



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, November 22, 2021

6:00 PM

Via Video Conference

AMENDED

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, 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: Nov 22, 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/87424699398>

Or Telephone:

*US: +1 253 215 8782 or +1 346 248 7799 (*6 mute/unmute; *9 raise hand)*

Webinar ID: 874 2469 9398

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

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. [21-585](#)** Adopt City Council Resolution Authorizing City Manager to Execute Budget Amendment No. 2022-11 to Appropriate Funds to Incorporate Alley Pavement Conditions Evaluation into the Annual Pavement Management Program Update Transferring Funds From Fund 250 to the Streets Maintenance Department Professional Services (Account 110-4520-0319) for a Total Contract Amount Not to Exceed \$11,200.00

Attachments: [RESO PMP to Add Alleys BA No.#](#)

[Att 1 - RESO Ex A - Amendment 2022-11](#)

[Att 2 - MCOG-NCE Contract Amendment](#)

[Att 3 - MCOG Work Program Element 10 FY20-21](#)

- 5B. [21-588](#)** Adopt City Council Resolution Continuing the Temporary Waiver of the City of Fort Bragg General Plan Maintenance Fee

Attachments: [RESO General Plan Maintenance Fee Waiver](#)

- 5C. [21-589](#)** Approve Scope of Work for Request for Proposals for Professional Services to Conduct Analysis Regarding the City's General Plan Maintenance Fee

Attachments: [RFP - General Plan Maintenance Fee Study](#)

- 5D. [21-591](#) Adopt City Council Resolution Authorizing Application Submittal to United States Environmental Protection Agency for Targeted Brownfield Assessment Funds
- Attachments:** [RESO EPA Grant Application](#)
[Att 1 - EPA Brownfield Program](#)
- 5E. [21-593](#) Adopt City Council Resolution Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency
- Attachments:** [RESO Authorize Continued Remote Meetings](#)
- 5F. [21-594](#) Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg
- Attachments:** [RESO Declaring Continuing Local Emergency](#)
- 5G. [21-602](#) Adopt City Council Resolution Approving the Four Applications for Funding and Execution of Agreements and Any Amendments Thereto from the United States Department of Agriculture's Community Facility Grants Program
- Attachments:** [RESO Agriculture Grant Program](#)
- 5H. [21-603](#) Adopt City Council Resolution Approving an Agreement with Regional Government Services (RGS) to Conduct a Classification and Compensation Study and Authorizing the City Manager to Execute Contract (Total Amount Not to Exceed \$34,900; Account No. 110-4130-0319) and Approving Budget Amendment No. 2022-13
- Attachments:** [RESO RGS Class & Comp Study](#)
[RESO Ex A - Budget Amendment 2022-13](#)
[RGS Class & Comp Study Contract](#)
- 5I. [21-606](#) Adopt Joint City Council/Municipal Improvement District Resolution Approving Budget Amendment 2022-12 to the Fiscal Year 2021-2022 Budget
- Attachments:** [RESO Budget Amendment 2022-12](#)
[Exhibit A Budget Amendment 2022-12](#)
- 5J. [21-590](#) Approve Minutes of November 8, 2021
- Attachments:** [CCM2021-11-08](#)
- 5K. [21-612](#) Approve City Council Letter in Opposition to Mendocino Railway U.S. Department of Transportation Railroad Rehabilitation & Improvement Financing Loan
- Attachments:** [11-22-2021 Skunk Train](#)
[Public Comment 5K](#)
- 5L. [21-610](#) Adopt City Council Resolution Approving Professional Services Agreement for the Preparation of a Preliminary Engineering Report (35%) to Establish

Municipal Broadband Utility Serving Fort Bragg and Authorizing City Manager To Execute Contract (Amount Not to Exceed \$38,000; Account No. 110-4130-0319)

Attachments: [RESO Broadband PER](#)

[Att 1 - Scope of Work](#)

[Public Comment 5L](#)

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.** [21-595](#) Receive Report and Consider Adoption of City Council Resolution Approving a 10-year Solid Waste Franchise Agreement with Redwood Waste Solutions, Inc. (dba C&S Waste Solutions) and Authorizing the City Manager to Execute and Implement the Agreement

Attachments: [1222021 Approve SW Franchise Agreement w Redwood](#)

[Att. 1 - RESO Redwood SW Franchise](#)

[Att. 2 - Solid Waste Franchise Agr - FINAL](#)

[Att. 3 - Exhibits - Fort Bragg Franchise - FINAL](#)

[Att. 4 - CEQA Exemption memo](#)

[Att. 5 - CEQA Checklist](#)

[Public Comment 8A](#)

9. CLOSED SESSION

- 9A.** [21-607](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9: One (1) Potential Case: Claim from Jacob Patterson, Intentional or Negligent Interference with Prospective Economic Relations; Intentional Interference with Contractual Relations; Inducing Breach of Contract; Defamation; False Light, Invasion of Privacy; Intentional or Negligent Infliction of Emotional Distress; Disability Discrimination; Retaliation; Failure to Prevent Harassment, Discrimination, or Retaliation; and Violation of Civil Rights, including Failure to Train Subordinate City Staff
- 9B.** [21-604](#) PUBLIC EMPLOYMENT: Pursuant to Government Code 54957(b). Title: City Manager
- 9C.** [21-611](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION; Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code: (one case)

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, DECEMBER 13, 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 Amended agenda to be posted in the City Hall notice case on November 19, 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).