



# 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, January 24, 2022

6:00 PM

Via Video Conference

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### CALL TO ORDER

Mayor Norvell called the meeting to order at 6:01 PM, all Councilmembers 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. [21-605](#)** Receive Presentation and Report from the Citizens Commission on a Fort Bragg Name Change

Members of the Citizens Commission - Keily Becerra Sanchez, Marshall Carr, Jr., Nicki Caito Urbani, Misty Dawn Cook, Christie Olson Day, Gabriel Quinn Maroney, Lucy Stanley, Scott Taubold, Andy Wellspring, and Cesar Yanez - made their presentation to the City Council and reported that they reached unanimous agreement on the six recommendations they offered to Council for their consideration. The recommendations are:

1. create a policy to prioritize giving land back to local coastal tribes
2. formalize an agreement to work with local tribes, recognizing their sovereignty
3. support the creation of a cultural center
4. appoint a local history working group
5. appoint a committee to work with schools and tribes to present a more complete history of the area
6. support an outdoor event to showcase diversity in the community

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

- (1) Chris Hart, LimaSierra Wooten, Steve Antler, Annemarie Weibel, Jonathan Lehan, Jay McMartin-Rosenquist, and Shelley Green.
- (2) Jacob Patterson commented on Item 5B.
- (3) George Reinhardt spoke on Item 9A.

### **3. STAFF COMMENTS**

Public Works Director Smith thanked the Seniors on Bikes group for their recent work on the Coastal Trail.

### **4. MATTERS FROM COUNCILMEMBERS**

Mayor Norvell thanked the folks who helped clean up an abandoned homeless encampment in Otis Johnson Park. Councilmember Peters spoke about the recent loss of Tony Anderson, a local announcer who never missed a local game, and his volunteer work at the Food Bank. Vice Mayor Morsell-Haye noted that there is Council support to bring back the six recommendations from the Citizens Commission along with a budget for doing the various suggestions. Councilmember Albin-Smith also recognized Tony Anderson. She reported on a recent meeting of the Coastal League of Cities group.

### **5. CONSENT CALENDAR**

Councilmember Albin-Smith requested that Item 5D be removed from the Consent Calendar for discussion.

#### **Approval of the Consent Calendar**

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, to approve the Consent Calendar with the exception of Item 5D. The motion carried by the following vote:**

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

- 5A. [21-656](#)** Adopt City Council Resolution Approving Contract with Cash Carpet Service, Inc. for the Removal and Application of Non-Skid Concrete Topping in the C.V. Starr Center's Men's Locker Room and Authorizing City Manager to Execute Same (Amount Not To Exceed \$31,926.60 Account 810-4812-0751)

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

Enactment No: RES 4499-2022

- 5B. [22-014](#)** Accept Development Impact Fee Report, Utility Capacity Fee Reports and General Plan Maintenance Fee Report for Fiscal Year Ending June 30,2021

**These Reports were accepted on the Consent Calendar.**

- 5C. [22-017](#)** Adopt Joint City Council/Municipal Improvement District Resolution Approving Budget Amendment 2022-18 to the Fiscal Year 2021-2022 Budget

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

Enactment No: RES 4500-2022 / RES ID 462-2022

- 5E. [22-030](#)** Adopt City Council Resolution Approving a First Amendment to Professional Services Agreement with Kutak Rock, LLP for Legal Support Services and Authorizing City Manager to Execute Same, Increasing the Amount of Contract

by a Not to Exceed Amount of \$50,000 for a Total Contract Amount Not to Exceed \$100,000 (Account No. 110-4130-0311)

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

Enactment No: RES 4501-2022

- 5F.** [22-026](#) Adopt City Council Resolution Amending the City of Fort Bragg Conflict of Interest Code

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

Enactment No: RES 4502-2022

- 5G.** [22-027](#) Adopt City Council Resolution Appointing Representatives to Represent and Vote on Behalf of the City at the League of California Cities Redwood Empire Division Business Meeting and Legislative Committee Meetings

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

Enactment No: RES 4503-2022

- 5H.** [22-028](#) 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 4504-2022

- 5I.** [22-029](#) 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 4505-2022

- 5J.** [22-025](#) Receive and File Minutes of the July 27, 2021 Community Development Committee Meeting

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

- 5K.** [22-031](#) Approve Minutes of January 10, 2022

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

### **ITEMS REMOVED FROM CONSENT CALENDAR**

- 5D.** [22-033](#) Adopt City Council Resolution Approving Contract with Knorr Systems, Inc. for the Removal and Replacement of the Competition Swimming Pool Heater at the C.V. Starr Community Center and Authorizing City Manager to Execute Same (Amount Not To Exceed \$29,552.25, Account 810-4812-0751)

Councilmember Albin-Smith asked for more information on the cost of the contract. Public Works Director Smith explained that this contract was for replacement of the competition pool boiler,

and the cost was higher than the leisure pool boiler which was approved by the City Manager as it was below the \$25K threshold.

Public Comment: None.

**A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Morsell-Haye, that these 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 4506-2022

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

None.

## **7. PUBLIC HEARING**

## **8. CONDUCT OF BUSINESS**

- 8A.** [22-019](#) Receive Report and Consider Adoption of City Council Resolution Accepting the Bid of Coleman Environmental Engineering, Inc. as the Lowest Responsive Bid, Awarding Contract for the Construction of the 2021 Water Meter Replacement Project, City Project No. WTR-00020, to Coleman Environmental Engineering, Inc., and Authorizing the City Manager to Execute the Contract in an Amount Not to Exceed \$2,534,658 (Account No. 716-7002-0731)

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

Public Comment: None.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that these 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 4507-2022

- 8B.** [22-015](#) Receive Presentation on the Annual Comprehensive Financial Report (ACFR) for the Year Ended June 30, 2021 for the City of Fort Bragg and Consider Accepting the ACFR as Presented

Assistant Finance Director Whippy presented the report on this agenda item.

Public Comment was received from Andrew Jordan.

Discussion: The members of City Council agreed that a lot of progress and accomplishments were achieved during this last year, especially in light of the pandemic, and all Councilmembers gave kudos to staff.

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Report be received and filed. The motion carried by the following vote:**

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

**8C.** [22-037](#) Receive Report and Consider Approval of City Council Letter to California Public Utilities Commission (CPUC) in Support of Joining a Rural Regional Energy Network (REN)

Councilmember Albin-Smith gave a report on this item, assisted by Supervisor Dan Gjerde.  
Public Comment: None.

**A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Morsell-Haye, that this 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

**9. CLOSED SESSION**

**Mayor Norvell recessed the meeting at 9:04 PM; the meeting reconvened to Closed session at 9:10 PM.**

**9A.** [22-034](#) 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

**Mayor Norvell reconvened the meeting to Open Session at 9:52 PM and reported that no reportable action was taken on the Closed Session item.**

**ADJOURNMENT**

**Mayor Norvell adjourned the meeting at 9:52 PM.**

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BERNIE NORVELL, MAYOR

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June Lemos, MMC, City Clerk

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