



# City of Fort Bragg

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## Meeting Minutes City Council

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Monday, January 27, 2025

6:00 PM Town Hall, 363 N. Main Street and Via Video Conference

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### CALL TO ORDER

Mayor Godeke called the meeting to order at 6:01 PM.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** 5 - Mayor Jason Godeke, Vice Mayor Marcia Rafanan, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Scott Hockett

### CLOSED SESSION REPORT

City Attorney Baron Bettenhausen reports out the council recessed to closed session at 4 p.m. for consideration of three items regarding 2A and 2B no final action was taken and Item 2C Public Employee Appointment Diana Paoli was appointed as City Clerk, Council Albin-Smith, Hockett, Peters and Mayor Pro Tem Rafanan in support and Mayor Godeke opposed.

### AGENDA REVIEW

None.

### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

None.

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

- (1) Alison Talbot, Jenny Shattuck, Ron White, Tanda Kashaya, Paul Clark, and David Spaur.
- (2) Jacob Patterson and Domenick Weaver.
- (3) None.

### 3. STAFF COMMENTS

Chief Cervenka reports on follow-up from the Public Safety Committee meeting regarding Suicide Prevention Barrier on the Noyo Bridge and subsequent meeting with Caltrans and letter sent to Director of Caltrans asking for a barrier and also reached out to Assemblymember Rogers and Senator McGuire for support. Caltrans and City staff had a very productive meeting the following week and another planned. Work will be done in phases starting quickly with crisis signage, possible AI cameras, and lastly fencing on the bridge extending 42 inches which will take years. Assemblymember Rogers and Chief Cervenka discussed bringing forth a Bill to

require Caltrans to install suicide barriers or prevention methods on all bridges over 80 feet in California. There was also discussion regarding ideas to reduce or prevent damage or death to heavy objects being drop from Noyo Bridge on boats below.

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

Councilmember Peters reported Fire Protection Board has 32 volunteers and released a video describing Fire Department's functions. Councilmember Hockett is new member on Board and looking forward to working with him and will continue to support Marcia on the council.

Councilmember Albin-Smith acknowledges and thanks community for comments. She shares details from attending Q&A community meeting with immigration attorney Grady Gauthier and League of Cities Committee meetings regarding Community Services and Finance and Taxation.

#### **5. CONSENT CALENDAR**

Mayor Godeke read the Titles of Ordinance of the City of Fort Bragg Delegating Authority to Appoint the City Clerk to the City Manager and Ordinance of the City of Fort Bragg Amending Chapter 6.12 "Nuisances", of the Fort Bragg Municipal Code Division 6, to Establish and Authorize Code Enforcement Cost Recovery Fees. Councilmember Albin-Smith would like to Pull Item 5K for discussion. Councilmember Peters would like to pull Item 5A.

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

**A motion was made by Councilman Peters, seconded by Councilmember Albin-Smith, to approve the Consent Calendar with the exception of Items 5A and 5K. The motion carried by the following vote:**

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

**5B. [24-1127](#)** Adopt by Title Only and Waive the Second Reading of the Ordinance of the City of Fort Bragg Delegating Authority to Appoint the City Clerk to the City Manager

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

Enactment No: ORD 997-2024

**5C. [24-1126](#)** Adopt by Title Only and Waive the Second Reading of the Ordinance 998-2024 Amending Chapter 6.12 "Nuisances", Of the Fort Bragg Municipal Code Division 6, To Establish And Authorize Code Enforcement Cost Recovery Fees

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

Enactment No: ORD 998-2024

**5D. [24-1058](#)** Adopt City Council Resolution Approving Contract with B.T. Mancini Company Inc. for the City Hall Flooring Update Project and Authorizing City Manager to Execute Same (Amount Not To Exceed \$92,994); Categorical Exemption 15301

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

Enactment No: RES 4890-2025

- 5E.** [24-1024](#) Adopt Resolution Approving Budget Amendment 2024/25-06 (Amount \$26,120.07), for Emergency Repair of a Stormdrain Line on North McPherson Street and Direct City Clerk to File Notice of Completion

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

Enactment No: RES 4891-2025

- 5F.** [24-1129](#) Approve Second Amendment To Professional Services Agreement With Community Development Services

**This Agreement was approved on the Consent Calendar.**

- 5G.** [24-1134](#) Approve Contract with Connection for Microsoft 365 Tenant Migration from Commercial to Government Cloud Not to Exceed \$18,246

**This Contract was approved on Consent Calendar.**

- 5H.** [24-1130](#) Approve Lease Contract with Cisco Capital for 3-Yr Endpoint Security Software Not to Exceed \$32,120.46

**This Lease Contract was approved on the Consent Calendar.**

- 5I.** [24-1125](#) Approve Resolution of the Fort Bragg City Council Authorizing City Manager to Execute Contract with Bartley Pump PM LLC for Maintenance and Emergency Repairs to One of Two Noyo River Pumps (Amount not to Exceed \$67,880.97); and Authorize Budget Amendment 2024/25-04; Categorical Exemption 15301

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

Enactment No: RES 4892-2025

- 5J.** [24-1132](#) Authorize the City Manager to Execute Amendment to the Agreement for Transfer Station Operation and Solid Waste Transportation and Disposal Between the Cities of Fort Bragg and Willits, the county of Mendocino and Redwood Waste Solutions, Inc

**This Amendment was approved on the Consent Calendar.**

### **ITEMS REMOVED FROM CONSENT CALENDAR**

- 5A.** [24-1131](#) Adoption of City Council Resolution Recommending and Consenting to an Extension of the Term in the Operating Agreement and Lease for the Caspar Transfer Station Between Mendocino County and Redwood Waste Solutions, Inc

Councilmember Peters discussed with council his desire for a shorter extension on term of Operating Agreement.

Public Comment: Jenny Shattuck, Jacob Patterson, and Paul Clark.

**A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Rafanan, to approve the Consent Item 5A. The motion carried by the following vote:**

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

**No:** 1 - Councilmember Peters

**5K. [24-1138](#)** Approve letter of Support for Restoring the California Salmon Season for 2025

Councilmember Albin-Smith supports letter and wanted to receive background from Domenick Weaver regarding Restoring the California Salmon Season for 2025 and shares impacts on industry and the community. Council Peters inquired regarding federal issue and asked if any other States supports movement.

Public Comment: Andrew Jordan.

**A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Rafanan, that the letter is approved. The motion carried by the following vote:**

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

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

None.

**7. PUBLIC HEARING**

**8. CONDUCT OF BUSINESS**

**8A. [24-1108](#)** Presentation of 2025 Economic Development Department Initiatives

City Manager Isaac Whippy introduced Economic Development Department Initiatives and Economic Development Manager Sarah McCormick presented Initiatives for the Council. She reported new website to review FortBraggBiz.com and looks forward to First Roundtable in February; First Wednesday of month.

Public Comment: Jay McMartin, Paul Clark, Andrew Jordan, Megan Caron.

Discussion: Councilmember Albin-Smith shared details regarding supporting economic development. No direction was needed; informational only.

**This Report was accepted.**

**8B. [24-1133](#)** Adopt City Council Resolution Approving a Professional Services Agreement with Economic & Planning Systems, Inc. for Fort Bragg Mill Site Master Development Agreement

City Manager Isaac Whippy shared there is now a 90 day litigation stay until March 4, 2025 to begin collaborative development strategies and obtain community input as directed by Council. Walter Kieser, Principal of EPS has extensive knowledge of Mill Site and can guide community

through complicated process. Phase 1 Scope will take multiple years. The Master Development Agreement is a goal to address the Mill Site challenges without solely relying on litigation. No decisions have been made as this is exploratory to find if there is enough common ground to work collaboratively. Upcoming study session and opportunity for community input will be February 25, 2025, at 5:00 PM. Comments were made by City Attorney Baron Bettenhausen to clarify what is before the Council is a Professional Services Agreement, not a decision on the ultimate land use. Everything else will come back for a full and thorough public discussion and public process.

Public Comments: Peter McNamee, George Reinhardt, Jacob Patterson, Marcy Snider, Laura Bianchi Limbird, Paul Clark, George Reinhardt, Shelley Green, Jade Tippet, Jary Stavely, Andrew Jordan and Jay McMartin.

Discussion: Councilmembers asked clarifying questions and discussed next steps and clarified this item before them is for approval of a Professional Services Agreement with Walter Kieser of EPS, Inc.

**A motion was made by Councilmember Rafanan, seconded by Councilmember Albin-Smith, that the Resolution be adopted. The motion carried**

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

Enactment No: RES 4893-2025

**Mayor Godeke recessed the meeting at 8:00 PM; the meeting was reconvened to Open Session at 8:05 PM.**

**8C. [24-1137](#) Receive Report and Provide Direction on Implementation of Entertainment Zones Relaxing Restrictions on Public Consumption of Alcohol in Certain Limited Situations Pursuant to Authority of SB 969**

City Manager Isaac Whippy introduced authority of AB 969 signed into effect January 1, 2025, to allow public consumption of alcohol within an entertainment zone and in certain limited situations. The intent of the legislature is to encourage economic vitality, supporting central business district, encourage tourism and promote local businesses. A city can adopt a Resolution or Ordinance within State guidelines. Chief Cervenka shared public safety considerations and challenges. There were only a few minor physical safety issues that can be addressed.

Public Comment: Jessica Morsell-Hay, Jenny Shattuck, Jacob Patterson, Andrew Jordan, Paul Clark and Jay McMartin.

Direction: Councilmembers asked clarifying questions with zones, any DUI data to verify if increased and if police foot patrol would be anticipated. There were no objections to pursue next steps and send this item to Community Development Committee.

**This report was accepted.**

**8D. [24-1128](#) Fentanyl Task Force - January Update**

Captain O'Neal presented a extensive Fentanyl Task Force update and thank City Manager Isaac Whippy and Chief Cervenka for ability to proceed with this work. He reported the continued

work with School District and community members on the Task Force to find solutions and bridge gap regarding substance abuse program(s) needed for youth. Project Right Now Grant was a resource that they were able to secure due to work of this group and need in community.

Public Comment: Paul Clark and Andrew Jordan.

Discussion: This item was informational only and Council accepted this report.

**This Report was accepted.**

**8E. [24-1121](#)** Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment No. 2024/25-07 and Authorizing the City Manager to Execute a Contract with Axon Enterprises, Inc. for a Five-Year Contract for In Car Video And License Plate Reader Equipment (Amount Not To Exceed \$118,047.65, Account 167-4216-0381)

Chief Cervenka presented information on the need for upgrading Car Video and License Plate Reader Equipment with Axon Enterprises, Inc. This technology is proven to reduce force and reduce citizen complaints. CIRA Insurance also supports as a risk management tool. With data provided, this is an evidence tool that can convict or exonerate. This Item support Strategic Plan Goal #3 of Council. It was specifically reported that the license plate readers cannot be used for immigration enforcement.

Public Comment: Paul Clark

Discussion: Councilmembers asked clarifying questions, inquired if videos were subject to the Public Record Act of California and when installation would occur.

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

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

Enactment No: RES 4894-2025

## ADJOURNMENT

**Mayor Godeke adjourned the meeting at 8:53 PM.**

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JASON GODEKE, MAYOR

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Amber Lenore Weaver, Acting City Clerk

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