

**CITY OF UKIAH
CITY COUNCIL AGENDA
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
November 16, 2016
6:00 p.m.**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

- a. Status Report, Discussion and Possible Action Regarding the Ukiah Valley Sanitation District's Litigation Against the City of Ukiah Related to the Operation of the Sanitary Sewer System.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

- a. Minutes of November 2, 2016, a Regular Meeting.
- b. Minutes of November 4, 2016, a Special Meeting.
- c. Minutes of November 8, 2016, a Special Meeting.

6. RIGHT TO APPEAL DECISION

Persons who are dissatisfied with a decision of the City Council may have the right to a review of that decision by a court. The City has adopted Section 1094.6 of the California Code of Civil Procedure, which generally limits to ninety days (90) the time within which the decision of the City Boards and Agencies may be judicially challenged.

7. CONSENT CALENDAR

The following items listed are considered routine and will be enacted by a single motion and roll call vote by the City Council. Items may be removed from the Consent Calendar upon request of a Councilmember or a citizen in which event the item will be considered at the completion of all other items on the agenda. The motion by the City Council on the Consent Calendar will approve and make findings in accordance with Administrative Staff and/or Planning Commission recommendations.

- a. Report of Disbursements for the Month of October.
- b. Notification to City Council of the Purchase of SCADA Maintenance Services at the Wastewater Treatment Plant (WWTP) from Telstar Instruments for a Total Not to Exceed \$10,735.71.
- c. Adopt the Ordinance Amending Portions of Ukiah City Code (UCC) Division 3, Chapters 1 and 2 Pertaining to the Adoption of the Building Codes and Amendments Thereof.
- d. Authorize Execution of Amendment to the Agreement with Rau and Associates, Inc. in an Amount Not to Exceed \$9,930 for Additional Design Work for the Smith Street Rehabilitation Project and Approve Budget Amendment.

- e. Approval of Amendment with SHN Consulting Engineers and Geologists for Construction Management and Inspection Services for the North State Street Sewer Main Improvement Project in the Amount of \$4,146 and Approval of Corresponding Budget Amendment.
- f. Adoption of Ordinance Amending Division 6, Chapter 3, Articles 1, 2, and 3 of the Ukiah City Code and Adopting the 2016 California Fire Code.
- g. Authorize Execution of Amendment to the Agreement with SHN in an Amount Not to Exceed \$25,266 for Additional Services for the North State Street - Low Gap Road Storm Drain and Traffic Signal Project and Approve Budget Amendment.

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

The City Council welcomes input from the audience. If there is a matter of business on the agenda that you are interested in, you may address the Council when this matter is considered. If you wish to speak on a matter that is not on this agenda, you may do so at this time. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

9. COUNCIL REPORTS

10. CITY MANAGER/CITY CLERK REPORTS

11. PUBLIC HEARINGS (6:15 PM)

- a. Resolution and Urgency Ordinance, Setting Aside the Costco Wholesale Project's EIR, EIR Addendum, Site Development Permit and Airport Industrial Park Land Use Map Amendment.
- b. Discussion and Direction on Proposed Marijuana Dispensary Ordinance and Negative Declaration and if Appropriate, Continue the Corresponding Public Hearing to a Date Certain to Consider Adoption.
- c. 1) Prop 218 Public Hearing: Adjustments to Rates, Fees, and Charges for Residential Solid Waste Curbside Collection; and 2) Receive "City Manager's Report" on Recommendation of Adjustments to Solid Waste Rates, Fees, and Charges for Residential and Commercial Curbside Collection and Transfer Station Tipping Fee, and Schedule a Second Public Hearing.

12. UNFINISHED BUSINESS

- a. Authorize Execution of Amendment to the Agreement with GHD in an Amount Not to Exceed \$130,746 for Supplemental Design Services for the Redwood Business Park Transportation Improvements and the Talmage Interchange Projects and Approve Budget Amendment.
- b. Approval of Amendment No. 2 to GHD, Inc. in the Amount of \$102,938 for Engineering Design and Construction Oversight Services for Wells #4 and #9 and Corresponding Budget Amendment.
- c. Award of Contract to SMB Environmental for the Preparation of an Environmental Impact Report for the Ukiah Landfill Closure Project in the Amount of \$147,977 and Approval of Corresponding Budget Amendment.

13. NEW BUSINESS

- a. Introduction of the Ordinance Amending Section 2000.3 in Chapter 12 in Division 1 of the Ukiah City Code, Entitled "Ukiah Skate Park Rules And Regulations" Pertaining to Hours of Skate Park Operations.

14. CLOSED SESSION – Closed Session may be held at any time during the meeting.

a. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Cal. Gov't Code Section 54956.9(d)(2) Number of potential cases (1) (Landfill)

b. Conference with Legal Counsel – Existing Litigation

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: *City of Ukiah v. Questex, LTD, et al*, Mendocino County Superior Court, Case No. SCUK- CVPT-15-66036

c. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9(d)(1))

Name of case: *Ukiah Valley Sanitation District v. City of Ukiah*, Sonoma County Superior Court, Case No. SCV 256737

d. Conference with Legal Counsel – Existing Litigation

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: *County of Mendocino v. Solid Waste System, Inc. et al.*, Mendocino County Superior

Court, Case No. SCUK-CVG-11-59459

e. Conference with Legal Counsel – Existing Litigation

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: *Ukiah Citizens for Safety First v. City of Ukiah*, Mendocino County Superior Court, Case No. SCUKCVPT 14-63579

f. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: 429 South Dora St. Ukiah, CA 95482

Negotiator: Sage Sangiacomo, City Manager

Negotiating Parties: City of Ukiah and Ukiah Unified School District

Under Negotiation: Price & Terms of Payment

15. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at the front counter at the Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482, during normal business hours, Monday through Friday, 8:00 am to 5:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

Dated this 10th day of November, 2016.

Kristine Lawler, City Clerk