

RESOLUTION NO. ____-2026

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING THE ESCROW AGREEMENT FOR THE RAW WATER LINE PROJECT AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE THE AGREEMENT IN THE AMOUNT OF \$150,000 WITH THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) TO ENSURE PERFORMANCE OF MITIGATION REQUIREMENTS

WHEREAS, the City of Fort Bragg (City) is implementing the Raw Water Line Project, which requires compliance with a Consistency Determination issued by the California Department of Fish and Wildlife (CDFW); and

WHEREAS, the Consistency Determination includes mitigation requirements to avoid, minimize, or compensate for potential impacts to fish and wildlife resources associated with the Raw Water Line Project; and

WHEREAS, CDFW requires the City to provide financial security to ensure performance of the mitigation requirements if project activities commence prior to full completion of those requirements; and

WHEREAS, CDFW has agreed that the City may satisfy this security requirement by depositing funds into an escrow account administered by U.S. Bank National Association, pursuant to the terms of the Escrow Agreement (Exhibit A); and

WHEREAS, the Escrow Agreement requires the City to deposit One Hundred Fifty Thousand Dollars (\$150,000) into the escrow account to serve as financial assurance for the mitigation requirements; and

WHEREAS, City staff have reviewed the Escrow Agreement and determined that it is consistent with the Consistency Determination and in the best interest of the City to ensure timely implementation of the Raw Water Line Project; and

WHEREAS, the City Council desires to approve the Escrow Agreement in substantially the form presented and authorize the Public Works Director to execute the Agreement and take all necessary actions to implement its terms.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg hereby approves the Escrow Agreement for the Raw Water Line Project between the City of Fort Bragg, the California Department of Fish and Wildlife, and U.S. Bank National Association, in the amount of \$150,000, in substantially the form presented; and

BE IT FURTHER RESOLVED that the City Council authorizes the Public Works Director to execute the Escrow Agreement and any related documents, and to take all actions necessary to carry out the intent of this Resolution.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular

meeting of the City Council of the City of Fort Bragg held on the 12th day of January, 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk