



City of Fort Bragg

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Meeting Agenda City Council

**THE FORT BRAGG CITY COUNCIL MEETS CONCURRENTLY
AS THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT
NO. 1 AND THE FORT BRAGG REDEVELOPMENT SUCCESSOR
AGENCY**

Tuesday, October 10, 2023

6:00 PM

Town Hall, 363 N. Main Street and Via Video
Conference

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COUNCILMEMBERS PLEASE TAKE NOTICE

Councilmembers are reminded that pursuant to the Council policy regarding use of electronic devices during public meetings adopted on November 28, 2022, all cell phones are to be turned off and there shall be no electronic communications during the meeting. All e-communications such as texts or emails from members of the public received during a meeting are to be forwarded to the City Clerk after the meeting is adjourned.

ZOOM WEBINAR INVITATION

This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.

You are invited to a Zoom webinar.

When: Oct 10, 2023 06:00 PM Pacific Time (US and Canada)

Topic: City Council Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81278043596>

Webinar ID: 812 7804 3596

To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Mayor or Acting Mayor calls for public comment on the item you wish to address.

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [23-309](#) Presentation of Proclamation Declaring October 2023 as Domestic Violence Awareness Month

Attachments: [11-Domestic Violence Awareness Month](#)

- 1B. [23-314](#) Presentation of Proclamation Declaring October 9, 2023 as Indigenous Peoples Day
Attachments: [12- Indigenous Peoples Day](#)
- 1C. [23-332](#) Presentation of Proclamation In Loving Memory of City Clerk June Lemos
Attachments: [13-Recognizing City Clerk June Lemos](#)
- 1D. [23-333](#) Presentation of Proclamation in Loving Memory of Dannie Orsi
Attachments: [14- Recognizing Dannie Orsi](#)

2. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS

MANNER OF ADDRESSING THE CITY COUNCIL: All remarks and questions shall be addressed to the City Council; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Mayor or Acting Mayor. Public comments are restricted to three (3) minutes per speaker.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Mayor or Acting Mayor may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Mayor or Acting Mayor, may speak on any topic that may be a proper subject for discussion before the City Council for such period of time as the Mayor or Acting Mayor may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.

BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Council's response to questions and requests made during this comment period.

WRITTEN PUBLIC COMMENTS: Written public comments received after agenda publication are forwarded to the Councilmembers as soon as possible after receipt and are available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be submitted to City Clerk, cityclerk@fortbragg.com.

3. STAFF COMMENTS

4. MATTERS FROM COUNCILMEMBERS

5. CONSENT CALENDAR

All items under the Consent Calendar will be acted upon in one motion unless a Councilmember requests that an individual item be taken up under Conduct of Business.

- 5A. [23-312](#) Accept Certificate of Completion for Corp Yard Roof Project and Direct City Clerk to File Notice of Completion
Attachments: [Notice of Completion - PWP-00128](#)
[Att 1 - Exhibit A - Certificate of Completion](#)
- 5B. [23-315](#) Adopt City Council Resolution Authorizing the City Manager to Execute Contract Amendment with Miller Marine Science & Consulting for the Preparation of a Mitigated Negative Declaration for the Oneka Desalination Buoy Project (Amount Not to Exceed \$50,000, Account 651-6129-0731)
Attachments: [RESO Miller Marine Sciences CEQA](#)
- 5C. [23-316](#) Adopt City Council Resolution Approving Contract Amendment with Burke, Williams & Sorensen, LPP for Legal Counsel in Filing of Eminent Domain Proceedings for Reconstruction of the City's Raw Water Line, Increasing the Amount Not to Exceed \$60,000 and Approve Budget Amendment 2023/24-07 (Account No. 651-6007-0310)
Attachments: [RESO BWS Law Offices Amendment 2](#)
[Budget Amendment 2023-24-07](#)
- 5D. [23-317](#) Adopt City Council Resolution of Summarily Vacating a Right of Way Located at Property Adjacent to 31400 Sherwood Road that is not Needed for Public Purposes and Making a Determination that the Project is Exempt from CEQA
Attachments: [RESO Vacation of Right of Way](#)
[Exhibit A R/W Description](#)
[Exhibit B AP Map](#)
[Public Comment Item 5D](#)
- 5E. [23-318](#) Adopt City Council Resolution Designating Director and Alternate Director to Represent the City of Fort Bragg on the California Intergovernmental Risk Authority (CIRA) Board of Directors
Attachments: [RESO CIRA Representatives](#)
- 5F. [23-326](#) Approve Letter of Support for Noyo Harbor District's Grant Application
Attachments: [10102023 Letter of Support Noyo Harbor](#)
- 5G. [23-329](#) Approve Minutes of August 14, 2023
Attachments: [CCM20230814](#)
- 5H. [23-331](#) Approve Minutes of September 25, 2023
Attachments: [CCM20230925](#)

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

7. PUBLIC HEARING

When a Public Hearing has been underway for a period of 60 minutes, the Council must vote on whether to continue with the hearing or to continue the hearing to another meeting.

8. CONDUCT OF BUSINESS

- 8A. [23-247](#)** Receive Report and Consider Adoption of City Council Resolution Approving Cooperative Agreement with Housing Mendocino Coast

Attachments: [10102023 HMC Staff Report](#)
[Att 1 - HMC Strategic Plan](#)
[Att 2 - PLHA 5-Year Plan](#)
[Att 3 - Articles of Incorporation](#)
[Att 4 - Cooperative Agreement](#)
[Att 5 - Resolution](#)

- 8B. [23-325](#)** Receive Report and Consider Adoption of City Council Resolution Approving Contract Amendment With HDR Engineering Inc. for the Water Treatment Plant Rehabilitation Project for Bid and Construction Services, Project NO. WTR-00017, Increasing the Amount of the Design Contract With HDR Engineering, Inc., and Authorizing City Manager to Execute Same (Amount Not to Exceed \$576,513); (Account 615-6006-0731)

Attachments: [10102023 Water Treatment Plant Design Amendment Staff Report](#)
[Att 1 - RESO HDR Water Treatment Rehabilitation Project](#)
[Att 2 - Budget Amendment 2023-XX - HDR](#)
[HDR Scope of Work](#)

9. CLOSED SESSION

- 9A. [23-321](#)** CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Gov't Code Section 54956.9: (one case)

- 9B. [23-322](#)** PUBLIC EMPLOYMENT. Gov't Code Section 54957 (b). Title: City Manager

Attachments: [Public Comment Item 9B](#)
[public comment item 9B](#)

- 9C. [23-323](#)** PUBLIC EMPLOYMENT. Gov't Code Section 54957 (b). Title: City Clerk

Attachments: [Public Comment -- 10_10_23 CC Mtg., Item No. 9C...](#)

- 9D. [23-324](#)** CONFERENCE WITH LEGAL COUNSEL--Existing Litigation Pursuant to Paragraph (1) of Subdivision (d) of Gov. Code Section 54956.9. City of Fort Bragg v. Mendocino Railroad

ADJOURNMENT

The adjournment time for all Council meetings is no later than 10:00 p.m. If the Council is still in session at 10:00 p.m., the Council may continue the meeting upon majority vote.

**NEXT REGULAR CITY COUNCIL MEETING:
6:00 P.M., MONDAY, October 23, 2023**

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on October 5, 2023.

Cristal Munoz,
Acting City Clerk

NOTICE TO THE PUBLIC:

DISTRIBUTION OF ADDITIONAL INFORMATION FOLLOWING AGENDA PACKET DISTRIBUTION:

- *Materials related to an item on this Agenda submitted to the Council/District/Agency after distribution of the agenda packet are available for public inspection upon making reasonable arrangements with the City Clerk for viewing same during normal business hours.*
- *Such documents are also available on the City of Fort Bragg’s website at <https://city.fortbragg.com> subject to staff’s ability to post the documents before the meeting.*

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).