



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, May 13, 2024

6:00 PM Town Hall, 363 N. Main Street and 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 Jason Godeke, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Marcia Rafanan

CLOSED SESSION REPORT

None.

AGENDA REVIEW

None.

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. [24-742](#) Proclamation National Police Week and Peace Officer's Memorial Day

Mayor Norvell read the Proclamation recognizing the week of May 12 - 18, 2024 as National Police Week and May 15, 2024 as Peace Officers' Memorial Day. Police Sergeant Jonathan McLaughlin received the Proclamation and expressed gratitude to his fellow officers and their families for their unwavering support and sacrifices.

1B. [24-736](#) Proclamation Asian American, Native Hawaiian, and Pacific Islander Heritage Month

Vice Mayor Godeke read the Proclamation recognizing May 2024 as Asian American, Native Hawaiian, and Pacific Islander Heritage Month. City Manager Isaac Whippy and community member Ui Wesley accepted the Proclamation, expressing their gratitude to the City Council, staff, and the community for their acceptance and unwavering support.

1C. [24-691](#) Water Safety Month Proclamation

Councilmember Peters read the Proclamation declaring May 24 as Water Safety Month. C.V. Starr Manager Moneque Wooden and Kimberly Ramey accepted the Proclamation on behalf of the community, expressing sincere gratitude to the councilmembers for their support.

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

- (1) Gabriel Quinn Maroney, Jacob Patterson, Jay.
- (2) Shelley Green.

3. STAFF COMMENTS

Assistant Engineering Director Chantell O'Neal announced that they will be hosting an in-person Local Road Safety Action Plan public input workshop in collaboration with Mendocino Council of Governments (MCOG), led by TJKM Consultants. The workshop is scheduled for May 20, 2024, at Town Hall from 5:30 PM to 7 PM.

City Attorney Baron Bettenhausen provided responses and clarifications on two items:
Lindsay Receivership: He addressed concerns or queries relating to the Lindsay receivership.
Status of the Grocery Outlet: He provided an update on the current status of the Grocery Outlet. The draft has been completed by the Coastal Commission. Once all comments have been received, the commission will sign off and certify it. At that point, the parties will be ready to prepare and file their answers to the petition.

4. MATTERS FROM COUNCILMEMBERS

Councilmember Peters mentioned that there is a Timberwolf Playoff Baseball Game scheduled for Wednesday, May 15, 2024, at 3:30 PM.

Councilmember Albin-Smith reported that she attended the Redwood Rise Session two weeks ago, which involved representatives from four counties. She participated in economy workshops during the session. Additionally, she mentioned that there will be a concert at the Caspar Community Center this weekend, scheduled from 3:30 PM to 5:30 PM.

Vice Mayor Godeke mentioned that a meeting was held with the Mendocino Solid Waste Authority. Additionally, he informed about an upcoming Hazardous Waste Event scheduled for Thursday, June 6, and Friday, June 7, at the Caspar Transfer Station. Further details will be provided soon.

5. CONSENT CALENDAR

Councilmember Albin-Smith requested that Item 5G be removed from the Consent Calendar for discussion.

A motion was made by Councilmember Peters, seconded by Councilmember Godeke that the Consent Calendar be approved with the exception of Item 5G. The motion carried by the following vote:

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

5A. [24-698](#) (1) Adopt by Title Only, and Waive Further Reading of Ordinance 994-2024

Repealing and Replacing Chapter 15.04 (Construction Codes - Adopted By Reference) and Chapter 15.05 (California Fire Code) of Title 15 (Buildings And Construction) of The Fort Bragg Municipal Code; Adopting and Incorporating The 2022 California Administrative Code, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Historical Building Code, California Existing Building Code, California Green Building Standards Code, California Referenced Standards Code and California Fire Code; Adopting Local Findings; and Making Other Technical And Administrative Revisions To Title 15; Common Sense Exemption; and (2) Adopt by Title Only, and Waive Further Reading of Ordinance 990-2024 Amending Chapter 15.06 of the Fort Bragg Municipal Code to Require Sprinkler Installation in Buildings with Building Permits with a Cumulative Valuation of \$120,000 or More, Over a Three-Year Period; Common Sense Exemption.

These Ordinances were read by Councilmember Peters.

A motion was made by Councilmember Peters, seconded by Vice Mayor Godeke, that the Ordinances be adopted. The motion carried by the following vote:

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

5B. [24-699](#) Adopt by Title Only, and Waive Further Reading of Ordinance 988-2024 Amending Chapter 18.42.165 - Restaurants of Division 18 of the Fort Bragg Municipal Code to Establish Regulations and Standards for Outdoor Dining.

This Ordinance was read by Councilmember Peters.

A motion was made by Councilmember Peters, seconded by Vice Mayor Godeke, that the Ordinance be adopted. The motion carried by the following vote:

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

5C. [24-700](#) Adopt by Title Only, and Waive Further Reading of, Ordinance 989-2024 Amending Chapter 18.71.090 - Planned Development Permit of Division 18 of the Fort Bragg Municipal Code to Allow Planned Unit Development Permits on Parcels of One Acre or More, Subject to Previously Approved Mitigated Negative Declaration.

This Ordinance was read by Councilmember Peters.

A motion was made by Councilmember Peters, seconded by Vice Mayor Godeke, that the Ordinance be adopted. The motion carried by the following vote:

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

5D. [24-701](#) Adopt by Title Only, and Waive Further Reading of Ordinance 991-2024, Amending Division 18 of the Fort Bragg Municipal Code and Parking Standards Established for the Central Business District- Categorically Exempt from CEQA.

This Ordinance was read by Councilmember Peters.

A motion was made by Councilmember Peters, seconded by Vice Mayor Godeke, that the Ordinance be adopted. The motion carried by the following vote:

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

5E. [24-722](#) Adopt City Council Resolution Identifying Priority Projects for Funding by SB 1 Road Maintenance and Rehabilitation Account for the 2024-2025 Fiscal Year

This Resolution was adopted on the Consent Calendar.

5F. [24-724](#) Approve Purchase Order for Gym Equipment and Free Weights for the CV Starr Center from Opti-Fit Fitness Solutions

This Purchase Order was approved on the Consent Calendar.

5H. [24-723](#) Adopt City Council Resolution to Oppose Initiative No. 21-0042A1, The Taxpayer Protection and Government Accountability Act

This Resolution was adopted on the Consent Calendar.

5I. [24-725](#) Receive and File Minutes of the January 30, 2024 Community Development Committee Meeting

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

5J. [24-726](#) Receive and File Minutes of the March 26, 2024 Community Development Committee Meeting

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

5K. [24-734](#) Approve Minutes of April 22, 2024

These Minutes were approved on the Consent Calendar.

5L. [24-735](#) Approve Minutes of Special Closed Session of April 29, 2024

These Minutes were approved on the Consent Calendar.

ITEM REMOVED FROM CONSENT CALENDAR

5G. [24-739](#) Adopt City Council Resolution Amending the Water Capacity Fees; Categorical Exemption

Councilmember Albin-Smith requested clarification regarding the reduction of Water Capacity Fees. City Manager Whippy explained that this decision was based on the findings of the Nexus Fee Study. It was determined that the Capital Improvements for the Water Treatment Plant and the Raw Water Line are grant funded. As a result, these fees were removed, leading to the reduction in fees.

Public Comment: None.

Discussion: None.

This Resolution was adopted on the Consent Calendar.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

- 7A. [24-702](#)** Conduct Public Hearing and (1) Introduce, by Title Only, and Waive Further Reading of Ordinance xxx-2024 Amending Chapter 18.42.175 - "Tiny Homes", of Division 18 of the Fort Bragg Municipal Code to Modify Regulations and Standards for Tiny Homes; Subject to Previously Approved MND; and (2) Adopt a Resolution xxx-2024 approving a Local Coastal Plan Amendment Application (LCP 4-23) to the Coastal Commission to Amend Chapter 17.42.175 - "Tiny Homes", of Division 17 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes; Categorical Exemption.

Marie Jones of Marie Jones Consulting presented this item.

Mayor Norvell opened the public hearing at 7:03 PM.

Public Comment: Shelley Green.

Mayor Norvell closed the public hearing at 7:06 PM.

Discussion: The revisions were verified by the consultant and accepted by the council.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that the Ordinance be introduced. The motion carried by the following vote:

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

- 7B. [24-704](#)** Conduct Public Hearing and (1) Introduce, by Title Only, and Waive Further Reading of Ordinance xxx-2024 Amending Chapter 18.42.110 "Mobile Home Parks" of Division 18 of the Fort Bragg Municipal Code and Replace it with Chapter 18.42.110 "Tiny Home & Manufactured Home Communities" to Establish Standards for Tiny Home Communities; and (2) Adopt Resolution xxx-2024 approving a Local Coastal Plan Amendment Application (LCP 5-23) to the Coastal Commission to Amend Chapter 17.42.110 "Mobile Home Parks" of Division 17 of the Fort Bragg Municipal Code and Replace it with Chapter 17.42.110 "Tiny Home & Manufactured Home Communities" to Establish Standards for Tiny Home Communities

Marie Jones of Marie Jones Consulting presented this item.

Mayor Norvell opened the public hearing at 7:40 PM.

Public Comment: Jay.

Mayor Norvell closed the public hearing at 7:43 PM.

Discussion: Councilmember Peters agrees with the changes being made, thinking about future development. The City Council concurred that there be no minimum lot size. Amendment to

exclude 5th wheel. The revisions were verified by the consultant and accepted by the council.

A motion was made by Councilmember Peters, seconded by Vice Mayor Godeke, that the Ordinance be introduced. The motion carried by the following vote:

A motion was made by Councilmember Albin-Smith, seconded by Vice Mayor Godeke 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

- 7C. [24-730](#)** Receive Report and Conduct Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-12043

The mayor recessed the meeting at 7:56 PM.

The mayor reconvened the meeting at 8:07 PM.

Grants Coordinator Lacy Peterson presented this item.

Mayor Norvell opened the public hearing at 8:16 PM.

Public Comment: Jacob Patterson, Jay.

Mayor Norvell closed the public hearing at 8:22 PM.

Discussion: The council received and accepted the report.

8. CONDUCT OF BUSINESS

- 8A. [24-731](#)** Receive Report and Provide Direction Regarding Potential Application for Funding from Permanent Local Housing Allocation (PLHA) Program 2023 Non-Entitlement Local Government Competitive Notice of Funding Availability (NOFA)

Grants Coordinator Lacy Peterson presented this item.

Public Comment: Jacob Patterson, Shelley Green.

Discussion: The two program applications are for rental assistance or street outreach to support homeless and at-risk homeless individuals. Mayor Norvell discussed with Chief Cervenka, and they both agreed that CRU needs permanent funding rather than grant funding. The Council recommended that the grants coordinator apply for the rental assistance program.

9. CLOSED SESSION

None.

ADJOURNMENT

Mayor Norvell adjourned the meeting at 8:47 PM.

BERNIE NORVELL, MAYOR

Diana Sanchez, City Clerk

IMAGED (_____)