



# 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, June 27, 2022

6:00 PM

Town Hall, 363 N. Main Street

---

### 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**

Mayor Norvell presented a plaque to outgoing Interim Police Chief John Naulty and thanked him for his service over the last two and a half years. The Chief expressed his thanks and noted that it was everybody working together.

**1A.** [22-296](#) Presentation of Proclamation Recognizing the Fort Bragg High School Girls Softball Team

Mayor Norvell read a proclamation honoring the Fort Bragg High School Girls Softball Team and presented it to the team and their coach, who made brief comments and thanked the City for the honor.

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

(1) Cornelia Reynolds, chair of the Fort Bragg Bee City USA Committee, thanked the Council for the Pollinator Week proclamation presented last month.

Patrick Hickey, field representative for the Service Employees International Union, spoke about the classification and compensation study, asking for a balanced list of comparable cities.

Valerie Stump, Community Development, said union employees need to be compensated fairly.

Frank Kemper, Public Works, urged the Council to help the employees get fair wages.

Alexia Frazier, Finance, asked that the discussion continue and that Council work together as a team with the union.

Sandy Arellano, Public Works, said if the Council can find it in their hearts to consider a small cost of living raise, it will help staff morale.

Merle Larson, Public Works, said this year represents an unprecedented economy and inflation

is at 9% and increasing, causing City employees to get second jobs just to survive.

(2) Jacob Patterson and Jenny Shattuck commented on Item 5D.

(3) None.

### **3. STAFF COMMENTS**

City Manager Spaur commented on Item 5G, moving the Assistant to the City Manager position to Assistant City Manager. The proposed change authorizes an annual salary up to amount of \$120,972.80. He announced this will be his last week as Interim City Manager. City Clerk Lemos related that the Nomination Period for City Council begins July 18.

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

Vice Mayor Morsell-Haye asked for an update on the classification and compensation study. The City Manager said that he asked City consultant RGS to include cities under 50K population, and that the study is moving forward. The Vice Mayor noted that the hybrid meeting format does require an additional body in the room, but it is a big deal getting an extra person to serve and is more complicated and expensive than acknowledged by the public. Councilmember Albin-Smith reported that she attended a virtual conference with multiple League of Cities members. She was representing the Coastal Cities Leadership Group regarding the state of emergency on water. She recommended that Council start talking about water conservation soon. She commented on the Symphony of the Redwoods performances this week and the state of local athletic fields, suggesting a partnership with schools to share expenses of maintenance. Councilmember Peters reported that Fort Bragg Planning Commissioner Sharon Davis passed away last night and he lost a good friend. The City observed a moment of silence for Sharon. Councilmember Peters stated he did not participate in any employee negotiations due to a potential conflict of interest because his wife works for the City, and will abstain from voting on Item 5G. Mayor Norvell said school fields need to be fixed, but the schools do own them. If the City decides to take this on, there would have to be a revenue generator to pay for two full-time employees. Mayor Norvell said he has heard comments that the County has made a mess of their tax initiative, and considering everything, including the current economy and labor negotiations, he is not convinced now is the right time to add a tax measure to the ballot. City Manager Spaur said that he has the language for a tax measure ready to go forward to the Finance and Administration Committee and then to the City Council.

### **5. CONSENT CALENDAR**

Councilmember Peters requested that Item 5G be removed from the Consent Calendar so he could recuse himself for a potential conflict of interest because his wife works for the City.

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

**A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Morsell-Haye, to approve the Consent Calendar with the exception of Item 5G. The motion carried by the following vote:**

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

#### **5A. [22-250](#)**

Adopt City Council Resolution Approving Contract with Fort Bragg Electric for the C.V. Starr Center's Lighting Controller Watt Stopper Upgrade Project and

Authorizing City Manager to Execute Same (Amount Not To Exceed \$28,392.00 Account 810-4812-0751)

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

Enactment No: RES 4554-2022

- 5B.** [22-294](#) Adopt City Council Resolution Approving a Payment to the Fort Bragg Unified School District from the Measure AB Special Project Funds for the Purchase of a Professional Infield Groomer/Renovator and Authorizing the City Manager to Release Payment (Amount Not to Exceed \$9,300; Account No. 110-4390-0619)

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

Enactment No: RES 4555-2022

- 5C** [22-298](#) Adopt Local Road Safety Plan Report from TJKM

**This Report was accepted on the Consent Calendar.**

- 5D.** [22-302](#) 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 4556-2022

- 5E.** [22-303](#) 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 4557-2022

- 5F.** [22-305](#) Adopt City Council Resolution Approving a First Amendment to Professional Services Agreement with LACO Associates for the Pudding Creek Water Main Relocation Project (Project WTP-00014) to Cover the Cost of the Additional Work Required to Accommodate California Department of Transportation (Caltrans) Submittal Requirements (Amount Not to Exceed \$25,125.26 from Account No. 651-6008-0731)

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

Enactment No: RES 4558-2022

- 5H.** [22-301](#) Approve Minutes of June 13, 2022

**These Minutes were approved on the Consent Calendar.**

- 5I.** [22-316](#) Approve Minutes of Special Closed Session of June 15, 2022

**These Minutes were approved on the Consent Calendar.**

## ITEMS REMOVED FROM CONSENT CALENDAR

- 5G.** [22-307](#) Adopt City Council Resolution Establishing the Exempt, Executive Management Position of Assistant City Manager and Confirming the Pay Rates/Ranges for All City of Fort Bragg Established Classifications

Public Comment: None.

**A motion was made by Mayor Norvell, seconded by Vice Mayor Morsell-Haye, that the Resolution be adopted. The motion carried by the following vote:**

**Aye:** 4 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith and Councilmember Rafanan

**Recuse:** 1 - Councilmember Peters

Enactment No: RES 4559-2022

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

None.

## 7. PUBLIC HEARING

## 8. CONDUCT OF BUSINESS

- 8A.** [22-312](#) Receive Report and Consider Adoption of Resolutions Approving FY 2022/23 City of Fort Bragg and Fort Bragg Municipal Improvement District No. 1 Budgets, Establishing FY 2022/23 Appropriations Limit, and Approving FY 2022/23 Capital Projects Budget

Assistant Finance Director Whippy presented the staff report on this agenda item.

Public Comment was received from Jacob Patterson.

Discussion: The Mayor thanked Mr. Whippy for presenting a balanced budget to the Council. He reminded Councilmembers that four separate votes would need to be taken on the budget.

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that the Resolution (City of Fort Bragg FY 2022/23 Budget) be adopted [RES 4560-2022]. 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 4560-2022 / RES 4561-2022 / RES ID 464-2022 / RES ID 465-2022 / RES 4562-2022

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that the Resolution (Annual Appropriations Limit) be adopted [RES 4561-2022]. 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 4560-2022 / RES 4561-2022 / RES ID 464-2022 / RES ID 465-2022 / RES 4562-2022

**A motion was made by Councilmember Peters, seconded by Councilmember**

**Rafanan, that the Resolution (Capital Projects Budget) be adopted [RES 4562-2022 / RES ID 465-2022]. 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 4560-2022 / RES 4561-2022 / RES ID 464-2022 / RES ID 465-2022 / RES 4562-2022

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, that the Resolution (Municipal Improvement District FY 2022/23 Budget) be adopted [RES ID 465-2022]. 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 4560-2022 / RES 4561-2022 / RES ID 464-2022 / RES ID 465-2022 / RES 4562-2022

**8B. [22-311](#)** Receive Report and Provide Direction to Staff Regarding Extending the June 30, 2022, Cut-off Date for Water Turn-offs for Balances over \$2,000

Assistant Finance Director Whippy gave the staff report for this agenda item.

Public Comment: None.

Direction: Council directed staff to authorize the extension of the cut-off date for water turn-offs to the end of August, 2022.

**This Staff Report was referred to staff.**

**8C. [22-310](#)** Receive Finance and Administration Committee Recommendation on the Establishment of a Section 115 Trust with Public Agency Retirement Services (PARS) for the Purpose of Pre-Funding the City's Future Unfunded Liability with California Public Employees Retirement System (CalPERS)

Assistant Finance Director Whippy presented the staff report on this agenda item. Ryan Nicasio of PARS spoke about the particulars of the program, and Andrew Brown, portfolio manager, also made comments to the City Council about the proposed Section 115 Trust.

Public Comment: None.

Direction: Consensus was to approve the Section 115 Trust but to refer the matter to the Finance and Administration Committee to establish goals and investment strategies.

**A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Albin-Smith, that the 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 4563-2022 / RES ID 466-2022

**8D. [22-314](#)** Receive Report and Recommendation from Finance and Administration Committee and Consider Adoption of Joint City Council/Municipal Improvement District Resolution Temporarily Waiving Water and Wastewater Capacity Fees for All Businesses in the Central Business District for a Three-Year Period

**Mayor Norvell recessed the meeting at 8:07 PM; the meeting reconvened at 8:20 PM.**

City Manager Spaur presented the staff report on this agenda item.  
Public Comment was received from Jacob Patterson.

**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 Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

Enactment No: RES 4564-2022 / RES ID 467-2022

**9. CLOSED SESSION**

**Mayor Norvell recessed the meeting at 8:29 PM; the meeting reconvened to Closed Session at 8:35 PM.**

**9A. [22-306](#)** PUBLIC EMPLOYEE APPOINTMENT, Pursuant to Government Code Section 54957(b): Title: City Manager

**9B. [22-313](#)** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9; Name of Case: Mendocino Railway v. Mendocino County Superior Court (City of Fort Bragg, Real Party in Interest), Supreme Court of California Case No. S275132

**Mayor Norvell reconvened the meeting to Open Session at 9:55 PM and reported that the City Council accepted John Ford's request to rescind the City Manager Contract, and that Council directed staff to reach out to the League of California Cities to assist in procuring an Interim City Manager.**

**ADJOURNMENT**

**Mayor Norvell adjourned the meeting at 9:55 PM.**

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

\_\_\_\_\_  
June Lemos, MMC, City Clerk

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