



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, July 12, 2021

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

Mayor Norvell called the meeting to order at 6:01 PM.

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

City Manager Miller asked the Council to add an agenda item to tonight's agenda, a vote to adopt the update to the water ordinance, Ordinance 969-2021. The addition of an item to a Council agenda on the date of the meeting requires a vote of four out of five Councilmembers. If approved, the item would be heard just prior to the Consent Calendar.

Public Comment was received from Jacob Patterson and Pamela Patterson.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, to add the adoption of Ordinance 969-2021 to the agenda. The motion carried by the following vote:

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

This item (5J) was added to the agenda before the Consent Calendar.

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. [21-275](#) Receive Presentation from Judy Leach, Hospital President, Adventist Health - Mendocino Coast

Judy Leach, Adventist Health President, gave a presentation and updates to the Councilmembers regarding the Adventist Health Mendocino Coast hospital.

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

(1) Michelle Goodman of Waste Management reported on compliance with AB 1826, mandatory commercial organics recycling. Peter McNamee supports the Grassroots Institute

recommendations regarding how to use American Rescue Plan funds this year. Marcy Snyder spoke about funding for solar energy. Jacob Patter commented on Noyo River water flows being hindered by installation of swimming hole dams at Camp Noyo. Jay McMartin spoke on the pending receivership action for 575 Whipple Street.

(2) Jacob Patterson made comments on Items 5B and 5D.

(3) None.

3. STAFF COMMENTS

City Manager Miller gave an update on the replacement of water meters citywide. She reported that the Fort Bragg Police Department stated that there was a good showing for July 3 and July 4 events. Rory Beak is graduating from the Santa Rosa Police Academy on July 21; a swearing in ceremony will be held on July 22. Fiscal recovery funds to be allocated to the City of Fort Bragg are expected to arrive on July 13. The Council-approved broadband study is expected to be completed in a couple weeks. Results will be announced in August. The City Manager gave a brief report on CalPERS preliminary investment returns. Public Works Director Smith gave an update on the current water situation, drought and the damming of Noyo River at Camp Noyo.

4. MATTERS FROM COUNCILMEMBERS

Councilmember Peters thanked the Police Department for the good job they did over the holiday weekend. He reported that the Sonoma Clean Power board will meet this Thursday; he will talk to them about funding for electric vehicle charging stations. Councilmember Albin-Smith said the MTA has ordered two new electric buses. Albin-Smith also spoke about painting murals on the Tesla charging stations at Boatyard Center. She announced that the Mendocino County Woodlands Coalition is celebrating 101 years of women getting the vote at Kelley House August 21. Vice Mayor Morsell-Haye said the Citizens Commission has issued a community questionnaire about possible Fort Bragg name change and noted all the ways members of the public can access it.

ITEMS ADDED TO AGENDA

- 5J.** [21-350](#) Adopt by Title Only and Waive the Second Reading of Ordinance 969-2021 Amending Chapter 14.06 (Water Conservation) of Title 14 (Water and Sewers) of the Fort Bragg Municipal Code

City Manager Miller noted that the changes to the ordinance requested by Council at the last regular meeting have been made to Ordinance 969-2021 and it is now ready for adoption. Public Comment was received from Jacob Patterson.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Ordinance be adopted by title only, waiving the second reading of the text. 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: ORD 969-2021

5. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, to approve the Consent Calendar. The motion carried by the following vote:

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

- 5A. [21-329](#)** Adopt City Council Resolution Designating Alternate Director to Represent the City of Fort Bragg on the California Intergovernmental Risk Authority (CIRA) Board of Directors

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4414-2021

- 5B. [21-336](#)** Adopt City Council Resolution Approving Contract with Governmentjobs.com DBA NEOGOV for Implementation of Human Resources Management Suite for the Public Sector and Authorizing City Manager to Execute Contract (Amount not to Exceed \$33,838.51; Account No. 521-4394-0384)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4415-2021

- 5C. [21-337](#)** Adopt Joint City Council / Improvement District Resolution Approving Professional Services Agreement with Springbrook Holding Company, LLC for the Purchase and Use of Springbrook Software and Authorizing City Manager to Execute Same (Amount Not to Exceed \$47,946; Account No. 521-4394-0384)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4416-2021

- 5D. [21-340](#)** Adopt City Council Resolution Approving Professional Services Agreement with Creative Thinking, Inc., DBA The Idea Cooperative for Strategic and Creative Marketing Services for Visit Fort Bragg and Authorizing the City Manager to Execute Contract (Amount Not to Exceed \$180,000.00; Account No. 110-4321-0319)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4417-2021

- 5E. [21-353](#)** 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 4418-2021

- 5F. [21-347](#) Adopt City Council Resolution Authorizing Execution of a Funding Agreement with the State Water Resources Control Board and Authorizing and Designating a Representative for Water Emergency Projects

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4419-2021

- 5G. [21-352](#) Adopt City Council Resolution Confirming the City Manager's Declaration of a Stage 2 Water Warning and Implementing Mandatory Stage 2 Water Conservation Measures

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4420-2021

- 5H. [21-334](#) Receive and File Minutes of the April 27, 2021 Community Development Committee Meeting

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

- 5I. [21-349](#) Approve Minutes of June 28, 2021

These Minutes were approved on the Consent Calendar.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

- 7A. [21-339](#) Receive Report, Conduct Public Hearing, and Consider Adoption of City Council Resolution Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority for the Purpose of Financing the Acquisition and Rehabilitation of a 56-unit Multifamily Development known as Walnut Apartments, for the Benefit of DFA Development, LLC

Mayor Norvell opened the public hearing at 7:07 PM.

City Manager Miller read the report on this agenda item.

Public Comments: None.

Mayor Norvell closed the public hearing at 7:11 PM.

Discussion: None.

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

Enactment No: RES 4421-2021

- 7B. [21-344](#) Open Public Hearing and Immediately Continue Public Hearing to Date, Time and Place Certain - July 26, 2021 at 6:00 PM in Town Hall, 363 N. Main Street - to Consider Appeal of Planning Commission Decision by Leslie Kashiwada, Ken Armstrong and FB Local Business Matters Regarding Approval of Coastal Development Permit 8-19, Design Review 1-19, Parcel Merger 1-19, and Adoption of Mitigated Negative Declaration and Mitigation Measures for the Proposed Grocery Outlet at 825 S. Franklin Street

Mayor Norvell recused himself, citing a personal conflict as his residence is within 300 feet of project. He appointed Vice Mayor Morsell-Haye as Acting Mayor and left the meeting at 7:13 PM.

Acting Mayor Morsell-Haye opened the public hearing at 7:14 PM and announced that the hearing is being continued to the next regular meeting on July 26, 2021 at 6PM or as soon thereafter as the matter may be heard.

This Appeal was continued to July 26, 2021.

8. CONDUCT OF BUSINESS

9. CLOSED SESSION

Mayor Norvell returned to the Council chamber at 7:15 PM and recessed the meeting at 7:16 PM. The meeting reconvened to Closed Session at 7:31 PM.

- 9A. [21-346](#) CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiator: Tabatha Miller, City Manager; Employee Organizations: Fort Bragg Police Association
- 9B. [21-351](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9: Two (2) Potential Cases: Claim from Makayla Hite, Breach of Confidentiality; Claim from Richard Garcia, Harassment
- 9C. [21-358](#) 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

Mayor Norvell reconvened the meeting to Open Session at 8:14 PM and reported that no reportable action was taken on the Closed Session items.

ADJOURNMENT

Mayor Norvell adjourned the meeting at 8:14 PM.

BERNIE NORVELL, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)