



# 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 14, 2022

6:00 PM

Via Video Conference

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### CALL TO ORDER

Mayor Norvell called the meeting to order at 6:01 PM, all Councilmembers appearing via video conference.

### 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. [22-067](#) Presentation of Proclamation Declaring February 2022 as Black History Month

Mayor Norvell read the Black History Month Proclamation and introduced Jonathan Ratliff, the first African American hired by the City of Fort Bragg, who reflected on his time working at the City and living on the Coast.

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

- (1) Public Comments on Non-Agenda Items were received from: Greg Ratliff, Mary Rose Kaczorowski, LimaSierra Wooten, Andrew Jordan, and Jonathan Lehan.
- (2) Public Comments on Consent Calendar Items: None.
- (3) Public Comment on Closed Session Item 9A was received from Mary Rose Kaczorowski.

#### 3. STAFF COMMENTS

Public Works Director Smith gave an update on the water situation and cited flow statistics from the Noyo River, Waterfall Gulch and Newman Gulch. He mentioned that members of the community raised funds to upgrade the dog park. City Manager Spaur noted that City Clerk Lemos and the IT Department launched the City's new website on February 1. Mr. Spaur reported that a new Police Officer, Aldea Miles, was sworn in this morning.

#### 4. MATTERS FROM COUNCILMEMBERS

Vice Mayor Morsell-Haye announced that a work day will take place at the Community Garden

on Sunday, February 20, from 10AM to 2PM. She reported that there will be two events regarding the Jackson State Demonstration Forest on February 27 and 28 at Jughandle State Reserve at 11AM on both days. She noted that the Timber Harvest Plan will be redrafted to incorporate tribal co-management and there is a call for a moratorium on logging until the plan has been redrafted. Councilmember Albin-Smith reported on the League of California Cities meetings on environmental quality and finance and taxation. She asked the City Manager to set up a meeting with the library to talk about fees. Councilmember Rafanan asked for an update on the Grocery Outlet store project. City Manager Spaur stated that the City received a letter from the project applicant asking that their permit be vacated so they could apply again and have a full Environmental Impact Report prepared. Mayor Norvell reported that he joined a forum recently hosted by the Democratic Club regarding the hospital's plans to upgrade the facility. Another meeting will be held soon to discuss the urgent situation at Sherwood Oaks Health Center. Mayor Norvell announced that Restaurant Week in Fort Bragg will be March 14-20, 2022.

## **5. CONSENT CALENDAR**

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

**A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, to approve the Consent Calendar. The motion carried by the following vote:**

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

- 5A. [22-058](#)** Adopt City Council Resolution Authorizing Submittal of Application(s) for All CalRecycle Grants for Which the City of Fort Bragg is Eligible  
**This Resolution was adopted on the Consent Calendar.**  
Enactment No: RES 4508-2022
- 5B. [22-060](#)** 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 4509-2022
- 5C. [22-061](#)** Adopt City Council Resolution Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency  
**This Resolution was adopted on the Consent Calendar.**  
Enactment No: RES 4510-2022
- 5D. [22-063](#)** Receive and File 2021 Pavement Management Program Update Report from Nichols Consulting Engineers, Chtd. (NCE)  
**This Report was accepted on the Consent Calendar.**
- 5E. [22-040](#)** Receive and File Minutes of the Public Safety Committee Meeting of July 21,

2021

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

5F. [22-059](#) Approve Minutes of January 24, 2022

These Minutes were approved on the Consent Calendar.

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

None.

## **7. PUBLIC HEARING**

## **8. CONDUCT OF BUSINESS**

8A. [22-069](#) Receive Presentation Regarding Fort Bragg Police Department Biennial Report 2020-2021

Captain O'Neal presented the Fort Bragg Police Department Biennial Report. Chief Naulty thanked staff, City Council and the Mayor for the assistance, support and resources to successfully operate the department.

Public Comment was received from Jacob Patterson, Andrew Jordan, LimaSierra Wooten and Mary Rose Kaczorowski.

Discussion: All Councilmembers expressed appreciation to the Captain for a thorough presentation and to the Police Department in general for bringing these important issues to the Council's attention.

**Mayor Norvell recessed the meeting at 7:55 PM; the meeting reconvened at 8:02 PM.**

**A motion was made by Mayor Norvell, seconded by Vice Mayor Morsell-Haye, that this Report be received and filed. The motion carried by the following vote:**

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

8B. [22-066](#) Receive Council Report on Actions Following Adoption of Interim Urgency Ordinance Placing a Four Month Moratorium on the Approval of Applications for Cannabis Dispensaries in the Inland Zoning Area

Assistant Director Engineering O'Neal presented the report on this agenda item.

Public Comment was received from Andrew Jordan, Shelley Green, Brandy Moulton and Jacob Patterson.

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Report be accepted. The motion carried by the following vote:**

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

8C. [22-057](#) Receive Report and Consider Adoption of City Council Resolution Authorizing City Manager to Execute Contract Amendment for the Design of the 2022 Streets Rehabilitation Project, City Project No. PWP-00120, Increasing the Amount of the Design Contract with R.E.Y. Engineers, Inc., by a Not To

Exceed Amount of \$82,000 (Account No. 421-4870-0731)

Assistant Director Engineering O'Neal summarized the staff report on this agenda item. Public Comment was received from Shelley Green and Andrew Jordan.

Discussion: After a brief discussion on the dig-once policy, the Council consensus was to approve the contract amendment as outlined in the resolution.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, 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 4511-2022

**9. CLOSED SESSION**

**Mayor Norvell recessed the meeting at 8:52 PM; the meeting reconvened to Closed Session at 8:57 PM.**

**9A. [22-070](#)** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9; Name of Case: City of Fort Bragg vs. Mendocino Railway and Does 1-10, Case No.: 21CV00850, Superior Court of the State of California, County of Mendocino

**9B. [22-071](#)** CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to Government Code Section 54956.8: Real Property: 20100 Hanson Road, APN 019-050-13-00, APN 019-620-02-00; Agency Negotiator, David Spaur, City Manager; Negotiating Party, Robert Boddy; Under Negotiation, Terms of Acquisition, Price

**Mayor Norvell reconvened the meeting to Open Session at 9:29 PM and reported that no reportable action had been taken on Closed Session items.**

**ADJOURNMENT**

**Mayor Norvell adjourned the meeting at 9:29 PM.**

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BERNIE NORVELL, MAYOR

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June Lemos, MMC, City Clerk

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