



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 8, 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 8, 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/84906942669>

Or Telephone:

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

Webinar ID: 849 0694 2669

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.** [21-562](#) Adopt by Title Only and Waive the Second Reading of Ordinance 974-2021 Rescinding Interim Ordinance 964-2021 Placing a Moratorium on the Approval of Applications for Formula Businesses

Attachments: [ORD 974-2021 Rescinding FB Moratorium](#)

- 5B.** [21-565](#) 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](#)

- 5C.** [21-567](#) Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg

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

- 5D.** [21-569](#) Adopt City Council Resolution Approving Expenditures of the Joint City/County Caspar Transfer Station Rent Account to Fund a Financial and

Environmental Analysis for Potential Coastal Transfer Station Sites

Attachments: [RESO HDR Caspar X-fer Station Proposal from HDR Engineering Inc](#)

- 5E. [21-571](#) Adopt City Council Resolution Approving a Contract with the County of Mendocino for Funding to Operate an Extreme Weather Shelter (EWS) from November 15, 2021 to March 31, 2022

Attachments: [RESO Winter Shelter Contract](#)
[Extreme Weather Shelter Narrative](#)
[EWS Contract](#)

- 5F. [21-574](#) Adopt City Council Resolution Approving Professional Services Agreement with ASA Analysis & Communication, Inc. for Design Concepts and Cost Estimates Associated with Development of Municipal Ocean Water Intake/Discharge Infrastructure and Authorizing the City Manager to Execute Contract (Amount Not to Exceed \$90,800; Account No. 334-5060-0630)

Attachments: [Att. 1 - RESO ASA Contract](#)
[Att. 2 - ASA Contract](#)

- 5G. [21-573](#) Approve Scope of Work for the Request for Proposals for Engineering and Design Services for the 2022 Streets Project

Attachments: [Design RFP Scope of Work Streets 2022](#)

- 5H. [21-572](#) Approve Minutes of October 25, 2021

Attachments: [CCM2021-10-25](#)

- 5I. [21-584](#) Adopt City Council Resolution Authorizing City Manager to Execute Contract Change Order With Akeff Construction Services, Inc. for the Maple Street Storm Drain and Alley Rehabilitation Project (PWP-00116), Increasing the Contract by \$78,490.00 from Streets Project Fund (Account 420-4870-0731) for a Total Contract Amount Not to Exceed \$1,412,544.00

Attachments: [RESO Maple Street Project Change Order No. 3](#)
[Att 1 - Added Street Locations Map](#)
[Att 2 - Contract Change Order No. 3](#)

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. [21-563](#) Conduct Public Hearing, Receive Report, and Consider Adoption of Urgency Ordinance 975-2021 Extending the Temporary 45-Day

Moratorium on the Approval of Applications and Permits for Cannabis Dispensaries in the Inland Zoning Areas

- Attachments:** [11082021 Cannabis Dispensary Moratorium Extension](#)
[Att 1 - ORD 975 Extending Cannabis Dispensaries Moratorium](#)
[Att 2 - Cannabis Moratorium Report](#)
[Att 3 - PH Notice - Cannabis Dispensary Moratorium Extension](#)
[Public Comment 7A](#)

8. CONDUCT OF BUSINESS

- 8A. [21-564](#)** Receive Report and Provide Direction to Staff on Potential Updates to Section 18.42.057 of the Inland Land Use and Development Code to Address the Siting of Cannabis Dispensaries in Relationship to Residential Neighborhoods

- Attachments:** [11082021 Provide Direction on Cannabis and Residential](#)
[Att 1 - FBMC 18.42.057](#)
[11082021 Cannabis Dispensary Residential proximity](#)
[Public Comment 8A](#)

- 8B. [21-566](#)** Receive Report and Provide Staff with Clarification on the Proposed Zoning for Cannabis Microbusinesses in the City of Fort Bragg

- Attachments:** [11082021 Clarification on Microbusiness](#)
[Att 1 - City Council Minutes of 05-20-2021](#)

- 8C. [21-580](#)** Receive Report and Consider Adoption of City Council Resolution Waiving Water Capacity Fees and Fort Bragg Municipal Improvement District No. 1 Resolution Waiving Wastewater Capacity Fees for Restaurants, Cafes and Coffee Shop Businesses in the Central Business District

- Attachments:** [11082021 Capacity Fee Waiver](#)
[Att. 1 - FBMC Chapter 15.36](#)
[Att. 2 - RESO Waiving Water Capacity Fees in CBD](#)
[Att. 3 - ID RESO Waiving Wastewater Capacity Fees in CBD](#)
[Public Comment 8C](#)

9. CLOSED SESSION

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, NOVEMBER 22, 2021**

