



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, April 8, 2024

6:00 PM Town Hall, 363 N. Main Street Fort Bragg, Via Video
Conference,
7353 East Cascada Circle, Tucson, AZ 85715

CALL TO ORDER

Mayor Norvell called the meeting to order at 6:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

Vice Mayor Godeke participated virtually via Zoom.

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

CLOSED SESSION REPORT

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

Mayor Norvell appointed Vice Mayor Godeke and Councilmember Rafanan to a new Ad-hoc Committee for Tax Sharing and Annexation Agreement with Mendocino County for a duration of 6 months.

1A. Proclamation Declaring April 2024 as Sexual Assault Awareness Month

Councilmember Albin-Smith read the Proclamation declaring April 2024 as Sexual Assault Awareness Month. Sydney Clark of Project Sanctuary received the proclamation and thanked the council for the continued support.

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

(1) Marcie Snyder, Gabriel Quinn Maroney, Jay Rosenquist, George Reinhardt, Peter McNamee, Shelley Green.

(2) None.

(3) N/A

3. STAFF COMMENTS

City Manager Isaac Whippy announced that the Business Assistance Loan workshop will be held

at Town Hall on April 12, 2024, from 5:30 to 6:30 PM. The workshop aims to discuss funding opportunities for local businesses. In addition, CV Starr will be hosting a teen night out on April 20 from 7-9 PM. Furthermore, Swim, Slide, and Splash will be open this week from 1-4 PM. Other exciting classes being offered include genealogy. Bethany Brewer will be offering various classes. C & S Waste Solutions will be hosting a shred event on April 27 at City Hall from 9:30 AM to 1:30 PM. The Noyo Ocean Collective Meeting will take place at Town Hall on April 18 from 3-5 PM. Public Works Director John Smith announced that the city has a new caretaker for Otis Johnson Park. Regarding the Streets Project, please note that the asphalt plant is currently closed for maintenance, which may cause delays. However, efforts will continue with crack filling and street striping. City Clerk Diana Sanchez provided an update on the upcoming November 5, 2024 Election. The deadline to file initiative petitions is May 9, 2024. For detailed guidance, please visit the California State Portal, where you can access the Statewide Initiative Guide 2024. Remember, initiative petitions must be filed with the Mendocino County Clerk. Additionally, if you're interested in running for City Council, there will be two open seats for this upcoming election. The filing period is from July 15 to August 9, 2024. For further information, please contact City Clerk Diana Sanchez at dsanchez@fortbragg.com.

4. MATTERS FROM COUNCILMEMBERS

Vice Mayor Godeke stated that he had the privilege of attending the Fort Bragg Police Department Award and State of the Department Ceremony. Councilmember Albin-Smith expressed her gratitude for being able to attend the Fort Bragg Police Department Awards Ceremony. Additionally, she participated in the Emergency Operations Center Exercise and commended Captain O'Neal for his exceptional job in organizing it. Please note that the Finance and Administration Committee Meeting scheduled for April 10, 2024, and the Public Safety Committee Meeting scheduled for April 11, 2024, have been cancelled. Furthermore, blood donations are being accepted in Mendocino and in Fort Bragg on Tuesday, Wednesday, and Thursday of this week. Councilmember Peters noted that he had been appointed as an alternate to the Mendocino Council of Governments (MCOG). He mentioned that he will be attending a meeting on April 17, 2024, where the Federal Transportation Commission will be present as part of MCOG. During this meeting, he intends to advocate for the establishment of a secondary egress and ingress to the Noyo Harbor on the west side of the highway. Additionally, Councilmember Peters clarified that he traveled to Sacramento to attend the Coastal Commission Meeting, where he presented a letter on behalf of the City Council.

5. CONSENT CALENDAR

Moved by Councilmember Albin-Smith, seconded by Councilmember Rafanan, that the Consent Calendar be approved. The motion carried by the following vote:

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

5A. Approval of Settlement Agreement for Acquisition of Easement and Certificate of Acceptance

This Settlement Agreement and Certificate of Acceptance was approved on the Consent Calendar.

5B. Authorize City Manager to execute Contract with Strategy Driver, Inc, Amount

Not to Exceed \$53,370 Consistent with Attached Proposal, Subject to City Attorney Review.

This Contract was approved on the Consent Calendar.

- 5C.** Resolution of the Fort Bragg City Council Approving Contract Amendment 3 with SHN Consulting Engineers and Geologists, Inc. for On-Call Engineering Services and Authorizing the City Manager to Execute Contract (Amount Not to Exceed \$60,000)

This Resolution was adopted on the Consent Calendar.

- 5D.** Adopt City Council Resolution Authorizing City Manager to Execute Contract Amendment with Coleman Engineering for Additional Design Services (Amount Not to Exceed \$952,987)

This Resolution was adopted on the Consent Calendar.

- 5E.** Adopt Fort Bragg Improvement District Resolution Approving Budget Amendment 2023/24-12 for the Pudding Creek Force Main Relocation Project and Amend Fiscal Year 2023-24 Budget (Amount Not to Exceed \$400,000)

This ID Resolution was adopted on the Consent Calendar.

- 5F.** Adopt Resolution of the Fort Bragg City Council Approving Submittal of an Application to the California Department of Housing and Community Development for funding under the HOME Investment Partnerships Program; and if selected, the execution of any related documents necessary to participate in the HOME Investment Partnerships Program

This Resolution was adopted on the Consent Calendar.

- 5G.** Receive and File Minutes of the Finance and Administration Committee of February 14, 2024.

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

- 5H.** Receive and File Minutes of the Finance and Administration of March 28, 2024.

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

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

- 7A.** Conduct Public Hearing and (1) Consider Adoption of a Resolution Approving the Mitigated Negative Declaration and the Mitigation and Monitoring and Reporting Plan; (2) Introduce, by Title Only, and Waive Further Reading of

Ordinance XXX-2024 Amending Chapter 18.42.165 - *Restaurants* of Division 18 of the Fort Bragg Municipal Code to Establish Regulations and Standards for Outdoor Dining; and (3) Adopt a Resolution that the City Council Submit a Local Coastal Plan Amendment Application (LCP 3-23) to the Coastal Commission, to Amend Chapter 17.42.190 - *Restaurants* of Division 17 of the Fort Bragg Municipal Code to Establish Regulations and Standards for Outdoor Dining.

Marie Jones of Marie Jones Consulting presented the staff report on this item.

Mayor Norvell opened the public hearing at 6:47 PM.

Public Comment: Jay Rosenquist

Mayor Norvell closed the public hearing at 6:51 PM.

Discussion: There was a discussion regarding the distinction between outdoor dining and encroachment permitting. Minor changes were made to the Ordinance, and all councilmembers were in agreement with these adjustments.

Resolution MND

1st Peters, 2nd Rafanan, All Aye

Resolution LCP Outdoor Dining

1st Albin-Smith, 2nd Rafanan, All Aye

Ordinance ILUDC Outdoor Dining

1st Peters, 2nd Rafanan, All Aye

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

7B.

Conduct Public Hearing and (1) Introduce, by Title Only, and Waive Further Reading of Ordinance xxx-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; and (2) Adopt Resolution xxx-2024 approving a Local Coastal Plan Amendment Application (LCP 6-23) to the Coastal Commission to Amend Chapter 17.71.090 - *Planned Development Permit* of Division 17 of the Fort Bragg Municipal Code to Allow Planned Unit Development Permits on Parcels of One Acre or More, Statutorily Exempt 15265.

Marie Jones of Marie Jones Consulting presented the staff report on this item.

Mayor Norvell opened the public hearing at 7:36 PM.

Public Comment: Marcie Snyder

Mayor Norvell closed the public hearing at 7:37 PM.

Discussion: There was a brief discussion about modifying the language of the Ordinance before its introduction. Ultimately, it was decided to leave the language unchanged.

Ordinance ILUDC PUD

1st Peters, 2nd Albin-Smith, All Aye

Resolution CLUDC PUD

1st Peters, 2nd Albin-Smith, All Aye

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

7C. Conduct a Public Hearing and (1) Introduce, by Title Only, and Waive Further Reading of Ordinance (MUNI 1-2024) 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, and

(2) Introduce, by Title Only, and Waive Further Reading of Ordinance (MUNI 2-2024) Amending Chapter 15.06 of the Fort Bragg Municipal Code to Require Sprinkler Installation in Buildings With Building Permits with a Cumulative Valuation of \$75,000 or More, Over a Three-Year Period.

Marie Jones of Marie Jones Consulting presented the staff report on this item.

Mayor Norvell opened the public hearing at 7:48 PM.

Public Comment: None.

Mayor Norvell closed the public hearing at 7:49 PM.

Discussion: There was extensive discussion regarding the correction of the cumulative valuation from \$75,000 to reflect inflation in 2024. After thorough deliberation, the council reached a consensus that the cumulative valuation should be \$120,000 over a three-year period.

Ordinance Update to 2022 CA Building Codes
1st Peters, 2nd Norvell, All Aye

Ordinance Fire Sprinkler Revision 4-2024
1st Peters, 2nd Albin-Smith, All Aye

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

8. CONDUCT OF BUSINESS

Mayor Norvell recessed the meeting at 7:55 PM; the meeting reconvened at 8:05 PM.

8A. Receive Report and Provide Direction on Potential Tax Ballot Measure for November 2024, Authorize City Manager to Execute Contract with Lee Edwards Group (Amount not to Exceed \$38,500) and FM3 Research (Amount not to Exceed \$24,750) consistent with Attached Proposal and Subject to City Attorney Review.

City Manager Isaac Whippy presented the staff report on this item.

Public Comment: Jay Rosenquist

Discussion: There was discussion about the potential implications of the proposed tax increases for the City of Fort Bragg. Following the discussion, the council approved the contracts with Lee Edwards Group for the development of a Public Information Plan aimed at educating and raising awareness of the city's needs, as well as with FM3 Research for Opinion and Research Strategy.

A motion was made by Vice Mayor Godeke, 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

9. CLOSED SESSION

None.

ADJOURNMENT

Mayor Norvell adjourned the meeting at 8:38 PM.

BERNIE NORVELL, MAYOR

Diana Sanchez, City Clerk

IMAGED (_____)