



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
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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 13, 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, and N-08-21 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 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/87911985891>

Or Telephone:

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

Webinar ID: 879 1198 5891

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. [21-435](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 970-2021 Amending Article 2 (Zoning Districts and Allowable Land Uses), Article 4 (Standards for Specific Land Uses) and Article 10 (Definitions) of Title 18 (Inland Land Use and Development Code) of the Fort Bragg Municipal Code Relating to Regulation of Formula Business

Attachments: [ORD 970-2021 Formula Business Regulations](#)

- 5B. [21-472](#)** 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 FBPA](#)
[Exhibit A Compensation Schedule](#)

- 5C. [21-478](#)** Adopt City Council Resolution Authorizing Submission of Co-Application with Danco Communities for Permanent Local Housing Allocation Program Non-Entitlement Local Government Competitive Funds in the Amount of \$2,400,000 to Support the Development of a 69-Unit Affordable Housing Project Located at 441 South Street

Attachments: [RESO Danco PLHA Grant](#)

[Att 1 - PLHA Application](#)

[Att 2 - Letter of Intent](#)

- 5D. [21-484](#) Adopt Joint City Council/Improvement District Board/Redevelopment Successor Agency Resolution Approving a Second Amendment to the Agreement Between the City of Fort Bragg and Jones & Mayer for the Provision of Legal Services and Authorizing the City Manager to Execute the Same

Attachments: [RESO Jones & Mayer 2nd Amendment](#)

[Jones & Mayer 2nd Amendment 09132021](#)

[Jones & Mayer Contract 07082019](#)

[1st Amendment 04142021](#)

[Jones & Mayer 10-2017 Original Contract](#)

[Public Comment 5D](#)

- 5E. [21-466](#) Receive and File Minutes of the April 22, 2021 Special Public Works and Facilities Committee Meeting

Attachments: [04222021 Special Meeting Minutes](#)

- 5F. [21-465](#) Receive and File Minutes of the June 10, 2021 Public Works and Facilities Committee Meeting

Attachments: [06102021 Meeting Minutes](#)

- 5G. [21-470](#) Approve Minutes of Special Meeting of August 30, 2021

Attachments: [CCM2021-08-30 Special](#)

- 5H. [21-473](#) Approve Minutes of Special Meeting of September 1, 2021

Attachments: [CCM2021-09-01 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.

- 7A. [21-477](#) Receive Report, Conduct Public Hearing, and Consider Adoption of City Council Resolution Declaring a Stage 4 Water Crisis and Implementing Stage 4 Mandatory Water Conservation Measures

Attachments: [09132021 Stage 4 Water Emergency](#)
[Att. 1 - RESO Stage 4 Water Crisis](#)
[Att. 2 - NoyoFlows \(004\)](#)
[Att. 3 - 09132021 PH Notice - Water](#)
[Public Comment 7A](#)
[Stage 4 Water Crisis](#)

8. CONDUCT OF BUSINESS

- 8A. [21-424](#)** Receive Report and Consider Introducing by Title Only and Waiving the First 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: [09132021 Wildlife Feeding Staff Report](#)
[ATT 1 - Letter from Terra Fuller](#)
[ATT 2 - CCR 14.251.1](#)
[ATT 3 - Letter from Audubon](#)
[ATT 4 - APHIS](#)
[ATT 5 - ORD 971-2021 - Create Chapter 7.18 Feeding Wildlife](#)
[Public Comment 8A](#)
[Wildlife Ordinance](#)

- 8B. [21-403](#)** Receive Report and Consider Adoption of City Council Resolution Approving the Application for Rural Recreation and Tourism Funds to Rehabilitate the Gym at 416 N. Franklin St. and Develop a Multi-Purpose Recreation Room

Attachments: [09132021 RRT Grant Staff Report](#)
[ATT 1 - Current and Proposed Conceptual Images](#)
[ATT 2 - 072721 RRT Grant Staff Report](#)
[ATT 3 - Resolution RRT Grant Funds Application](#)
[Rec Center Bldg Structural historic section](#)
[Public Comment 8B](#)
[RRT Grant Staff Report](#)

- 8C. [21-483](#)** Receive Report and Consider Adoption of City Council Resolution Authorizing the City Manager to Enter Into Negotiations with C&S Waste Solutions of California, Inc. for Residential and Commercial Garbage, Recyclable Material and Organic Waste Collection

Attachments: [09132021 Solid Waste Franchise](#)
[Att. 1 - RESO Solid Waste Franchise](#)
[Att. 2 - RFP Rating Forms](#)
[Public Comment 8C](#)
[Solid Waste Recommendation](#)

9. CLOSED SESSION

- 9A. [21-479](#)** CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION:
Significant exposure to litigation pursuant to paragraph (2) of subdivision
(d) of Government Code Section 54956.9: One (1) Case.

Attachments: [Public Comment 9A](#)

- 9B. [21-480](#)** CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR
POSSIBLE ACQUISITION OF REAL PROPERTY, Pursuant to
Government Code Section 54956.8: Real Property: APN 008-430-21,
APN 008-430-22, APN 018-040-61, APN 018-430-22, APN 018-040-61,
APN 018-120-50, APN 008-171-07, APN 008-161-08, APN 008-151-26,
APN 008-161-27 and the Southern portion of former APN 008-020-15,
Fort Bragg, CA 95437; City Negotiator: Tabatha Miller, City Manager;
Negotiating Party: Dave Massengill, Environmental Affairs, Georgia Pacific
Corporation; Under Negotiation: Terms of Acquisition, Price

- 9C. [21-482](#)** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:
Pursuant to Paragraph (1) of Subdivision (d) of California Government
Code Section 54956.9; FB Local Business Matters and Leslie Kashiwada
v. City of Fort Bragg, Superior Court of California, County of Mendocino,
Case No. 21CV00652

Attachments: [Petition for Writ of Mandate](#)
[Public Comment 9C](#)

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, SEPTEMBER 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 September 8, 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).