



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, January 27, 2020

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

Mayor Pro Tem Norvell called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 4 - Vice Mayor Bernie Norvell, Councilmember Tess Albin-Smith, Councilmember Jessica Morsell-Haye and Councilmember Lindy Peters

Absent: 1 - Mayor Will Lee

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

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

(1) Non-Agenda Items:

- None.

(2) Consent Calendar Items:

- William Miller, MD, Chief of Medical Staff at Mendocino Coast District Hospital, spoke in support of the resolution endorsing the hospital's affiliation with Adventist Health (Item 5F), citing much needed improvements to the hospital, additional resources for quality and safety, and improved financial stability.

(3) Closed Session Items:

- None.

3. STAFF COMMENTS

City Manager Miller said the Hospitality Center will conduct a homeless Point-In-Time count on Thursday. She announced a special City Council workshop on economic development incentives policy manual and formula business ordinance on Wednesday. The first Mendo Recycle additional Tuesday cleanup will focus on graffiti removal. Public Works Assistant Director Smith provided an update on the CV Starr Pool Basin Rehabilitation project. Public Works Director Varga cited statistics on the electric vehicle charging station for the first year of operation. He gave a brief update on a meeting regarding the Road 409 transfer station project.

4. MATTERS FROM COUNCILMEMBERS

Mayor Pro Tem Norvell stated that Mayor Lee is home sick with the flu. Councilmember Peters spoke in favor of a 5:30 PM start time for Council meetings. He reported on a hospital board meeting regarding OB-GYN, labor and delivery services. In response to Councilmember Peters' question regarding the town clock, Public Works Director Varga responded that three quotes have been received so far and all will be presented at the next Public Works and Facilities Committee meeting. Councilmember Albin-Smith reported on a recent Economic Development and Financing Corporation meeting.

5. CONSENT CALENDAR

Mayor Pro Tem Norvell requested that Item 5E be removed from the Consent Calendar for further discussion and Item 5F be removed so he could recuse himself.

Approval of the Consent Calendar

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

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

Absent: 1 - Mayor Lee

- 5A. [20-589](#)** Adopt City Council Resolution Denying Appeal of Mitch Bramlitt and AutoZone Parts, Inc. and Upholding Planning Commission's Determination to Deny Coastal Development Permit 9-18 (CDP 9-18), Design Review 3-18 (DR 3-18) and Subdivision 1-18 (DIV 1-18)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4223-2020

- 5B. [20-555](#)** Accept Development Impact Fees Reports for Fiscal Year Ending June 30, 2019

These Development Impact Fees Reports were accepted on the Consent Calendar.

- 5C. [20-563](#)** Accept Certificate of Completion for C.V. Starr Pool Basin Reconstruction Project, City Project No. PWP-00113, and Direct City Clerk to File Notice of Completion

This Certificate of Completion was accepted on the Consent Calendar.

- 5D. [20-565](#)** Adopt City Council Resolution Declaring Surplus Exempt Property - Noyo Center for Marine Science Parcel (APN 018-420-15)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4224-2020

- 5G.** [20-588](#) Approve a Letter in Support of Mendocino County Measure D and Companion Measure E
This Council Letter was approved on the Consent Calendar.
- 5H.** [20-564](#) Receive and File Minutes of the November 13, 2019 Public Works and Facilities Committee
These Committee Minutes were received and filed on the Consent Calendar.
- 5I.** [20-585](#) Approve Minutes of January 13, 2020
These Minutes were approved on the Consent Calendar.
- 5J.** [20-596](#) Adopt City Council Resolution Delegating to the City Manager Disability Retirement Determinations of Local Safety Officer Employees of the California Public Employees' Retirement System
This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4226-2020
- 5K.** [20-597](#) Adopt City Council Resolution Updating the City's Compensation Plan and Confirming the Pay/Rates/Ranges for all City of Fort Bragg Established Classifications
This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4227-2020

ITEMS REMOVED FROM CONSENT CALENDAR

- 5E.** [20-570](#) Adopt City Council Resolution Amending Rules of Procedure for Conduct of City Council Business

Mayor Pro Tem Norvell stated his worry that starting the meetings at 5:30 PM would only add another half hour to the meeting times.

Public Comment: None.

Discussion: Council agreed that this matter should be considered by all Councilmembers and staff could bring the matter back for reconsideration when the Mayor is present.

This Resolution was referred to staff.

- 5F.** [20-587](#) Adopt City Council Resolution Endorsing Measure C - Mendocino Coast Health Care District's Lease to Stone Point Health

Mayor Pro Tem Norvell recused himself from voting on this item, as he has a business conflict of interest.

Public Comment: None.

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: 3 - Councilmember Albin-Smith, Councilmember Morsell-Haye and Councilmember Peters

Absent: 1 - Mayor Lee

Recuse: 1 - Vice Mayor Norvell

Enactment No: RES 4225-2020

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

- 7A. [20-575](#)** Receive Report, Receive Planning Commission Recommendation, Conduct Public Hearing, and Consider Introducing by Title Only and Waiving the First Reading of Ordinance 959-2020 Amending Tables in Sections 18.22.030 and 18.22.050 of Article 2 (Zoning Districts and Allowable Land Uses), Repealing and Replacing Article 4 (Standards for Specific Land Uses), Repealing and Replacing Sections 18.90.030 and 18.90.040 of Article 9 (Inland Land Use and Development Administration), and Amending Article 10 (Definitions) of Title 18 (Inland Land Use and Development Code) of the Fort Bragg Municipal Code Relating to Second Units

Mayor Pro Tem Norvell opened the public hearing at 6:22 PM.

Assistant Planner McCormick presented the staff report on this agenda item, explaining the parameters for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (ADUs).

Public Comment:

- Jacob Patterson made suggestions about more permissive regulations, including allowing JADUs to be constructed in the garage of a property.

Mayor Pro Tem Norvell closed the public hearing at 6:31 PM.

Discussion: Council held a brief discussion regarding parking on streets and alleys, JADUs and ADUs. It was decided to introduce the ordinance as it is currently written this evening, and after more research and discussion regarding density, bring the matter back at a later date for further consideration and ordinance amendment, if needed.

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

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

Absent: 1 - Mayor Lee

- 7B. [20-568](#)** Receive Report and Conduct Public Hearing for the Disclosure of Accomplishments and Closeout of Activities Funded by Community

Development Block Grant (CDBG) 16-CDBG-11140

Mayor Pro Tem Norvell opened the public hearing at 6:40 PM.

Special Projects Assistant McLaughlin summarized the staff report on this agenda item.

Public Comment:

- Jacob Patterson made no comment but signed the CDBG public comment sheet.

Mayor Pro Tem Norvell closed the public hearing at 6:43 PM.

This Staff Report was received and filed.

7C. [20-572](#)

Receive Report, Conduct Public Hearing, and Consider Adopting by Title Only and Waiving the Second Reading of Ordinance No. 956-2019 Repealing and Replacing Chapter 15.04 (Construction Codes - Adopted by Reference) and Chapter 15.05 (California Fire Code) of Title 15 (Buildings and Construction) of the Fort Bragg Municipal Code

Mayor Pro Tem Norvell opened the public hearing at 6:43 PM.

City Manager Miller presented the staff report on this agenda item.

Public Comment: None.**Mayor Pro Tem Norvell closed the public hearing at 6:46 PM.**

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

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

Absent: 1 - Mayor Lee

Enactment No: ORD 956-2019

8. CONDUCT OF BUSINESS**8A. [20-567](#)**

Receive Report and Provide Direction to Staff Regarding 2020 Community Development Block Grant Application

Special Projects Assistant McLaughlin presented the staff report on this agenda item and asked Council to provide direction on which activities to include in the 2020 CDBG grant application. She explained the difference between Over The Counter (OTC) and competitive application processes.

Public Comment: None.

Discussion: Councilmembers briefly discussed potential projects, including purchase of vacant land for parks, facade improvement program, business assistance loans and microenterprise fund programs. Council directed staff to move forward with the application for a water meter replacement project.

This Staff Report was referred to staff with the direction to proceed with preparing a grant applicaiton for the water meter replacement project.

8B. [20-551](#)

Receive Report and Consider Adoption of City Council Resolution Accepting the 2020 Fort Bragg Police Department Salary Survey Results

as Required by Ordinance 672, Adopting Changes to the City of Fort Bragg Salary Rate Compensation Plan and Approving Budet Amendment 2020-08 to the Fiscal Year 2019-20 Budget in the Amount of \$70,932 (Account 110-4200-payroll accounts)

Finance Director Damiani gave the report on this item.

Public Comment: None.

Discussion: After discussing this matter, it was agreed that many of the items in the report will be further addressed at the upcoming mid-year budget review meeting.

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

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

Absent: 1 - Mayor Lee

Enactment No: RES 4228-2020

8C. [20-583](#) Receive Fiscal Year 2019-20 First Quarter Financial Report

Government Accountant Whippy presented the staff report on this agenda item.

Mayor Pro Tem Norvell recessed the meeting at 7:38 PM; the meeting reconvened at 7:46 PM.

Public Comment:

- Jenny Shattuck asked questions about the transient occupancy tax (TOT) measure and if TOT funds were being used at a Berkeley event.
- Jacob Patterson suggested an additional companion measure asking how people feel about Measure AB now, if the City decides on another sales tax measure. He said the voters would have to approve a storm drain enterprise.

Discussion: After discussing the matter, Council directed staff to pursue a sales tax measure for the November election. Mayor Pro Tem Norvell appointed Councilmembers Albin-Smith and Peters to a Revenue ad hoc committee to be in effect until election day, November 3, 2020.

This Report was received and staff was directed to pursue a sales tax measure for the November 3, 2020 ballot. Mayor Pro Tem Norvell appointed Councilmembers Albin-Smith and Peters to a Revenue ad hoc committee effective January 27, 2020 to November 3, 2020.

8D. [20-566](#) Receive Report and Consider Adoption of Fort Bragg Municipal Improvement District Resolution Authorizing District Manager to Execute Contract Change Orders for the Wastewater Treatment Plant Upgrade Project, Project No. 2018-01, Increasing the Amount of the Construction Contract with Wahlund Construction, Inc., by a Not To Exceed Amount of \$1,037,000

Public Works Assistant Director Smith presented the staff report on this agenda item.

Public Comment was received from Richard Mack.

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

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

Absent: 1 - Mayor Lee

Enactment No: RES ID 424-2020

8E. [20-584](#)

Receive Report and Consider Adoption of City Council Resolution Approving Execution of a Service Agreement between Fort Bragg and the County of Mendocino Relating to Administration and Distribution of Homeless Emergency Aid Program (HEAP) Funds Allocated Through the Mendocino County Homeless Services Continuum of Care (MCHSCoC)

City Manager Miller presented the staff report on this agenda item.

Public Comment: None.

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

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

Absent: 1 - Mayor Lee

Enactment No: RES 4229-2020

9. CLOSED SESSION

ADJOURNMENT

Mayor Pro Tem Norvell adjourned the meeting at 8:46 PM.

WILLIAM V. LEE, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)