



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, December 13, 2021

6:00 PM

Via Video Conference

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 informed the public that the City of Fort Bragg is in the process of hiring an interim City Manager and is looking for a recruiting firm to hire a permanent City Manager.

- 1A. [21-592](#) Receive Presentation from Mendocino Coast Humane Society Executive Director Judy Martin

Judy Martin, executive director of the Mendocino Coast Humane Society, presented her annual report to the City Council.

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

- (1) Mike Hart, Michael Hamdi, Mary Rose Kaczorowski, Robert Jason Pinoli, and Andrew Jordan.
- (2) None.
- (3) None.

3. STAFF COMMENTS

City Manager Miller thanked everyone for a successful wonderland event last weekend; 38 participants entered the window decorating contest. She gave a reminder that the Planning Commission meeting this Wednesday will be in person at Town Hall only, and not live streamed or on Channel 3. Miller noted that Item 5H on the Consent Calendar is a grant from State Parks for \$178,000. The City is proposing to use this sum toward the soccer field as part of Bainbridge Park Master Plan II. She gave an update on the Sherwood Oaks Nursing Facility and their staffing shortages and challenges. City Manager Miller stated there will be another vaccination clinic at the Mendocino Coast Clinics tomorrow from 3 to 6 PM. She announced that City Clerk

June Lemos recently attained her Master Municipal Clerk designation from the International Institute of Municipal Clerks. Miller thanked the community for her time as City Manager. She spoke about how the housing situation in Fort Bragg is a critical issue, especially workforce housing.

4. MATTERS FROM COUNCILMEMBERS

Vice Mayor Morsell-Haye requested that Council agendaize a discussion on a ballot measure regarding a 3/8 cent tax for workforce housing. She voiced her support for the Bainbridge Park soccer field and urged the Council to consider an equipment upgrade for the park. Councilmember Albin-Smith also is in favor of a ballot measure discussion regarding workforce housing. She wants to add more parks in Fort Bragg. Albin-Smith asked for approval of the Council to use City funds to send her and the Vice Mayor to Yosemite for a policy makers conference. A majority of the Council authorized the expenditure of City Council funds to send the two Councilmembers to the conference. Councilmember Peters asked the public to consider the police officers during this holiday season, as it can be a difficult time for some people. He also was in support of agendaizing the workforce housing issue. Peters, in his role as Ambassador to Sister City Otsuchi, requested \$300 to \$500 of Council funds to send a holiday package to Japan. The Council approved the expenditure. Councilmember Rafanan also supports a discussion on housing. She mentioned a problem with smoking downtown. Mayor Norvell asked that Item 5H be brought back to the Community Development Committee for further discussion on scope and development of funding.

5. CONSENT CALENDAR

Councilmember Albin-Smith requested that Items 5A, 5C, and 5D be removed from the Consent Calendar for further discussion.

Approval of the Consent Calendar

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

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

5B. [21-620](#) Adopt City Council Resolution Ratifying and Authorizing the City Manager's Purchase of Network Security Consulting Services and Software in the Amount of \$45,850 and Approving Budget Amendment 2022-16 in the Same Amount

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4479-2021

5E. [21-639](#) 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 4480-2021

- 5F.** [21-640](#) 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 4481-2021
- 5G.** [21-642](#) Adopt City Council Resolution Extending the Temporary Waiver of the Parking In-lieu Fee for Changes of Use in the Central Business District
This Resolution was adopted on the Consent Calendar.
Enactment No: RES 4482-2021
- 5H.** [21-643](#) Adopt City Council Resolution to Apply for \$177,952 from the California State Parks Per Capita Grant Program for Improvements to City Parks and Recreation Facilities
This Resolution was adopted on the Consent Calendar.
Enactment No: RES 4483-2021
- 5I.** [21-648](#) Adopt Joint City Council/Municipal Improvement District Resolution Approving Budget Amendment 2022-15 to the Fiscal Year 2021-2022 Budget
This Resolution was adopted on the Consent Calendar.
Enactment No: RES 4484-2021 / RES ID 458-2021
- 5J.** [21-613](#) Approve Minutes of Special Meeting of November 19, 2021
These Minutes were approved on the Consent Calendar.
- 5K.** [21-616](#) Approve Minutes of November 22, 2021
These Minutes were approved on the Consent Calendar.
- 5L.** [21-644](#) Approve Minutes of Special Closed Session of December 6, 2021
These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5A.** [21-619](#) Adopt City Council Resolution Appointing Assistant Finance Director Isaac Whippy as City Treasurer

Councilmember Albin-Smith said that she understands that a new Treasurer needs to be appointed after the City Manager leaves, but asked that the resolution be reworded to state that Isaac Whippy would be the "interim" Treasurer. City Manager Miller said that the new City Manager may decide to leave Mr. Whippy as the Treasurer or assign it to someone else, which is why there is no specific time limit on it.

Public Comment: None.

A motion was made by Mayor Norvell, 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 4485-2021

- 5C. [21-635](#)** Adopt City Council Resolution Appointing Director to Represent and Vote on Behalf of the City of Fort Bragg on the California Intergovernmental Risk Authority Board of Directors

Councilmember Albin-Smith said that this resolution and the one in Item 5D do not state that the appointees will hold the positions "until replaced." City Manager Miller stated that these positions do not require specific skills and are not tied to a specific position at the City.

Public Comment: None.

A motion was made by Councilmember Albin-Smith, 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 4486-2021

- 5D. [21-636](#)** Adopt City Council Resolution Appointing Director and Alternative Director to Represent and Vote on Behalf of the City of Fort Bragg on the Redwood Empire Municipal Insurance Fund (REMIF) Board of Directors

Councilmember Albin-Smith stated that she had the same reservations about this item as for Item 5C.

Public Comment: None.

A motion was made by Councilmember Peters, seconded by Mayor Norvell, 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 4487-2021

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

- 7A. [21-614](#)** Receive Report, Conduct Public Hearing, and Consider Adoption of Resolution Approving an Underground District for properties located on Chestnut Street between South Main Street and Ebbing Way to Remove Poles, Overhead Wires, and Associated Overhead Structures and Replace with Underground Wires and Facilities for Supplying Electric, Communication, and Other Similar Associated Services

Mayor Norvell opened the public hearing at 7:17 PM.

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

Councilmembers asked questions of Lizette Burtis, Rule 20A Program Liaison at PG&E.

Public Comment:

- Andrew Jordan recommended a phased approach unless it increases the cost and expressed concern about service and maintenance, and removal of the traffic calming that was implemented when the street project went through in 2016.
- Jenny Shattuck suggested that Safe Routes to School funds may have more money available for this project, stating that the east side toward the school is the worst and should be scheduled first.
- Jay McMartin is in favor of undergrounding everything possible.

Mayor Norvell closed the public hearing at 7:59 PM.

Discussion/Direction: After discussing this matter, a majority of Councilmembers approved the establishment of Underground District 6 and agreed to begin the project with Option 1 at the west end of the corridor, from Main Street to Harrison Street, with a ten-year completion horizon.

A motion was made by Councilmember Albin-Smith, 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 4488-2021

8. CONDUCT OF BUSINESS

- 8A. [21-634](#)** Receive Report and Provide Direction to Staff on Comprehensive Updates to Commercial Cannabis Policy

Associate Planner Gurewitz presented the staff report on this agenda item.

Public Comment was received from Mary Rose Kaczorowski, Michelle Garcilazo, Brandy Moulton, Andrew Jordan, Jen Brown, and Jacob Patterson.

Discussion/Direction: After much discussion, the majority of the City Council agreed to allow microbusinesses in the Central Business District with a Minor Use Permit. They directed staff to proceed with the proposed ordinance for now, and to continue to look into how to measure accessory use.

This Staff Report was referred to staff.

- 8B. [21-615](#)** Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreement with R.E.Y. Engineers Inc. to Provide Design and Engineering Services for the 2022 Streets Rehab Project, City Project No. PWP-00120, and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$175,000; Account No.421-4870-0731)

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

Public Comment: None.

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

Enactment No: RES 4489-2021

8C. [21-617](#) Receive Report and Consider Adoption of Fort Bragg Municipal Improvement District No. 1 Resolution Accepting the Bid of Nor-Cal Pipeline Services as the Lowest Responsive Bid, Awarding the 2021 Cure-In-Place Pipe (CIPP) Project, City Project No. WWP-00023 to Nor-Cal Pipeline Services; Authorizing the District Manager to Execute Contract (Amount Not to Exceed \$192,050.00; Account No. 716-7004-0731); and Approving Budget Amendment No. 2022-14

Public Works Director Smith presented the staff report on this agenda item.

Public Comment: None.

Discussion: Councilmember noted that this is a more economical path than replacing the lines themselves. The same company has done two projects for the City, and there were no issues with either project. The expected life span of this repair is 40-50 years.

A motion was made by Councilmember Peters, seconded by Vice Mayor Morsell-Haye, 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 459-2021

9. CLOSED SESSION

Mayor Norvell recessed the meeting at 9:47 PM; the meeting reconvened to Closed Session at 9:50 PM.

9A. [21-645](#) CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiator: Tabatha Miller, City Manager; Employee Organization: Fort Bragg Employee Organization

Mayor Norvell reconvened the meeting to Open Session at 10:20 PM and reported that no reportable action was taken on the Closed Session item.

ADJOURNMENT

Mayor Norvell adjourned the meeting at 10:20 PM.

BERNIE NORVELL, MAYOR

June Lemos, MMC, City Clerk

IMAGED (_____)