



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
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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**

Monday, April 12, 2021

6:00 PM

Via Video Conference

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PLEASE TAKE NOTICE

DUE TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20 WHICH SUSPEND CERTAIN REQUIREMENTS OF THE BROWN ACT, AND THE ORDER OF THE HEALTH OFFICER OF THE COUNTY OF MENDOCINO TO SHELTER IN PLACE TO MINIMIZE THE SPREAD OF COVID-19, CITY COUNCIL MEMBERS AND STAFF WILL BE PARTICIPATING BY VIDEO CONFERENCE IN THE CITY COUNCIL MEETING OF MONDAY, APRIL 12, 2021.

In compliance with the Shelter-in-Place Orders of the County and State, the Town Hall Council Chamber will be closed to the public. 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 in any of the following ways: (1) By joining the Zoom video conference and using the Raise Hand feature during Public Comment, (2) Through the City's online eComment agenda feature, (3) By emailing comments to City Clerk June Lemos, jlemos@fortbragg.com, (4) By delivering written comments through the drop-box for utility payments to the right of the front door at City Hall, 416 N. Franklin Street, or (5) By leaving a voice mail comment at (707) 961-1694.

THE DEADLINE TO SUBMIT PUBLIC COMMENTS IS 3:00 PM ON THE DATE OF THE MEETING. Any written or emailed comments received after 3:00 PM and before the meeting is ended will be forwarded to the Councilmembers by email. All comments on agendized matters will be included in the public record as part of the agenda packet the next business day after the meeting.

We appreciate your patience and willingness to protect the health and wellness of our community and staff. If you have any questions regarding this meeting, please contact the City Clerk at (707) 961-1694 or jlemos@fortbragg.com.

ZOOM WEBINAR INVITATION

*You are invited to a Zoom webinar.
When: April 12, 2021 06:00 PM Pacific Time (US and Canada)
Topic: City Council*

*Please click the link below to join the webinar:
<https://zoom.us/j/98684986546>*

Or One tap mobile :

US: +16699009128,,98684986546# or +12532158782,,98684986546#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592
or +1 312 626 6799

Webinar ID: 986 8498 6546

International numbers available: <https://zoom.us/j/ad0eGQHgKX>

TO SPEAK DURING PUBLIC COMMENT PORTIONS OF THE AGENDA VIA ZOOM, PLEASE JOIN THE MEETING AND USE THE RAISE HAND FEATURE WHEN THE CHAIR OR ACTING CHAIR CALLS FOR PUBLIC COMMENT ON THE ITEM YOU WISH TO ADDRESS.

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [21-145](#) Presentation of Proclamation Proclaiming that the City of Fort Bragg Stands United Against Anti-Asian Racism and Xenophobia and Reaffirms Its Commitment to the Well-Being and Safety of Asian American Pacific Islander Communities

Attachments: [08-Against AAPI Racism](#)

- 1B. [21-151](#) Introduction of John Wallace and Presentation for Surviving the Odds Project

Attachments: [Item 1B Presentation](#)

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. [21-136](#)** Adopt City Council Resolution Approving an Amendment to the 2020 Community Development Block Grant Program Coronavirus Response (CDBG-CV) Round 1 Standard Agreement to Add Funds from the 2020 CDBG-CV Round 2 & 3 Funding

Attachments: [Att 1 - RESO Approving CDBG CV-1 Amendment](#)

- 5B. [21-137](#)** Adopt City Council Resolution Approving an Application for Funding and the Execution of a Grant Agreement and any Amendments from the 2020 Community Development Block Grant Program Coronavirus Response Round 2 & 3

Attachments: [Att 1 - RESO Approving CDBG-CV2&3 Applications](#)

- 5C. [21-140](#)** Adopt City Council Resolution Authorizing the City Manager to Execute the Acceptance of an Offer of a 20-Foot-Wide Public Drainage Easement from Lyme Redwood Timberlands, LLC

Attachments: [Reso Public SD Easement - Haul Rd](#)
[Lyme Redwood Grant Deed](#)

- 5D. [21-141](#)** Adopt City Council Resolution Amending the City of Fort Bragg Conflict of Interest Code

Attachments: [RESO Conflict of Interest Code](#)

- 5E. [21-142](#)** 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. [21-152](#)** Adopt Joint City Council/Municipal Improvement District Board/Redevelopment Successor Agency Board Resolution (1) Approving an 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 Same; and (2) Appointing Scott Porter to Serve as Assistant City Attorney, Assistant District General Counsel, and Assistant Agency General Counsel

Attachments: [RESO Assistant City Attorney Designation](#)
[Ex A - Jones & Mayer Amendment](#)

- 5G. [21-122](#)** Receive and File Minutes of the February 17, 2021 Public Safety Committee Meeting

Attachments: [PSCM 2021-02-17.pdf](#)

- 5H. [21-123](#)** Receive and File Minutes of the February 17, 2021 Special Public Safety

Committee Meeting

Attachments: [PSCM Special 2021-02-17](#)

- 5I. [21-153](#) Approve Minutes of March 22, 2021

Attachments: [CCM2021-03-22](#)

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.

8. CONDUCT OF BUSINESS

- 8A. [21-144](#) Receive Report and Consider Adoption of Urgency Ordinance No. 964-2021 Placing a 45-Day Moratorium on the Approval of Applications and Permits for Formula Businesses in the Inland Zoning Area

Attachments: [04122021 Temporary Moratorium Formula Businesses - Inland](#)

[Att. 1 - ORD 964 Inland Formula Business Moratorium](#)

[Public Comment 8A - Oppose Moratorium](#)

[Public Comment 8A - Support Moratorium](#)

- 8B. [21-146](#) Receive Report and Consider Adoption of Urgency Ordinance No. 965-2021 Placing a 45-Day Moratorium on the Approval of Applications and Permits for Formula Businesses in the Coastal Area

Attachments: [04122021 Temporary Moratorium Formula Businesses - Coastal](#)

[Att. 1 - ORD 965 Coastal Formula Business Moratorium](#)

[Public Comment 8B - Oppose Moratorium](#)

[Public Comment 8B - Support Moratorium](#)

- 8C. [21-135](#) Receive Report and Provide Direction to Staff on Addressing Issues with the Feeding of Wildlife in City Parks

Attachments: [04122021 Staff Report on Feeding Wildlife](#)

[Att 1 - Letter from Terra Fuller](#)

[Att 2 - CCR 14.251.1](#)

[Att 3 - Letter fo the City of Fort Bragg re Common Raven Feeding](#)

[Att 4 - APHIS](#)

[Att 5 - Fed Wildlife is DEAD Wildlife](#)

[Staff PowerPoint Presentation](#)

[Public Comment 8C](#)

- 8D. [21-039](#) Receive Report and Discuss Process of Local Coastal Program (LCP) Amendment to Update the City's 2008 Certified LCP to Reflect Current

State Laws, Refine Language and Reconcile Inconsistencies

Attachments: [04122021 LCP Update Staff Report](#)

- 8E. [21-139](#)** Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreement with GHD Inc. to Provide Construction Management Services for the Maple Street Storm Drain and Alley Rehabilitation Project, City Project No. PWP-00116, and Authorizing City Manager to Execute Contract (Amount Not To Exceed \$178,217.00; Account No. 420-4870-0731)

Attachments: [04122021 Construction Management for Street Rehab](#)

[Att 1 - RESO Construction Management Contract](#)

[Att 2 - GHD Contract](#)

[Att 3 - RFP Response List](#)

- 8F. [21-138](#)** Receive Report and Consider Adoption of City Council Resolution Accepting the Bid of Akeff Construction Services, Inc. as the Lowest Responsive Bid, Awarding the Maple Street Storm Drain and Alley Rehabilitation Project, City Project No. PWP-00116 to Akeff Construction Services, Inc. and Authorizing City Manager to Execute Contract (Amount Not To Exceed \$1,226,354.00; Account No. 420-4870-0731)

Attachments: [04122021 Maple Street Bid Award Report](#)

[Att 1- Bid Opening](#)

[Att 2- RESO Maple Street Construction Award](#)

[Att 3 - Akeff Contract - Maple St Storm Drain Project](#)

[Att 4- Notice of Award](#)

- 8G. [21-143](#)** Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment No. 2021-09 Adjusting Selected Expenditure and Revenue Budgets

Attachments: [04122021 FY 20-21 Budget Amendment 9](#)

[Att. 1 Resolution](#)

[Att. 2 Exhibit A](#)

[Att. 3 CPS HR Consulting Training](#)

[Att. 4 STOP Project Summary](#)

[Att. 5 STOP Summer Program Budget](#)

[Att. 6 STOP Music Studio Budget - Option 2 - \\$20K](#)

[Public Comment 8G](#)

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, APRIL 26, 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 April 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).