



# 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 11, 2023

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.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** 5 - Mayor Bernie Norvell, Vice Mayor Jason Godeke, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Marcia Rafanan

### AGENDA REVIEW

#### **1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS**

City Attorney Collins gave a summary about the publishing of the agenda and closed session item 9A. He confirmed they were published in compliance with the Brown Act.

**A. [23-302](#) CV Starr Lifeguard Recognition**

Mayor Norvell recognized the CV Starr lifeguards who assisted with a severe medical emergency at the CV Starr. Kim Ramey, CV Starr Recreation Supervisor, acknowledged the quick actions of all the life guards on duty that day. We recognized Sebastien Davis, Thomas McFadden, Brendon Meloro, Colin Miclea, Max Oatney, Brenner Redfern, William Seaholm and Caleb Strickland. City Manager Peggy Ducey, presented the two life guards present and the rest of them 2 tickets to the local theater.

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

- (1) Jacob Patterson, Michael Mortensen, Paul Clark, Jay Rosenquist, Dennis Miller and Shelley Green.
- (2) Jacob Patterson, Carrie Durkee and Shelly Green.
- (3) Jacob Patterson.

#### **3. STAFF COMMENTS**

Chief Cervenka share the unfortunate news that there was a fatal collision that occurred on Main St. and Cypress St. over the busy Labor Day weekend. He noted how quickly our community

members were to respond to this incident. As we are in a remote area it is crucial to work as team with the community. He also mentioned that he will be attending the next County Board of Supervisors meeting and presenting on the great impact that the Care Response Unit has had on the community. Assistant Director - Engineering Chantell O'neal shared that the 2022 Streets Construction Project would commence by September 24th and that the playground equipment will be open by September 27th. She also shared that the California Coastal clean-up will be on Saturday, September 23 from 9-11am, meet City staff at west end of the parking lot at Glass Beach. In addition she wanted to invite the public to a Complete Streets Workshop at Town Hall on Friday, September 29th 1-2:30pm. Public Works Director John Smith presented that the City has been working on mitigating future potential area emergencies and pursuing properties that would satisfy the need for an emergency operations center that can properly manage our response to emergencies. He reached out to the County about purchasing the Veterans Hall Building to house the emergency operations center and to continue being a community gather space for Veterans.

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

Councilmembers Peters shared that today being the anniversary of 9/11/01 that he would like remind everyone that we have a volunteer fire department and so many first responders were among those who lost their lives in that event. He also mentioned that he has been working with the Guest House to honor the City's Sister City Ōtsuchi, Japan with an exhibit. He also wanted to let the public know that there currently hasn't been any changes does to the CV Starr fee structure. He also mentioned that there is an individual from the public that has cost the City thousands of tax payer dollars. Councilmember Albin-Smith also wanted to congratulate the lifeguards on their lifesaving actions. She also mentioned that the City currently has a disease that they can't seem to get rid of and that they are looking for solutions. She will be attending the upcoming Complete Streets Workshop that will be presented by Dan Burden. He is a great resource for making downtown more walk able. Lastly she mentioned that she attended the Mendocino Transit Authority meeting, where they discussed 3 potential transit center locations. Vice Mayor Godeke attended the most recent Community Development Committee meeting where a new time and day was selected. The new time and date will by the 4th Tuesday of the month at 4 pm. Councilmember Rafanan and he would like to request a presentation to the City Council from the AD Hoc Culture and Education committee to see seek approval to use the fort building as a tribal learning center. Mayor Norvell mentioned that he will be traveling to Washington DC and that Vice Mayor Godeke will be running the meeting.

#### **5. CONSENT CALENDAR**

Mayor Norvell pulled 5C just for one correction and Councilmember Albin-Smith pulled items 5A and 5E for discussion purposes.

Approval of the Consent Calendar

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that the be approved on the Consent Calendar. The motion carried**

by the following vote:

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

- B.** [23-268](#) Approve Scope of Work for Request for Proposals for Preparation of a Collections Systems Master Plan  
**This Scope of Work was approved on the Consent Calendar.**
- D.** [23-294](#) Adopt Resolution of the Fort Bragg City Council Authorizing Staff to Apply for a Community Resilience Center Grant through the Strategic Growth Council of the State of California with any Awarded Funds Intended to be used to Increase the Community's Resiliency to Climate Change and Emergencies  
**This Resolution was adopted on the Consent Calendar.**
- F.** [23-301](#) Adopt Resolution Approving Contract Amendment with Burke, Williams & Sorensen, LPP for Legal Counsel in Filing of Eminent Domain Proceedings for Reconstruction of the City's Raw Water Line, Increasing the Not to Exceed Amount to \$45,000 And Approving Budget Amendment 2023/24-05 (Account No. 651-6007-0310)  
**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that the Consent Calendar be approved. The motion carried by the following vote:**  
**Aye:** 5 - Mayor Norvell, Vice Mayor Godeke, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan
- G.** [23-279](#) Receive and File Minutes of the January 24, 2023 Community Development Committee Meeting  
**This Committee Minutes was received and filed on the Consent Calendar.**
- H.** [23-278](#) Receive and File Minutes of the March 29, 2023 Community Development Committee Meeting  
**This Committee Minutes was received and filed on the Consent Calendar.**
- I.** [23-277](#) Receive and File Minutes of the May 17, 2023 Community Development Committee Meeting  
**This Committee Minutes was received and filed on the Consent Calendar.**
- J.** [23-295](#) Receive and File Minutes of the June 08, 2023 Public Works and Facilities Committee Meeting  
**This Committee Minutes was received and filed on the Consent Calendar.**

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

None.

ITEMS REMOVED FROM CONSENT CALENDAR

- A. [23-287](#) Approve the Establishment of CV Starr Manager Mid-Management Classification, the Establishment of the Public Works Administrative Assistant Fort Bragg Employee Organization Classification and Confirming All City of Fort Bragg Established Classifications

City Manager Ducey summarized the position for CV Starr Manager, it will now be a city managed facility and the former District Administrator Moneque Wooden has transitioned from working at City Hall back to CV Starr.

Public Comment: Dennis Miller, Jay Rosenquist, Kimberly Ramey and Jacob Patterson.

Discussion: A brief discussion about the best ways to integrate CV Starr city operations that makes financial sense was had.

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

- C. [23-248](#) Receive Report and Consider Adoption of City Council Resolution Approving Cooperative Agreement with Noyo Harbor District and Authorizing the Mayor to Execute Contract (Amount Not to Exceed \$40,000; Account No. 337-5080-0630); and Finding the Project Exempt from CEQA under 14 CR 15268

Mayor Norvell requested that the wording be changed on the resolution to authorize City Manager to execute contract and not the Mayor.

Public Comment: None.

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

- E. [23-292](#) Readopt Master Traffic Resolution

Assistant Director- Engineering Chantell O'neal confirmed that all the street adoptions are still valid.

Public Comment: None.

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

## **7. PUBLIC HEARING**

- A. [23-288](#) Receive Report and Conduct Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-12030 and Approve Resolution Accepting the Final Product from Community Development Block Grant (CDBG) Planning Grant 20-CDBG-12030

### **Mayor Norvell opened the public hearing at 7:00 PM**

Grants Coordinator Lacy Peterson presented the staff report for this item. Noting that the expenditure period will end on June 8, 2024 but all activities have been completed and funding as been expended.

Public Comment: Jacob Patterson and Jessica Morsell-Haye

### **Mayor Norvell closed the public hearing at 7:10 PM.**

Discussion: Councilmembers noted that at the 2022 Blue Economy Symposium this information was presented and it was determined that its likely feasible.

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

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

- B.** [23-289](#) Receive Report and Conduct Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-CV1-00124

**Mayor Norvell opened the public hearing at 7:15 PM**

Grants Coordinator Lacy Peterson presented the staff report for this item.

Public Comment: Marcy Snyder and Carrie Durkee

**Mayor Norvell closed the public hearing at 7:26 PM.**

**This Staff Report was approved**

- C.** [23-290](#) Receive Report and Conduct Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-CV2-3-00108

**Mayor Norvell opened the public hearing at 7:15 PM**

Grants Coordinator Lacy Peterson presented the staff report for this item.

Public Comment: Marcy Snyder and Carrie Durkee

**Mayor Norvell closed the public hearing at 7:26 PM.**

**This Staff Report was approved**

## **8. CONDUCT OF BUSINESS**

- A.** [23-274](#) Receive Report and Consider Adoption of City Council Resolution Approving Agreement with the Regents of the University of California and Authorizing the Mayor to Execute Agreement (Amount Not to Exceed \$89,000; Account No. 337-5080-0630); and Finding the Project Exempt from CEQA under 14 CR 15268

Special Projects Manager Sarah McCormick summarized the staff report on this agenda item.

Public Comment: Jessica Morsell-Haye

Discussion: Councilmembers briefly discussed the item and shared their support.

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

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

- B.** [23-291](#) Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreements with Melton Design Group in a Not to Exceed Amount of \$246,500 to Provide Design Services and Construction Documents for the Bainbridge Park Enhancement Project, Approving Budget

Amendment 2023/24-04 (Account No. 419-5031-0731), Authorizing City Manager to Execute Contract and reimbursing the Facilities Fund for the purchase of Wiggly Giggly Equipment approved in FY 22/23 of \$200,000 (Account No. 419-7999-0799)

Assistant Director - Engineering Chantell O'Neal summarized the staff report.

Public Comment: Jacob Patterson

Discussion: Councilmembers were in agreement to go with staffs recommendation.

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

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

- C. [23-298](#) Receive Report and Consider Adoption of Resolution Approving Budget Amendment BA 23/24-06 for Payment to the Fort Bragg Unified School District for the Repairs to the Tennis Courts and Pickleball Courts and Authorizing City Manager to Release Payment (Amount Not to Exceed \$97,600; Account No. 110-4390-0619)

Public Works Director John Smith summarized the staff report.

Public Comment: None.

Discussion: Councilmembers were in agreement to approve the budget amendment.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that the Resolution be adopted. The motion carried by the following vote:**

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

## **9. CLOSED SESSION**

**Mayor Norvell Recessed the meeting at 8:02 PM. The meeting reconvened to Closed Session at 8:07 PM.**

- A. [23-299](#) Conference with Legal Counsel--Anticipated Litigation Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Government Code Section 54956.9: (two cases)

- B. [23-300](#) Conference with Legal Counsel--Existing Litigation Pursuant to Paragraph (1) of Subdivision (d) of Gov. Code Section 54956.9. City of Fort Bragg v. Mendocino Railroad

**Mayor Norvell reconvened the meeting to Open Session at 9:50 PM and reported that no reportable action was taken on the Closed Session items.**

## **ADJOURNMENT**

**Mayor Norvell adjourned the meeting at 9:50 PM.**

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BERNIE NORVELL, MAYOR

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June Lemos, MMC, City Clerk

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