City in good faith.

“Indemnatee” has the meaning assigned to that term in Section 7.07(a) hereof.

“Interest Invoice” has the meaning assigned to that term in Section 2.05(b) hereof.

“Initial Note Portion” means \$ _____ purchased on the Effective Date as described in Section 2.01(a) hereof.

“Interest Payment Date” means the first Business Day of each month, and date that any Note Portion is prepaid hereunder.

“Interest Period” means, with respect to any Note Portion, the period from and including the related Note Portion Date to but not including the first calendar day of the immediately succeeding month and, thereafter, the period from including the first day of each calendar month to and including the last day of such calendar month or, if earlier, to but not including the applicable Maturity Date.

“Interest Rate” means, with respect to any Note Portion, the sum of (a) the Federal Funds Rate, plus (b) 1.50%; provided however, that no time shall the Interest Rate be less than 4.00%; provided further however that at no time shall the Interest Rate paid hereunder exceed 10.0%.

“Lien” means any mortgage, pledge, hypothecation, assignment, deposit arrangement, encumbrance, lien (statutory or other), preference, priority or other security agreement of any kind

or nature whatsoever (including, without limitation, any conditional sale or other title retention agreement).

“Margin Stock” has the meaning provided in Regulation U of the Board of Governors of the Federal Reserve System.

“Maturity Date” means June 30, 2025, unless such date occurs earlier as provided herein.

“Maximum Amount” means, on any date, an amount equal to \$10,000,000, subject to the provisions of Section 2.01(c) hereof.

“Note” means the City of Ukiah, California 2024-25 Tax and Revenue Anticipation Note, as further described in Section 2.04 hereof.

“Note Portion” means an undivided beneficial interest in the Note and includes the Initial Note Portion.

“Notice” or “notice” means any form of written communication or a communication by means of electronic mail, facsimile device, telegraph or cable and confirmed telephonically.

“Notice Office” means the office of the Bank as set forth in Section 7.09 herein, or such other office or mail code as the Bank may hereafter designate in writing as such to the City. Any Notice of a change in the Notice Office shall become effective on the fifth calendar day after the delivery of Notice thereof to the City.

“Obligations” means all amounts owing to the Bank pursuant to the terms of this Agreement and the Note.

“OFAC” means The Office of Foreign Assets Control of the U.S. Department of the Treasury.

“Overadvance” means the amount by which the aggregate principal amount of all Note Portions then outstanding exceeds the Borrowing Availability.

“Payment Office” means the office of the Bank as set forth in Section 7.09 herein, or such other office or account as the Bank may hereafter designate in writing as such to the City. Any Notice of a change in the Payment Office shall become effective on the fifth calendar day after the delivery of Notice thereof to the City.

“Person” means an individual, a corporation, a partnership, a limited liability company, an association, a trust or any other entity or organization, including a government or a political subdivision or an agency or instrumentality thereof.

“Pledged Revenues” has the meaning assigned to that term in Section 2.10 hereof.

“Purchase Date” means, (a) with respect to the Initial Note Portion, the Effective Date, and (b) with respect to future Note Portions, the date, which shall be a Business Day, on which the Bank is required to purchase such Note Portion as set forth in the applicable Purchase Notice.

“Purchase Notice” has the meaning assigned to that term in Section 2.02 hereof.

“Rate Adjustment Date” means the first day of each month.

“Related Documents” means the Note and the Resolution.

“Resolution” means Resolution No. _____ adopted by the City Council of the City on, October 16 2024, as amended, modified and supplemented from time to time.

“Revenues” means all legally available taxes, income, revenue, cash receipts, and other moneys of the City attributable to the City’s Fiscal Year 2024-25. “Revenues” shall include amounts received and collected by the City from [GRANTS].

“Sanction(s)” means any international economic sanction administered or enforced by the United States Government (including, without limitation, OFAC), the United Nations Security Council, the European Union, His Majesty’s Treasury or other relevant sanctions authority.

“Section 5.05 Documents” means the documents required by Section 5.05 hereof.

“SOFR” means the secured overnight financing rate which is published by the Board of Governors of the Federal Reserve System and available at www.newyorkfed.org.

“State” means the State of California.

“Taxes” has the meaning assigned to that term in Section 2.13 hereof.

“Unutilized Commitment” means, on the Effective Date, \$ _____, and, thereafter at any time, means \$ _____ less the aggregate principal amount of all Note Portions purchased by the Bank.

Section 1.02 Construction. The definitions of terms herein shall apply equally to the singular and plural forms of the terms defined. Whenever the context may require, any pronoun shall include the corresponding masculine, feminine and neuter forms. The words “include,” “includes,” and “including” shall be deemed to be followed by the phrase “without limitation.” The word “will” shall be construed to have the same meaning and effect as the word “shall.” Unless the context requires otherwise (a) any definition of or reference to any agreement, instrument or other document herein shall be construed as referring to such agreement, instrument or other document as from time to time amended, supplemented or otherwise modified (subject to any restrictions on such amendments, supplements or modifications set forth herein), (b) any reference herein to any Person shall be construed to include such Person’s successors and assigns, (c) the words “herein,” “hereof,” and “hereunder,” and words of similar import, shall be construed to refer to this Agreement in its entirety and not to any particular provision hereof, and (d) all references herein to Articles, Sections and Exhibits shall be construed to refer to Articles and Sections of, and Exhibits to, this Agreement.

ARTICLE II NOTES

Section 2.01 Initial Note Portion; Commitment to Purchase Note Portions.

(a) On the basis of the representations, warranties and covenants contained herein, but subject to the terms and conditions herein set forth, the Bank hereby agrees to purchase from the City, and the City hereby agrees to sell to the Bank Note Portions from time to time on a revolving basis up to the Borrowing Availability at a purchase price of 100% of the principal amount thereof. The initial Note Portion (the “Initial Note Portion”) purchased by the Bank hereunder is \$_____. The wiring instructions to the Bank for the purposes of wiring the proceeds of each Note portion to the City are as follows:

Account Number:

Routing Number:

(b) Subject to and upon the terms and conditions set forth herein, including but not limited to, the provisions of Section 2.11(a) hereof, the Bank agrees, at any time and from time to time prior to the Commitment Termination Date at the written request of the City, to purchase additional Note Portions issued by the City in any aggregate principal amount, provided such principal amount may not exceed the Unutilized Commitment at such time.

(c) Within the limits of this Section 2.01, the City may borrow, repay pursuant to Section 2.11 hereof and reborrow under this Section 2.01(c) provided that the maximum amount that may be outstanding at any time hereunder is \$10,000,000 and the aggregate amount of Note Portions ever issued hereunder, when added to the interest payable thereon, shall never exceed eighty-five percent (85%) of the estimated amount of the estimated uncollected taxes, income, revenue, cash receipts and other moneys of the City anticipated to be received for or accrued to the General Fund during Fiscal Year 2024-25 that will be available for the payment of the interest on and the principal of the Note. Upon any prepayment of the related Note Portion, the Borrowing Availability shall be reinstated as set forth in the definition thereof.

Section 2.02 Purchase Notice.

(a) Whenever the City desires for the Bank to purchase a Note Portion hereunder, it shall give the Bank at its Notice Office prior written notice of such purchase no later than five (5) days preceding the applicable Purchase Date. Each such notice (each a “Purchase Notice”) shall be in the form of Exhibit A attached hereto, appropriately completed to specify the aggregate principal amount of the Note Portion to be purchased and the applicable Purchase Date (which shall be a Business Day).

(b) No later than 12:00 p.m. California time on the applicable Purchase Date, so long as the conditions precedent to such purchase as set forth in Section 3.02 are satisfied at such time on such date, the Bank will make available to the order of the City the principal amount of the Note Portion in Dollars and in immediately available funds.

Section 2.03 No Note Rating; DTC; CUSIP. So long as the Bank owns the Note, such Note shall not be (i) assigned a separate rating by any rating agency, (ii) registered with The Depository Trust Company or any other securities depository, (iii) offered pursuant to any type of offering document or official statement or (iv) assigned a CUSIP number by Standard & Poor's CUSIP Service

Section 2.04 Note. The City's obligation to pay the principal of, and interest on, the Note Portions purchased by the Bank shall be evidenced by a City of Ukiah, California 2024-25 Tax and Revenue Anticipation Note in the form of a note duly executed and delivered by the City substantially in the form attached to the Resolution appropriately completed in conformity herewith (as the same may be amended from time to time, the "Note"). The Note shall (i) be registered in the name of the Bank and be dated the Effective Date; (ii) be in a principal amount equal to an amount not to exceed \$10,000,000 (subject to the provisions Section 2.01(c) hereof) and be payable in the principal amount of the Note Portions evidenced thereby, including the Initial Note Portion; (iii) mature, with respect to each Note Portion evidenced thereby, on June 30, 2025; (iv) bear interest at the Interest Rate; and (v) be entitled to the benefits of this Agreement and the Resolution. The Bank will note on the principal log attached to the Note the amount of each Note Portion purchased by the Bank and each principal payment in respect thereof. Failure to make any such notation shall not affect the City's obligations in respect of the Note Portions.

Section 2.05 Interest. The City agrees to accrue and pay interest in respect of the unpaid principal amount of the Note as follows:

(a) The City agrees to accrue interest in respect of the unpaid principal amount of each Note Portion from the date the proceeds thereof are made available to the City until the earliest of (i) the date such Note Portion is paid in full, or (ii) the Maturity Date, in each case, at a rate per annum which shall be equal to the Interest Rate.

(b) Overdue principal and, to the extent permitted by law, overdue interest in respect of each Note Portion shall bear interest at a rate equal to 3.00% per annum in excess of the Interest Rate for such Note Portion (the "Default Rate").

(c) Interest shall be payable (i) on each Interest Payment Date for the interest accrued on the Note from and including the preceding Interest Payment Date to but excluding such Interest Payment Date as set forth in an invoice of the Bank (each an "Interest Invoice") delivered to the City no later than ____ (____) Business Days prior to such Interest Payment Date; provided that failure of delivery of an Interest Invoice shall not affect the City's obligations in respect of such interest; provided further that to the extent that the interest set forth in an Interest Invoice is either below or above the actual interest amount, the difference shall be either credited or debited in the next succeeding Interest Invoice and, in the case of a deficiency, as long as the City pays such interest pursuant to the provisions of the following paragraph, such interest shall not be considered overdue; and (ii) in respect of each Note Portion, on any prepayment (on the amount prepaid), on the Maturity Date and, after the Maturity Date, on demand.

(d) All computations of interest shall be made on a 30/360 basis.

Section 2.06 Alternative Rates. If the Bank has reasonably determined that (i) the administrator of the Federal Funds Rate, or any relevant agency or authority for such administrator of the Federal Funds Rate (or any substitute index which replaces the Federal Funds Rate (the Federal Funds Rate or such replacement, the “Benchmark”)), has announced that such Benchmark will no longer be provided, (ii) any relevant agency or authority has announced that such Benchmark is no longer representative, or (iii) any similar circumstance exists such that such Benchmark has become permanently unavailable or ceased to exist, the Bank will (x) replace such Benchmark with a replacement rate or (y) if any such circumstance applies to fewer than all tenors of such Benchmark used for determining an interest period hereunder, discontinue the availability of the affected interest periods. In the case of the Federal Funds Rate, such replacement rate will be SOFR. In the case of the replacement of a rate other than the Federal Funds Rate, the Bank may add a spread adjustment reasonably selected by the Bank, taking into consideration any selection or recommendation of a replacement rate by any relevant agency or authority, and evolving or prevailing market practice. In connection with the selection and implementation of any such replacement rate, the Bank may make any technical, administrative or operational changes that the Bank decides, in its reasonable opinion, may be appropriate to reflect the adoption and implementation of such replacement rate. The Bank’s internal records of applicable interest rates shall be determinative in the absence of manifest error.

Section 2.07 Illegality. If the Bank determines that any law has made it unlawful, or that any Governmental Authority has asserted that it is unlawful, for the Bank to make, maintain or fund Advances whose interest is determined by reference to the Federal Funds Rate, or to determine or charge interest rates based upon the Federal Funds Rate, then, on notice thereof by the Bank to City, any obligation of the Bank to purchase make or continue Advances with reference to the Federal Funds Rate shall be suspended until the Bank notifies City that the circumstances giving rise to such determination no longer exist. Upon receipt of such notice, City shall, upon demand from the Bank convert the interest on all Advances to Advances that bear interest at the Alternate Rate, either on the last day of the Interest Period therefor in the case of Advances, if the Bank may lawfully continue to maintain such Advances to such day, and if the Bank may not lawfully continue to maintain Advances through the last day of the Interest Period therefor, then immediately upon demand. Upon any such conversion, City shall also pay accrued interest on the amount so converted on the date of such conversion

Section 2.08 Increased Costs. (a) If, on or after the Closing Date, the adoption of any law or any governmental or quasi-governmental rule, regulation, policy, guideline or directive, or any change in the interpretation, promulgation, implementation or administration thereof by any governmental or quasi-governmental authority, central bank or comparable agency charged with the interpretation or administration thereof including, notwithstanding the foregoing, all requests, rules, guidelines or directives in connection with Dodd-Frank Wall Street Reform and Consumer Protection Act, or promulgated by the Bank for International Settlements, the Basel Committee on Banking Regulations and Supervisory Practices (or any successor or similar authority) pursuant to Basel III or any successor Basel accord regardless of the date enacted, adopted or issued, or compliance by the Bank with any request or directive of any such authority, central bank or comparable agency:

(i) subjects the Bank to any Taxes, or changes the basis of taxation of payments (other than with respect to Excluded Taxes) to the Bank hereunder or with respect to the Note; or

(ii) imposes or increases or deems applicable any reserve, assessment, compulsory loan, insurance charge, special deposit or similar requirement against assets of, deposits with or for the account of, or credit extended by the Bank; or

(iii) imposes any other condition on the Bank the result of which is to increase the cost to the Bank with respect to this Agreement, the Note or its making, maintenance or funding of the loans or any security therefor, or reduces any amount receivable by the Bank with respect to this Agreement, the Note, or the making, maintenance or funding of any loan, or requires the Bank to make any payment calculated by reference to any amount received with respect to this Agreement, the Note, or the making, maintenance or funding of any loan, by an amount deemed material by the Bank;

and the result of any of the foregoing is to increase the cost to the Bank with respect to this Agreement, the Note, or the making, maintenance or funding of the loans or to reduce the return received by the Bank in connection with the same, then, to the extent permitted by law, within thirty (30) days of demand by the Bank, City shall pay the Bank such additional amount or amounts as will compensate the Bank for such increased cost or reduction in amount received thereafter.

(b) If the Bank determines the amount of capital or liquidity required or expected to be maintained by the Bank or any corporation controlling the Bank is increased as a result of a Change, then, within thirty (30) days of demand by the Bank, City shall, to the extent permitted by law, pay the Bank the amount necessary to compensate for any shortfall in the future rate of return on the portion of such increased capital or liquidity which the Bank determines is attributable to this Agreement or the Note, as the case may be, hereunder (after taking into account the Bank's policies as to capital adequacy) during the remaining term of the Agreement.

(c) In connection with any costs imposed upon City by the Bank pursuant to this Section, the Bank shall (i) promptly notify City of such costs and (ii) provide City with a certificate as to such increased cost, increased capital or reduction in return incurred by the Bank as a result of any event mentioned in clause (a) or (b) of this Section 2.08 setting forth, in reasonable detail, the basis for such calculation and the amount of such calculation submitted by the Bank to City which calculation shall be conclusive (absent manifest error) as to the amount thereof. In making the determinations contemplated by the above referenced certificate, the Bank may make such reasonable estimates, assumptions, allocations and the like that the Bank in good faith determines to be appropriate.

(d) Any and all payment obligations of City under this Agreement or the Note shall be made without deduction or withholding for any Taxes, except as required by applicable law. If any applicable law requires the deduction or withholding of any Tax from any such payment, then City shall be entitled to make such deduction or withholding and shall timely pay the full amount deducted or withheld to the relevant Governmental Authority in accordance with applicable law and, if such Tax is an Indemnified Tax or Other Tax, then the sum payable by City shall be increased as necessary so that after such deduction or withholding has been made

(including such deductions and withholdings applicable to additional sums payable under Section 2.08(c) hereof) the Bank receives an amount equal to the sum it would have received had no such deduction or withholding been made.

(e) The Bank shall timely pay to the relevant Governmental Authority in accordance with applicable law or at the option of the Bank timely reimburse it for the payment of, any Other Taxes.

(f) To the extent permitted by law, City shall indemnify the Bank, within thirty (30) days after demand therefor, for the full amount of any Indemnified Taxes and Other Taxes (including Indemnified Taxes and Other Taxes attributable to amounts payable under Section 2.08(c) hereof) payable or paid by such Bank or required to be withheld or deducted from a payment to the Bank and any reasonable expenses arising therefrom or with respect thereto, whether or not such Indemnified Taxes and Other Taxes were correctly or legally imposed or asserted by the relevant Governmental Authority. A certificate as to the amount of such payment or liability delivered to City by the Bank shall be conclusive absent manifest error.

(g) As soon as practicable after any payment of Taxes by City to a Governmental Authority pursuant to this Section 2.08(g), the City shall deliver to the Bank the original or a certified copy of a receipt issued by such Governmental Authority evidencing such payment, a copy of the return reporting such payment or other evidence of such payment reasonably satisfactory to the Bank.

(h) If any party determines, in its sole discretion exercised in good faith, that it has received a refund of any Taxes as to which it has been indemnified pursuant to this Section 2.08 (including by the payment of additional amounts pursuant to Section 2.08(c) hereof), it shall pay to the indemnifying party an amount equal to such refund (but only to the extent of indemnity payments made under this Section 2.08 with respect to the Taxes giving rise to such refund), net of all out-of-pocket expenses (including Taxes) of such indemnified party and without interest (other than any interest paid by the relevant Governmental Authority with respect to such refund). Such indemnifying party, upon the request of such indemnified party, shall repay to such indemnified party the amount paid over pursuant to this paragraph (h) (plus any penalties, interest or other charges imposed by the relevant Governmental Authority) in the event that such indemnified party is required to repay such refund to such Governmental Authority. Notwithstanding anything to the contrary in this paragraph (h), in no event will the indemnified party be required to pay any amount to an indemnifying party pursuant to this paragraph (h) the payment of which would place the indemnified party in a less favorable net after-Tax position than the indemnified party would have been in if the indemnification payments or additional amounts giving rise to such refund had never been paid. This paragraph (h) shall not be construed to require any indemnified party to make available its Tax returns (or any other information relating to its Taxes that it deems confidential) to the indemnifying party or any other Person.

Section 2.09 Compensation. The City shall compensate the Bank, upon its written request (which request shall set forth the basis for requesting such compensation and shall, absent manifest error, be final and conclusive and binding on all the parties hereto), for all reasonable losses, expenses and liabilities (including, without limitation, any loss, expense or liability incurred by reason of the liquidation or reemployment of deposits or other funds required by the Bank to

fund its Note Portions) which the Bank may sustain (i) if for any reason (other than a default by the Bank) a purchase of a Note Portion does not occur on a date specified therefor in a Purchase Notice (whether or not withdrawn by the City), or (ii) as a consequence of any other default by the City to pay the principal of and interest on the Note Portions when required by the terms of this Agreement and the Note.

Section 2.10 Voluntary Termination of Unutilized Commitment. Upon at least five (5) Business Days' prior notice to the Bank at its Notice Office, the City shall have the right, without premium or penalty, to terminate the Unutilized Commitment in whole or in part, in integral multiples of \$100,000.

Section 2.11 Prepayments. (a) The City shall have the right to prepay any Note Portion, without premium or penalty, in whole or in part from time to time on any day; provided however, that if such date is not a Business Day, then such prepayment shall occur on the next succeeding Business Day; provided further however, that prior to any prepayment, the City shall provide notice to the Bank at least five (5) Business Days prior to such prepayment date. With respect to each prepayment of the Note pursuant to this Section 2.11, (i) the City shall designate the Note Portions which are to be prepaid and the specific draw dates applicable thereto and the amount or amounts to be prepaid, and (ii) each prepayment shall be in any amount, as determined by the City.

(b) Overadvances. In the event that any calculation of the Borrowing Availability hereunder results in an Overadvance, the City shall, within ten (10) days  repay to the Bank any Overadvance. Overadvances constitute Obligations that are evidenced by the Note and entitled to all of the benefits of the Resolution and the Resolution.

Section 2.12 Security Interest. Pursuant to the Resolution, the City has pledged all Revenues (collectively, the "Pledged Revenues") to the payment of the principal of and interest on the Note. The pledge is valid and binding in accordance with the terms of the Resolution, and the Pledged Revenues shall immediately be subject to the pledge, and the pledge shall constitute a first lien and security interest which shall immediately attach to the Pledged Revenues and be effective, binding, and enforceable against the City, its successors, creditors, and all others asserting the rights therein, to the extent set forth, and in accordance with, the Resolution irrespective of whether those parties have notice of the pledge and without the need for any physical delivery, recordation, filing, or further act.

Section 2.13 Method and Place of Payment. All payments under this Agreement or the Note shall be made to the Bank not later than 12:00 Noon (California time) on the date when due and shall be made in Dollars in immediately available funds at the Payment Office. Whenever any payment to be made hereunder or under the Note shall be stated to be due on a day which is not a Business Day, the due date thereof shall be extended to the next succeeding Business Day and, with respect to payments of principal, interest shall be payable at the applicable rate during such extension.

Section 2.14 Net Payment. All payments made by the City hereunder or under the Note will be made without setoff, counterclaim or other defense. All such payments will be made free and clear of, and without deduction or withholding for, any present or future taxes, levies, imposts, duties, fees, assessments or other charges of whatever nature now or hereafter imposed by any

jurisdiction or by any political subdivision or taxing authority thereof or therein (but excluding any tax imposed on or measured by the net income of the Bank pursuant to the laws of the jurisdiction (or any political subdivision or taxing authority thereof or therein) in which the Applicable Lending Office of the Bank is located) and all interest, penalties or similar liabilities with respect thereto (collectively, “Taxes”). If any Taxes are so levied or imposed, the City agrees to pay the full amount of such Taxes and such additional amounts as may be necessary so that every payment of all amounts due hereunder or under the Note, after withholding or deduction for or on account of any Taxes, will not be less than the amount provided for herein or in the Note. The City will furnish to the Bank, within forty-five (45) days after the date the payment of any Taxes is due pursuant to applicable law, certified copies of tax receipts evidencing such payment by the City. To the extent permitted by law, the City hereby agrees to indemnify and hold harmless the Bank, and reimburse the Bank upon its written request, for the amount of any Taxes so levied or imposed and paid by the Bank.

Section 2.15 Transfers of the Note. Unless the City shall otherwise consent in writing, the Bank shall not transfer the Note to any Person; provided, however, that the Bank may assign the Note to a wholly-owned subsidiary of the Bank without prior notice to the City so long as the delivery of payments hereunder remains unaffected.

Section 2.16 Bank Records. All transactions relating to the Unutilized Commitment and the Note Portions including, without limitation, prepayments, repayments, interest charges and reductions and terminations of the Unutilized Commitment and the Note Portions shall be reflected in the books and records of the Bank, which records shall be conclusive and binding upon the City absent manifest error.

ARTICLE III CONDITIONS PRECEDENT

Section 3.01 Conditions to the Bank’s Entering Into Agreement. It shall be a condition precedent to the Bank’s entering into this Agreement and purchasing the Initial Note Portion that all proceedings taken in connection with the transactions contemplated hereby and all documents incident thereto, including the Related Documents, shall be in form and substance satisfactory to the Bank and that the conditions enumerated in this Section 3.01 have been fulfilled to the satisfaction of the Bank. Delivery by the Bank of fully executed signature pages to this Agreement shall constitute acknowledgment and acceptance by the Bank that all such conditions have been met or waived.

(a) Representations. On the Effective Date, (i) there shall exist no Event of Default or Default; (ii) all representations and warranties made by the City herein or in any of the Related Documents shall be true and correct with the same effect as though such representations and warranties had been made at and as of such time; and (iii) each of the Related Documents to which the City is a party, as amended (if applicable), is in full force and effect and has not been amended, modified or changed.

(b) Documents. On or prior to the Effective Date, the Bank shall have received, in form and substance satisfactory to the Bank, the following:

(i) True and complete executed originals of this Agreement and the Note executed by an Authorized Representative;

(ii) The Resolution certified as of the Effective Date by the Secretary of the Board of Directors;

(iii) The signature and incumbency certificate, dated the Effective Date, of the signatories of the City executing this Agreement and the Note;

(iv) A certificate of an Authorized Representative dated the Effective Date, confirming that the 2024-25 budget has been approved by the City Council and making the representations set forth in Section 3.01(a) with respect to the City;

(v) Executed copies of the legal opinion of the City Attorney to the City, which shall be in form and substance satisfactory to the Bank;

(vi) A copy of the City's annual comprehensive financial report ("ACFR") for the City's Fiscal Year 2022-23 Fiscal Year;

(vii) If the Fiscal Year 2024-25 budget is changed before the Effective Date, a synopsis of the meeting at which the Board of Directors approved such changes to the annual budget for the City's Fiscal Year 2024-25 certified by an Authorized Representative; and

(viii) Such further documentation, certificates or opinions as the Bank may reasonably request in connection with the matters arising under this Agreement and the Related Documents.

(c) Absence of Material Adverse Change. The Bank shall be satisfied that, on the Effective Date, no material adverse change in or effect upon the financial condition of the City shall have occurred since June 30, 2023 or the City's ability to perform its obligation under this Agreement and the Related Documents. In addition, on or prior to the Effective Date, no change shall have occurred in any law, rule or regulation or in any interpretation thereof that, in the opinion of counsel to the Bank, would make it illegal for the Bank to execute and deliver this Agreement or for the City to execute, deliver and perform under the terms of this Agreement and the Note.

(d) Payment. The City shall have made arrangements for the payment of the fees and expenses of counsel to the Bank as provided in Section 7.06 hereof.

(e) Other Matters. All other legal matters pertaining to the execution and delivery of this Agreement and the Related Documents shall be satisfactory to the Bank, and the Bank shall have received such other statements, certificates, agreements, documents and information with respect to the City and matters contemplated by this Agreement as the Bank may reasonably request.

Section 3.02 Conditions to Purchase. The obligation of the Bank to purchase a Note Portion (other than the Initial Note Portion) on any day is subject to the satisfaction of the following conditions on such date:

(a) Unutilized Commitment. The Unutilized Commitment shall not have expired or been terminated on or prior to such day.

(b) Purchase Notice. The Bank shall have timely received the required Purchase Notice duly completed by an Authorized Representative, with respect to such Note Portion.

(c) No Default; Representations and Warranties. At the time such Note Portion is to be purchased and also after giving effect thereto:

(i) no Default or Event of Default shall have occurred and be continuing;

(ii) except as otherwise provided in clause (iii) hereinbelow, all representations and warranties contained herein shall be true, correct and complete in all material respects with the same effect as though such representations and warranties had been made on and as of such date except to the extent a representation or warranty relates specifically to an earlier date, in which case, such representation and warranty shall have been true and correct as of such earlier date; and

(iii) (1) the City certifies as of the applicable Purchase Date that a true, correct and complete copy of each of the Section 5.05 Documents provided on or prior to such Purchase Date has been furnished to the Bank; (2) the City certifies that the information contained in such Section 5.05 Documents (excluding any budget materials or any projected Revenues included in the statement required by Section 5.05(d)) provided on or prior to such Purchase Date was accurate as of the respective dates of such information; (3) an Authorized Representative represents as of the Purchase Date that, to his or her actual knowledge, without any investigation, the information contained in the Section 5.05 Documents (excluding any budget materials or any projected Revenues included in the statement required by Section 5.05(d)) is complete in all material respects with respect to the Revenues; and (4) the City certifies on each Purchase Date that the amounts borrowed and to be borrowed hereunder, when added to the interest payable thereon, do not exceed eighty-five percent (85%) of the estimated amount of the estimated uncollected taxes, income, revenue, cash receipts and other moneys of the City anticipated to be received for or accrued to the General Fund during Fiscal Year 2024-25 that will be available for the payment of the interest on and the principal of the Note.

ARTICLE IV REPRESENTATIONS OF THE CITY

The City makes the following representations and warranties to the Bank as of the date hereof, the Effective Date and as of each Purchase Date:

Section 4.01 Valid Existence. The City is a [general law city] duly organized and existing under and by virtue of the laws of the State and has the necessary power and authority to execute and deliver this Agreement and the Related Documents, to perform its obligations hereunder and thereunder.

Section 4.02 Authorization and Validity. The execution, delivery and performance by the City of this Agreement, the Note and the other Related Documents have been duly authorized by proper proceedings of the City, and no further approval, authorization or consents are required by law or otherwise. To the best of the City's knowledge, this Agreement, the Note and the Resolution constitute the legal, valid and binding obligations of the City enforceable in accordance with their respective terms, subject to bankruptcy, insolvency, moratorium and other laws affecting creditors' rights generally and principles of equity and public policy.

Section 4.03 Compliance with Laws and Contracts. Neither the execution and delivery by the City of this Agreement, the Note and the Resolution, nor the consummation of the transactions herein and therein contemplated, nor compliance with the provisions hereof or thereof will (a) violate any law, rule, regulation, order, writ, judgment, injunction, decree or award binding on the City, (b) result in any breach of, or default under the provisions of any material indenture, resolution, instrument or agreement to which the City is a party or is subject, or by which it or its property is bound, or (c) conflict with or result in the creation or imposition of any Lien pursuant to the terms of any such indenture, instrument or agreement.

Section 4.04 Litigation. Other than has been previously disclosed in writing to the Bank, there is no action, suit, proceeding, inquiry or investigation at law or in equity or before or by any court, public board or body pending with service of process accomplished or, to the knowledge of the City, threatened against or affecting the City (a) wherein an unfavorable decision, ruling or finding would materially adversely affect (i) the transactions contemplated by or the validity of this Agreement, the Note or any of the other Related Documents, or (ii) the City's ability to perform its obligations hereunder or under the Note, or the other Related Documents; or (b) which in any way contests the existence, organization or powers of the City or the titles of the officers of the City to their respective offices.

Section 4.05 No Event of Default. No Event of Default or Default has occurred and is continuing.

Section 4.06 Projections and Budget Material. The City represents that the proposed budget for Fiscal Year 2024-25 in the form considered by the Board of Directors at its meeting on _____, 2024, was prepared on the basis of information and estimates that the City believed on the Effective Date to be reasonable.

Section 4.07 Accurate and Complete Disclosure. The City hereby certifies as of the Effective Date that true, correct and complete copies of the documents listed in Exhibit B have been made available to the Bank. The City also certifies that the information contained in the documents listed in Exhibit B was accurate as of the respective dates of such information. The City hereby certifies that it has not failed to disclose any material information relating to the Revenues of which the City has actual knowledge, without any investigation, where such omission would reasonably be expected to impact the Bank's decision to enter into the Note Purchase Agreement.

Section 4.08 Regulatory Approvals. Each authorization, consent, approval, license or formal exemption from or filing, declaration or registration with, any court, governmental agency or regulatory authority (federal, state or local), required to be obtained by the City in connection

with the City's execution and delivery of, and performance under this Agreement, the Note and the other Related Documents has been obtained or made and is in full force and effect.

Section 4.09 Prospective Change in Law. To the knowledge of the City, there is no amendment, or proposed amendment certified for placement on a ballot, to the Constitution of the State or any published administrative interpretation of the Constitution of the State or any State law, or any legislation which has passed either house of the State legislature or is under consideration by any conference or similar committee, or any published judicial decision interpreting any of the foregoing, the effect of which is to invalidate, eliminate or materially reduce the Revenues.

Section 4.10 Sovereign Immunity. Under California law and subject to Section 7.03(d) hereto, the City cannot assert sovereign immunity as a defense to the enforcement of its obligations under this Agreement and the Note.

Section 4.11 Priority of Pledge. The Resolution provides the Bank with a valid pledge of the Pledged Revenues, the priority of which is set forth in the Resolution, and the Bank is not required to take any further action to perfect or maintain this pledge.

Section 4.12 Resolution. The Resolution is in full force and effect. The Resolution has not been amended or supplemented except by such amendments or supplements as have previously been delivered to the Bank.

Section 4.13 Reserved.

Section 4.14 Note. As of the Effective Date, the Note has been duly and validly issued under the Resolution and is entitled to the benefits thereof.

Section 4.15 Usury. The terms of this Agreement, the Note and the other Related Documents regarding the calculation and payment of interest and fees do not violate any applicable usury laws.

ARTICLE V COVENANTS OF THE CITY

During the term of this Agreement, and until the Obligations are paid in full, including full payment of the Note, unless the Bank shall otherwise consent in writing, the City covenants and agrees as follows:

Section 5.01 Notice of Default. As soon as practicable but in any event not more than five (5) Business Days after an Authorized Representative of the City shall have obtained knowledge of the occurrence of an Event of Default or Default provide to the Bank the written statement of an Authorized Representative setting forth the details of each such Event of Default or Default and, to the extent the City has made any determination with respect thereto, the action which the City proposes to take with respect thereto.

Section 5.02 Compliance With Laws. The City shall comply with all laws, rules and regulations, and with all final orders, writs, judgments, injunctions, decrees or awards to which it

may be subject; provided, however, that the City may contest the validity or application thereof and appeal or otherwise seek relief therefrom, and exercise any and all of the rights and remedies which it may have with regard thereto, so long as such acts do not affect the City's power and authority to execute and deliver this Agreement, to perform its obligations and pay all amounts payable by it hereunder or under the Note, or to execute and deliver the other Related Documents and to perform its obligations thereunder.

Section 5.03 Resolution. The City agrees that it will perform and comply with each and every covenant and agreement required to be performed or observed by it in the Resolution, each of which covenants and agreements are, by this reference, incorporated into this Agreement in their entirety together with all defined terms and construction provisions necessary for a correct understanding thereof. The City shall not amend, modify, terminate or grant, or permit the amendment, modification, termination or grant of, any waiver under, or consent to, or permit or suffer to occur any action or omission which results in, or is equivalent to, an amendment, termination, modification, or grant of a waiver under the Resolution which would materially impair the ability of the City to perform its obligations under this Agreement without the prior written consent of the Bank.

Section 5.04 No Impairment. The City will not take any action that would materially impair the City's ability to perform its obligations under this Agreement, the Note and the other Related Documents.

Section 5.05 Budgets; Financial Statements; Reports, Certificates and Other Information. The City shall provide or cause to be provided to the Bank copies of:

(a) As soon as available, and in any event no later than thirty (30) days after the adoption thereof, a copy of the City's annual budget for the City's Fiscal Year 2024-25, as said budget shall have been adopted by the Board of Directors;

(b) As soon as available, and in any event no later than 270 days after June 30, 2024, the City's ACFR for Fiscal Year ending June 30, 2024 together with an opinion of the independent accountants who conducted the audit of the financial statements of the City contained in the ACFR, which opinion shall contain no qualifications other than qualifications relating to the implementation of rules issued by the Government Accounting Standards Board (the failure to comply with which would not, in the opinion of the Bank in its sole discretion, individually or in the aggregate, have a material impact on any financial statement line item);

(c) Concurrently with the furnishing of the financial statements described under Section 5.05(b) hereof, a certificate signed by an Authorized Representative stating that (i) the City has complied with all of the terms, provisions and conditions of this Agreement and the other Related Documents, (ii) to the best of his/her knowledge, the City has kept, observed, performed and fulfilled each and every covenant, provision and condition of this Agreement and the other Related Documents on the City's part to be performed, and (iii) no Default or Event of Default has occurred or, if such Default or Event of Default has occurred, specifying the nature of such Default or Event of Default, the period of its existence, the nature and status thereof and any remedial steps taken or proposed to correct such Default or Event of Default;

(d) As soon as available and, in any event, within ten (10) Business Days after adoption by the Board of Directors of any changes to the Fiscal Year 2024-25 annual budget for the City, including, but not limited to, all interim budget reports, if any, but only to the extent that such changes relate to Revenues;

(e) Promptly, notice of any action, suit or proceeding known to it at law or in equity or by or before any governmental instrumentality, entity or other agency which, if adversely determined, would materially impair the ability of the City to carry out its obligations under this Agreement, the Note or any other Related Document or any other document, instrument or agreement required hereunder or thereunder, or would materially and adversely affect its assets or financial condition;

(f) Promptly, notice of any matter or event which may result in a material adverse change in the City's financial condition or operations; and

(g) Promptly, upon the request of the Bank, any additional information reasonably requested by the Bank.

Section 5.06 Inspection Rights. At any reasonable time and from time to time the City shall permit the Bank or any agents or representatives thereof to examine and make copies of the records and books of account related to the Revenues and the transactions contemplated by this Agreement, the Note and the other Related Documents, to visit the City's properties and to discuss its affairs, finances and accounts with any of its officers and independent accountants.

Section 5.07 Use of Proceeds. The City shall use the proceeds of each Note Portion solely for the cash flow needs of the City for Fiscal Year 2024-25. Without limiting the preceding sentence, the City agrees that no part of the proceeds of any Note Portion will be used by the City to purchase or carry any Margin Stock or to extend credit to others for the purpose of purchasing or carrying any Margin Stock.

Section 5.08 Existence. The City shall maintain its legal existence and shall not merge or consolidate with or into any other Person.

Section 5.09 Indebtedness and Liens. The City shall not create or suffer to exist any Indebtedness secured by a Lien upon, or with respect to, any of the Pledged Revenues, except as permitted pursuant to the Resolution.

Section 5.10 Assignments. The City shall not assign, transfer or otherwise convey any interest in the Pledged Revenues without the prior written consent of the Bank.

Section 5.11 Sanctions Concerns and Anti-Corruption Laws.

(a) Sanctions Concerns. Neither the City, nor, to the knowledge of the City, any director, officer, employee, agent, affiliate or representative thereof, is an individual or entity that is, or is owned or controlled by any individual or entity that is (i) currently the subject or target of any Sanctions, (ii) included on OFAC's List of Specially Designated Nationals, HMT's Consolidated List of Financial Sanctions Targets and the Investment Ban List, or any similar list

enforced by any other relevant sanctions authority or (iii) located, organized or resident in a Designated Jurisdiction.

(b) Anti-Corruption Laws. The City has conducted its business in compliance with the United States Foreign Corrupt Practices Act of 1977, the UK Bribery Act 2010 and other similar anti-corruption legislation in other jurisdictions, and has instituted and maintained policies and procedures designed to promote and achieve compliance with such laws.

Section 5.12 Further Assurances. From time to time hereafter, the City will execute and deliver such additional instruments, certificates or documents, and will take all such actions as the Bank may reasonably request for the purposes of implementing or effectuating the provisions of this Agreement and the Related Documents or for the purpose of more fully perfecting or renewing the Bank's rights with respect to the Pledged Revenues.

Section 5.13 Certain Information. The City shall not include in any amendment or supplement to any offering or disclosure document with respect to any Indebtedness, whether offered publicly or private, any information concerning the Bank that is not supplied in writing, or otherwise consented to, by the Bank expressly for inclusion therein, other than the Bank's name and a brief description of this Agreement, which may be included in such offering or other document without the Bank's prior written consent.

Section 5.14 Accuracy of Information. The City agrees that it shall provide the Bank with true, correct and complete copies of the Section 5.05 Documents. The City also agrees that the information contained in the Section 5.05 Documents (excluding any budget materials or any projected Revenues included in the statement required by Section 5.05(d)) will be accurate as of the respective dates of such information. The _____ agrees that, to his or her actual knowledge, without any investigation, the information contained in the Section 5.05 Documents (excluding any budget materials or any projected Revenues included in the statement required by Section 5.05(d)) will be complete in all material respects with respect to the Revenues.

Section 5.15 No Immunity. The City agrees that under California law and subject to Section 7.03(d) hereto it cannot assert sovereign immunity as a defense to the enforcement of its obligations under this Agreement or the Note.

Section 5.16 Deposit Relationship. The City agrees that no later than 90 days after the closing hereof, it shall establish a new operating account at the Bank, and that it shall transfer \$2,000,000.00 to be held at the Bank; provided, further however, that no later than 180 days after the closing hereof, the City shall transfer an amount such that no less than an average of \$4,500,000 in the aggregate shall be held at the Bank while any amounts are due and owing hereunder; provided, that the Bank provides an earnings credit rate for all analyzed accounts of 1.1% to offset monthly banking services fees as to be set forth in the applicable account control agreement to be executed upon such transfer. If the City fails to comply with this Section 5.16, the sole remedy of the Bank shall be to charge the City a \$25,000 fee.

ARTICLE VI EVENTS OF DEFAULT; REMEDIES

Section 6.01 Events of Default. Each of the following events shall constitute an “Event of Default” hereunder:

(a) Payments. The City shall default in the payment when due of any principal of or interest on the Note, and, with respect to such interest, such default shall continue unremedied for five (5) or more days.

(b) Representations Untrue. Any representation, warranty, certification or statement made by the City in this Agreement or in the Resolution shall (in any such case) have been incorrect or untrue in any material respect when made or deemed to have been made.

(c) Covenant Defaults.

(i) The City shall default in the due performance on or observance of any term, covenant or agreement contained in Sections 5.01, 5.03, 5.04, 5.08, 5.09, 5.10 and 5.15 of this Agreement.

(ii) The City shall default in the due performance on or observance of any term, covenant or agreement contained in Section 5.05 of this Agreement and such default, if capable of being remedied, shall remain unremedied for thirty (30) days after written notice thereof shall have been given to the City by the Bank.

(iii) The City shall default in the due performance or observance of any material term, covenant or agreement contained herein or incorporated herein (other than those described in Section 5.16 hereof or in other provisions of this Section 6.01) and such default, if capable of being remedied, shall remain unremedied for sixty (60) days after written notice thereof shall have been given to the City by the Bank.

(d) Reserved.

(e) Reserved.

(f) Invalidity; Repudiation.

(i) Any material provision of this Agreement, the Note, the Authorizing Law or the Resolution is declared to be null and void by a final non-appealable judgment of court of competent jurisdiction; or

(ii) The City, pursuant to official action on the part of its Board of Directors, shall deny that it has any or further liability or obligation under this Agreement, the Note, the Authorizing Law or the Resolution.

(g) Insolvency, Etc. The City shall become insolvent or admit in writing its inability to pay its debts as they mature or shall declare a moratorium on the payment of its debts or apply for, consent to or acquiesce in the appointment of a trustee, custodian, liquidator or

receiver for itself or any substantial part of its property, or shall take any action to authorize or effect any of the foregoing; or in the absence of any such application, consent or acquiescence, a trustee, custodian, liquidator or receiver shall be appointed for it or for a substantial part of its property or revenues and shall not be discharged within a period of ninety (90) days; or the State or any other Governmental Authority having jurisdiction over the City imposes a debt moratorium, debt restructuring, or comparable restriction on repayment when due and payable of the principal of or interest on any debt by the City; or any bankruptcy, reorganization, debt arrangement or other proceeding under any bankruptcy or insolvency law or any dissolution or liquidation proceeding shall be instituted by or against the City (or any action shall be taken to authorize or effect the institution by it of any of the foregoing) and if instituted against it, shall be consented to or acquiesced in by it, or shall not be dismissed within a period of ninety (90) days.

(h) Pledge, Etc. The pledge of the Pledged Revenues created by the Resolution shall fail to provide the Bank, as Note holder, with the security interest in the Pledged Revenues purported to be provided, or the Bank, as Note holder, shall cease to have a valid security interest in the Pledged Revenues.

(i) Resolution Default. The City shall default in the due performance or observance of any material term, covenant or agreement contained in the Resolution and the same shall not have been cured within any applicable cure period.

(j) Certain Unsatisfied Judgments. A judgment or court order for the payment of money in excess of \$1,000,000 shall be rendered against the City that is payable from the City's General Fund, and such judgment or court order shall continue unsatisfied and in effect for a period of sixty (60) consecutive days without being vacated, discharged, satisfied, or stayed or bonded pending appeal.

(k) Cross-Default. The City default pursuant to the provisions of any other loan or debt agreement between it and the Bank.

Section 6.02 Remedies. If any Event of Default shall have occurred and be continuing, the interest on any Note Portion outstanding shall automatically accrue interest at the Default Rate, and the Bank may by Notice to the City take any or all of the following actions, without prejudice to the rights of the Bank to enforce its claims against the City (provided, that, if an Event of Default specified in Section 6.01(g) shall occur, the result which would occur upon the giving of Notice by the Bank to the City as specified in clauses (i) and (ii) below shall occur automatically without the giving of any such Notice): (i) declare the Unutilized Commitment terminated, whereupon the Unutilized Commitment shall forthwith terminate immediately; (ii) declare the principal of and any accrued interest in respect of the Note and all other Obligations owing then Outstanding hereunder to be, whereupon the same shall become, forthwith due and payable without presentment, demand, protest or other notice of any kind, all of which are hereby waived by the City; and/or (iii) exercise any other rights or remedies the Bank may have under the Resolution, at law or in equity.

Section 6.03 No Waiver; Cumulative Remedies. No failure or delay on the part of the Bank in exercising any right, power or privilege hereunder, under the Note or under any other Related Document and no course of dealing between the City and the Bank shall operate as a

waiver thereof; nor shall any single or partial exercise of any right, power or privilege hereunder, under the Note or under any other Related Document preclude any other or further exercise thereof or the exercise of any other right, power or privilege hereunder or thereunder. The rights, powers and remedies herein, under the Note or in any other Related Document expressly provided are cumulative and not exclusive of any rights, powers or remedies which the Bank would otherwise have. No notice to or demand on the City in any case shall entitle the City to any other or further notice or demand in similar or other circumstances or constitute a waiver of the rights of the Bank to any other or further action in any circumstances without notice or demand.

ARTICLE VII MISCELLANEOUS

Section 7.01 Amendments. No provision of this Agreement may be amended, modified, changed, waived, discharged or terminated orally, unless by an instrument in writing signed by the parties hereto.

Section 7.02 Assignments. (a) This Agreement shall be binding upon and inure to the benefit of the City and the Bank and their respective successors, endorsees and assigns, except that neither party hereto may assign or transfer their respective rights or obligations hereunder without the prior written consent of the other party except as provided in Section 2.14 hereof. The Bank may grant a participation to any financial institution in all or any part of, or any interest (undivided or divided) in, the Bank's rights and benefits under this Agreement, the Note and the other Related Documents and, to the extent of that participation, such participant shall, except as set forth in the following clause (ii), have the same rights and benefits against the City hereunder and the Note as it would have had if such participant were a direct party hereto; provided that (i) no such participation shall affect the obligations of the Bank to purchase Note Portions as herein provided; (ii) the City shall be required to deal only with the Bank with respect to any matters under this Agreement and no such participant shall be entitled to enforce directly against the City any provision hereunder; (iii) no participant shall be entitled to recover amounts hereunder in excess of any amounts to which the Bank is entitled to recover hereunder; and (iv) such participant shall not be any Person registered as an investment company under the Investment Company Act of 1940, as amended.

(b) Notwithstanding the foregoing provisions of this Section 7.02(a), (i) the Bank may assign and pledge all or any portion of the amounts owing to it with respect to the Note to any Federal Reserve Bank or the United States Treasury as collateral security pursuant to Regulation A of the Board of Governors of the Federal Reserve System and any Operating Circular issued by such Federal Reserve Bank; and (ii) any payment in respect of such assigned amounts owed with respect to the Note made by the City to the Bank in accordance with the terms thereof shall satisfy the City's obligations thereunder in respect of such assigned obligation to the extent of such payment. No such assignment shall release the Bank from its obligations hereunder.

Section 7.03 Governing Law; Waiver of Jury Trial; Waiver of Special Damages; Sovereign Immunity.

(a) This Agreement shall be governed by and construed in accordance with the laws of the State of California without reference to choice of law doctrine.

(b) The City, to the extent permitted by law, and the Bank (by its acceptance hereof) hereby voluntarily, knowingly, irrevocably and unconditionally waive any right to have a jury participate in resolving any dispute (whether based on contract, tort, or otherwise) between the City and the Bank arising out of or in any way related to this Agreement, the Note and the other related documents. This provision is a material inducement to the Bank to provide the financing evidenced by this Agreement. To the extent such waiver is not enforceable, the District hereby consents to the adjudication of any and all such matters pursuant to Judicial Reference as provided in Section 638 of the California Code of Civil Procedure, and the judicial referee shall be empowered to hear and determine any and all issues in such Reference whether fact or law.

(c) The City waives, to the extent not prohibited by law, any right the undersigned may have to claim or recover from the Bank in any legal action or proceeding any special, exemplary, punitive or consequential damages.

(d) The Bank hereby recognizes that the procedural requirements applicable to commencing an action against the City differ from requirements applicable to nongovernmental entities.

Section 7.04 Severability. If any provision of this Agreement shall be held or deemed to be or shall in fact be illegal, inoperative or unenforceable by a court of competent jurisdiction the same shall not affect any other provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

Section 7.05 Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

Section 7.06 Expenses. The City shall pay the reasonable fees and costs of counsel for the Bank in an amount equal to \$25,000; *provided, however*, that counsel for the Bank shall submit a W-9 and an invoice for payment at least five (5) Business Days prior to the Effective Date. The City shall also pay (a) all reasonable out-of-pocket expenses of the Bank, including reasonable fees and expenses of counsel retained by the Bank in connection with any waiver or consent hereunder or under any Related Documents or any amendment hereof or thereof, and (b) if any Default or Event of Default occurs, all out-of-pocket expenses incurred by the Bank, including the fees and disbursements of counsel and experts retained by the Bank in connection with such Default or Event of Default and collection and other enforcement proceedings resulting therefrom. The City shall also pay the fees associated with the filing of reports with the California Debt and Investment Advisory Commission in connection with the Agreement and Note.

Section 7.07 Indemnification.

(a) To the extent permitted by law, the City agrees to indemnify and hold harmless the Bank and its officers, directors, employees and their agents (each, an “Indemnitee”) from and against any and all claims, damages, penalties, actions, losses, liabilities, judgments, suits and reasonable costs or expenses (including, without limitation, reasonable attorney’s fees and expenses) whatsoever which an Indemnitee may incur (or which may be claimed against an Indemnitee by any person or entity whatsoever) by reason of or in connection with any action,

proceeding or investigation (whether or not the Bank is a party thereto) arising from the entering into and/or performance of this Agreement or any Related Document or the use of the proceeds of the Note or the consummation of any transactions contemplated herein or in any Related Document, including, without limitation, the reasonable fees and disbursements of counsel incurred in connection with any such action, proceeding or investigation (but excluding any such claims, damages, penalties, actions, losses, liabilities, judgments, suits and reasonable costs or expenses, to the extent incurred by reason of the negligence or willful misconduct of the Indemnatee).

(b) Promptly after receipt by an Indemnatee of notice of the commencement of any action, proceeding or investigation in respect of which indemnity or reimbursement may be sought as provided above (each, an “Indemnified Claim”), such Indemnatee will notify the City in writing of the receipt or commencement thereof, but the failure of an Indemnatee to notify the City with respect to a particular action, proceeding or investigation shall not relieve the City from any obligation or liability which it may have pursuant to this Section 7.07 with respect to such action, proceeding or investigation, or which it may have otherwise than pursuant to this Agreement with respect to any action, proceeding, or investigation.

(c) The City shall be entitled, at its own expense, to participate in and control the defense of any action, proceeding or investigation with counsel reasonably satisfactory to such Indemnatee. Notwithstanding the preceding sentence, an Indemnatee will be entitled to employ counsel separate from counsel for the City and from any other party in such action, proceeding or investigation and to participate in the action, proceeding, or investigation, and the City shall bear the fees and expenses of such separate counsel (and shall pay such fees and expenses as and when incurred), only if either (i) the Indemnatee shall have reasonably concluded that there may be one or more legal defenses available to it which are different from or additional to those available to the City, or (ii) the City shall not have employed counsel reasonably satisfactory to the Indemnatee to represent the Indemnatee within a reasonable time after the City shall have notice of the institution of any such action, proceeding or investigation. Each Indemnatee shall cause its counsel to cooperate with the City in the defense of any action, proceeding or investigation to the extent consistent with its professional responsibilities. The City shall not be liable for the settlement by any Indemnatee of any action, proceeding or investigation effected without its consent, which consent will not be unreasonably or untimely withheld. The City shall not settle or compromise any action, proceeding or investigation, or permit a default or consent to the entry of any judgment with respect thereto, unless such settlement, compromise, default or consent includes, as an unconditional term thereof, the giving by the party other than the City thereto of an unconditional general release to all Indemnitees from all liability in respect of such action, proceeding, or investigation.

(d) To the extent permitted by law, the City agrees to indemnify and hold the Bank and its officers, directors, employees and their agents harmless (on a net after-tax basis) from any present or future claim or liability for stamp, transfer, documentary, excise or other similar tax and any penalties or interest with respect thereto, which may be assessed, levied or collected by any jurisdiction in connection with the execution, delivery and performance of, or any payment made under, this Agreement, the Note and the other Related Documents, or any amendment thereto.

Section 7.08 Term of the Agreement. The obligation of the Bank to purchase Note Portions under this Agreement shall terminate on the Commitment Termination Date. Except for the City's obligations to indemnify the Bank and each Indemnatee, this Agreement shall terminate when all Obligations have been paid in full.

Section 7.09 Notice. Any notice, demand, direction, request or other instrument authorized or required by this Agreement to be given to or filed with the City or the Bank shall be deemed to have been sufficiently given or filed for all purposes, if any, when delivered by hand or three (3) Business Days after being sent by registered mail, return receipt requested, postage prepaid, and if given electronically shall be deemed given when transmitted (receipt electronically confirmed by the recipient thereof):

If to the City:

City of Ukiah California
[-----]
Attention:
Phone:
E-mail:

If to the Bank:

Umpqua Bank

Phone:
Email:

or to such other address, telephone number or facsimile number as one party hereto shall notify the other party hereto.

Section 7.10 Holidays. Except as otherwise provided herein, whenever any payment or action to be made or taken hereunder shall be stated to be due on a day which is not a Business Day, such payment or action shall be made or taken on the next following Business Day, and such extension of time shall be included in computing interest or fees, if any, in connection with such payment or action.

Section 7.11 Survival. All representations, warranties, covenants and agreements of the City contained in this Agreement as amended or supplemented from time to time or made in writing in connection herewith shall survive the execution and delivery hereof shall continue in full force and effect until payment in full of the Obligations, it being understood that the agreements of the City found in Sections 2.07, 2.08, 2.13 and 7.06 hereof shall survive the termination of this Agreement and payment in full of the Obligations.

Section 7.12 USA PATRIOT ACT NOTIFICATION. The following notification is provided to the City pursuant to Section 326 of the USA Patriot Act of 2001, 31 U.S.C. Section 5318:

IMPORTANT INFORMATION ABOUT PROCEDURES FOR OPENING A NEW ACCOUNT. To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person or entity that opens an account, including any deposit account, treasury management account, loan, other extension of credit, or other financial services product. What this means for the City: When the City opens an account, if the City is an individual the Bank will ask for the City's name, taxpayer identification number, residential address, date of birth, and other information that will allow the Bank to identify the City, and if the City is not an individual the Bank will ask for the City's name, taxpayer identification number, business address, and other information that will allow the Bank to identify the City. The Bank may also ask, if the City is an individual to see the City's driver's license or other identifying documents, and if the City is not an individual to see the City's legal organizational documents or other identifying documents.

Section 7.13 No Advisory or Fiduciary Relationship. In connection with all aspects of the transactions contemplated hereby (including in connection with any amendment, waiver or other modification hereof or of any Related Document), the City acknowledges and agrees, and acknowledges its Affiliates' understanding, that: (a) (i) the services regarding this Agreement provided by the Bank and any Affiliate thereof are arm's-length commercial transactions between the City, on the one hand, and the Bank and its Affiliates, on the other hand, (ii) the City has consulted its own legal, accounting, regulatory and tax advisors to the extent it has deemed appropriate, and (iii) the City is capable of evaluating, and understands and accepts, the terms, risks and conditions of the transactions contemplated hereby and by the Related Documents; (b) (i) the Bank and its Affiliates each is and has been acting solely as a principal and, except as expressly agreed in writing by the relevant parties, has not been, is not, and will not be acting as an advisor, agent or fiduciary, for the City, or any other Person and (ii) neither the Bank nor any of its Affiliates has any obligation to the City with respect to the transactions contemplated hereby except those obligations expressly set forth herein and in the other Related Documents; and (c) the Bank and its Affiliates may be engaged in a broad range of transactions that involve interests that differ from those of the City, and neither the Bank nor any of its Affiliates has any obligation to disclose any of such interests to the City. To the fullest extent permitted by law, the City, hereby waives and releases any claims that it may have against the Bank or any of its Affiliates with respect to any breach or alleged breach of agency or fiduciary duty in connection with any aspect of any transactions contemplated hereby.

Section 7.14 No Liability. The City agrees that none of the bank, its officers, directors, employees and their agents shall have any liability or responsibility for the acts or omissions of the City in respect of its use of this agreement or any amounts made available by the bank hereunder. The Bank agrees that none of the City, its officers, Directors, employees and their agents shall have any liability or responsibility for the acts or omissions of the Bank in respect of the performance of the Bank's obligations under this Agreement.

(Signature pages follow)

IN WITNESS WHEREOF, the parties hereto, by their officers thereunto duly authorized, have executed and delivered this Agreement, effective as of the day and year first above written.

CITY OF UKIAH, CALIFORNIA

By: _____
Name:
Title:

*-Signature Page-
Note Purchase Agreement*

UMPQUA BANK, an Oregon state chartered bank

By: _____

Name: _____

Title: _____

*-Signature Page-
Note Purchase Agreement*

EXHIBIT A**FORM OF
PURCHASE NOTICE**

[insert date]

UMQUA BANK,

Attention: [insert contact]

Ladies and Gentlemen:

The undersigned, City of Ukiah, California, California (the “City”), refers to the Note Purchase Agreement, dated as of _____, 2024 (as amended from time to time, the “Agreement”; the terms defined therein being used herein as therein defined), between the undersigned and Umpqua Bank (the “Bank”), and hereby gives you notice, irrevocably, pursuant to Section 2.01(b) of the Agreement, that the undersigned hereby desires to sell to the Bank, and requests that the Bank purchase, the Note Portion described below:

- (i) The Purchase Date is _____;
- (ii) The aggregate principal amount of the Note Portion to be purchased is _____;
- (iii) The wire instructions are as follows:

ABA# _____

Account # _____

Account Name: City of Ukiah, California

Name and address of bank:

The City hereby certifies that the following statements are true on the date hereof, and will be true on the date of the Purchase Date before and after giving effect to the purchase and sale of the Note Portion described in this Purchase Notice:

(A) The Unutilized Commitment has not expired or been terminated;

(B) (i) No Default or Event of Default has occurred and is continuing, (ii) except as otherwise provided in clause (iii) hereinbelow, all representations and warranties contained in the Agreement and in the other Related Documents are true, correct and complete in all material respects with the same effect as though such representations and warranties had been made on and as of the date hereof except to the extent a representation or warranty relates specifically to an earlier date, in which case, such representation and warranty shall have been true and correct as of

such earlier date, and (iii) (1) the City certifies as of the Purchase Date that a true, correct and complete copy of each of the Section 5.05 Documents provided on or prior to the Purchase Date has been furnished to the Bank; (2) the City certifies that the information contained in the Section 5.05 Documents (excluding any budget materials or any projected Revenues included in the statement required by Section 5.05(d)) provided on or prior to the Purchase Date was accurate as of the respective dates of such information; (3) an Authorized Representative represents as of the Purchase Date that to his or her actual knowledge, without any investigation, that the information contained in the Section 5.05 Documents (excluding any budget materials or any projected Revenues included in the statement required by Section 5.05(d)) is complete in all material respects with respect to the Revenues; and (4) the City hereby certifies that the amounts borrowed and to be borrowed hereunder, when added to the interest payable thereon, do not exceed eighty-five percent (85%) of the estimated amount of the estimated uncollected taxes, income, revenue, cash receipts and other moneys of the City anticipated to be received for or accrued to the General Fund during Fiscal Year 2024-25 that will be available for the payment of the interest on and the principal of the Note.

Very truly yours,

CITY OF UKIAH, CALIFORNIA

By: _____
 Name: _____
 Title: _____

EXHIBIT B

**LIST OF INFORMATION PROVIDED BY THE CITY TO UMPQUA BANK
PURSUANT TO SECTION 4.07**

1. City's ACFR for the Fiscal Year 2022-23.
2. City's Budget for the Fiscal Year 2024-25.



AGENDA SUMMARY REPORT

SUBJECT: 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).

DEPARTMENT: City Clerk

PREPARED BY: Kristine Lawler, City Clerk

PRESENTER: Mayor Dueñas and Various Councilmembers

ATTACHMENTS:

1. 2024 City Council Special Assignments and Ad Hoc(s)

Summary: City Council members will provide reports and updates on their committee and ad hoc assignments. If necessary, the Council may consider modifications.

Background: City Council members are assigned to a number of committees and ad hoc activities. These assignments are included as Attachment 1.

Discussion: Previously, the City Council discussed having more time allocated to reporting on committee and ad hoc activities. Often, the Council Reports section of the regular agenda is rushed due to impending business (i.e., public hearings), and not enough time is afforded for reports beyond community activities.

In an effort to foster regular updates on committee and ad hoc assignments, this item is being placed on the agenda to provide the City Council members an expanded opportunity to report on assignments and modify assignments as necessary.

Recommended Action: Receive report(s). The Council will consider modifications to committee and ad hoc assignments along with the creation/elimination ad hoc(s).

BUDGET AMENDMENT REQUIRED: No

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: N/A

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI): N/A

GENERAL PLAN ELEMENTS (GP): N/A

Approved: 
Sage Sangiacomo, City Manager

2024 CITY COUNCIL SPECIAL ASSIGNMENT LIST

LOCAL / UKIAH VALLEY		MTG DATE/TIME	MEETING LOCATION		MAILING ADDRESS/CONTACT	COMMITTEE FUNCTION	ASSIGNED TO	PRINCIPAL STAFF SUPPORT
City Broadband Project		TBD	TBD		Civic Center 300 Seminary Ave. Ukiah, CA 95482	to evaluate the Request for Proposal (RFP) for the Internet Service Provider (ISP) for the California's Public Utilities Commission (CPUC) Last Mile Broadband	Orozco	Jim Robbins, Grants Manager, 463-6708; jrobbins@cityofukiah.com
Investment Oversight Committee		Varies	Civic Center 300 Seminary Ave. Ukiah, CA 95482		Civic Center 300 Seminary Ave. Ukiah, CA 95482	Reviews City investments, policies, and strategies	Crane Orozco - Alternate Alan Carter, Treasurer	Dan Buffalo, Director of Finance; 463-6220 dbuffalo@cityofukiah.com
Disaster Council		Shall meet a minimum of once a year at a time and place designated upon call of the chair	Place designated upon call of the chair or, if she/he is unavailable or unable to call such meeting, the first vice chair and then the City Manager or her/his designee.		Office of Emergency Management 300 Seminary Ave. Ukiah, CA 95482 467-5720 - Traci Boyl	Develop any necessary emergency and mutual aid plans, agreements, ordinances, resolutions, rules, and regulations.	Orozco Duenas- Alternate	Traci Boyl, City Manager's Office Management Analyst; 467-5720; tboyl@cityofukiah.com
Greater Ukiah Business & Tourism Alliance (GUPTA)		4th Monday of month, 10 a.m.	200 S School St. Ukiah, CA 95482		200 S School St. Ukiah, CA 95482	Promotes tourism and works to strengthen and promote the historic downtown and businesses within the greater Ukiah area	Marianne Davison - <i>Community Services Department Staff</i> Duenas - Alternate	Shannon Riley, Deputy City Manager; 467-5793 sriley@cityofukiah.com
Mendocino County Inland Water and Power Commission (IWPC)		2nd Thursday of month, 6:00 p.m.	Civic Center 300 Seminary Avenue conference room 5		IWPC Staff P.O. Box 1247 Ukiah, CA 95482 391-7574 - Candace Horsley	Develops coordination for water resources and current water rights: Potter Valley project - Eel River Diversion	Rodin Orozco - Alternate	Sean White, Director of Water Resources; 463-5712 swhite@cityofukiah.com
North Coast Opportunities (NCO)		4th Wednesday of month, 2 p.m.	Alternating locations - Ukiah and Lakeport		Governing Board Chair North Coast Opportunities 413 North State Street Ukiah, CA 95482	Assist low income and disadvantaged people to become self reliant	Burgess	Jake Burgess, Community Services Supervisor; 463-6201 jburgess@cityofukiah.com
Sun House Guild ex officio		2nd Tuesday of month, 4:30 p.m.	Sun House 431 S. Main St. Ukiah, CA		431 S. Main Street Ukiah, CA 95482 467-2836	Support and expand Grace Hudson Museum	Duenas Neil Davis - Alternate	David Burton, Museum Director; 467-2836 dburton@cityofukiah.com
Ukiah Valley Basin Groundwater Sustainability Agency (GSA)		2nd Thursday of month, 1:30 p.m.	Board of Supervisors Chambers; 501 Low Gap Road Ukiah, CA		County Executive Office 501 Low Gap Rd., Rm. 1010 Ukiah, CA 95482 463-4441	GSA serves as the Groundwater Sustainability Agency in the Ukiah Valley basin	Crane Duenas- Alternate	Sean White, Director of Water Resources; 463-5712 swhite@cityofukiah.com
MENDOCINO COUNTY		MTG DATE/TIME	MEETING	LOCATION	MAILING ADDRESS/CONTACT	COMMITTEE FUNCTION	ASSIGNED TO	PRINCIPAL STAFF SUPPORT
City Selection Committee		Called as required by the Clerk of the Board	BOS Conference Room 501 Low Gap Rd. Rm. 1090 Ukiah, CA		C/O: BOS 501 Low Gap Rd., Rm 1090 Ukiah, CA 95482 463-4441	Makes appointments to LAFCO and Airport Land Use Commission <i>(Mayor - Primary; Vice Mayor - Alternate)</i>	Mayor Duenas Vice Mayor Crane - Alternate	Kristine Lawler, City Clerk; 463-6217 klawler@cityofukiah.com
Economic Development & Financing Corporation (EDFC)		2nd Thursday of month, 2:00 p.m.	Primarily 631 S. Orchard Street (location varies)		Executive Director 631 South Orchard Avenue Ukiah, CA 95482 467-5953	Multi-agency co-op for economic development and business loan program	Riley (appointed 12/19/18)	Shannon Riley, Deputy City Manager; 467-5793 sriley@cityofukiah.com
Library Advisory Board		3rd Wednesdays of alternate months; 1:00 p.m.	Various Mendocino County Libraries		Ukiah County Library 463-4491	Review library policy and activities	Sher Rodin - Alternate	Kristine Lawler, City Clerk; 463-6217; klawler@cityofukiah.com
Mendocino County 1st District Liaison		Monthly; TBD	Civic Center Annex conference room #5 411 West Clay St. Ukiah, CA 95482		Civic Center 300 Seminary Ave. Ukiah, CA 95482	To coordinate activities and policy development with the City's 1st District Supervisor	Rodin Crane- Alternate	Sage Sangiacomo, City Manager; 463-6221; ssangiacomo@cityofukiah.com
Mendocino County 2nd District Liaison		1st Wednesdays of month, 8:00 a.m.	Civic Center Annex conference room #5 411 West Clay St. Ukiah, CA 95482		Civic Center 300 Seminary Ave. Ukiah, CA 95482	To coordinate activities and policy development with the County's 2nd District Supervisor	Rodin Duenas - Alternate	Shannon Riley, Deputy City Manager; 467-5793 sriley@cityofukiah.com
Mendocino Council of Governments (MCOG)		1st Monday of month, 1:30 p.m.	Board of Supervisors Chambers 501 Low Gap Road Ukiah, CA		Executive Director 367 N. State Street, Ste. 206 Ukiah, CA 95482 463-1859	Plan and allocate State funding, transportation, infrastructure and project County wide	Duenas Sher - Alternate	Tim Eriksen, Public Works Director/City Engineer; 463-6280 teriksen@cityofukiah.com
Mendocino County Airport Land Use Commission		As needed	BOS Conference Room 501 Low Gap Rd., Rm. 1090, Ukiah, CA		Mendocino County Executive Office 501 Low Gap Rd. Rm. 1010 Ukiah, CA 95482	To formulate a land use compatibility plan, provide for the orderly growth of the airport and the surrounding area, and safeguard the general welfare of the inhabitants within the vicinity	Liaisons: Owen/Schlatter	Greg Owen, Airport Manager; 467-2855; gowen@cityofukiah.com Craig Schlatter, Director of Community Development; 463-6219; cschlatter@cityofukiah.com
Mendocino County Local Area Formation Commission (LAFCO)		1st Monday of month, 9:00 a.m.	Board of Supervisors Chambers		Executive Director 200 S. School Street, Ste. 2 Ukiah, CA 95482 463-4470	Required by legislation - planning spheres of influence, annexation, service areas, and special districts	Rodin Crane - Alternate for both city seat members on Commission	Craig Schlatter, Director of Community Development; 463-6219; cschlatter@cityofukiah.com

Mendocino County Continued	MTG DATE/TIME	MEETING	LOCATION	MAILING ADDRESS/CONTACT	COMMITTEE FUNCTION	ASSIGNED TO	PRINCIPAL STAFF SUPPORT
Mendocino Solid Waste Management Authority (MSWMA)	3rd Thursday of every other month (varies), 10:00 a.m.	Willits Council Chambers		Solid Waste Director 3200 Taylor Drive Ukiah, CA 95482 468-9710	County-wide Solid Waste JPA	Crane Sher - Alternate	Tim Eriksen, Public Works Director/City Engineer; 463-6280 teriksen@cityofukiah.com
Mendocino Transit Authority (MTA) Board of Directors	Last Wednesday of month, 1:30 p.m.	Alternating locations - Ukiah Conference Center or Fort Bragg, or Point Arena		Executive Director 241 Plant Road Ukiah, CA 95482 462-1422	County-wide bus transportation issues and funding	Sher Duenas - Alternate	Tim Eriksen, Public Works Director/City Engineer; 463-6280 teriksen@cityofukiah.com
Mendocino Youth Project JPA Board of Directors	3rd Wednesday of month, 7:45 a.m.	776 S. State Street Conference Room		Mendocino Co. Youth Project 776 S. State Street, Ste. 107 Ukiah, CA 95482 707-463-4915	Targets all youth with a focus on drug and alcohol prevention, healthy alternatives and empowering youth to make healthy choices	Cedric Crook, Police Chief Duenas - Alternate	Cedric Crook, Police Chief; 463-6771; ccrook@cityofukiah.com
Russian River Flood Control District (RRFCD) Liaison	1st Monday of month, 5:30 p.m.	151 Laws Ave., Suite D Ukiah, CA		151 Laws Ave., Ukiah, CA 95482; rrfc@pacific.net; 462-5278	Proactively manage the water resources of the upper Russian River for the benefit of the people and environment of Mendocino County	White/Orozco	Sean White, Director of Water Resources; 463-5712 swhite@cityofukiah.com
Ukiah Players Theater Board of Directors	3rd Tuesday of month, 6:00 p.m	1041 Low Gap Rd Ukiah, CA 95482 462-1210		1041 Low Gap Rd Ukiah, CA 95482 462-1210	To oversee the activities, organization and purpose of the Ukiah Players Theater	Greg Owen, Airport Manager (appointed 12/19/18)	Kristine Lawler, City Clerk; 463-6217 klawler@cityofukiah.com
Ukiah Unified School District (UUSD) Committee	Quarterly	511 S. Orchard, Ste. D Ukiah, CA 95482		511 S. Orchard Ukiah, CA 95482	Information exchange with UUSD Board Chair, Mayor, Superintendent, and City Manager	Duenas Rodin - Alternate Sage Sangiacomo, City Manager Cedric Crook, Police Chief	Sage Sangiacomo, City Manager; 463-6221 ssangiacomo@cityofukiah.com
REGIONAL	MTG DATE/TIME	LOCATION		MAILING ADDRESS/CONTACT	COMMITTEE FUNCTION	ASSIGNED TO	PRINCIPAL STAFF SUPPORT
Great Redwood Trail Agency	Bi-monthly, 3rd Thursdays, 10:30 a.m.	Various Locations - announced		419 Talmage Road, Suite M Ukiah, CA 95482 463-3280	Provides a unified and revitalized rail infrastructure meeting the freight and passenger needs of the region	Rodin Duenas - Alternate	Neil Davis, Community Services Director 467-5764 ndavis@cityofukiah.com
League of California Cities Redwood Empire Legislative Committee	Prior to Division Meetings, meets 3x in person and then via conference call	Various locations that are announced		Redwood Empire League President; Public Affairs Program Manager (916) 658-8243	Elected city officials and professional city staff attend division meetings throughout the year to share what they are doing and advocate for their interests in Sacramento	Duenas Orozco - Alternate	Sage Sangiacomo, City Manager; 463-6221 ssangiacomo@cityofukiah.com
Russian River Watershed Association (RRWA)	4th Thursday of month, 9:00 a.m. (only 5 times a year)	Windsor Town Hall		Russian River Watershed Association 2235 Mercury Way, Suite 105 Santa Rose, CA 95407 info@rrwatershed.org 707-508-3670 (message only)	Consider issues related to Russian river - plans projects and funding requests	Rodin Sher - Alternate	Tim Eriksen, Public Works Director/City Engineer; 463-6280 teriksen@cityofukiah.com
Northern California Power Agency (NCPA) - Commission	4th Thursday of month, 9:00 a.m. (see NCPA calendar)	Roseville, CA and other locations		651 Commerce Drive Roseville, CA 95678 916-781-4202	Pool of State and local power utilities developing and operating power generation, providing scheduling and related energy services and providing regulatory and legislative support.	Crane - Commissioner Sher - City Council Alternate Sauers - Alternate and Commissioner in absence of Commissioner Crane	Cindi Sauers - Electric Utility Director; 463-6286 csauers@cityofukiah.com
Northern California Power Agency (NCPA) – Lodi Energy Center (LEC) Appointment	2nd Monday of month, 10:00 AM	Lodi, CA and other locations		651 Commerce Drive Roseville, CA 95678 916-781-4299	Committee oversees the operation, maintenance and expenditures of the LEC 300 MW generating project.	Sauers – Project Participate Appointee	Cindy Sauers, Electric Utility Director, 463-6286, csauers@cityofukiah.com
Transmission Agency of Northern California (TANC)	4th Wednesday of month, 10 a.m.	35 Iron Point Circle Suite 225 Folsom, CA		35 Iron Point Cir #225 Folsom, CA 95630 916-852-1673; info@tanc.us	Provide electric transmission to its Member utilities through transmission line ownership or contract arrangements.	Crane Sauers - Alternate	Cindi Sauers - Electric Utility Director; 463-6286 csauers@cityofukiah.com
STANDING COMMITTEES	MTG DATE/TIME	LOCATION		MAILING ADDRESS/CONTACT	COMMITTEE FUNCTION	ASSIGNED TO	PRINCIPAL STAFF SUPPORT
Diversity and Equity	TBD	Virtual Meeting Room (link to be created)		Civic Center 300 Seminary Ave. Ukiah, CA 95482	Improve diversity and equity in the City’s workforce and municipal services	Orozco/Duenas	Traci Boyl, City Manager's Office Management Analyst; 467-5720; tboyl@cityofukiah.com
Fire Executive Committee	2nd Tue, every other month beginning in January; 5:00 p.m.	Ukiah Valley Conference Center, 200 S. School Street Ukiah, CA		Civic Center 300 Seminary Ave. Ukiah, CA 95482 sabba@cityofukiah.com	Per the recently adopted agreement between the City of Ukiah and the Ukiah Valley Fire Protection District	Orozco/Sher	Doug Hutchison, Fire Chief; 463-6263; dhutchison@cityofukiah.com
Countywide Oversight Board to the RDA Successor Agencies	4th Thursday of January, 4:00 p.m.; meets annually	Ukiah Valley Conference Center, 200 S. School Street Ukiah, CA		City of Ukiah ATTN: City Clerk 300 Seminary Ave. Ukiah, CA 95482	Oversee and direct the Successor Agencies of the former redevelopment agencies	Crane	Dan Buffalo, Director of Finance; 463-6220 dbuffalo@cityofukiah.com Kristine Lawler, City Clerk; 463-6217, klawler@cityofukiah.com
Water Executive Committee (Ukiah Valley Water Authority)	1st Tue of each month at 6:00 p.m.	Ukiah Valley Conference Center, 200 S. School Street Ukiah, CA		City of Ukiah ATTN: Sean White 300 Seminary Ave. Ukiah, CA 95482	Oversight of UVWA; set annual budget for the combined water system; Manage rates and collect levies; modify existing water rights for the provision of water service; mediation and dispute resolution;	Crane/Orozco	Sean White, Director of Water Resources; 463-5712 swhite@cityofukiah.com

2024 AD HOC COMMITTEES		
COMMITTEE	ASSIGNED TO	PRINCIPAL STAFF SUPPORT
Electric Grid Operational Improvements	Crane/Orozco	Cindy Sauers, Electric Utility Director; 463-629586 csauers@cityofukiah.com
Trench Cut Policy Development	Crane	Tim Eriksen, Public Works Director/City Engineer; 463-6280 teriksen@cityofukiah.com
Advance Planning & Policy for Sphere of Influence (SOI), Municipal Service Review (MSR), Annexation, Tax Sharing, Detachment, and Out of Area Service Agreements	Crane/Rodin	Craig Schlatter, Community Development Director 463-6219 cschlatter@cityofukiah.com
UVSD/ City Relations <i>Ad hoc committee to address specific issues with the Ukiah Valley Sanitation District, including discussion of overall sewer system service delivery policies, operating policy revisions, potential revisions to the current Operating Agreement, and cost sharing</i>	Crane/Orozco	Dan Buffalo, Director of Finance; 463-6220 dbuffalo@cityofukiah.com Sean White, Water Resources Director 463-5712 swhite@cityofukiah.com
Orr Street Bridge Corridor	Rodin/Sher	Tim Eriksen, Public Works Director/City Engineer; 463-6280 teriksen@cityofukiah.com
Complete Streets	Rodin/Crane	Tim Eriksen, Public Works Director/City Engineer; 463-6280 teriksen@cityofukiah.com Shannon Riley, Deputy City Manager 467-5793 sriley@cityofukiah.com Neil Davis, Community Services Director 467-5764 ndavis@cityofukiah.com
Special Districts (Water District Consolidation)	Orozco/Crane	Shannon Riley, Deputy City Manager 467-5793 sriley@cityofukiah.com
Corp Yard Planning	Crane/Orozco	Jason Benson, Senior Civil Engineer 463-6284 jbenenson@cityofukiah.com
Mendocino County Courthouse Project and Reuse	Sher/Orozco	Shannon Riley, Deputy City Manager 467-5793 sriley@cityofukiah.com
Climate Action Plan <i>Will coordinate with the Community Development Director to identify and assign representation to each of the identified categories, and also coordinate with the Community Development Director and the Climate Action Plan Working Group related to other outreach efforts during the development of the draft municipal Climate Action Plan related to the 2040 General Plan</i>	Sher/Duenas	Craig Schlatter, Community Development Director 463-6219 cschlatter@cityofukiah.com
City's 150-Year Anniversary Planning	Orozco/Rodin	Shannon Riley, Deputy City Manager 467-5793 sriley@cityofukiah.com
Zoning Reform <i>(previously was the Community Development Fee Review ad hoc)</i> <i>function is to explore creation of a new ministerial zoning permit and identify additional zoning streamlining and reform efforts to provide better and more consistent development outcomes</i>	Crane/Orozco	Craig Schlatter, Community Development Director 463-6219 cschlatter@cityofukiah.com
Community Health Needs Assessment (CHNA) Steering Committee <i>assist in the creation of the 2025 CHNA Report for the communities served by the three Adventist Health hospitals in Mendocino County. providing insight, identifying, gathering and analyzing the health needs of our community. Additionally</i>	Rodin/Sher	Jeremy Malin, NP Director of Community Health Analytics Adventist Health Howard Memorial Adventist Health Ukiah Valley Adventist Health Mendocino Coast 978-289-3330; malinj@ah.org
Parks & Recreation Special District Exploration	Rodin/Orozco	Neil Davis, Community Services Director 467-5764 ndavis@cityofukiah.com
Downtown Zoning code	Crane/Rodin	Craig Schlatter, Community Development Director 463-6219 cschlatter@cityofukiah.com
TOT 3% Tax Measure Material Development	Rodin/Sher	Shannon Riley, Deputy City Manager 467-5793 sriley@cityofukiah.com
City Council Handbook Review and Update	Sher	Kristine Lawler, City Clerk 463-6217; klawler@cityofukiah.com