



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*

Monday, June 14, 2021

6:00 PM

Town Hall, 363 N. Main Street

AMENDED

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 Jessica Morsell-Haye, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Marcia Rafanan

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A.** [21-261](#) Presentation of Proclamation Recognizing the Students of Dana Gray Elementary School and Announcing the Winners of the Water Conservation Poster Contest for Grades Three through Five

Mayor Norvell read a Proclamation recognizing the students of Dana Gray Elementary School for their work on water conservation and announced the winners of the Water Conservation Poster Contest.

- 1B.** [21-263](#) Receive Report from Sheila Semans Regarding the Noyo Center for Marine Science

Sheila Semans, Executive Director of the Noyo Center for Marine Science, gave a presentation to City Council on the past year of operations for the Center and outlined plans for the future.

- 1C.** [21-269](#) Presentation of Proclamation Recognizing June 21-27, 2021 as National Pollinator Week

Councilmember Peters read a Proclamation recognizing National Pollinator Week.

- 1D.** [21-262](#) Presentation of Proclamation Celebrating the Week of June 14, 2021 as Juneteenth Day

Mayor Norvell read a Proclamation celebrating the week of June 14 as Juneteenth Day. John Wallace of the Surviving the Odds Project (STOP) accepted the Proclamation from the Mayor and spoke about the importance of freedom.

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

(1) Michelle Goodman of Waste Management Services stated there would be no interruptions during the July 4th Holiday. Tim Karras, president of Mendocino College, introduced himself to the Council and said how much the college looks forward to working with the City and the Noyo Center. George Reinhardt, Marcy Snyder, and Peter McNamee spoke in favor of the Grassroots Institute's Climate Action Proposal. Mary Rose Kaczorowski spoke against formula businesses and wants Council to bring real jobs to Fort Bragg. Paul Clark commented about his frustration with people who have their hands out, and said he does not like this City Council.

(2) Melissa Green, Cheyenne Watts, Ruby Bitzer and Serena Hodgkinson stated their support for Item 5F, the STOP program.

(3) None.

3. STAFF COMMENTS

City Manager Miller reported on Ocean Month, the Visit Fort Bragg site, and Noyo River flows; Public Works Director Smith reported on water and wastewater enterprises and provided an update on the odor from the biosolids at the Wastewater Treatment Facility.

4. MATTERS FROM COUNCILMEMBERS

Councilmember Albin-Smith reported on a meeting with Transportation Secretary Pete Buttigieg and discussions regarding electrifying public and school transportation. She requested that the Council write a letter of support to Governor Newsom or Secretary Buttigieg. Albin-Smith noted that work on the Danco project is underway. She attended a diversity and inclusion training. Councilmember Albin-Smith spoke in favor of continuing the hybrid meeting format. Vice Mayor Morsell-Haye gave an update on the Citizen's Commission, stating they will distribute a community questionnaire with the goal of making a presentation of the Commission's recommendations to City Council in November 2021. The Vice Mayor reported on the Blue Economy Symposium, noting that it will be an exciting opportunity for commercial industry in the City. She also reported on a recent presentation by Flockworks about art in the schools.

5. CONSENT CALENDAR

Councilmember Rafanan requested that Item 5F be removed from the Consent Calendar for further 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 5F. The motion carried by the following vote:

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

- 5A.** [21-253](#) Adopt City Council Resolution Approving Contract with Therma, LLC for the Installation, Monitoring and Maintenance of CV Starr Community Center's Building Automation Controls and Authorizing City Manager to Execute Same (Amount Not To Exceed \$28,014; Account 810-4812-0751)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4394-2021

- 5B.** [21-298](#) Adopt Municipal Improvement District Resolution Approving and Ratifying an Application for the Funding and Execution of Grant Agreement and Any Amendments Thereto from the United States Department of Agriculture's Community Facility Grant Program for the Purchase of a Biosolids Dryer

This ID Resolution was adopted on the Consent Calendar.

Enactment No: RES ID 446-2021

- 5C.** [21-297](#) Adopt City Council Resolution Approving and Ratifying an Application for the Funding and Execution of Grant Agreement and Any Amendments Thereto from the United States Department of Agriculture's Community Facility Grant Program for the Purchase of a Backhoe Loader

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4395-2021

- 5D.** [21-270](#) 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 4396-2021

- 5E.** [21-284](#) Adopt City Council Resolution Establishing the City of Fort Bragg Master Salary Rate Compensation Plan

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4397-2021

- 5G.** [21-296](#) Adopt City Council Resolution Continuing the Temporary Waiver of the City of Fort Bragg General Plan Maintenance Fee

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4398-2021

- 5H.** [21-289](#) Receive and File Minutes of the November 24, 2020 Special Public Works and Facilities Committee Meeting

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

- 5I. [21-265](#) Receive and File Minutes of the April 28, 2021 Special Public Safety Committee Meeting

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

- 5J. [21-271](#) Approve Minutes of May 24, 2021

These Minutes were approved on the Consent Calendar.

- 5K. [21-276](#) Approve Minutes of Special Meeting of June 3, 2021

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5F. [21-293](#) Adopt City Council Resolution Approving Professional Services Agreement with Surviving the Odds Project (STOP) for Operation of a STOP Program in Fort Bragg and Authorizing the City Manager to Execute Contract (Amount Not to Exceed \$40,000.00; Account No. 167-0000-0309)

Councilmember Rafanan requested more information about the budget for the STOP program as well as the days of the week the program would operate. Vice Mayor Morsell-Haye asked why the program was reduced from 15 to 10 participants. The program director, John Wallace, explained that the timeline was modified to allow time for the studio to be outfitted. Melissa Green spoke about the budget, stating that the attachment to the contract was an estimate; actual receipts will be provided. Mr. Wallace said the participant numbers have been reduced because the time and budget constraints do not allow for more.

Public Comment was received from Mary Rose Kaczorowski.

Discussion: After a brief discussion, it was decided that the program would be for 10 students at \$40,000. The City Manager will work with Mr. Wallace, who will provide new numbers in a modified and updated budget. Following the vote, both Councilmember Albin-Smith and Councilmember Rafanan stated that their No votes were only because the budget numbers attached to the contract were incorrect, not because they opposed the project. They both support a STOP program in Fort Bragg.

Mayor Norvell recessed the meeting at 8:01 PM; the meeting reconvened at 8:11 PM.

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

Aye: 3 - Mayor Norvell, Vice Mayor Morsell-Haye and Councilmember Peters

No: 2 - Councilmember Albin-Smith and Councilmember Rafanan

Enactment No: RES 4399-2021

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

8. CONDUCT OF BUSINESS

- 8A. [21-295](#)** Receive Report and Consider Adoption of Resolutions Approving FY 2021/22 City of Fort Bragg and Fort Bragg Municipal Improvement District No. 1 Budgets, Establishing FY 2021/22 Appropriations Limit, and Approving FY 2021/22 Capital Projects Budget

City Manager Miller presented the staff report, provided an update on the coronavirus relief funds from the federal government, and projected that the general fund will have a surplus of approximately \$50K and the Wastewater and Water enterprise funds look healthy for the coming fiscal year.

Public Comment was received from Mary Rose Kaczorowski.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Resolution (City of Fort Bragg FY 2021/22 Budget) be adopted [RES 4400-2021]. 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 4400-2021 / RES 4401-2021 / RES ID 447-2021 / RES ID 448-2021 / RES 4402-2021

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, that this Resolution (Capital Projects Budget) be adopted [RES 4401-2021 / RES ID 447-2021]. 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 4400-2021 / RES 4401-2021 / RES ID 447-2021 / RES ID 448-2021 / RES 4402-2021

A motion was made by Councilmember Peters, seconded by Vice Mayor Morsell-Haye, that this Resolution (Municipal Improvement District FY 2021/22 Budget) be adopted [RES ID 448-2021]. 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 4400-2021 / RES 4401-2021 / RES ID 447-2021 / RES ID 448-2021 / RES 4402-2021

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Resolution (Annual Appropriations Limit) be adopted [RES 4402-2021]. 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 4400-2021 / RES 4401-2021 / RES ID 447-2021 / RES ID 448-2021 / RES 4402-2021

- 8B. [21-277](#)** Receive Report and Consider Introducing by Title Only and Waiving the

First Reading of Ordinance 968-2021 Adding Chapter 15.38 (Streamlined Permitting Process for Electric Vehicle Charging Stations) to Title 15 (Buildings and Construction) of the City of Fort Bragg Municipal Code

Assistant Planner Locke summarized the staff report for this agenda item.

Public Comment was received from Robin Epley, Paul Clark and Jacob Patterson.

A motion was made by Councilmember Peters, seconded by Vice Mayor Morsell-Haye, that this Ordinance be introduced by title only, waiving the first reading. The motion carried by the following vote:

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

8C. [21-272](#) Receive Report and Consider Adoption of Municipal Improvement District Resolution Approving Budget Amendment 2021-12 and Authorizing City Manager to Execute Utility Relocation Agreement with California Department of Transportation for the Relocation of the Pudding Creek Sewer Main (Amount Not to Exceed \$225,000.00, Account No. 716-6131-0731)

Public Works Director Smith itemized the staff report and introduced David Dominick of Caltrans, who was present to respond to questions from Councilmembers.

Public Comment: None.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this ID 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 ID 449-2021

8D. [21-282](#) Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment No. 2021-13 Amending Fiscal Year 2020-21 Budget for Emergency Water Project Funding

Public Works Director Smith gave a report on Budget Amendment 2021-13.

Public Comment was received from Mary Rose Kaczorowski.

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 4403-2021

8E. [21-274](#) Receive Report and Provide Direction to Staff Regarding a Policy for the Handling of Voluminous Written Public Comments

City Clerk Lemos summarized the staff report for this agenda item.

Public Comment was received from Jay McMartin, Andrew Jordan, Jacob Patterson and Annemarie Weibel.

Direction: Council directed staff to include the recommended language regarding comments that are too large on future agendas.

A motion was made by Mayor Norvell, seconded by Vice Mayor Morsell-Haye to continue the meeting past 10:00 PM. The motion carried by a unanimous vote.

This Staff Report was referred to staff.

- 8F.** [21-283](#) Receive Report and Consider Approval of Joint County of Mendocino and City of Fort Bragg Request for Proposals for Solid Waste Refuse Collection

City Manager Miller presented the staff report.

Public Comment: None.

A motion was made by Councilmember Peters, seconded by Vice Mayor Morsell-Haye, that this Request for Proposals 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 10:12 PM. The meeting reconvened to Closed Session at 10:14 PM.

- 9A.** [21-267](#) CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiator: Tabatha Miller, City Manager; Employee Organizations: Fort Bragg Police Association; Exempt At-Will Executive Classifications; and Exempt Mid-Management Classifications

- 9B.** [21-299](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR POSSIBLE ACQUISITION OF REAL PROPERTY, Pursuant to Government Code Section §54956.8: Real Property: APN 008-430-21, APN 008-430-22, APN 018-040-61, APN 018-430-22, APN 018-040-61, APN 018-120-50, APN 008-171-07, APN 008-161-08, APN 008-151-26, APN 008-161-27 and the Southern portion of former APN 008-020-15, Fort Bragg, CA 95437; City Negotiator: Tabatha Miller, City Manager; Negotiating Party: Dave Massengill, Environmental Affairs, Georgia Pacific Corporation; Under Negotiation: Terms of Acquisition, Price

Mayor Norvell reconvened the meeting to Open Session at 11:15 PM and reported that no reportable action was taken on the Closed Session items.

ADJOURNMENT

Mayor Norvell adjourned the meeting at 11:15 PM.

BERNIE NORVELL, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)