



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 25, 2022

6:00 PM

Town Hall, 363 N. Main St. 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 Jessica Morsell-Haye, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Marcia Rafanan

AGENDA REVIEW

Mayor Norvell moved Item 8B after 8D on the agenda.

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

Mayor Norvell reported that at the Closed Session on April 21, 2022, the City Council instructed the Interim City Manager and the City's legal counsel to negotiate with the top choice for City Manager.

1A. [22-200](#) Presentation of Proclamation Recognizing the 53rd Annual Professional Municipal Clerks Week, May 1 - May 7, 2022

Mayor Norvell read a Proclamation recognizing May 1-7, 2022 as Municipal Clerks Week and presented the proclamation to City Clerk Lemos.

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

Public Comment was received from:

- (1) Jacob Patterson.
- (2) None.
- (3) N/A.

3. STAFF COMMENTS

City Manager Spaur reported on three prospective loans for small businesses in the Central Business District and announced the Blue Economy Symposium scheduled for May 19-22. Assistant Director Engineering O'Neal reported that the City is in the top 200 finalists for the \$25K State Farm neighborhood assistance grant, and asked people to vote from April 27 through

May 6; voting details will be announced in a press release. O'Neal stated that the Community Development Committee will receive an update on the Bainbridge Park and playground upgrades at tomorrow's meeting.

4. MATTERS FROM COUNCILMEMBERS

Councilmember Peters thanked the Council and staff for the interview process for the new City Manager candidates that occurred last week. Several Councilmembers thanked City Clerk Lemos for her work as City Clerk and in honor of Municipal Clerks Week.

5. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, to approve the Consent Calendar. The motion carried by the following vote:

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

- 5A. [22-188](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 980-2022 Amending Section 18.42.110 (Mobile/Manufactured Homes and Mobile Home Parks) and Adding Section 18.42.175 (Tiny Homes) to Chapter 18.42 (Standards for Specific Land Uses) of Title 18 (Inland Land Use and Development Code) of the Fort Bragg Municipal Code

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 980-2022

- 5B. [22-189](#)** 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

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4532-2022

- 5C. [22-190](#)** Adopt City Council Resolution Appointing Director to Represent and Vote on Behalf of the City of Fort Bragg on the Redwood Empire Municipal Insurance Fund Board of Directors

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4533-2022

- 5D. [22-192](#)** 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 4534-2022

- 5E. [22-193](#)** 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 4535-2022
- 5F. [22-194](#)** Adopt City Council Resolution Adopting a List of Projects for Fiscal Year 2022-23 Funded by SB 1: The Road Repair and Accountability Act of 2017
This Resolution was adopted on the Consent Calendar.
Enactment No: RES 4536-2022
- 5G. [22-198](#)** Receive and File Written Report Pursuant to Government Code Section 65858(d) on Behalf of the City Council Describing the Measures Taken to Date to Alleviate the Condition Which Led to the Adoption of Urgency Ordinance 972-2021
This Report was received and filed on the Consent Calendar.
- 5H. [22-186](#)** Receive and File Minutes of the Public Works and Facilities Committee Meeting of February 10, 2022
These Committee Minutes were received and filed on the Consent Calendar.
- 5I. [22-195](#)** Approve Minutes of April 11, 2022
These Minutes were approved on the Consent Calendar.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

8. CONDUCT OF BUSINESS

- 8A. [22-124](#)** Receive and File Local Road Safety Plan Report from TJKM and Provide Recommendations for Select Highway Safety Improvement Program Grant Application

Ruta Jariwala and Divya Gandhi of TJKM presented the report on this agenda item. Assistant Director Engineering O'Neal explained that the report will come back to City Council with a resolution accepting the report on a future Consent Calendar agenda.

Public Comment was received from Leslie Kashiwada and Jacob Patterson.

Discussion: After a brief discussion, Council consensus was to accept the report and to formally approve it by resolution on an upcoming Consent Calendar.

This Report was unanimously accepted by voice vote.

- 8C. [22-183](#)** Receive Report and Consider Adoption of City Council Resolution Approving the Revised 2022 Citywide Design Guidelines Update for Commercial,

Industrial, and Multi-Family Buildings

Assistant Planner Locke presented the staff report for this item.

Public Comment: Jacob Patterson

A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, 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 4537-2022

8D. [22-180](#) Receive Report and Consider Adoption of Urgency Ordinance No. 981-2022 Placing a 45-Day Moratorium on the Approval of Applications and Permits for Cannabis Dispensaries in the Inland Zoning Area

Interim City Manager Spaur gave the staff report on this agenda item.

Public Comment: Jacob Patterson.

Discussion: After a brief discussion, all Councilmembers agreed that the new urgency ordinance should be passed while new cannabis regulations are being finalized by Council.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Urgency Ordinance 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: ORD 981-2022

8B. [22-173](#) Receive Report and Consider Adoption of City Council Resolution Approving Professional Services Agreement with De Novo Planning Group to Prepare an Environmental Impact Report for a Proposed Grocery Outlet at 825, 845, and 851 S. Franklin St. and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$56,013; Account No. 119-0000-2668)

Mayor Norvell recused himself from voting on this matter, as he lives across the street from the project. He appointed Vice Mayor Morsell-Haye as Acting Mayor and left the meeting at 7:15 PM.

Associate Planner Gurewitz presented the staff report on this agenda item. Steve McMurtry, from consultant De Novo Planning Group, spoke about the company, their background and this project.

Public Comment was received from Robert Edgerton, Leslie Kashiwada, Jim Moose and Jacob Patterson.

Discussion: Council held discussion regarding the nature of the studies to be done in association with the Environmental Impact Report (EIR) and it was clarified that the consultant De Novo would not "reuse" existing reports from the previous Mitigated Negative Declaration, but rather review them, conduct their own studies and arrive at their own conclusions for the EIR.

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

Aye: 4 - Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

Recuse: 1 - Mayor Norvell

Enactment No: RES 4538-2022

9. CLOSED SESSION

ADJOURNMENT

Acting Mayor Morsell-Haye adjourned the meeting at 8:01 PM.

BERNIE NORVELL, MAYOR

June Lemos, MMC, City Clerk

IMAGED (_____)