



# 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, June 12, 2023

6:00 PM

Town Hall, 363 N. Main Street and  
Via Video Conference

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### CALL TO ORDER

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

### ROLL CALL

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

### AGENDA REVIEW

#### **1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS**

**1A. [23-182](#)** Presentation of Proclamation Recognizing June 19-25, 2023 as National Pollinator Week

Councilmember Peters read the proclamation recognizing June 19-25 as National Pollinator Week.

**1B. [23-183](#)** Presentation of Proclamation Declaring June 2023 as LGBTQI+ Pride Month

Councilmember Albin-Smith read the Pride Month proclamation

**1C. [23-187](#)** Receive Presentation from Mendocino Coast Humane Society

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) Tammy Bray requested to discuss the issue of the train whistle after quiet hour and an unknown second speaker spoke in support of the of animal shelter.

(2) None

(3) N/A

#### **3. STAFF COMMENTS**

None.

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

Councilmember Albin-Smith showed her support for Pollinator Week by wearing her bee earrings. Councilmember Peters shared that he along with Councilmember Rafanan and City Manager Peggy Ducey took a tour of the Humane Society with Judy Martin. He also attended former Planning Commissioner's Miklose's celebration of life and noted that the Mayor Norvell had nice words to shared on behalf of the City.

## **5. CONSENT CALENDAR**

Councilmember Peters and Albin-Smith requested that Item 5A be pulled to discuss details.

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

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, to approve the Consent Calendar with the exception of Items 5A. The motion carried by the following vote:**

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

- 5B. [23-122](#)** Resolution of the Fort Bragg City Council Approving Contract with Governmentjobs.com DBA NEOGOV for the Implementation of Human Resources Management Suite for the Public Sector and Authorizing City Manager to Execute Contract (Total Amount Not to Exceed \$36,891.30)

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

Enactment No: RES 4692-2023

- 5C. [23-172](#)** Approve Scope of Work for a RFP for Construction Management Contract for 2022 Streets Rehabilitation Project

**This Scope of Work was approved**

- 5D. [23-180](#)** A Resolution of the Fort Bragg City Council Authorizing the City Manager to Act on Behalf of the City for the Purpose of Applying for a Grant with the State Water Resources Control Board to Fund a Planning Study for the Construction of a Recycled Water Facility

**This Consent Calendar was approved**

- 5E. [23-169](#)** Receive and File Minutes of the March 09, 2023 Public Works and Facilities Committee Meeting

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

- 5F. [23-175](#)** Approve Minutes of May 22, 2023

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

## **ITEMS REMOVED FROM CONSENT CALENDAR**

- 5A. [23-186](#) Resolution of the Fort Bragg City Council Approving a Professional Services Agreement with Mendocino Coast Humane Society for Provision Of Animal Care and Shelter Services and Dog Licensing Program and Authorizing City Manager to Execute Same (Amount Not to Exceed \$18,000 in FY 2022-2023 Account No. 110-4110-0319 \$31,500 in FY 2023-24; Account No. 110-4200-0314)

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

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

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

None.

## **7. PUBLIC HEARING**

- 7A. [23-173](#) Receive Report, Conduct Public Hearing, and Consider Adopting Resolution of the Fort Bragg City Council Determining that the Public Interest and Necessity Require the Acquisition of Certain Real Property Interests for a Public Project and Directing the Filing of Eminent Domain Proceedings

### **Mayor Norvell opened the public hearing at 6:37 PM.**

Public Works Director John Smith presented the staff report on this agenda item and he introduced Alan Sozio attorney from Burke, Williams & Sorensen who was available via Zoom. Property owner's legal counsel Mr. Stephen Johnson provided a rebuttal to council and presented the issues they have with this eminent domain.

**Public Comment:** Jacob Patterson

### **Mayor Norvell closed the public hearing at 7:10 PM.**

**Discussion:** After holding discussion on the matter, all Councilmembers agreed to support this acquisition of real property.

**A motion was made by Councilmember Rafanan, 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

Enactment No: RES 4695-2023

## **8. CONDUCT OF BUSINESS**

- 8A. [23-184](#) Receive Report and Consider Adoption of Municipal Improvement District No. 1 Resolution Approving the Contract with Fort Bragg Electric, for the Elm Street Lift Station Project; Authorizing City Manager to Execute Contract (Amount Not to Exceed \$98,417.00, Account No. 716-7007-0731 &

714-4713-0741); and Finding the Project Exempt from CEQA Under 14 CCR 15301b Existing Facilities

Director of Public Works John Smith gave the staff report on this agenda item.

**Public Comment:** None.

**Discussion:** All Councilmembers were in support of this project.

A motion was made by Councilmember Albin-Smith, seconded by Councilmember Peters, that the ID 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

Enactment No: RES ID 475-2023

**8B. [23-171](#)** Receive Report and Provide Direction to Staff Regarding a Ballot Measure Extending Special Purpose Transactions and Use Tax for Street Maintenance and Improvements

Assistant Director Engineering O'Neal presented a report on the 1/2 cent sales tax for street repairs.

**Public Comment:** None.

**Discussion:** The council asked clarifying questions and all Councilmembers are in agreement to remove the sun-setting clause of the measure and to have this measure go on the November 7 ballot.

This Report was accepted

**9. CLOSED SESSION**

**ADJOURNMENT**

Mayor Norvell adjourned the meeting at 7:41 PM

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BERNIE NORVELL, MAYOR

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June Lemos, MMC, City Clerk

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