



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

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, May 11, 2020

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

Mayor Lee called the meeting to order at 6:05 PM.

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

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

Public Comment was read into the record by the City Clerk as follows:

(1) Non-Agenda Items:

- Gabriel Maroney requested that all Council meetings be discontinued until the Brown Act is fully reinstated.

(2) Consent Calendar Items:

- Gabriel Maroney said closing City facilities on Wednesday would be better for the public than on Friday (Item 5E).
- Jacob Patterson asked that Councilmembers weigh in on closing City Hall and the Police Department on Fridays (Item 5E).

(3) Closed Session Items:

- None.

3. STAFF COMMENTS

City Manager Miller reported on the following items:

- The Great Plates Delivered program is underway in Fort Bragg. Any seniors or restaurants wishing to participate may call 1-707-463-7900 for information.
- The City reached out to the Water Board regarding enrolling in a COVID-19 sewer testing program being conducted by Biobot.
- The Wastewater Treatment Plant Upgrade Project is going well, with all testing running smoothly.
- The Sewer Lift Station Project is completed and the certificate of completion will be filed soon.

- Three Coastal Development Permits are underway: Avalon Hotel, Grocery Outlet, and Parents & Friends project. Other permits in progress include Chapel By The Sea and Franco Subdivision.
- This week City and PG&E officials will discuss future Public Safety Power Shutoff events and wildfire safety programs.
- West Company is holding a series of classes for the business community.

4. MATTERS FROM COUNCILMEMBERS

Councilmember Albin-Smith reported on the status of countywide broadband. Vice Mayor Norvell spoke about the graffiti problem on news stands and garbage cans in the city. Mayor Lee reported on the hospital's COVID-19 testing capabilities. He said that a drive-through diploma parade is being organized for graduating high school seniors on Friday, June 5. Councilmember Peters reported on his interview program, What's Goin' On. He commented on the public restroom situation during COVID-19. The Mayor and Vice Mayor requested that the City send a letter requesting a mobile testing lab for the County.

5. CONSENT CALENDAR

Councilmember Peters requested that Item 5E be removed from the Consent Calendar for further discussion. Councilmember Albin-Smith requested that Item 5A be removed from the Consent Calendar for further discussion.

Approval of the Consent Calendar

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

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

5B. [20-722](#) 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 4250-2020

5C. [20-711](#) Approve Minutes of Special Meeting of April 20, 2020

These Minutes were approved on the Consent Calendar.

5D. [20-717](#) Approve Minutes of Special City Council Closed Session of April 27, 2020

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

5A. [20-723](#) Adopt City Council Resolution Approving Budget Amendment No. 2020-09 for Fiscal Year 2019-20

Assistant Director of Public Works Smith responded to questions from Councilmember Albin-Smith regarding the need for the Vactor truck and where the funds were coming from.

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

Enactment No: RES 4249-2020

5E. [20-728](#) Adopt City Council Resolution Establishing Business Hours for the City of Fort Bragg

After a brief discussion on this item, Councilmembers agreed to approve the new hours of City Hall and the Police Department as stated in the proposed Resolution.

A motion was made by Councilmember Peters, seconded by Vice Mayor Norvell, that this Resolution be adopted. The motion carried by the following vote:

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

Enactment No: RES 4251-2020

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

7A. [20-718](#) Receive Report, Conduct Public Hearing and Provide Direction to Staff Regarding 2020 Community Development Block Grant Program Competitive Applications

Mayor Lee opened the public hearing at 6:41 PM.

Special Projects Assistant McLaughlin presented the staff report on this agenda item and responded to questions from Councilmembers.

Public Comment was read into the record by the City Clerk as follows:

- Fort Bragg Fire Department Chief Steve Orsi urged the Council to approve the firehouse roof repair project.
- Jacob Patterson objected to funding West Company overhead.

Discussion: After discussing the pros and cons of each potential CDBG activity, the Council consensus was to proceed with the following programs and projects:

- Business assistance loan program
- Microenterprise financial assistance program
- Fire station roof rehabilitation project
- Mill Site planning
- Code enforcement program

This Staff Report was referred to staff with direction to proceed with the five identified CDBG activities.

8. CONDUCT OF BUSINESS

- 8A. [20-724](#)** Receive Report and Consider Adoption of City Council Resolution Approving Submittal of a BUILD grant on behalf of the Mendocino Railway / California Western Railroad / Skunk Train (Skunk Train) to Fund the Following Activities: Repair of Tunnel #1, Repair of the Noyo Canyon Train Tracks, Repair of the Engine House, and Various Maintenance and Safety Improvements

City Manager Miller presented the staff report on this agenda item. Skunk Train representative Robert Pinoli provided further information and responded to questions from Councilmembers.

Public Comment was read into the record by the City Clerk as follows:

- Jacob Patterson spoke in support of the grant application.

Discussion: After discussing this item, Council agreed to authorize the City Manager to submit the BUILD grant on behalf of the Skunk Train.

Mayor Lee recessed the meeting at 8:02 PM; the meeting reconvened at 8:11 PM.

A motion was made by Vice Mayor Norvell, seconded by Councilmember Peters, that this Resolution be adopted. The motion carried by the following vote:

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

Enactment No: RES 4252-2020

- 8B. [20-726](#)** Updates and Discussion from the City Council COVID-19 Ad Hoc Committee

Councilmembers provided a brief update on COVID-19 ad hoc committee activities during the past few weeks.

Public Comment: None.

This Report was accepted.

- 8C. [20-725](#)** City Council Discussion on Reopening Local Businesses

Council discussed opening businesses back up for business in stages.

Public Comments from Jacob Patterson and Gabriel Maroney were read into the record by the City Clerk.

Discussion: Council consensus was to remain in conformity with the Mendocino County Health Officer's orders regarding reopening businesses in order to keep the community safe.

No action was taken on this discussion matter.

- 8D. [20-721](#)** Receive Report and Consider Adoption of Urgency Ordinance No. 961-2020 Establishing Administrative Penalties for Violations of the Mendocino County Public Health Officer's Orders Pertaining to the Coronavirus (COVID-19) Pandemic

City Manager Miller presented the staff report on this agenda item and recommended that if the Council wanted to proceed with administrative penalties for violation of County Health

Officer orders, it should apply to individuals as well as to commercial businesses. She strongly urged the Council to build flexibility into the ordinance.

Public Comment was read into the record by the City Clerk as follows:

- Denise, a local business/restaurant owner, supports penalties for individuals as well as for businesses.
- Gabriel Maroney opposes administrative penalties.
- Jenny Shattuck supports penalties for individuals and businesses.
- Annemarie Weibel opposes the ordinance.
- Judith Valadao supports penalties for individuals and businesses.

Discussion: After discussing the matter, Council agreed to amend the ordinance to include administrative penalties for individuals as well as commercial businesses and to establish tiers for penalties as follows: Individual violators, \$25, \$50, \$75; commercial business violators, \$100, \$250, \$500, \$1,000.

A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Norvell, that this Urgency Ordinance be adopted as amended. The motion carried by the following vote:

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

Enactment No: ORD 961-2020

9. CLOSED SESSION

ADJOURNMENT

Mayor Lee adjourned the meeting at 9:45 PM.

WILLIAM V. LEE, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)