



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 12, 2019

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

Mayor Lee called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. [19-385](#) Presentation of 2019 Mayor's Well Done Awards

Mayor Lee and Community Development Administrative Assistant Gonzalez presented the following 2019 Mayor's Well Done Awards:

- Fort Bragg Farmers Market - Record Setting Season
- Noyo Marine Science Center - Best Downtown Educational Facility
- Art Explorers - Best Creative Community Organization
- Interior - Best Store Front Display
- Brittney Tuomala, A Sweet Affair - Creative Young Mom Owned and Operated Business
- American Legion Riders Chapter 96 - Annual Memorial Day Flag Placement
- Sons of American Legion Squadron 96 - Annual Memorial Day Flag Placement
- VFW Post 11166 - Organization of the Annual Memorial Day Flag Placement
- John Skinner, Paul Bunyan Days - Best, Oldest and Largest Festival on the Coast
- New B&C Grocery - Over 100 Years of Business and Community Service
- Jennifer Anderson & Brian Newell - Best Building Transformation (Cypress Street Barn)
- Community First Credit Union - Best Commercial Remodel
- Madame Chinchilla & Mr. G, Triangle Tattoo - 34 Years of Art in the Downtown
- Roundman's Smokehouse - Best New Mural
- Flockworks - Alleyway Art Project
- Nor Coast Rodders - Annual Father's Day Car Show
- Annie Liner and The Mendocino Coast Children's Fund - Good Citizen Award

1B. [19-373](#) Presentation of Proclamation Acknowledging September as National

Preparedness Month

Mayor Lee read a proclamation acknowledging September 2019 as National Preparedness Month.

1C. [19-377](#) Presentation of Status Report from Election Systems Review Committee

Committee Chair Albin-Smith and the members of the Election Systems Review Committee gave a status report to the Council on the Committee's work so far on this project.

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

(1) Non-Agenda Items:

- John Skinner of the Paul Bunyan Days Association presented a recognition plaque to Mayor Lee, City Manager Miller and Chief Lizarraga for their help with the Paul Bunyan Parade every year.
- Susie DeCastro commented on opportunities for the City and Mendocino College to work together on a project now that the Hare Creek Shopping Center development application has been withdrawn.
- Gabriel Quinn Maroney spoke about the Mendocino Coast Historical Society and urged the Council to go to the archives for a look around and to become members of the Society.
- Jenny Shattuck thanked the people who volunteered to help with last week's block party on First Friday.
- George Mansfield talked about two-year education programs that can be completed in one year.
- Jonathan Torres, Councilmember from the City of Point Arena who is a board member of Sonoma Clean Power, gave brief comments on SCP. He would like to come to a future Council meeting to provide a more in-depth report on SCP.

(2) Consent Calendar Items: None.

(3) Closed Session Items: None.

3. STAFF COMMENTS

City Manager Miller noted that downtown Walking Maps are now available at local businesses, restaurants and hotels. She gave a reminder that Town Hall is available on the second Tuesday of every month for free public meetings; standard rental fees and insurance requirements are waived, refundable deposit is required. Miller announced that the Finance Department received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the 2018 Comprehensive Annual Financial Report. Assistant Director of Public Works Smith gave an update on garbage collection and asked people to contact City staff if they see overflowing trash cans around town.

4. MATTERS FROM COUNCILMEMBERS

Councilmembers Albin-Smith and Peters commented on recent ride-alongs with officers of the Fort Bragg Police Department. Councilmember Peters reported on a recent Finance and Administration Committee meeting. Mayor Lee spoke about Fort Bragg events that bring the community together and reported on a League of California Cities meeting in Point Arena.

Mayor Lee recessed the meeting at 8:02 PM; the meeting reconvened at 8:09 PM.

5. CONSENT CALENDAR

Staff responded to brief questions from Vice Mayor Norvell and Councilmember Morsell-Haye about Items 5A and 5C respectively. Councilmember Morsell-Haye asked that Item 5D be removed from the Consent Calendar and voted on separately.

Approval of the Consent Calendar

A motion was made by Vice Mayor Norvell, seconded by Councilmember Peters, to approve the Consent Calendar, with the exception of Item 5D. The motion carried by the following vote:

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

- 5A.** [19-381](#) Adopt City Council Resolution Authorizing Submittal of a Grant Application to the California Coastal Commission for the Completion of the City's Certified Local Coastal Program Amendment to Rezone the Georgia-Pacific Mill Site

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4187-2019

- 5B.** [19-384](#) Adopt City Council Resolution Allocating 40 Article 34 'Low Rent Housing' Units to the Plateau Housing Project at 441 South Street

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4188-2019

- 5C.** [19-370](#) Readopt Master Traffic Resolution

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 1271-2019/B

- 5E.** [19-362](#) Receive and File Minutes of the April 4, 2019 Public Safety Committee Meeting

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

- 5F.** [19-366](#) Approve Minutes of Special Meeting of July 20, 2019

These Minutes were approved on the Consent Calendar.

- 5G.** [19-368](#) Approve Minutes of July 22, 2019

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5D. [19-367](#) Adopt by Title Only and Waive the Second Reading of Ordinance No. 950-2019 Adding Chapter 10.60 (Nuisance Vehicles) to Title 10 (Vehicles and Traffic) of the Fort Bragg Municipal Code

A motion was made by Vice Mayor Norvell, seconded by Councilmember Peters, that this Ordinance be adopted. The motion carried by the following vote:

Aye: 3 - Mayor Lee, Vice Mayor Norvell and Councilmember Peters

No: 2 - Councilmember Albin-Smith and Councilmember Morsell-Haye

Enactment No: ORD 950-2019

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

- 7A. [19-379](#) Receive Report, Conduct Public Hearing and Consider Adoption of City Council Resolution Adopting Fees for Services Related to Processing Applications for Small Wireless Facilities and Ongoing Use of City Rights-of-Way for Small Wireless Facilities

Mayor Lee opened the public hearing at 8:16 PM.

City Manager Miller presented the staff report on this agenda item. She noted that this resolution allows the City to capture fees to offset costs of processing the over-the-counter application, and that the City does not have a choice regarding 5G wireless, as FCC regulations state that cities can only regulate the fees and aesthetics, but not block them from coming into town.

Public Comment was received from:

- Annemarie Weibel requested that the hearing be continued until expert information regarding the impact of 5G on humans, animals, plants and the climate could be obtained.
- Helen Sears spoke about sensitivity to 5G electromagnetic wavelengths.
- Gabriel Quinn Maroney said environmental toxicology is a number one issue threatening people and asked the Council to look at it carefully and notify the public if any applications from wireless providers are received.

Mayor Lee closed the public hearing at 8:35 PM.

Discussion: Some Councilmembers spoke in support of having applications reviewed by the Public Works Committee. All were in favor of allowing the city to charge fees for applications.

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

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

Enactment No: RES 4189-2019

8. CONDUCT OF BUSINESS

- 8A. [19-372](#)** Receive Report and Consider Adoption of City Council Resolution Accepting the Bid of Argonaut Constructors as the Lowest Responsive Bid, Awarding the 2019 Streets Rehabilitation Project, City Project No. 2018-04, to Argonaut Constructors and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$1,585,187.00; Account No. 405-4870-0731)

Engineering Technical O'Neal summarized the staff report on this agenda item and responded to questions from Council.

Public Comment: None.

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

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

Enactment No: RES 4190-2019

- 8B. [19-374](#)** Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreement with LACO Associates to Provide Construction Management Services for the 2019 Street Rehabilitation Project, City Project No. 2018-04, and Authorizing City Manager to Execute Contract (Amount Not To Exceed \$215,900.00; Account No. 405-4870-0731)

Engineering Technician O'Neal gave the staff report on this agenda item.

Public Comment: None.

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

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

Enactment No: RES 4191-2019

- 8C. [19-369](#)** Receive Report and Consider Adoption of City Council Resolution Approving a Professional Services Agreement with TJKM Transportation Consultants to Prepare a Traffic Study for the Mill Site Local Coastal Program (LCP) Amendment and Authorizing City Manager to Execute Same (FY 2019-20 Amount Not To Exceed \$40,000, Account No. 314-3023-0731; and FY 2019-20 Amount Not To Exceed \$24,990, Account No. 116-0000-0731)

Community Development Director Jones provided the staff report for this item, noting that traffic counts would start on a Friday and Saturday in August during the busiest time of summer.

Public Comment: None.

Discussion: Council approved including all five Main Street intersections in the traffic study.

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

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

Enactment No: RES 4192-2019

- 8D. [19-365](#)** Receive Development Impact Fees Reports for Fiscal Year Ending June 30, 2016, Fiscal Year Ending June 30, 2017 and Fiscal Year Ending June 30, 2018

Finance Director Damiani gave the staff report on this item.

Public Comment: None.

These Development Impact Reports were received and filed.

- 8E. [19-376](#)** Receive Report and Consider Directing City Manager to Issue a Refund of \$1,000 Appeal Fee to Gabriel Quinn Maroney Regarding Appeal of Coastal Development Permit 11-12/17 (CDP 11-12/17) - Demolition of Dry Shed 4

City Manager Miller summarized the staff report.

Public Comment was received from:

- David Gurney spoke in support of refunding the \$1,000 to Mr. Maroney.
- Gabriel Quinn Maroney asked that language be added to the municipal code regarding refunds for appeals that go to the Coastal Commission and thanked the Council for considering this matter, whether or not they decide to refund his money.
- Annemarie Weibel spoke in support of a refund to Mr. Maroney.

Discussion: Council was in unanimous support of returning the appeal fees to Mr. Maroney and that the funds should come from the City Council Special Projects budget line item.

Council directed the City Manager to process a refund of the \$1,000 appeal fees to Gabriel Quinn Maroney from the City Council Special Projects account.

- 8F. [19-375](#)** Receive Report and Consider Adoption of City Council Resolution Appointing a City Prosecutor for the Enforcement of City Ordinances

City Manager Miller presented the staff report on this item.

Public Comment: None.

Discussion: Brief discussion was held about the need for a prosecutor to enforce city ordinances and to process the more difficult code enforcement cases.

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

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

Enactment No: RES 4193-2019

9. CLOSED SESSION

ADJOURNMENT

Mayor Lee adjourned the meeting at 9:37 PM.

WILLIAM V. LEE, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)