



City of Fort Bragg

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Meeting Minutes 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, August 8, 2022

6:00 PM

Town Hall, 363 N. Main Street
and Via Video Conference

CALL TO ORDER

Mayor Norvell called the meeting to order at 6:01 PM, Councilmember Rafanan appearing via Video Conference.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Mayor Bernie Norvell, Vice Mayor Jessica Morsell-Haye, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Marcia Rafanan

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. [22-387](#) Presentation of 2022 Mayor's Well Done Awards

Mayor Norvell presented the following Mayor's Well Done Awards:

- Best Window Display - Mendocino Chocolate Company
- Best New Sign - Retropolitan
- Best New Mural - "Be a Light" by Ryan Grossman
- Best New Family Friendly Business - Moonberry
- Best New Single Family Residence - Dan Gjerde
- Best New Accessory Dwelling Unit - Tara & Brandon McGregor
- Best Public Facility Renovation - Redwood Coast Seniors, Inc.
- Best Commercial Facelift - Baymont Inn & Suites by Wyndham
- Best Eco Friendly Project - South Lincoln Street Community Garden
- Best Bark Award - Fort Bragg Dog Park Improvements
- Best Community Awareness Advocate - Dr. William Miller
- Best Wellness Program - Bethany Brewer, Certified Personal Trainer
- Best Community Advocacy Program - Fort Bragg Police Department
- Best Local Volunteer - Nancy Bennett
- Good Citizen Award - Misael Garcia of Shear Evolution

2. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS

- (1) Jenny Shattuck, Durriya Syed, Jay McMartin-Rosenquist, and Judy Valadao.
- (2) Jay McMartin-Rosenquist commented on Item 5I.
- (3) Jacob Patterson commented on Item 9A.

3. STAFF COMMENTS

Assistant City Manager McCormick reported that a Request for Proposals regarding the Mill Pond cleanup would be brought forward to Council for approval soon. City Clerk Lemos gave an update on the November 2022 election.

4. MATTERS FROM COUNCILMEMBERS

Councilmember Peters thanked all those involved in National Night Out. He noted that No Vending signs that disallow commercial vending on the Coastal Trail have been installed. Mayor Norvell also commented on National Night Out, thanking Police Officers Zavala and Holloway. Councilmember Rafanan asked if staff could provide an update on the proposed Grocery Outlet project, as she has been receiving inquiries from members of the community. Assistant City Manager McCormick said she would provide an update at the next Council meeting.

5. CONSENT CALENDAR

Mayor Norvell asked that Items 5A and 5F be removed from Consent so that an oral summary of salary increase and a minor amendment could be made to the resolutions. Vice Mayor Morsell-Haye asked that Item 5I be removed from Consent for further discussion. Mayor Norvell stated he would abstain from voting on Item 5E due to a potential conflict of interest, as his wife is on the Harbor District board of directors. Councilmember Peters stated he would abstain from voting on Items 5A, 5F and 5G which have to do with City employee compensation, due to a potential conflict of interest as his wife works for the City.

Approval of the Consent Calendar

A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, to approve the Consent Calendar with the exception of Items 5A, 5E, 5F, 5G and 5I. The motion carried by the following vote:

Aye: 5 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

- 5B.** [22-374](#) Accept Certificate of Completion for the 2021 Cure-in-Place Pipe (CIPP) Project, City Project No. PWP-00023, and Direct City Clerk to File Notice of Completion

This Certificate of Completion was accepted on the Consent Calendar.

- 5C.** [22-378](#) Adopt City Council Resolution Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During

the State of Emergency

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4574-2022

- 5D.** [22-379](#) Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4575-2022

- 5H.** [22-394](#) Adopt Joint City Council/Municipal Improvement District Resolution Approving Budget Amendment 2022/23-01 Amending Fiscal Year 2022/23 Budget for Cost of Living Adjustment Increases and One-Time Payments to the Employee Organizations

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4577-2022 / RES ID 470-2022

- 5J.** [22-376](#) Receive and File Minutes of the June 14, 2022 Public Works and Facilities Committee Meeting

These Committee Minutes were received and filed on the Consent Calendar.

- 5K.** [22-377](#) Approve Minutes of July 25, 2022

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5A.** [22-367](#) Adopt City Council Resolution Establishing a Compensation Plan and Terms and Conditions of Employment for Exempt Mid-Management Classifications

City Attorney Collins provided an oral summary of the change in salary range for several mid-management classifications included in Item 5A. Assistant City Manager McCormick noted that there are two minor changes required to Sections 2.4.C. and 3.1.E.3.i of the Resolution to comport with the changes to similar sections in the SEIU employee union Memorandum of Understanding.

A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Morsell-Haye, that this Resolution be adopted as amended. The motion carried by the following vote:

Aye: 4 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith and Councilmember Rafanan

Abstain: 1 - Councilmember Peters

Enactment No: RES 4578-2022

- 5E.** [22-390](#) Approve Letter of Support for Mendocino County's Grant Application in Support of Noyo Harbor District

A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that the Council Letter be approved. The motion carried by the following vote:

Aye: 4 - Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

Abstain: 1 - Mayor Norvell

5F. [22-391](#) Adopt City Council Resolution Establishing a Compensation Plan and Terms and Conditions of Employment for Exempt At-Will Executive Classifications

City Attorney Collins provided an oral summary of the change in salary range for several department head classifications included in Item 5F.

A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Morsell-Haye, that this Resolution be adopted. The motion carried by the following vote:

Aye: 4 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith and Councilmember Rafanan

Abstain: 1 - Councilmember Peters

Enactment No: RES 4579-2022

5G. [22-393](#) Adopt City Council Resolution Establishing a Compensation Plan and Terms and Conditions of Employment for Non-Bargaining and Confidential Classifications

A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that this Resolution be adopted. The motion carried by the following vote:

Aye: 4 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith and Councilmember Rafanan

Abstain: 1 - Councilmember Peters

Enactment No: RES 4576-2022

5I. [22-395](#) Adopt City Council Resolution Approving Operating Agreement Between the City of Fort Bragg and the Mendocino Coast Recreation and Park District for Operation of the C.V. Starr Community Center and Authorizing City Manager to Execute Same

Assistant Finance Director Whippy noted that this change in the C.V. Starr Community Center (CVSCC) Operating Agreement was recommended by independent auditors JJACPA, and the former City Managers and the District Administrator of CVSCC have been working on this transition for some time. The creation of a special fund for CVSCC will create a centralized accounting system similar to the Water and Wastewater Funds. CVSCC Administrator Moneque Wooden provided additional background on the need for the change, saying that it will improve their accounting process by incorporating their bookkeeping and payroll through the City's Springbrook system.

Public Comment was received from Jacob Patterson and Jay McMartin-Rosenquist.

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, that this Resolution be adopted. The motion carried by the following vote:

Aye: 5 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

Enactment No: RES 4580-2022

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

7A. [22-382](#) Receive Report, Conduct Public Hearing, and Consider Adoption of City Council Resolution Approving Application for 2022 Community Development Block Grant (CDBG) Funding, Execution of Agreement, and Any Amendment Thereto

Mayor Norvell opened the public hearing at 7:08 PM.

Grants Coordinator Peterson presented the staff report.

Public Comment: None.

Mayor Norvell closed the public hearing at 7:15 PM.

Discussion: Councilmembers support the program. Discussion was held about how to keep small local businesses informed about CDBG funded programs.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Resolution be adopted. The motion carried by the following vote:

Aye: 5 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

Enactment No: RES 4581-2022

8. CONDUCT OF BUSINESS

8A. [22-380](#) Receive Report, Consider Adoption of City Council Resolution Authorizing Application for and Implementation of Local Agency Technical Assistance (LATA) Program Funds, and Approve City Council Letter in Support of the LATA Program

Assistant City Manager McCormick gave the staff report on this agenda item.

Public Comment was received from Jacob Patterson.

Discussion: Most Councilmembers think it would be beneficial to run broadband as a utility.

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, that this Resolution be adopted. The motion carried by the following vote:

Aye: 5 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

Enactment No: RES 4582-2022

8B. [22-381](#) Receive Presentation from West Business Development Center on Community Economic Resilience Fund (CERF) and Approve Letter of Support

Mary Anne Petrillo, CEO of West Business Development Center, gave the report on this agenda item.

Public Comment: None.

Mayor Norvell recessed the meeting at 7:43 PM; the meeting was reconvened at 7:51 PM.

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Albin-Smith, that the Council Letter be approved. The motion carried by the following vote:

Aye: 5 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

- 8C. [22-396](#)** Receive Report and Consider Adoption of City Council Resolution Calling and Giving Notice of a General Municipal Election for the Purpose of Submitting to the Voters a 3/8-Cent General Transaction and Use Tax; Directing the City Attorney to Prepare an Analysis of the Measure; Authorizing City Council to Submit a Ballot Argument in Favor of the Measure; and Setting Dates for Submitting Arguments on the Measure

City Consultant David Spaur of S 2 Consulting presented the report on this agenda item and responded to questions from Councilmembers.

Public Comment was received from Dan Gjerde, Jacob Patterson, Jenny Shattuck and Jay McMartin-Rosenquist.

Discussion: City Attorney Collins reminded the Council that it would take four out of five votes to place the 3/8-cent sales tax measure on the ballot. After discussing the matter, the Council unanimously agreed not to bring the measure forward to voters at this time, as the timing is not right for a new general tax due to looming recessing, inflation, etc.

This Resolution was not acted on.

9. CLOSED SESSION

Mayor Norvell recessed the meeting at 8:30 PM. The meeting reconvened to Closed Session at 8:35 PM.

- 9A. [22-399](#)** CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code 54956.8); Property: 30900 W. State Highway 20; 19671 Summers Lane, Fort Bragg, CA 95437; Agency negotiator: John Smith; Negotiating parties: Mendocino Coast Recreation and Parks District; Under negotiation: Price and terms

Mayor Norvell reconvened the meeting to Open Session at 9:11 PM and reported that no reportable action had been taken on the Closed Session item.

ADJOURNMENT

Mayor Norvell adjourned the meeting at 9:11 PM.

BERNIE NORVELL, MAYOR

June Lemos, MMC, City Clerk

IMAGED (_____)