



# 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*

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Monday, July 25, 2022

6:00 PM

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

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### CALL TO ORDER

Mayor Norvell called the meeting to order at 6:00 PM, Councilmember Albin-Smith 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

Mayor Norvell announced that he would move Closed Session Item 9C before Item 9A. The Mayor said he would entertain a motion to add Item 1B to the agenda to approve his nomination of Scott Deitz to the Planning Commission.

### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

**1A.** [22-352](#) Introduction and Swearing In of Police Chief Neil Cervenka

Mayor Norvell introduced new Police Chief Neil Cervenka, and City Clerk Lemos issued the Oath of Office. After the swearing-in, Chief Cervenka's wife pinned his badge onto his uniform. The Chief provided background information on his career and expressed his thanks to City Council, David Spaur, John Naulty and the City of Fort Bragg for having confidence in him, and he committed to perform his job in a compassionate and courageous way.

**1B.** [22-375](#) Nomination and Appointment of Planning Commissioner to Serve on the Fort Bragg Planning Commission

At the July 11, 2022 special meeting of the City Council, Mayor Norvell announced that he would like to appoint Scott Deitz as Planning Commissioner following the death of Commissioner Sharon Davis. No objections were received from any of the Councilmembers. Appointments to the Planning Commission require the affirmative vote of at least three City Councilmembers. The Mayor may at any time permit a member to introduce a motion out of the regular agenda order of business. As this item was not included on the regular agenda, Government Code 54954.2(b) requires a two-thirds vote of the City Council to approve the addition of the item to this agenda. The Mayor stressed the immediate need to have a full Planning Commission to perform their essential function for the City.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, to add the Appointment of a Planning Commissioner to this agenda. The motion carried by the following vote:**

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

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, to approve Mayor Norvell's Appointment of Scott Deitz to the Fort Bragg Planning Commission. The motion carried by the following vote:**

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

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

- (1) Jenny Shattuck asked for updates on ad hoc committee matters. Jay McMartin Rosenquist commented on the new Tall Man Brewing project.
- (2) Jacob Patterson commented on Item 5F.
- (3) Jacob Patterson commented on Items 9A and 9B.

## **3. STAFF COMMENTS**

Assistant City Manager McCormick noted that if the appointment of Peggy Ducey to City Manager is approved, the salary will be \$76.34 per hour. City Clerk Lemos gave an update on the City Council nomination process and noted that Councilmember Lindy Peters has qualified to be on the November ballot. The nomination period will remain open until August 17, 2022. Public Works Director Smith provided updates on the Cold Creek Compost giveaway, the bid and proposal process for the Bainbridge Park Soccer Field and Fire Station Rehabilitation projects, and Waste Management bin pickup. Assistant Finance Director Whippy noted that the Utility Assistance Program is accepting applications and may pay up to \$2,000 to qualified applicants on a first come, first served basis until funding runs out. He reported that the IT Department has upgraded the cameras at Town Hall to provide better images for meeting streaming.

## **4. MATTERS FROM COUNCILMEMBERS**

Councilmember Rafanan noted that school will start again soon and road safety measures should be considered in school zones. Councilmember Peters said that the Public Works and Facilities (PWF) Committee discussed the creation of a tree advisory committee. He reported on a Mill Site ad hoc committee meeting about the Central Coastal Trail access. Vice Mayor Morsell-Haye said that a recent downtown business meeting was held, and the business community desires the Council to establish the Central Business District as an arts and culture district. She suggested that the Visit Fort Bragg (VFB) Committee appoint a subcommittee to put together a plan for such a district and submit their recommendations to the VFB Committee and the City Council. The majority of Councilmembers supported that recommendation. Councilmember Albin-Smith also spoke about the PWF's plans to form a tree advisory committee. She asked for support from Council to establish the committee. Councilmember Albin-Smith also noted that VFB has a subcommittee working on walking maps and signage, downtown parties, and other events.

## **5. CONSENT CALENDAR**

Councilmember Peters announced that he would recuse himself from voting on Items 5C and 5F due to a potential conflict of interest because his wife works at the City.

### Approval of the Consent Calendar

**A motion was made by Councilmember Albin-Smith, seconded by Councilmember Rafanan, 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.** [22-329](#) Adopt Municipal Improvement District Resolution Approving Professional Services Agreement with Applied Marine Sciences for Biological Surveys and Outfall Inspection Reports and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$41,072, Account No. 710-4712-0319).

**This ID Resolution was adopted on the Consent Calendar.**

Enactment No: RES ID 468-2022

- 5B.** [22-340](#) Adopt City Council Resolution Delegating to the City Manager, Interim City Manager and/or Acting 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 4566-2022

- 5D.** [22-343](#) 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 4567-2022

- 5E.** [22-345](#) Approve Offer Letter and Adopt City Council Resolution Appointing Peggy Ducey as Interim City Manager for the City of Fort Bragg

**This Offer Letter was accepted and this Resolution was adopted on the Consent Calendar.**

Enactment No: RES 4573-2022

- 5G.** [22-370](#) Adopt Joint City Council/Improvement District/Redevelopment Successor Agency Resolution Approving a Professional Services Agreement with JJACPA, Inc. for Auditing Services and Authorizing City/District Manager/Executive Director to Execute Same (Amount Not to Exceed \$49,550; Split Among the Agencies)

**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 4568-2022 / RES ID 469-2022 / RES RS 34-2022

5H. [22-363](#) Receive and File Minutes of the February 22, 2022 Community Development Committee Meeting

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

5I. [22-364](#) Receive and File Minutes of the April 26, 2022 Committee Development Committee Meeting

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

5J. [22-342](#) Approve Minutes of Special Closed Session of June 27, 2022

**These Minutes were approved on the Consent Calendar.**

5K. [22-356](#) Approve Minutes of June 27, 2022

**These Minutes were approved on the Consent Calendar.**

5L. [22-354](#) Approve Minutes of Special Closed Session of July 11, 2022

**These Minutes were approved on the Consent Calendar.**

5M. [22-355](#) Approve Minutes of Special Meeting of July 18, 2022

**These Minutes were approved on the Consent Calendar.**

5C. [22-341](#) Adopt City Council Resolution Establishing a Salary Rate Compensation Plan Confirming Pay Rates/Ranges for City of Fort Bragg Police Association Classifications

**A motion was made by Councilmember Albin-Smith, 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

**Recuse:** 1 - Councilmember Peters

Enactment No: RES 4569-2022

5F. [22-348](#) Adopt City Council Resolution Approving the 2022-2025 Memorandum of Understanding with the Fort Bragg Employee Organization/Service Employees International Union Local 1021 and Authorizing City Manager to Execute Same

**A motion was made by Councilmember Albin-Smith, 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

**Recuse:** 1 - Councilmember Peters

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Enactment No: RES 4570-2022

## **6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS**

None.

## **7. PUBLIC HEARING**

## **8. CONDUCT OF BUSINESS**

- 8A. [22-369](#)** Receive Report and Consider Adoption of City Council Resolution Declaring a Stage 1 Water Alert and Implementing Stage 1 Water Conservation Measures

Public Works Director Smith presented the staff report on this agenda item, noting that a Stage 1 Water Alert will help conserve water.

Public Comment was received from Jay McMartin Rosenquist and Jenny Shattuck.

**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 4571-2022

- 8B. [22-323](#)** Receive Public Review Draft of City of Fort Bragg Former Georgia Pacific Mill Site Economic Diversification Report and Provide Council Input to be Included in Final Draft

Assistant City Manager McCormick provided a brief summary of this agenda item and introduced Josh Metz who made a presentation to Council.

Public Comment was received from Gabriel Quinn Maroney, Mary Rose Kaczorowski, Jenny Shattuck, Andrew Jordan, Chris Hart and Jacob Patterson.

Discussion: The Councilmembers thanked Mr. Metz for a good report. The discussion focused on workforce housing, a microgrid for energy production, carbon neutrality, blue economy industrial hub, restorative aquaculture, and various ways to stimulate the economy and boost tourism.

**Mayor Norvell recessed the meeting at 7:53 PM; the meeting reconvened at 8:03 PM.**

**This Report was received and filed.**

- 8C. [22-295](#)** Receive Project Update and Status Report from Parents and Friends, Inc. on the Cypress Street Residential Care Facility for the Elderly Project at 350 Cypress Street

Natalie McLaughlin of SHN made a presentation on the status of this project. Rick Moon of Parents and Friends also addressed the Council.

Public Comment was received from Jacob Patterson.

**This Report was accepted.**

- 8D. [22-347](#)** Receive Report and Provide Direction to Staff Regarding Options for Preserving Eagles Hall as a Public Assembly Venue, Including Historic

Landmark Status, Existing Zoning Regulations and Other Options

Assistant City Manager McCormick noted that Councilmembers Albin-Smith and Peters asked that this item be brought forward for discussion. City consultant Marie Jones of Marie Jones Consulting gave the report on this agenda item.

Public Comment was received from Leslie Kashiwada, Jacob Patterson and Megan Caron.

**This Staff Report was not acted on.**

- 8E. [22-336](#)** Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreement with Creative Thinking, Inc., DBA The Idea Cooperative, to Provide 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)

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

Public Comment: Megan Caron and Jacob Patterson spoke in opposition to the contract.

Discussion: After a brief discussion, the City Council unanimously approved continuing with the Idea Cooperative contract, noting that the Council is doing what the voters asked it to do when they approved Measure AA/AB.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, 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 4572-2022

## **9. CLOSED SESSION**

**Mayor Norvell recessed the meeting at 9:18 PM; the meeting reconvened to Closed Session at 9:25 PM.**

- 9C. [22-372](#)** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9; Name of Case: City of Fort Bragg vs. Mendocino Railway and Does 1-10, Case No.: 21CV00850, Superior Court of the State of California, County of Mendocino

**Councilmember Peters recused himself from hearing Items 9A and 9B due to a potential conflict of interest because his wife works for the City and left the meeting at 9:46 PM.**

- 9A. [22-353](#)** CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiators: Isaac Whippy, Assistant Finance Director; Employee Organizations: Confidential Non-Bargaining Classifications, and Exempt At-Will Executive Management Classifications

- 9B. [22-358](#)** CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiators: Sarah McCormick, Assistant City Manager; Employee Organizations: Exempt Mid-Management Classifications

Mayor Norvell reconvened the meeting to Open Session at 10:03 PM and reported that no reportable action was taken on the Closed Session items.

**ADJOURNMENT**

Mayor Norvell adjourned the meeting at 10:03 PM.

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BERNIE NORVELL, MAYOR

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June Lemos, MMC, City Clerk

IMAGED (\_\_\_\_\_)