



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**

Monday, September 27, 2021

6:00 PM

Via Video Conference

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PLEASE TAKE NOTICE

Due to state and county health orders and to minimize the spread of COVID-19, City Councilmembers and staff will be participating in this meeting via video conference. The Governor's executive Orders N-25-20, N-29-20, N-08-21 and N-15-21 suspend certain requirements of the Brown Act and allow the meeting to be held virtually.

The meeting will be live-streamed on the City's website at <https://city.fortbragg.com/> and on Channel 3. Public Comment regarding matters on the agenda may be made by joining the Zoom video conference and using the Raise Hand feature when the Mayor or Acting Mayor calls for public comment. Any written public comments received after agenda publication will be forwarded to the Councilmembers as soon as possible after receipt and will be available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, California. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except those written 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 June Lemos at jlemos@fortbragg.com.

ZOOM WEBINAR INVITATION

*You are invited to a Zoom webinar.
When: Sep 27, 2021 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/88637162629>
Or Telephone:
US: +1 720 707 2699 or +1 253 215 8782 (*6 mute/unmute, *9 raise hand)
Webinar ID: 886 3716 2629*

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. [21-491](#) Presentation of Proclamation Recognizing the Week of September 26, 2021 as Banned Books Week

Attachments: [16 - Banned Books Week](#)

- 1B. [21-511](#) Presentation of Proclamation Recognizing September 15 - October 15 as Latino Heritage Month

Attachments: [17-Latino Heritage Month](#)

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.

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. [21-492](#) Adopt by Title Only and Waive the Second Reading of Ordinance 971-2021 Adding Chapter 7.18 (Feeding of Wildlife) to Title 7 (Animals) of the City of Fort Bragg Municipal Code to Prevent the Feeding of Wildlife in the City of Fort Bragg.

Attachments: [ORD 971-2021 Wildlife Feeding](#)

- 5B. [21-506](#) Adopt City Council Resolution Establishing a City of Fort Bragg Master Salary Rate Compensation Plan Confirming the Pay Rates/Ranges for All City of Fort Bragg Established Classifications

Attachments: [RESO Master Salary Compensation Schedule Analyst](#)
[Exhibit A Compensation Schedule 09262021 Adjust Analyst Positions](#)

- 5C. [21-512](#) Adopt City Council Resolution Making the Legally Required Findings to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency

Attachments: [RESO Authorize Remote Meetings](#)
[Executive Order N-15-21](#)
[Gov Code Section 54953](#)
[Fort Bragg - AB 361 - Remote Meetings](#)
[Public Comment 5C](#)

- 5D. [21-514](#) Approve Third Amendment to City Manager Employment Agreement

Attachments: [835 Miller Agreement 3rd Amendment](#)

- 5E. [21-489](#) Receive and File Minutes of the April 14, 2021 Finance and Administration Committee Meeting

Attachments: [FAC 04142021](#)

- 5F. [21-490](#) Receive and File Minutes of the August 12, 2021 Public Works and Facilities Committee Meeting

Attachments: [PWF Committee Meeting Minutes 08122021](#)

- 5G. [21-510](#) Approve Minutes of Special Meeting of September 20, 2021

Attachments: [CCM2021-09-20_Special](#)

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. [21-497](#) Receive Report and Consider Adoption of Urgency Ordinance No. 972-2021 Placing a 45-Day Moratorium on the Approval of Applications and Permits for Cannabis Dispensaries in the Inland Zoning Area

Attachments: [09272021 Moratorium Cannabis Dispensary in CBD](#)
[Att 1 - ORD 972 Moratorium on Cannabis Dispensaries](#)
[Cannabis Moratorium](#)
[Public Comment 8A](#)

- 8B. [21-508](#) Receive Report and Consider Establishing an Underground Utility District to Secure Rule 20 Work Credits and Avoid Becoming an Inactive District

- Attachments:** [09272021 Rule 20 District Report](#)
[ATT 1 – Electric Rule No. 20 Information Sheet](#)
[ATT 2 - Sample PG&E Provided Template Resolution](#)
[ATT 3 – Potential Underground Utility Districts](#)
[Public Comment 8B](#)

8C. [21-504](#) Receive Report and Consider Adoption of City Council Resolution Approving a One-time Contribution to Mendocino Solid Waste Management Authority (MSWMA)

- Attachments:** [09272021 MSWMA Payment Request](#)
[Att. 1 - RESO MSWMA 1X Payment](#)
[Att. 2 - Letter from MSWMA Board](#)
[Att. 3 - MSWMA Profit & Loss 2015-2021](#)
[Att. 4 - TAC Proposed Options](#)

9. CLOSED SESSION

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., TUESDAY, OCTOBER 12, 2021**

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 September 23, 2021.

June Lemos, CMC
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).