



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
Fax: (707) 961-2802

## 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**

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Monday, December 13, 2021

6:00 PM

Via Video Conference

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### 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, 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 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](mailto:jlemos@fortbragg.com).*

### ZOOM WEBINAR INVITATION

*You are invited to a Zoom webinar.  
When: Dec 13, 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/86852628238>  
Or Telephone: +1 720 707 2699 or +1 253 215 8782 (\*6 mute/unmute; \*9 raise hand)  
Webinar ID: 868 5262 8238*

**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. [21-592](#) Receive Presentation from Mendocino Coast Humane Society Executive Director Judy Howard

**Attachments:** [Mendocino Coast Humane Society](#)

## **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. [21-619](#) Adopt City Council Resolution Appointing Assistant Finance Director Isaac Whippy as City Treasurer

**Attachments:** [RESO Appoint Whippy Treasurer](#)

- 5B. [21-620](#) Adopt City Council Resolution Ratifying and Authorizing the City Manager's Purchase of Network Security Consulting Services and Software in the Amount of \$45,850 and Approving Budget Amendment 2022-16 in the Same Amount

**Attachments:** [RESO Emergency Purchase Amendment 2022-16](#)

- 5C. [21-635](#) Adopt City Council Resolution Appointing Director to Represent and Vote on Behalf of the City of Fort Bragg on the California Intergovernmental Risk Authority Board of Directors

**Attachments:** [RESO CIRA Representatives](#)

- 5D. [21-636](#) Adopt City Council Resolution Appointing Director and Alternative Director to

Represent and Vote on Behalf of the City of Fort Bragg on the Redwood Empire Municipal Insurance Fund (REMIF) Board of Directors

**Attachments:** [RESO REMIF Representatives](#)

- 5E. [21-639](#) Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg

**Attachments:** [RESO Declaring Continuing Local Emergency](#)

- 5F. [21-640](#) 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 Continuing Remote Meetings](#)

- 5G. [21-642](#) Adopt City Council Resolution Extending the Temporary Waiver of the Parking In-lieu Fee for Changes of Use in the Central Business District

**Attachments:** [RESO Waive Parking in-lieu](#)

- 5H. [21-643](#) Adopt City Council Resolution to Apply for \$177,952 from the California State Parks Per Capita Grant Program for Improvements to City Parks and Recreation Facilities

**Attachments:** [RESO Per Capita Grant Funds](#)

- 5I. [21-648](#) Adopt Joint City Council/Municipal Improvement District Resolution Approving Budget Amendment 2022-15 to the Fiscal Year 2021-2022 Budget

**Attachments:** [RESO Budget Amendment 2022-15](#)

[Exhibit A Budget Amendment 2022-15](#)

- 5J. [21-613](#) Approve Minutes of Special Meeting of November 19, 2021

**Attachments:** [CCM2021-11-19 Special](#)

- 5K. [21-616](#) Approve Minutes of November 22, 2021

**Attachments:** [CCM2021-11-22](#)

- 5L. [21-644](#) Approve Minutes of Special Closed Session of December 6, 2021

**Attachments:** [CCM2021-12-06 Special Closed](#)

## **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.*

- 7A. [21-614](#) Receive Report, Conduct Public Hearing, and Consider Adoption of Resolution Approving an Underground District for properties located on Chestnut Street between South Main Street and Ebbing Way to Remove Poles, Overhead

Wires, and Associated Overhead Structures and Replace with Underground Wires and Facilities for Supplying Electric, Communication, and Other Similar Associated Services

**Attachments:** [12132021 Establish Underground District](#)  
[Att 1 - Electric Rule 20 Guidance](#)  
[Att 2 - District Map of Affected Parcels](#)  
[Att 3 - RESO PH RULE 20 Dist No. 6](#)  
[Att 4 - Rule 20 Chestnut Map Phases](#)  
[Att 5 - 12132021 PH Notice - Underground Dist](#)  
[Att 6 - FBMC 12.08 Underground Utility District](#)  
[Underground District No 6 Presentation](#)  
[Public Comments 7A](#)

## **8. CONDUCT OF BUSINESS**

- 8A. [21-634](#)** Receive Report and Provide Direction to Staff on Comprehensive Updates to Commercial Cannabis Policy

**Attachments:** [12132021 Comprehensive Cannabis Policy](#)  
[Att 1 - Chapter 9.30 Draft Updates](#)  
[Att 2 - Draft Updates to Title 18 Chapter 2](#)  
[Att 3 - Draft Updates to Title 18 Chapter 4](#)  
[Att 4 - Suggested Language from GGU Cannabis Clinic](#)  
[Comprehensive update 12.13.2021](#)  
[Public Comment 8A](#)

- 8B. [21-615](#)** Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreement with R.E.Y. Engineers Inc. to Provide Design and Engineering Services for the 2022 Streets Rehab Project, City Project No. PWP-00120, and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$175,000; Account No.421-4870-0731)

**Attachments:** [12132021 Design Engineering 2022 Streets Report](#)  
[Att 1 - RESO 2022 Street Project Design](#)  
[Att 2 - Scope of Work Pope Engineering](#)  
[Att 3 - Scope of Work R.E.Y. Engineers](#)  
[Att 4 - R.E.Y. Engineers Street Rehab Contract](#)

- 8C. [21-617](#)** Receive Report and Consider Adoption of Fort Bragg Municipal Improvement District No. 1 Resolution Accepting the Bid of Nor-Cal Pipeline Services as the Lowest Responsive Bid, Awarding the 2021 Cure-In-Place Pipe (CIPP) Project, City Project No. WWP-00023 to Nor-Cal Pipeline Services; Authorizing the District Manager to Execute Contract (Amount Not to Exceed \$192,050.00; Account No. 716-7004-0731); and Approving Budget Amendment No. 2022-14

- Attachments: [12132021 Staff Report](#)  
[Att 1 - RESO Bid Award](#)  
[Att 1a - RESO Ex A - Budget Amd 2022-14](#)  
[Att 2 - Bid Opening Results](#)  
[Att 3 - 2021 CIPP Project Contract - Nor-Cal Pipeline](#)  
[Att 4 - Notice of Award](#)

**9. CLOSED SESSION**

- 9A. [21-645](#)** CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiator: Tabatha Miller, City Manager; Employee Organization: Fort Bragg Employee Organization

**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 27, 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 December 9, 2021.

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June Lemos, MMC  
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).*