



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
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**

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Monday, August 9, 2021

6:00 PM

Town Hall, 363 N. Main Street

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### AMENDED

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### PLEASE TAKE NOTICE

*This 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, N-29-20, and N-08-21 suspend certain requirements of the Brown Act. Some 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 Comment 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 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](mailto:jlemos@fortbragg.com).*

#### ZOOM WEBINAR INVITATION

*You are invited to a Zoom webinar.  
When: Aug 9, 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/84756671033>*

*Or Telephone:*

*Dial: US: +1 346 248 7799 or +1 720 707 2699 (\*6 mute/unmute, \*9 raise hand)  
Webinar ID: 847 5667 1033*

**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. [21-357](#) Presentation of Proclamation to Mendocino Coast Clinics for "National Health Center Week" August 8 - 14, 2021, and Receive Presentation from Executive Director Lucresha Renteria Regarding Mendocino Coast Clinics

**Attachments:** [13-NCHW Proclamation](#)  
[NHCW - 2021 FB City Council 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. [21-331](#) Adopt City Council Resolution Authorizing the City Manager to Execute Agreement for Foundation Repairs to the Water Treatment Plant Facility with Mathew Phelps Enterprises, Inc. DBA NorCal Foundation Support, Amount Not to Exceed \$32,471.69 (Account No. 651-6006-0731); and Approving Budget Amendment No. 2022-01 to Appropriate \$33,000.00 from the Water Enterprise Fund to Account No. 651-6006-0731

**Attachments:** [RESO Norcal Water Plant Foundation Contract](#)  
[RESO Exhibit A](#)  
[NorCal Foundation Contract](#)

- 5B. [21-428](#) Adopt City Council Resolution Approving 2021-2024 Memorandum of Understanding with the Fort Bragg Police Association and Authorizing City Manager to Execute Same
- Attachments:** [RESO FBPA MOU Approval](#)  
[FBPA MOU 2021-2024 with FBPA Signatures](#)  
[FBPA MOU FY 2021-2024 Redline](#)  
[Public Comment 5B](#)
- 5C. [21-398](#) Approve Scope of Work for a Classification and Compensation Study
- Attachments:** [RFP Class & Comp Study DRAFT](#)
- 5D. [21-415](#) Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg
- Attachments:** [RESO Declaring Continuing Local Emergency](#)
- 5E. [21-417](#) Adopt City Council Resolution Approving the Temporary Water Sharing Agreement Between the City of Fort Bragg and the Fort Bragg Unified School District
- Attachments:** [RESO Water Use Agreement](#)  
[Temporary Water Sharing Agreement](#)  
[Public Comment 5E](#)
- 5F. [21-420](#) Approve Letter to Property Owners and Businesses located in the Central Business District
- Attachments:** [Council Letter to CBD](#)
- 5G. [21-422](#) Adopt City Council Resolution Approving Budget Amendment 2022-04 Amending the Fiscal Year 2021-22 Budget
- Attachments:** [RESO Budget Amendment 2022-04](#)  
[Exhibit A Amendment 2022-04](#)
- 5H. [21-397](#) Receive and File Minutes of the Public Safety Committee Meeting of June 16, 2021
- Attachments:** [PSCM 2021-06-16](#)
- 5I. [21-396](#) Receive and File Minutes of Community Development Committee Meeting of June 22, 2021
- Attachments:** [06222021 CDC Minutes](#)
- 5J. [21-395](#) Approve Minutes of Special Closed Session of July 22, 2021
- Attachments:** [CCM2021-07-22 Closed](#)
- 5K. [21-416](#) Approve Minutes of Special Closed Session of July 26, 2021

**Attachments:** [CCM2021-07-26\\_Closed](#)

- 5L. [21-419](#) Approve Minutes of July 26, 2021

**Attachments:** [CCM2021-07-26](#)

## **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. [21-423](#) Open and Continue Public Hearing to Consider Upholding or Denying the Appeal of the Planning Commission's Decision to Deny Minor Use Permit Application 1-21 for a Cannabis Dispensary at 144 N. Franklin Street

- 7B. [21-402](#) Receive Report, Conduct Public Hearing, and Consider Adoption of City Council Resolution Declaring a Stage 3 Water Emergency and Implementing Stage 3 Mandatory Water Conservation Measures

**Attachments:** [08092021 Stage 3 Water Emergency](#)

[Att. 1 - RESO Water Emergency](#)

[Att. 2 - Noyo Flows](#)

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

[Stage 3 Water Emergency Water Use Restrictions](#)

[Public Comment 7B](#)

- 7C. [21-354](#) Receive Report, Conduct Public Hearing, and Provide Direction Regarding Request to Connect Out-of-City Property Located at 19981 Minnesota Avenue to City Water System

**Attachments:** [08092021 Request for Out of City Limit Water Service](#)

[Att 1 - Water Application](#)

[Att 2 - Forrester Appeal](#)

[Att 3- Hearing Notice](#)

[Public Comment 7C](#)

- 7D. [21-405](#) Receive Report, Conduct Public Hearing, Receive Planning Commission Recommendation, and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 970-2021 Amending Article 2 (Zoning Districts and Allowable Land Uses), Article 4 (Standards for Specific Land Uses) and Article 10 (Definitions) of Title 18 (Inland Land Use and Development Code) of the Fort Bragg Municipal Code Relating to Regulation of Formula Business

**Attachments:** [08092021 Formula Business Ordinance](#)  
[Att. 1 - Proposed Ordinance 970-2021](#)  
[Att. 2 - Planning Commission Resolution](#)  
[Att. 3 - Public Hearing Notice](#)  
[Att 4 - Current Inland Zoning Map](#)  
[Formula Business Ordinance 08092021](#)  
[Public Comment 7D](#)

## **8. CONDUCT OF BUSINESS**

- 8A.** [21-391](#) Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment 2022-02 and Authorizing City Manager to Execute Utility Relocation Agreement with California Department of Transportation for the Pudding Creek Water Main Relocation Project (Project WTR-00014, Amount Not to Exceed \$1,015,450.00, Account No. 651-6008-0731)

**Attachments:** [08092021 Pudding Creek Water Main](#)  
[Att 1 RESO Agreement](#)  
[Att 2 RESO Exhibit A](#)  
[Att 3 - Caltrans Agreement](#)

- 8B.** [21-406](#) Receive Report and Consider Adoption of Municipal Improvement District Resolution Authorizing City Manager to Execute Contract Amendment with Synagro-WWT, Inc. for the Transportation of Biosolids to Land Application Sites or Landfill, Increasing the Amount of the Contract by \$228,500.00 (Total Contract Amount Not to Exceed \$298,500.00, Account No. 710-4712-0319)

**Attachments:** [08092021 Synagro Staff Report](#)  
[Att. 1 RESO ID 443-2021](#)  
[Att. 2 Synagro Executed Contract](#)  
[Att. 3 RESO Contract Amendment](#)  
[Att. 4 Synagro 1st Amd](#)

- 8C.** [21-399](#) Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment No. 2022-03 Amending Fiscal Year 2021-22 Budget for Water Emergency Equipment Purchase

**Attachments:** [08092021 Water Emergency Equipment Staff Report](#)  
[Att. 1 Resolution](#)  
[Att. 2 Exhibit A](#)  
[Att. 3 Proposal Aqua Clear Media filter](#)

## **9. CLOSED SESSION**

- 9A. [21-408](#)** CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One (1) Case.
- 9B. [21-409](#)** CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR POSSIBLE ACQUISITION OF REAL PROPERTY, Pursuant to Government Code Section 54956.8: Real Property: APN 008-430-21, APN 008-430-22, APN 018-040-61, APN 018-430-22, APN 018-040-61, APN 018-120-50, APN 008-171-07, APN 008-161-08, APN 008-151-26, APN 008-161-27 and the Southern portion of former APN 008-020-15, 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

## 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, SEPTEMBER 13, 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 AMENDED agenda to be posted in the City Hall notice case on August 6, 2021.

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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).*