



# 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, February 12, 2024

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 6:01 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

### CLOSED SESSION REPORT

City Attorney Baron Bettenhausen stated that no reportable action was taken on the Closed Session items.

### AGENDA REVIEW

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

**1A.** [23-519](#) Proclamation - Black History Month

Vice Mayor Godeke read the Proclamation recognizing February 2024 as Black History Month.

**1B.** [23-520](#) Proclamation - Teen Dating Violence Awareness and Prevention Month

Councilmember Albin-Smith read the Proclamation recognizing February 2024 as Teen Dating Violence Awareness and Prevention Month. Sydney of Project Sanctuary received the proclamation and thanked the council for standing in solidarity with Project Sanctuary.

**1C.** [24-584](#) Presentation of Proposal for Ken Newman's Placement of Sculpture, "The Last Whistle"

Ken Newman presented the proposal for the placement of his sculpture, "The Last Whistle".

**1D.** [24-581](#) Receive Presentation on the Noyo Center for Marine Science

Sheila Seamans delivered a presentation highlighting the initiatives and objectives of the Noyo Center for Marine Science.

## **2. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR**

- (1) Laurel Kraus, Laura Mays, Jacob Patterson, Abraham Cohen, Dylan Stipe, Megan Caron, Jasmin Diaz, Sheila Dantracy, Anna Marie Stenberg, Sunry Garcia, Keily Becerra, Bob Rodriguez, Cassandra Graham, Peter Baker, Jay McMartin Rosenquist, Anya, Jenny Shattuck, Andy Wellspring, Dunya, Paul Clark, Maryanne Schmidt  
(2) None.

## **3. STAFF COMMENTS**

Assistant Public Works Director Chantell O'Neal reported that the opening of the newly remodeled Wiggly Giggly Park was highly attended and deemed a complete success.

## **4. MATTERS FROM COUNCILMEMBERS**

Councilmember Albin-Smith announced that the Whale Festival is in the planning stages and approaching soon. Additionally, there will be a Visit Fort Bragg Committee Meeting on February 14, 2024, at 9:30 AM, followed by a Finance and Administration Committee Meeting at 4:00 PM, both held at Town Hall. Vice Mayor Godeke reminded everyone about an Open Forum Meeting at CV Starr on February 15, 2024, at 5:15 PM. Furthermore, he mentioned that the next Community Development Meeting will focus on a housing workshop, scheduled for February 27, 2024, at 5:30 PM at Town Hall.

## **5. CONSENT CALENDAR**

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, to approve 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

- 5A. [24-560](#)** Adopt Resolution of the Fort Bragg Municipal Improvement District Awarding Professional Services Agreement with SHN Engineers and Geologists (SHN) to Prepare a Feasibility Study with a Technical Memorandum (Basis of Design) for Biosolids Treatment and Disposal at the MID's Wastewater Treatment Plant, City Project No. WWP-00024, and Authorizing City Manager, or designee, to Execute Contract, in a form approved by the City Attorney; Statutory Exemption.

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

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

- 5B. [24-570](#)** Adopt City Council Resolution Appointing Director and Alternate Director to Represent and Vote on Behalf of the City of Fort Bragg on the California Intergovernmental Risk Authority (CIRA) Board Meetings

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

**5C.** [24-579](#) Adopt Resolution of the City Council of the City of Fort Bragg and The Fort Bragg Municipal Improvement District No.1 Extending the Water Capital Improvement Fee and Sewer Capital Improvement Fee Deferral Program for Restaurants, Cafes, and Coffee Shops in the Central Business District and Declaring the Deferment Exempt from CEQA under 14 CCR15273(A)(4)  
**This Resolution was adopted on the Consent Calendar.**

**5D.** [24-552](#) Approve Minutes of Special Closed Session of January 8, 2024  
**These Minutes were approved on the Consent Calendar.**

**5E.** [24-559](#) Approve Minutes of Special Closed Session of January 22, 2024  
**These Minutes were approved on the Consent Calendar.**

**5F.** [24-571](#) Receive and File Minutes of the October 24, 2023 Community Development Committee Meeting  
**These Committee Minutes were received and filed on the Consent Calendar.**

**5G.** [24-572](#) Receive and File Minutes of the November 28, 2023 Community Development Committee Meeting  
**These Committee Minutes were received and filed on the Consent Calendar.**

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

None.

**7. PUBLIC HEARING**

- 7A. [24-565](#)** Conduct Public Hearing on Proposed Water, Sewer, Storm Drainage, Police, Fire, and C.V. Starr Facilities Fees (Capacity Charges/Impact Fees) and on Nexus Study Analyzing these Proposed Fees; Consider Adoption of Resolution Approving Nexus Study; and Consider Introduction of Ordinance Adding Chapter 12.16 (Capacity Charges and Impact Fees) to Title 12 of the Municipal Code and Imposing and Setting the Rates of the Proposed Fees

Assistant Public Works Director Chantell O'Neal presented on this item, providing a timeline of events. In November 2022, the contract with Lechowicz and Tseng was authorized to prepare the Impact Fee Nexus Study. By October 2023, the first draft of the Nexus Study was introduced, which included modifications to the city's existing capacity fees. During the October meeting, the City Council approved modifications to the existing capacity fees for water, sewer, and storm drain. They also recommended that new impact fees for police, fire, and CV Starr be brought back for additional consideration. Ms. O'Neal presented a detailed breakdown of the fees, and Alison Lechowicz, the consultant from Lechowicz and Tseng, further explained what impact fees are and the proposed new fees.

**Mayor Norvell opened the public hearing at 8:01 PM.**

Public Comment: Jacob Patterson, Maryanne Schmidt, Jenny Shattuck, Andrew Jordan, Paul Clark, Jay McMartin Rosenquist.

**Mayor Norvell closed the public hearing at 8:16 PM.**

Discussion: There was a discussion regarding the specific utilization of impact fees for facilities and infrastructure costs, highlighting that these fees are dedicated for such purposes. Additionally, it was mentioned that the expenditure of these fees undergoes auditing processes to ensure transparency and accountability. The approved changes include adjustments to impact fees for water, sewer, storm drain, police, and fire services. However, the CV Starr fee was temporarily removed from consideration.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan that this Resolution be adopted.**

**A motion was made by Vice Mayor Godeke, seconded by Councilmember Albin-Smith that this Ordinance be adopted, removing the CV Starr fees.**

**The motions carried by the following vote:**

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

## **8. CONDUCT OF BUSINESS**

Mayor Norvell recessed the meeting at 8:58 PM

Mayor Norvell reconvened the meeting at 9:12 PM

- 8A. [24-561](#)** Adopt a Resolution of the Fort Bragg City Council Awarding the Raw Water Line Replacement Project, City Project No. WTR-00016, to T & S Construction Company, Inc. as the Lowest Responsible Bidder, and Authorizing the City Manager to Execute Contract (Not To Exceed \$5,958,087) Subject to City Attorney approval as to form.

Assistant City Engineer Diane O'Connor presented this item, informing that bids were opened in January 2024 and four bids were received. The lowest bid came from T&S Construction. She provided a brief overview of the other three bids. Anthony Spinelli of T&S Construction was available via Zoom to address any questions.

Public Comment: Jay Rosenquist.

Discussion: None.

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

**Aye:** 4 - Vice Mayor Godeke, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

**No:** 1 - Mayor Norvell

- 8B. [24-562](#)** Adopt Resolution of the City Council of the City of Fort Bragg Approving Professional Services Agreement with SHN Consulting Engineers & Geologists, Inc. to Provide Construction Management Services for the Raw Water Line Replacement Project, City Project WTR-00016, and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$560,000.00)

Assistant City Engineer Diane O'Connor presented this item. Requests for Proposals were issued in December 2023, and proposals were opened in January 2024, resulting in one proposal received from SHN Consulting Engineers Inc.

Public Comment: None.

Discussion: None.

**A motion was made by Councilmember Peters, 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

- 8C. [24-576](#)** Receive Report Regarding 2023 Community Development Block Grant (CDBG) Program Notice of Funding Availability (NOFA) and Provide Direction to Staff Regarding Potential Applications

Grants Coordinator Lacy Peterson presented this item, providing a brief summary of the qualifications for Community Development Block Grant (CDBG) funds. She then delivered a detailed report on the 2023 CDBG Funding. Shovel-ready projects were presented to the council for consideration, including Streets Rehabilitation for two cul-de-sacs (Azalea Circle and Penitenti Way) or Broadband Infrastructure. Special Projects Manager Sarah McCormick provided additional details on Broadband Infrastructure. The City Council directed staff to proceed with applying for the grant funds for Broadband Infrastructure.

Public Comment: Jay Rosenquist.

Discussion: Councilmember Albin-Smith noted that Broadband infrastructure has been one of the City Council's top priorities over the past few years.

**A motion was made by Councilmember Rafanan that the meeting end at 10 PM, it failed for lack of a second.**

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that the meeting continue after 10 PM. The motion carried by the following vote:**

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

- 8D. [24-546](#)** Receive Presentation on the Annual Comprehensive Financial Report (ACFR) for the Year Ended June 30, 2023 for the City of Fort Bragg and Consider Accepting the ACFR as Presented

City Manager Isaac Whippy presented the Annual Comprehensive Financial Report (ACFR), with Brett Jones from the independent auditing firm JJACPA providing a brief overview of the audit on Financial Statements. It was reported that there were no findings or modified opinions.

Public Comment: Jay Rosenquist.

Discussion: None.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that the ACFR be accepted as presented. The motion carried by the following vote:**

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

## ADJOURNMENT

**Mayor Norvell adjourned the meeting at 10:28 PM**

\_\_\_\_\_  
BERNIE NORVELL, MAYOR

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Diana Sanchez, City Clerk

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