RESOLUTION NO. 2024-27

RESOLUTION OF APPLICATION OF THE CITY COUNCIL OF THE CITY OF UKIAH FOR THE WESTERN HILLS ANNEXATION AREA, PREZONING FOR THE UKIAH WESTERN HILLS WESTERN HILLS ANNEXATION AND SPHERE OF INFLUENCE AMENDMENT APPLICATION (LAFCO FILE NO. A-2022-02)

WHEREAS:

- 1. On January 16, 2020, the Ukiah City Council adopted an Annexation Policy (Resolution No. 2020-06) stating that the City will pursue, apply for, and support the annexation of unincorporated areas to the City to avoid the negative consequences of continued urban sprawl and to ensure the efficient provision of municipal services to unincorporated areas without placing an undue financial burden on the City or its residents; and
- On October 6, 2021, the City Council adopted Ordinance No. 1217, approving the Ukiah Western Hills Open Land Acquisition & Limited Development Project ("2021 Western Hills Project") to facilitate the acquisition, annexation prezoning, and certification of the associated Initial Study and Mitigated Negative Declaration (ISMND; SCH No. 2021040428); ands
- On March 2, 2022, the City Council approved the Limited Development Agreement and Property Exchange (COU No. 2122-201), and a Road, Access and Maintenance Agreement (COU No. 2122-200) to facilitate the Project; and
- 4. On June 8, 2022, the City of Ukiah applied for annexation of the "2021 Western Hills Project" area to the Mendocino County Local Agency Formation Commission (LAFCo). The application was assigned File No. A-2022-02, and included several unrelated, privately-owned parcels (referred to as the "Clean Up/Correction Parcels") to inform deliberate, correct and appropriate boundaries for the City of Ukiah. Some of these parcels span both City and County jurisdiction. The City proposes to annex them to rectify ongoing jurisdictional considerations and to prevent the creation of an unincorporated island; and
- 5. On December 7, 2022, the City Council adopted Resolution No. 2022-78 and Resolution No. 79, adopting the City's 2040 General Plan and certifying the associated Environmental Impact Report (EIR; SCH No. 2022050556). The 2040 General Plan and EIR identify the Western Hills Annexation Area as one of the three geographies that the City evaluated and intends to pursue for annexation. Under this environmental review, the "Clean-Up Parcels" were analyzed and included, bringing the total Western Hills Annexation Area to 752 acres at that time; and
- 6. On December 19, 2022, LAFCo approved the City's Ukiah Municipal Service Review (MSR) and Sphere of Influence (SOI) Update; and
- 7. In 2023, an additional ±40-acre parcel (APN 003-190-11) directly adjacent to the Western Hills Annexation Area and City's western boundary became available for purchase that was strategically critical to address access considerations and preserve additional openspace; and

- 8. On December 6, 2023, the City of Ukiah adopted Resolution No. 2023-42 to facilitate the purchase and prezoning of APN 003-190-11, as well as to facilitate revisions to LAFCo File. No. A-2022-02 to include a Sphere of Influence (SOI) Amendment; and
- 9. Pursuant to Section 15164 of the CEQA Guidelines, an Addendum to the adopted MND was prepared and adopted by the City of Ukiah as minor changes or additions were necessary and none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR or subsequent MND occurred or were identified; and
- 10. On March 14, 2024, City of Ukiah Staff submitted the revised application to LAFCo; and
- 11. On April 19, 2024, LAFCo provided the City of Ukiah with an 'Incomplete Letter' which requires the City to further codify actions previously approved by the City Council, including adoption of an amended ordinance to effectively prezone all parcels identified for annexation, as well as a revised Resolution of Application to address other considerations identified by LAFCo, such as the need to apply a General Plan Land Use Designation for APN 003-190-11; and
- 12. An amendment to Resolution 2023-42 is required to address considerations identified in the Mendocino LAFCo Incomplete Letter dated April 19, 2024 that the City provide general plan designations and clarify associated exhibits required by California Government Code for the requested annexation and Sphere of Influence Amendment. No changes to the application or project are requested or required.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED:

- This annexation and Sphere of Influence Amendment request is made, and it is requested that proceedings be taken, pursuant to the Cortese/ Knox/ Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code, specifically Government Code § 56654(a).
- 2. This proposal is an annexation and Sphere of Influence Amendment (SOI) to the City of Ukiah.
- Legal descriptions of the affected territories are set forth in Exhibit C, and a list of parcels and maps of the affected territories are set forth in Exhibits A & B, attached hereto and by reference incorporated herein.
- 4. The additional parcel to be annexed is a ±40acre uninhabited parcel that is contiguous to the existing Western Hills Annexation Area and City limits, resulting in a total annexation area of approximately 792 acres.
- 5. APN 003-190-11 is not located within the City's SOI, but is adjacent to the existing City limits and is included in the City's Planning Area.
- 6. The City proposes to prezone APN 003-190-11 a combination of Public Facilities (PF) and Low-Density Residential - Hillside (R1- H), as described in Exhibit A and depicted on the prezoning map in Exhibit B. As visually conveyed on Exhibit B, the portion of the parcel proposed or associated with residential development is prezoned Low-Density Residential

Hillside Overlay (R1-H) and features a Hillside Residential (HR) General Plan – Land Use Designation; the portion of the parcel proposed for public uses is prezoned Public Facilities (PF) and features a General Plan – Land Use Designation: Public (P).

- In accordance with CEQA Guidelines Sections 15162 through 15164, an Addendum to the 2021 Western Hills Project ISMND (SCH No: 2021040428) was previously prepared by the City of Ukiah Community Development Department, Planning Division.
- 8. As discussed in the Planning Commission Staff Report and Addendum, none of the criteria noted in CEQA Guidelines 15162 have occurred, and only minor changes are necessary in order to deem the Addendum to the certified MND adequate. Specifically, there are no substantial changes proposed that require major revisions of the 2021 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Addendum incorporates mitigation identified in the 2021 MND to reduce all impacts to a less than significant level. No new impacts that were not previously discussed in the 2021 MND were identified.
- As discussed throughout the Addendum, staff reports and associated documents, the
 proposal and associated actions are consistent with the City's General Plan, Zoning Code,
 as well as the Government Code and LAFCo policies related to annexation.
- 10. On December 6, 2023, the City Council approved the Western Hills Annexation area amendment, prezoning and associated action, adopting the Addendum (and associated Mitigation Monitoring Reporting Program) to the 2021 Western Hills Project ISMND (SCH No: 2021040428).
- 11. Once the territory is annexed by the City, it will be subject to the Master Tax Share Agreement as adopted by the County of Mendocino on June 5, 2024 and the City of Ukiah on June 19, 2024.

PASSED AND ADOPTED this 19th day of June 2024, by the following roll call vote:

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

NOES: None

ABSENT: Councilmember Sher

ABSTAIN: None

ATTEST:

Kristine Lawler, CMC/City Clerk

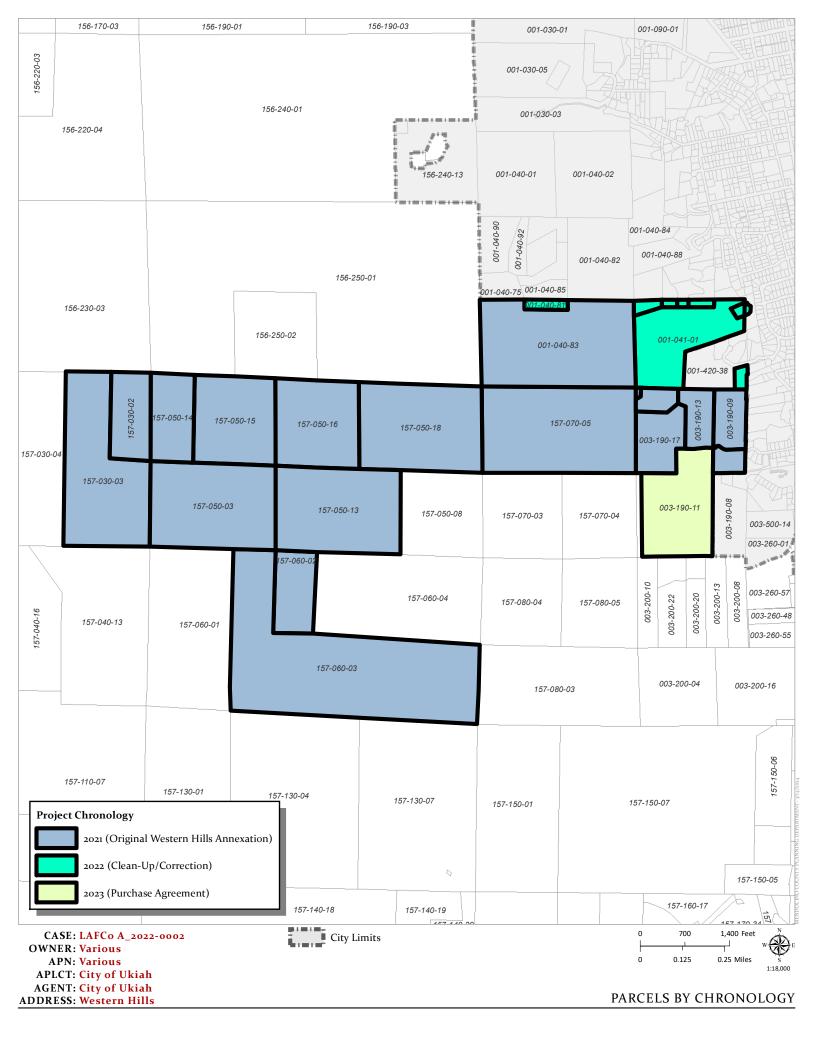
Exhibit A: List of Parcels

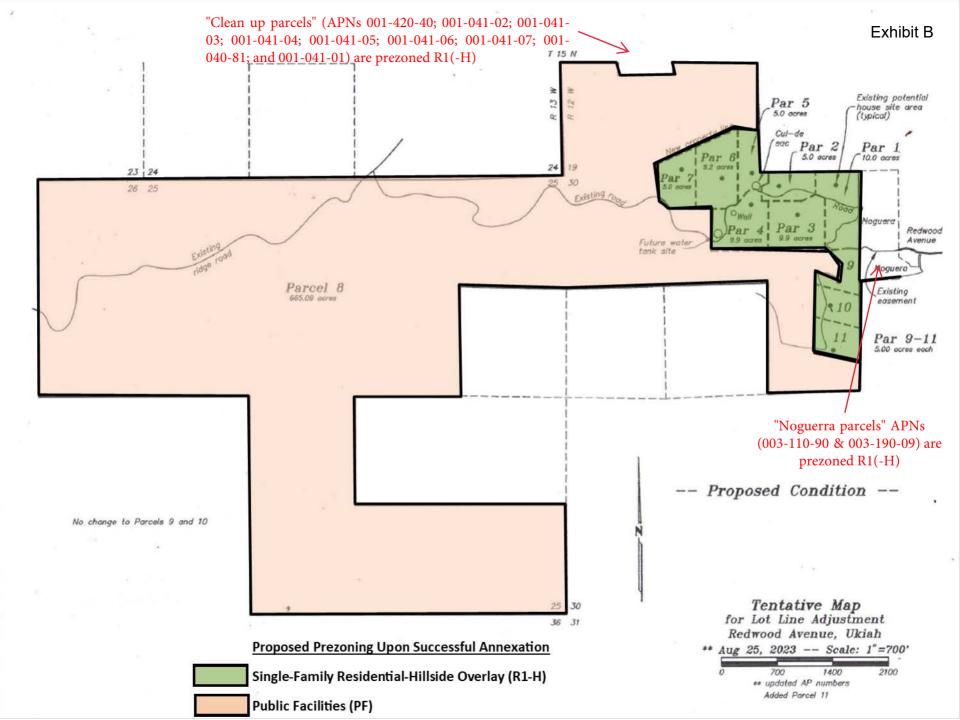
Exhibit B: Prezone & General Plan Designation Map

Exhibit C: A-2022-02 Legal Description & Plats - Updated (June 2024)

ANNEXATION PARCEL	CURRENT APNs	SITUS	OWNER	CURRENT ACREAGE	PROPOSED ACREAGE	COUNTY ZONING	UKIAH PROPOSED GENERAL PLAN	UKIAH PROPOSED ZONING	SANITATION	WATER
003-110-90 (Private)	003-110-90	620 Redwood Ave.	Adonis & Sarah Noguera	4.14	4.14	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	CoU; UVSD	CoU; None
003-190-09 (Private)	003-190-09	620 Redwood Ave.	Adonis & Sarah Noguera	10.2	10.2	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	None
001-420-40 (Private)	001-420-40	145 Mendocino Place	Robert R Beltrami	1.49	1.49	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU
001-041-02 (Private)	001-041-02	500 Lookout Dr.	Grayden Huff	1.33	1.33	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-03 (Private)	001-041-03	4 Lookout Dr.	Amanda Reiman	0.66	0.66	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-04 (Private)	001-041-04	3 Lookout Dr.	Amanda Reiman	0.48	0.48	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-05 (Private)	001-041-05	2 Lookout Dr.	Marlene Werra TTEE	1.13	1.13	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-06 (Private)	001-041-06	415 Hillview Ave.	Marlene Werra TTEE	0.74	0.74	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-01 (Private)	001-041-01	TBD	Marlene Werra TTEE	35.5	35.5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	None
001-040-81 (Private)	001-040-81	335 Janix Dr.	William Edwards	2.4	2.4	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	CoU; None	CoU; None
Development Agreement - Parcel 1	003-190-13	TBD	D&J Investments, LLC	10	10	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 2	003-190-15	TBD	D&J Investments, LLC	5	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 3	157-050-18; 157-070-05; 003-190-16; 003-190-17	TBD	D&J Investments, LLC	153.2	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 4	001-040-83	TBD	D&J Investments, LLC	77.6	9.9	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 5	157-050-16	TBD	D&J Investments, LLC	40.3	9.9	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 6	157-050-15	TBD	D&J Investments, LLC	40.4	9.2	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 7	157-030-02; 157-050-14	TBD	D&J Investments, LLC	40.2	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 8	157-050-13; 157-060-02	TBD	City of Ukiah	78.4	665.09	Upland Residential (UR:40)	Public (P)	PF - Public Facility (Open Space)	UVSD; None	None
Development Agreement - Parcel 9	157-030-03	TBD	D&J Investments, LLC	60	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 10	157-050-03; 157-060-03	TBD	D&J Investments, LLC	188.57	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 11	003-190-11	TBD	D&J Investments, LLC	40	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared

2021 Western Hills - Annexation Parcel	
(Original)	
2022 Western Hills - Correction/Clean-	
Up Parcels	
2023 Western Hills - Purchase	
Agreement	





LEGAL DESCRIPTION CITY OF UKIAH - WESTERN HILLS ANNEXATION (LAFCO FILE No. A-2022-02)

All that certain real property situated in the unincorporated area of Mendocino County, State of California, being portions of Sections 19 and 30 of Township 15 North, Range 12 West and Sections 25 and 26 of Township 15 North, Range 13 West, Mount Diablo Base and Meridian and as shown on that certain map entitled "YOKAYO RANCHO" redrawn (August 1971) from the Original Map made in 1886-1870 by Charles T. Healey and as shown on the General Land Office Survey, Map of Rancho Yokayo, Mendocino County Records (M.C.R), more particularly described as follows:

COMMENCING at a United States National Geodetic Survey Station, being a 3-1/4" aluminum disc marked "CA DOT-101 MEN 25.13"; thence South 45°45'43" West 9,627.99 feet to the southeast corner of Lot 3 of said Section 19, being an angle point on the City of Ukiah Boundary Line, said City Boundary Line is coincident with portions of said Rancho Yokayo Boundary, said angle point also being the **POINT OF BEGINNING**; thence from said Point of Beginning, along said City of Ukiah boundary line, the following thirteen (13) courses:

- North 88°45'25" East 1279.45 feet to the northeast corner of Lot 4 of said Section 19, from which a 2.5" aluminum disc marked "DOT / HPGN DCA 01 CG" bears S24°58'39" East 18128.70 feet, thence continuing along said City Limit line, and the east line of said Lot 4;
- 2. South 01°48'09" East 522.09 feet, to the northeast corner of Barnette Subdivision, as shown on the Map filed in Map Case 1, Drawer 10, at Page 78, M.C.R., thence continuing along said City of Ukiah boundary line the following eleven (11) courses;
- 3. (1) South 71°03'48" West 520.95 feet,
- 4. (2) South 70°00'17" West 472.11 feet;
- 5. (3) South 00°16'47" East 553.01 feet; to the south line of said Section 19; thence along said south line of said Section 19;
- 6. (4) North 88°58'48" East 765.20 feet, thence leaving said south line of Section 19, continuing along said City of Ukiah Boundary line;

- 7. (5) North 00°06'17" West 298.15 feet;
- 8. (6) North 76°10'00" East 191.28 feet;
- 9. (7) South 00°30'42" East 346.50 feet
- 10. (8) South 00°31'39" West 730.11 feet;
- 11. (9) South 00°15'47" West 621.60 feet;
- 12. (10) North 89°38'45" West 515.18 feet;
- 13.(11) South 00°23'02" West 1304.48 feet, to the south line of the southwest one-quarter of the northeast one-quarter of Section 30, thence leaving said south line and said City of Ukiah Boundary line, the following fifteen (15) courses;
- 14. (1) South 89°23'43" West 1160.71 feet along said south line of the southwest one-quarter of the northeast one-quarter of Section 30, thence leaving said south line;
- 15. (2) North 00°30'03" West 1326.06 feet to the south line of the north one-half of the northeast one-quarter of said Section 30, thence;
- 16. (3) North 89°13'17" West 3678.76 feet, along the south line of said north one-half of the northeast one-quarter of said Section 30, also being the south line of the north one-half of the northwest one-quarter of said Section 30, to the northeast one-sixteenth corner of said Section 25, thence;
- 17. (4) South 00°45'13" West 1331.19 feet along the east line of the southwest onequarter of the northeast one-quarter of said Section 25 to the east one-sixteenth corner of said Section 25;
- 18. (5) North 86°25'07" West 1310.42 feet along the south line of the northeast one-quarter of said Section 25 to the center one-quarter corner of said Section 25;
- 19. (6) South 02°10'53" West 1187.06 feet along the east line of the southwest onequarter of said Section 25 to the south one-sixteenth corner of said Section 25;
- (7) South 88°38'24" East 2558.66 feet along the north line of the south one-half of the southeast one-quarter of said Section 25 to the south one-sixteenth corner of said Section 25;
- 21. (8) South 01°22'47" West 1226.43 feet along the east line of said Section 25 to the common corner of said Sections 25, 30, 31 & 36;
- 22. (9) North 89°39'49" West 2490.35 feet along the south line of said Section 25 to the south one-sixteenth corner of said Section 25;

- 23. (10) North 89°39'49" West 1343.99 feet continuing along the south line of said Section 25 to the south one-sixteenth corner of said Section 25:
- 24. (11) North 00°59'04" East 2481.81 feet along the west line of the east one-half of the southwest one-quarter of said Section 25 to the west one-sixteenth corner of said Section 25;
- 25.(12) South 89°55'02" West 1305.40 along the south line of the northwest onequarter of said Section 25 to the one-quarter corner of said Sections 25 & 26;
- 26. (13) North 89°16'54" West 1349.43 feet along the south line of the northeast onequarter of said Section 26;
- 27.(14) North 00°49'21" East 2728.12 feet along the west line of the east one-half of the northeast one-quarter of said Section 26, to the north one-sixteenth corner of said Section 26;
- 28. (15) South 89°15'56" East 1328.64 feet along the north line of said Section 26 to the common corner of said Sections 23, 24, 25 & 26, thence along the north line of said Section 25 the following four (4) courses:
- 29.(1) South 87°41'27" East 1326.72 feet to the west one-sixteenth corner of said Section 25;
- 30.(2) South 88°18'03" East 1278.82 feet to the north one-quarter corner of said Section 25;
- 31.(3) South 87°28'48" East 1293.39 feet along the north line of said Section 25 to the east one-sixteenth corner of said Section 25;
- 32. (4) South 85°33'43" East 1209.00 feet to the common corner of said Sections 19, 24, 25 and 30, thence;
- 33. North 01°02'47" West 1380.30 feet along the west line of the south one-half of the southwest one-quarter of said Section 19, to the northwest corner of the south one-half of the south one-quarter corner of said Section 19, thence;
- 34. South 89°57'53" East 2389.07 feet along the north line of the south one-half of the southwest one-quarter of said Section 19, thence continuing;
- 35. North 88°45'25" East 524.60 feet along the north line of the south one-half of the southwest one-quarter of said Section 19 to said **POINT OF BEGINNING.**

Total Annexation Area contains approximately 789 acres, more or less.

The Basis of Bearings for this description is based on NAD 83, California Coordinate System (CCS83), Zone 2 (2010.00 epoch) using the two found National Geodetic Survey monuments designated "101 MEN 25.13" and "HPGN D CA 01 CG" said bearing being South 05°01'58" East.

The purpose of this description is for annexation purposes and to comply with the State Board of Equalization's "Written Legal (Cadastral/Geodetic) Description Requirements". This description is to be used to establish geodetic position only and is not intended to establish property ownership.

See Exhibit "A", Plat to accompany description, attached hereto and made a part hereof.

This legal description was prepared by me or under my supervision pursuant to Section 8729 (2) of the Professional Land Surveyors Act.

Lester E. Carter Jr., CA. LS No 6148

5/10/2024

Date

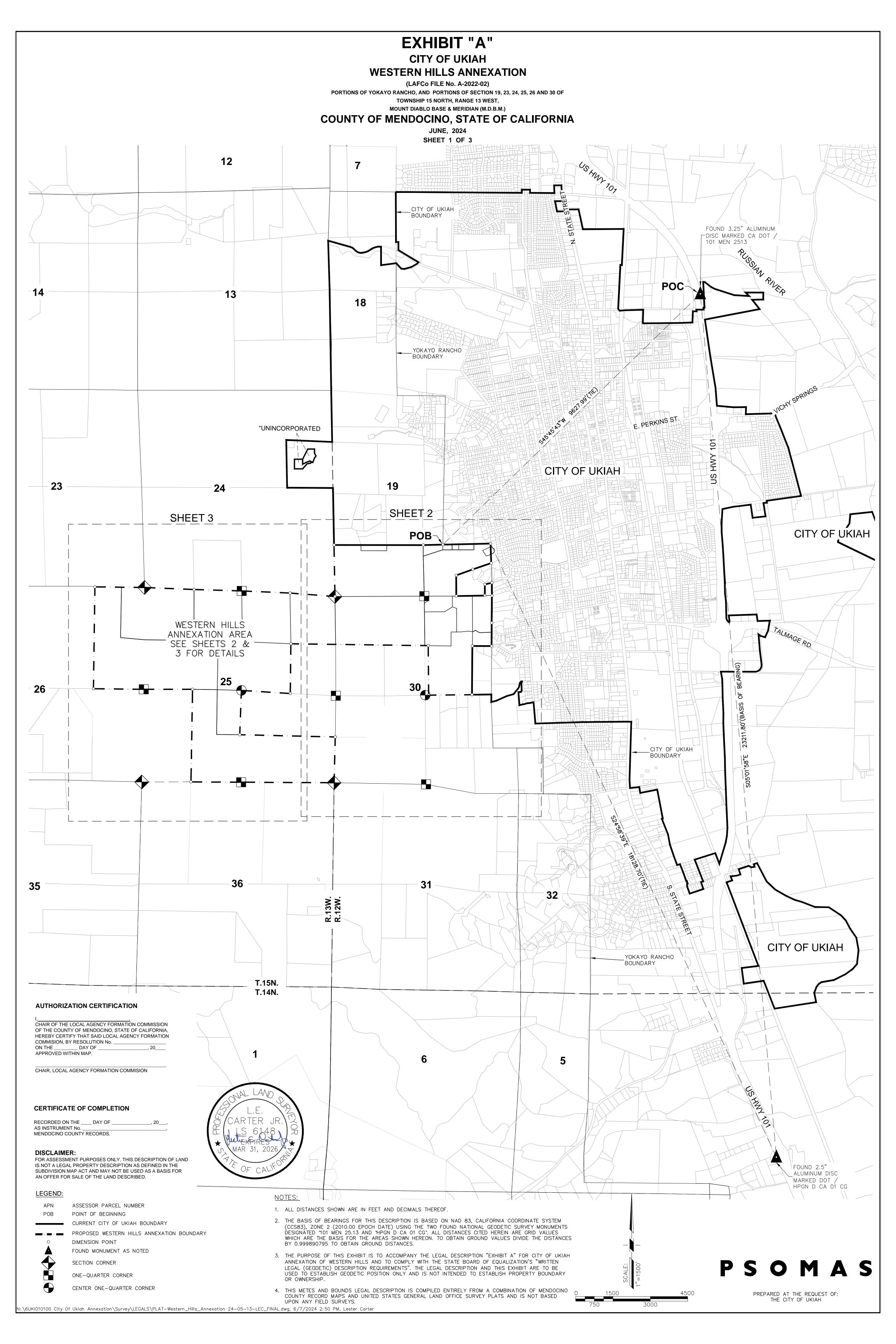


EXHIBIT "A"

CITY OF UKIAH

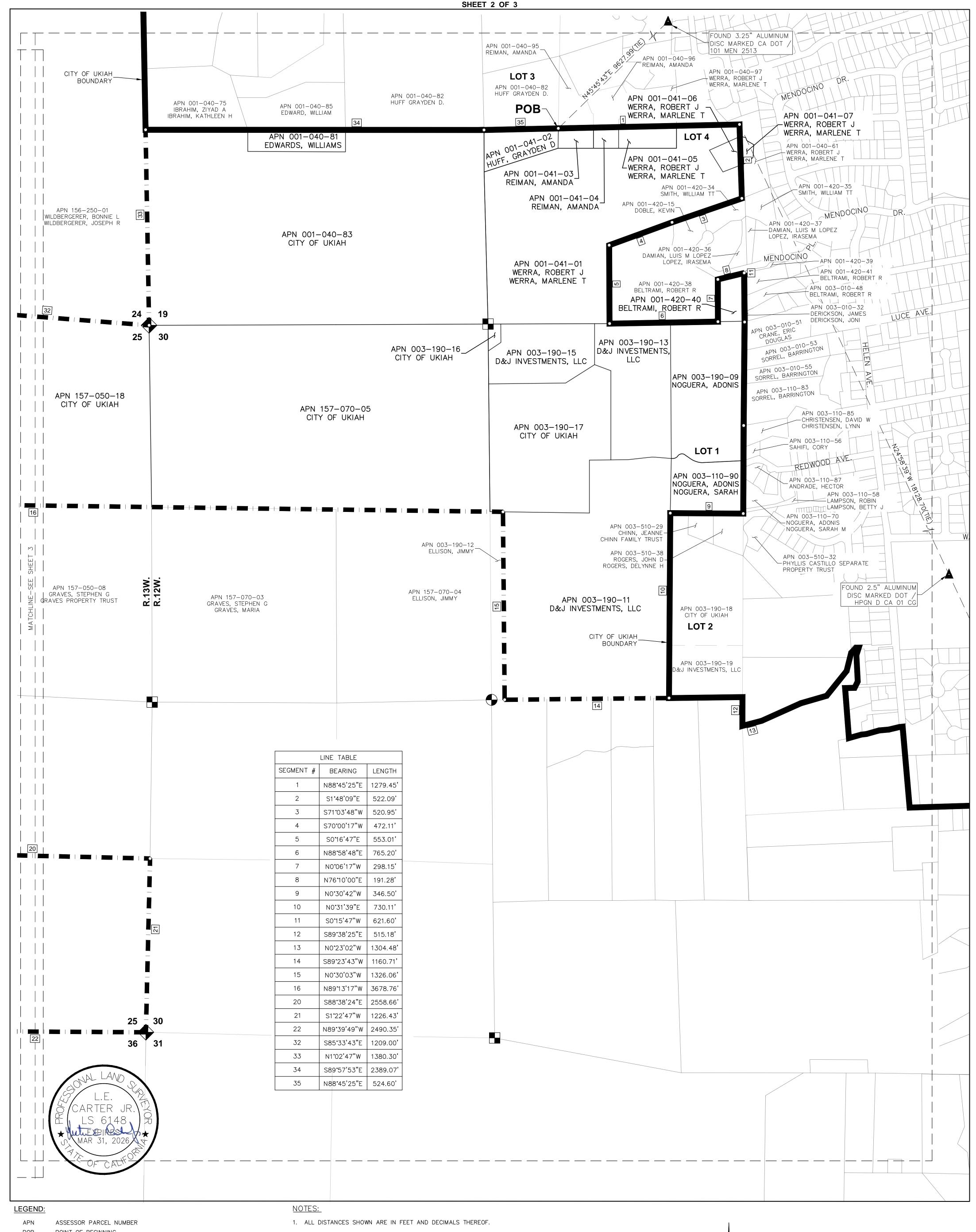
WESTERN HILLS ANNEXATION

(LAFCo FILE No. A-2022-02) PORTIONS OF YOKAYO RANCHO, AND PORTIONS OF SECTION 19, 23, 24, 25, 26 AND 30 OF

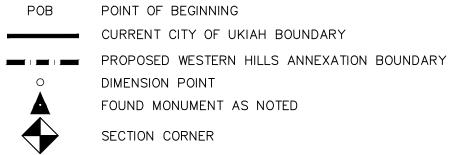
> TOWNSHIP 15 NORTH, RANGE 13 WEST, **MOUNT DIABLO BASE & MERIDIAN (M.D.B.M.)**

COUNTY OF MENDOCINO, STATE OF CALIFORNIA

JUNE, 2024





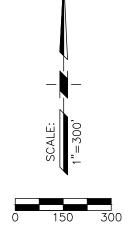


CENTER ONE-QUARTER CORNER

ONE-QUARTER CORNER

- 2. THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS BASED ON NAD 83, CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE 2 (2010.00 EPOCH DATE) USING THE TWO FOUND NATIONAL GEODETIC SURVEY MONUMENTS DESIGNATED "101 MEN 25.13 AND "HPGN D CA 01 CG". ALL DISTANCES CITED HEREIN ARE GRID VALUES WHICH ARE THE BASIS FOR THE AREAS SHOWN HEREON. TO OBTAIN GROUND VALUES DIVIDE THE DISTANCES BY 0.999890795 TO OBTAIN GROUND DISTANCES.
- 3. THE PURPOSE OF THIS EXHIBIT IS TO ACCOMPANY THE LEGAL DESCRIPTION "EXHIBIT A" FOR CITY OF UKIAH ANNEXATION OF WESTERN HILLS AND TO COMPLY WITH THE STATE BOARD OF EQUALIZATION'S "WRITTEN LEGAL (GEODETIC) DESCRIPTION REQUIREMENTS". THE LEGAL DESCRIPTION AND THIS EXHIBIT ARE TO BE USED TO ESTABLISH GEODETIC POSITION ONLY AND IS NOT INTENDED TO ESTABLISH PROPERTY BOUNDARY OR OWNERSHIP.
- 4. THIS METES AND BOUNDS LEGAL DESCRIPTION IS COMPILED ENTIRELY FROM A COMBINATION OF MENDOCINO COUNTY RECORD MAPS AND UNITED STATES GENERAL LAND OFFICE SURVEY PLATS AND IS NOT BASED

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PSOMAS

PREPARED AT THE REQUEST OF: THE CITY OF UKIAH

EXHIBIT "A"

CITY OF UKIAH

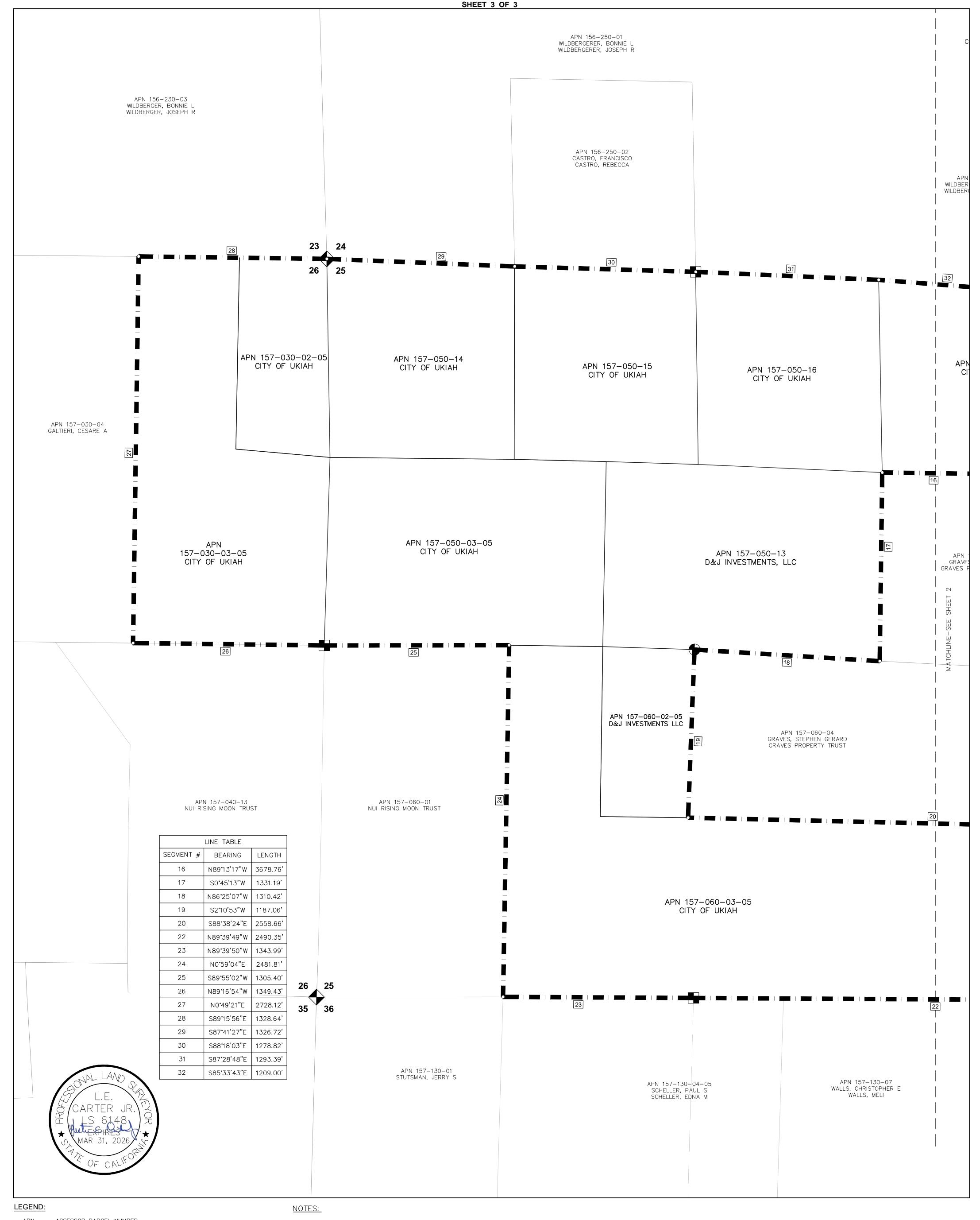
WESTERN HILLS ANNEXATION

(LAFCo FILE No. A-2022-02)
PORTIONS OF YOKAYO RANCHO, AND PORTIONS OF SECTION 19, 23, 24, 25, 26 AND 30 OF
TOWNSHIP 15 NORTH, RANGE 13 WEST,

COUNTY OF MENDOCINO, STATE OF CALIFORNIA

MOUNT DIABLO BASE & MERIDIAN (M.D.B.M.)

JUNE, 2024



APN ASSESSOR PARCEL NUMBER

POB POINT OF BEGINNING

CURRENT CITY OF UKIAH BOUNDARY

PROPOSED WESTERN HILLS ANNEXATION BOUNDARY
DIMENSION POINT

DIMENSION POINT
FOUND MONUMENT AS NOTED

SECTION CORNER

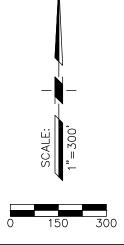
ONE-QUARTER CORNER

CENTER ONE-QUARTER CORNER

- 1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
- 2. THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS BASED ON NAD 83, CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE 2 (2010.00 EPOCH DATE) USING THE TWO FOUND NATIONAL GEODETIC SURVEY MONUMENTS DESIGNATED "101 MEN 25.13 AND "HPGN D CA 01 CG". ALL DISTANCES CITED HEREIN ARE GRID VALUES WHICH ARE THE BASIS FOR THE AREAS SHOWN HEREON. TO OBTAIN GROUND VALUES DIVIDE THE DISTANCES BY 0.999890795 TO OBTAIN GROUND DISTANCES.
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- 4. THIS METES AND BOUNDS LEGAL DESCRIPTION IS COMPILED ENTIRELY FROM A COMBINATION OF MENDOCINO COUNTY RECORD MAPS AND UNITED STATES GENERAL LAND OFFICE SURVEY PLATS AND IS NOT BASED

UPON ANY FIELD SURVEYS.

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P S O M A S

PREPARED AT THE REQUEST OF: THE CITY OF UKIAH