



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, May 24, 2021

6:00 PM

Town Hall, 363 N. Main Street

AMENDED

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PLEASE TAKE NOTICE

Tonight's City Council meeting is presented in a hybrid format, both in-person at Town Hall and virtually via Zoom. The Governor's Executive Orders N-25-20 and N-29-20 suspend certain requirements of the Brown Act, and City Councilmembers and staff may choose to participate in person or by video conference.

The meeting will be live-streamed on the City's website at <https://city.fortbragg.com/> and on Channel 3. Public comments regarding matters on the agenda may be made in person at Town Hall or 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. All comments on agendized matters will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible. 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: May 24, 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/97234453440>

Or One tap mobile :

US: +16699009128,,97234453440# or +12532158782,,97234453440#

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 +1 301 715 8592 or +1 312 626 6799
or +1 646 558 8656

Webinar ID: 972 3445 3440

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

- 1A. [21-259](#) Presentation of Proclamation Declaring June 2021 as LGBTQ Pride Month

Attachments: [Pride Proclamation](#)

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. [21-184](#)** Adopt City Council Resolution Authorizing the City Manager to Execute the Acceptance of a 10-Foot-Wide Public Sewer Easement over an Existing Public Sewer Pipe Located on the Lands of William Allen Goodwin

Attachments: [RESO Goodwin Easement](#)
[Grant Deed](#)

- 5B. [21-227](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 966-2021 Amending Chapter 9.30 (Cannabis Businesses) of Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code

Attachments: [ORD 966-2021 Cannabis Ordinance 9.30](#)
[Public Comment 5B](#)

- 5C. [21-228](#)** 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. [21-252](#)** Adopt Municipal Improvement District Resolution Approving Budget Amendment No. 2021-11 Adjusting Selected Expenditure Budgets

Attachments: [Att. 1 - Resolution](#)
[Att. 2 - Exhibit A Budget Amendment](#)
[Att. 3 - USA Dryer Proposal](#)

- 5E. [21-232](#)** Approve Minutes of May 10, 2021

Attachments: [CCM2021-05-10](#)

- 5F. [21-251](#)** Approve Minutes of Special Meeting of May 17, 2021

Attachments: [CCM2021-05-17 Special Budget](#)

- 5G. [21-250](#)** Approve Minutes of Joint City Council/Mendocino Coast Recreation and Park District Special Meeting of May 17, 2021

Attachments: [CCM2021-05-17 Special CV Starr Budget](#)

- 5H. [21-254](#)** Approve Minutes of Special Closed Session of May 17, 2021

Attachments: [CCM2021-05-17 Closed](#)

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. [21-246](#)** Conduct Public Hearing, Receive Report and Consider Adoption of Urgency Ordinance No. 964-2021 Extending the Temporary 45-Day Moratorium on the Approval of Applications and Permits for Formula Businesses in the Inland Zoning Areas

Attachments: [05242021 Extend Formula Business Moratorium Inland](#)

[Att. 1 - Proposed Ordinance](#)

[Att. 2 - Council Moratorium Report](#)

[Att. 3 - Public Hearing Notice](#)

[Public Comment 7A](#)

8. CONDUCT OF BUSINESS

- 8A. [21-255](#)** Continue City Council Workshop from May 17, 2021 to Review Draft Fiscal Year 2021/22 Budget Including General Fund Operating Budget, Water Enterprise Budget, Wastewater Enterprise (Municipal Improvement District No. 1) Budget, and Capital Projects Budget and Provide Direction to Staff

Attachments: [Budget Transmittal Letter](#)

[Att. 1 - Proposed Operating Budget](#)

[Att. 2 - FY 21-22 Capital Improvement Project](#)

[Public Comment 8A](#)

- 8B. [21-247](#)** Receive Report and Consider Adoption of City Council Resolution to Approve Joining the Employment Risk Management Authority (ERMA) Joint Power Authority (JPA) for Employment Practices Liability Coverage

Attachments: [05242021 Participation in ERMA](#)

[Att. 1 - Resolution](#)

9. CLOSED SESSION

- 9A. [21-256](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR POSSIBLE ACQUISITION OF REAL PROPERTY, Pursuant to Government Code Section §54956.8: Real Property: APN 018-430-22-00, 018-040-61-00,018-430-21-00, 008-020-17-00, 008-171-07-00, 008-161-08-00, 90 W. Redwood Ave., 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

Attachments: [Public Comment 9A](#)

- 9B. [21-257](#) CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiators: Tabatha Miller, City Manager; Employee Organizations: Fort Bragg Police Association

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, JUNE 14, 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 May 20, 2021.

Cristal Munoz, Administrative Assistant

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).