



City of Fort Bragg

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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, December 11, 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: Dec 11, 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/87828443206>

*Or Telephone: 1 669 444 9171 US (*6 mute/unmute, *9 raise hand)*

Webinar ID: 878 2844 3206

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. [23-420](#)** Adopt City Council Resolution Extending the Temporary Waiver of the Parking In-Lieu Fee for Changes of Use in the Central Business District and Finding the Action Exempt from CEQA

Attachments: [RESO Parking in Lieu Fee Waiver](#)

- 5B. [23-430](#)** Adopt Resolution Extending the Water Capital Improvement Fee and the Wastewater Capital Improvement Fee Deferment for Restaurants, Cafes, and Coffee Shops in the Central Business District and Declaring the Deferment exempt from CEQA under 14 CCR15273(a)(4).

Attachments: [Reso Capacity Fee Waiver](#)

- 5C. [23-435](#) Adopt Certificate of Completion for Elm Street Lift Station Project and Direct District Clerk to File Notice of Completion
Attachments: [Certificate of Completion](#)
[Notice of Completion](#)
- 5D. [23-436](#) Accept Certificate of Completion for Domestic Boilers and Storage Tank Replacement Project and Direct City Clerk to File Notice of Completion
Attachments: [Certificate of Completion](#)
[Notice of Completion](#)
- 5E. [23-466](#) First Amendment to Ducey City Manager Employment Agreement
Attachments: [City Manager Amendment](#)
- 5F. [23-455](#) Consider Approval of City Manager Employment Agreement Between the City of Fort Bragg, a Municipal Corporation, and Isaac Whippy
Attachments: [Whippy CM Agreement revised 12-5-23](#)
- 5G. [23-444](#) Approve Minutes of Special Closed Session of November 13, 2023
Attachments: [CCM20231113 Special Closed Session](#)
- 5H. [23-445](#) Approve Minutes of Special Closed Session of November 27, 2023
Attachments: [CCM20231127 Special Closed Session](#)
- 5I. [23-446](#) Approve Minutes of Special Closed Session of November 30, 2023
Attachments: [CCM20231130 Special Closed Session](#)
- 5J. [23-428](#) Approve Minutes of November 27, 2023
Attachments: [CCM11272023](#)
- 5K. [23-433](#) Resolution of the Fort Bragg City Council Appointing Diana Sanchez as City Clerk and Confirming the Pay Rates/Ranges for all City of Fort Bragg Established Classifications
Attachments: [RESO City Clerk Appointment](#)
[2023.12.11 CompSchedule City Clerk](#)
- 5L. [23-461](#) Introduction and Swearing In of City Clerk Diana Sanchez
Attachments: [Sanchez Oath of Office](#)

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. [23-418](#) (1) Introduce, by title only, and Waive Further Reading of Ordinance 895-2023 Amending Division 18 to the Fort Bragg Municipal Code to Amend Chapter 18.21.030(B)(C) "Residential District Allowable Land Uses and Permit Requirements" & 18.21.050 "Residential District Site Planning and Building Standards", to Repeal and Replace 18.42.170 "Second Units - Accessory Dwelling Unit and Junior Accessory Dwelling Unit" and to Amend Chapter 18.71.050 "Design Review" And Chapter 18.100 "Definitions" to Establish Regulations and Standards for Accessory Dwelling Units Pursuant to State Law.

(2) Consider the Fort Bragg Planning Commission's Recommendation that the City Council Submit a Local Coastal Plan Amendment Application (LCP 1-23) to the Coastal Commission Amending Division 17 of the Fort Bragg Municipal Code to be Consistent with State Laws relating to Accessory Dwelling Units by Amending Division 17 to the Fort Bragg Municipal Code to Amend Chapter 17.21.030(B)(C) "Residential District Allowable Land Uses and Permit Requirements" & 17.21.050 "Residential District Site Planning and Building Standards", to Repeal and Replace 17.42.170 "Second Units" and to Amend Chapter 17.71.050 "Design Review" and Chapter 17.100 "Definitions" to Establish Regulations and Standards for Accessory Dwelling Units Pursuant to State Law.

Attachments: [S0taff Report ILUDC 1-23](#)

[Att 1 Ord 895-2023 Amending Division 18](#)

[Att 2 Reso Division 17 LCPA](#)

[PC Resolution LCP-1-23](#)

[PC Resolution ILUDC 1-23](#)

[Att 3 - Consistency Analysis ADUs 10-31-2023](#)

[Public Hearing Notice ADU 11-30-2023](#)

- 7B.** [23-419](#) Receive Report and Consider Introducing by Title Only and Waiving the First Reading of Ordinance 897-2023 Amending Division 18 to the Fort Bragg Municipal Code to Adopt Amendments to the Inland Land Use and Development Codes (Division 18 of the Fort Bragg Municipal Code) to Comply with Recent Changes in State of California Housing Law Related to Urban Lot Splits and Two Unit Development; and Adopt a Resolution of the City Council to Submit a Local Coastal Plan Amendment Application to the Coastal Commission Amending the Coastal Land Use and Development Code (Division 17 of the Fort Bragg Municipal Code) to Comply with Recent Changes in State of California Housing Law Related to Urban Lot Splits and Two Unit Development

Attachments: [Staff Report Urban Lot Split](#)

[Att 1 - Ord 897-2023 Amending Division 18](#)

[Att 2 - CC Reso CLUDC Urban Lot Split Amend 11-28-2023](#)

[PC Reso CLUDC Urban Lot Split](#)

[PC Reso ILUDC Urban Lot Split](#)

[Att 5 - Consistency Analysis 12-11-2023](#)

[Public Hearing Notice 11302023](#)

8. CONDUCT OF BUSINESS

- 8A.** [23-421](#) Receive Report and Consider Adoption of City Council Resolution Approving Redwood Waste Solutions Residential, Commercial and Multifamily, and Rolloff Rate Increases

Attachments: [12112023 RWS Disposal Rate Adjustment](#)

[Att 1 - Resolution](#)

[Att 2 - Ex A RWS Rate Increase](#)

- 8B.** [23-427](#) Receive Report and Adopt Resolution Approving a Budget Amendment 2023/24-09 and a resolution for the City Manager to Execute a Contract with the County of Mendocino for the City to Operate the Extreme Weather Shelter for FY23/24 and FY24/25

Attachments: [Staff Report Extreme Weather Shelter Program](#)

[RESO xxx Budget Amendment 2024](#)

[Cost Plan - Extreme Winter Shelter](#)

[County Services Agreement](#)

[Exhibit A HHAP Contract](#)

[Exhibit B HHAP Contract](#)

[Exhibit C: Budget Amendment 2023-24-09](#)

- 8C.** [23-437](#) Resolution of the Fort Bragg City Council Reciting the Fact of the Special All-Mail Ballot Municipal Election Held on November 7, 2023, Declaring the Result and Such Other Matters as Provided by Law
- Attachments:** [Reso 2023 Election Certification](#)
[2023 Election Certification](#)
[Exhibit A - Election Results 2023](#)
- 8D.** [23-448](#) Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment No. 2023/24-10 of \$53,466 and Authorizing the City Manager to Execute a Contract with Axon Enterprises, Inc. for Body-Worn Camera Video Equipment, TASER 10 Conducted Energy Weapons, Software and Unlimited Storage Services (Amount Not to Exceed \$267,329.73 Account No. 167-4215-0381)
- Attachments:** [Staff Report Axon OSP10 Contract](#)
[Attachment #1: RESO Axon OSP10](#)
[Attachment #2: Exhibit A - AXON Quote for Services](#)
[Attachment #3: Exhibit B - AXON Contract: Master Services and Purchasing Ag](#)
[Attachment #4: Exhibit C Budget Amendment 2023-24-10](#)
- 8E.** [23-447](#) Financial Update: Receive and File Quarter One FY 2023/24 Financial Report
- Attachments:** [Staff Report FY 2024 Quarter One Financial Report](#)
[FY 2023-24 Q1 Financial Report](#)

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, January 8, 2024

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 7, 2023.

Diana Sanchez
 Administrative Analyst