



# 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, September 23, 2019

6:00 PM

Town Hall, 363 N. Main Street

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### 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. [19-395](#)** Recognize Police Services Technician Sally Provencher upon her Retirement for her Service to the City of Fort Bragg; September 30, 1985 to September 28, 2019

Fort Bragg Police Sergeant Lee recognized Police Services Technician Sally Provencher for her 33 years of service at the Police Department and presented her with a plaque commemorating her years at the City. Sally retires on September 27, 2019.

- 1B. [19-414](#)** Presentation of Proclamation Recognizing Cindy Lemas as the 2019 Jere Melo Foundation Volunteer of the Year

Mayor Lee presented a Proclamation awarding the Jere Melo Foundation Volunteer of the Year award to Cindy Lemas.

- 1C. [19-428](#)** Presentation by Lia Wilson Regarding an Alley Art Project

Lia Wilson gave a presentation on the Alleyway Art Project. Council consensus was to allow staff to spend some time to assist in mural/art projects.

- 1D. [19-432](#)** Presentation by William Miller, MD, John Redding and Steve Lund of the Hospital Affiliation Ad Hoc Committee

Members of the Hospital Affiliation ad hoc committee presented a report to City Council. Information on affiliation with Adventist Health was discussed, along with increased specialist services on the coast, how to ensure a vibrant future for the hospital, and what a loss of the

hospital would do to the coastal economy. The hospital plans to put the question of affiliation to the voters, most likely on the March 2020 ballot. The hospital will hold a series of eight community forums to gather public input. Mayor Lee allowed public comment regarding this presentation. Gabriel Quinn Maroney spoke in support of integrated medicine and alternative/natural medicines. George Reinhardt recommended that the hospital look at treatment of addiction and building a healthy community. Mayor Lee offered to allow the hospital ad hoc committee to use Town Hall for one of their community forums.

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

(1) Non-Agenda Items:

- Jacqueline Bazor reported on an assault incident that occurred on Franklin Street near Chestnut involving her son. She made a plea for the City Council to make the streets safe again and asked for more of a police presence on the streets of Fort Bragg.

(2) Consent Calendar Items: None.

(3) Closed Session Items: None.

## **3. STAFF COMMENTS**

City Manager Miller reported on a recent tour of the Guest House Museum and efforts to restore and protect the stained glass windows of the structure. She also related that she accompanied the Mayor and Assemblymember Wood on a tour of the mill site property. Miller announced that the last block party of the season will be on October 4, and the City will be celebrating its 130th birthday on that date. The City Manager noted that box/formula stores will be discussed by the Council on October 15. She gave an update on PG&E power shutoff status. City Clerk Lemos announced that applications are being accepted for an opening on the Library Advisory Board. Finance Director Damiani noted that the lowest bid on the Merchant Banking Services Request for Proposals was from US Bank, with a savings of approximately \$75K over the five-year period. He requested approval of the Council to bring the contract award back to Council on a future Consent Calendar; Council unanimously approved that request. Public Works Director Varga reported on last weekend's Coastal Cleanup Day. He announced that the 2019 Streets Rehabilitation Project started today. Varga stated that interim management of the Community Development Department will be done by Public Works Manager Perkins and that recruitment for a replacement of the CDD Director will take place shortly. He also noted that last week's Community Development Block Grant audit showed positive preliminary results.

## **4. MATTERS FROM COUNCILMEMBERS**

Vice Mayor Norvell made brief remarks on the public comment of Jacqueline Bazor. He reported on a recent meeting with stakeholders in town regarding youth stealing alcohol at Safeway, and that Safeway is refusing to prosecute shoplifting offenses. Councilmember Albin-Smith reported on a recent meeting of the Fort Bragg Headlands Consortium, Guest House Museum tour, the Boonville Fair, Global Climate Strike, Hispanic Festival, and Election Systems Review Committee public forum. Councilmember Peters attended the Latino Coalition Day at Bainbridge Park and a Noyo Center for Marine Science presentation by the

Center's architect. Councilmember Morsell-Haye spoke about funding for this year's Emergency Weather Shelter. She requested that the general plan maintenance fee be brought back to Council for reconsideration of the rates being charged by the City. The Council unanimously agreed to bring this item back for discussion as a conduct of business matter. Mayor Lee noted that he supported the Climate Action Strike. He said he has been advised that the Council will be presented with a lot of signatures requesting the the Council adopt a resolution against the current administration's stance on climate change.

**Mayor Lee recessed the meeting at 7:45 PM; the meeting reconvened at 7:53 PM.**

## **5. CONSENT CALENDAR**

Vice Mayor Norvell asked for an update on the project identified in Item 5B. Public Works Director Varga gave a summary of the project. Councilmember Morsell-Haye requested that Item 5A be removed from the Consent Calendar for her recusal.

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

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

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

**5B. [19-429](#)** Accept Certificate of Completion for 2019 Cure-In-Place Pipe (CIPP) Project, City Project No. 2019-03, and Direct District Clerk to File Notice of Completion

**This Certificate of Completion was accepted on the Consent Calendar.**

**5C. [19-438](#)** Receive and File Minutes of the July 10, 2019 Public Works and Facilities Committee

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

**5D. [19-433](#)** Approve Minutes of September 9, 2019

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

## **ITEMS REMOVED FROM CONSENT CALENDAR**

**5A. [19-430](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 951-2019 Repealing and Replacing Chapter 15.06 (Automatic Fire Sprinkler and Alarm Systems) of Title 15 (Buildings and Construction) of the Fort Bragg Municipal Code

**Councilmember Morsell-Haye recused herself from voting on this Consent Calendar item, citing a business conflict of interest.**

**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:** 4 - Mayor Lee, Vice Mayor Norvell, Councilmember Albin-Smith and Councilmember Peters

**Recuse:** 1 - Councilmember Morsell-Haye

Enactment No: ORD 951-2019

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

Both Vice Mayor Norvell and Councilmember Morsell-Haye disclosed conversations with Jeff Green, the owner of Akeff Construction, concerning Akeff's bid on the Glass Beach Stairs Replacement Project.

## **7. PUBLIC HEARING**

## **8. CONDUCT OF BUSINESS**

**8A. [19-435](#)** Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreement with Questa Engineering Corp. to Provide Construction Management Services for the Glass Beach Stairs Replacement Project, City Project No. PWP-00115, and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$63,036; Account No. 407-5052-0731)

Public Works Director Varga presented the staff report on this item, noting that through intense negotiations, he had reduced the cost estimate down to \$19,000, bringing the total cost for the project to \$192,700 minimum and \$215,900 maximum. He requested direction from Council as follows: (1) Does Council want to move forward with the project? (2) If so, what construction and construction management scope of work should be pursued? (3) What variety of resources should be used to pay for the project? (4) Any other direction for staff?

Public Comment: None.

Discussion: A detailed discussion was held regarding the need for and the cost of installing a staircase to the beach. The general consensus of Council was that this project was too costly and not fiscally responsible, as the funds could be used for other more worthwhile projects. Council decided not to go forward with the project; no motion was made to adopt the resolution.

**This Resolution was not acted on.**

**8B. [19-436](#)** Receive Report and Consider Adoption of City Council Resolution Accepting the Bid of Akeff Construction Services, Inc. as the Lowest Responsive Bid, Awarding the Glass Beach Stairs Replacement Project, City Project No. PWP-00115, to Akeff Construction Services, Inc. and Authorizing City Manager to Execute the Contract (Amount Not to Exceed \$196,900; Account No. 407-5052-0731), Amending the FY 2019-20 Budget (Amendment No. 2020-02), Approving the Reallocation of \$100,000 from the Parkland Monitoring/Reporting Fund (Account No. 122-7999-0799) and the Reallocation of \$188,591 from the Operating Reserves to Fund the Glass Beach Stairs Replacement Project (Account

No. 407-5052-0731)

This agenda item was discussed in conjunction with 8A. The Council decided not to go forward with the project, and no motion to adopt the resolution was made.

**This Resolution was not acted on.**

**8D. [19-437](#)** Receive Report on Implementation of a Capacity Fee Deferral Program and Provide Direction to Staff

Mayor Lee directed that this agenda item 8D be taken out of order and presented before 8C. City Manager Miller presented the staff report on this Capacity Fee Deferral Program matter. Public Comment was received from:

- Chuck Greenburg from Habitat for Humanity said it would help them not to have the fee at all, but if they have to pay, he would prefer that they have the option to repay the fee over a five-year period.

Discussion: Much discussion was held on the various aspects of a capacity fee deferral program. The Council was generally in favor of such a program and directed staff as follows:

1. Allow General Plan Maintenance Fee to be deferred. The parameters of the deferral are to be discussed at a future City Council meeting.
2. Downpayment of 20% except in case of affordable housing and nonprofits.
3. Consider amount less than \$15,000 in the case of residential housing projects to defer until the finaling of the project.
4. Incentives will be talked about when general plan maintenance fee is discussed.
5. Interest charged at the City's investment rate.
6. Deferral period is two to three years as proposed.
7. Affordable housing projects can defer interest accrual until project is finalized.
8. No waiving of water or wastewater fees for affordable housing projects.

**This Staff Report was referred to staff.**

**8C. [19-434](#)** Receive Report and Consider Assigning a Permanent Name for an Unnamed Road Currently Known as "Frontage Road"

City Manager Miller gave the staff report on this item.

Public Comment:

- Gabriel Quinn Maroney said that naming a street is a way of celebrating things like wildlife and nature and recommended that the street be named after an animal, lichen or tree.

Discussion: It was requested that this matter be continued to a future meeting so the Pomo tribe members could give input on street names to keep the theme with Pomo Bluffs Park.

**A motion was made by Councilmember Peters to name the street Matt Huber Street. The motion failed for lack of second. This item was returned to staff to bring back to Council when other street name choices have been obtained from the Pomo tribe.**

## **9. CLOSED SESSION**

### **ADJOURNMENT**

**Mayor Lee adjourned the meeting at 9:14 PM.**

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WILLIAM V. LEE, MAYOR

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June Lemos, CMC, City Clerk

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