



City of Fort Bragg

416 N Franklin Street
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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, May 8, 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: May 8, 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/89934287212>

*Or Telephone: +1 669 444 9171 or +1 720 707 2699 (*6 mute/unmute; *9 raise hand)*

Webinar ID: 899 3428 7212

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.

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 June Lemos, jlemos@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. [23-136](#) Approve Minutes of April 24, 2023

Attachments: [CCM20230424](#)

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. [23-135](#) Receive Report and Consider Adoption of City Council Resolution Approving Second Contract Amendment with SHN Consulting Engineers & Geologists, Inc. for Construction Support Services for the Parents and Friends Cypress Street Residential Care Facility for the Elderly Project and Authorizing the City Manager to Execute Amendment (Total Contract Amount Not to Exceed \$55,460)

Attachments: [05082023 SHN 2nd Amd Staff Report](#)
[Att 1 - RESO SHN PFI Contract Amendment 2](#)
[Att 2 - SHN PFI Care Facility Contract](#)
[Att 3 - SHN PFI Facility 1st Amd](#)
[Att 4 - SHN PFI Care Facility 2nd Amd](#)
[Att 5 - SHN PFI Care Facility Proposed Amend. 2 Exhibit A](#)

- 8B. [23-132](#) Receive Report and Consider Adoption of Municipal Improvement District No. 1 Resolution Approving Budget Amendment 2022/23-19 for the Pudding Creek Sewer Force Main Relocation Project (Amount Not to Exceed \$400,000.00, Account No. 716-7005-0731)

Attachments: [05082023 Force Main Relocation Staff Report](#)
[Att 1 - RESO Force Main Project](#)
[Att 2 - Exhibit A Budget Amendment](#)
[Att 3 - Caltrans Award Recommendation](#)

- 8C. [23-137](#) Receive Report and Provide Direction Regarding Replacement of Decorative Signal Poles at North Main Street and Laurel Street

Attachments: [05082023 Decorative Signal Poles](#)

- 8D. [23-140](#) Receive Report and Consider Adopting the City Council Americans with Disabilities Act ("ADA") Accommodation Request Policy for Meetings Subject to the Brown Act.

Attachments: [05082023 ADA Staff Report](#)
[ATT 1 - RESO ADA](#)
[ATT 2 - Administrative Regulation ADA Accommodation Policy](#)
[ATT 3 - ADA Request Form](#)
[Public Comment -- 5_8_2023 CC mtg., Item No. 8D, Meeting Accommodations](#)

9. CLOSED SESSION

- 9A. [23-142](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Initiation of litigation pursuant to paragraph (4) subdivision (d) of Gov. Code Section 54956.9: 9 (two cases).

Attachments: [public comment 9a](#)

- 9B. [23-141](#)** CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) subdivision (d) of Gov. Code Section 54956.9: Claim of Jacob Patterson (#2023-08).

Attachments: [claim](#)

[Public Comment -- 5823 CC Mtg. Item No. 9B](#)

[public comment 9b](#)

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, MAY 22, 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 May 4, 2023.

Cristal Munoz
Administrative Analyst

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).