



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

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, September 27, 2021

6:00 PM

Via Video Conference

CALL TO ORDER

Mayor Norvell called the meeting to order at 6:00 PM, all Councilmembers appearing via video conference.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmember Rafanan joined the meeting at 6:09 PM.

Present: 5 - Mayor Bernie Norvell, Vice Mayor Jessica Morsell-Haye, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Marcia Rafanan

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

Mayor Norvell summarized the changes to the City Manager's employment agreement under Item 5D on the Consent Calendar.

1A. [21-491](#) Presentation of Proclamation Recognizing the Week of September 26, 2021 as Banned Books Week

Councilmember Albin-Smith read the Proclamation recognizing the week of September 26, 2021 as Banned Books Week and presented it to Fort Bragg branch librarian Dan Hess and Library Advisory Board appointee Carolyn Schneider. Mr. Hess and Ms. Schneider both gave brief remarks on the importance of reading for fostering independent thought.

1B. [21-511](#) Presentation of Proclamation Recognizing September 15 - October 15 as Latino Heritage Month

Mayor Norvell read the Proclamation recognizing September 15 through October 15 as Latino Heritage Month and presented it to the City's Administrative Analyst, Cristal Muñoz, and her family.

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

(1) Keith Wyner spoke about water conservation matters. (2) None. (3) N/A.

3. STAFF COMMENTS

City Manager Miller asked for a volunteer to take over the responsibility of placing American flags in the Central Business District during appropriate holidays after Nancy Bennett retires from this duty next year. Miller gave an update on the new desalination unit that was delivered this week.

4. MATTERS FROM COUNCILMEMBERS

Councilmembers Morsell-Haye, Peters and Albin-Smith all gave reports on their attendance at last week's League of California Cities annual conference sessions in Sacramento.

5. CONSENT CALENDAR

Councilmember Peters requested that Item 5B be removed from the Consent Calendar so that he could recuse himself from voting on that item.

Approval of the Consent Calendar

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, to approve the Consent Calendar, with the exception of Item 5B. The motion carried by the following vote:

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

- 5A. [21-492](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 971-2021 Adding Chapter 7.18 (Feeding of Wildlife) to Title 7 (Animals) of the City of Fort Bragg Municipal Code to Prevent the Feeding of Wildlife in the City of Fort Bragg.

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 971-2021

- 5C. [21-512](#)** Adopt City Council Resolution Making the Legally Required Findings to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4449-2021

- 5D. [21-514](#)** Approve Third Amendment to City Manager Employment Agreement

This contract amendment was approved on the Consent Calendar.

- 5E. [21-489](#)** Receive and File Minutes of the April 14, 2021 Finance and Administration Committee Meeting

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

- 5F. [21-490](#)** Receive and File Minutes of the August 12, 2021 Public Works and

Facilities Committee Meeting

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

5G. [21-510](#)

Approve Minutes of Special Meeting of September 20, 2021

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR**5B.** [21-506](#)

Adopt City Council Resolution Establishing a City of Fort Bragg Master Salary Rate Compensation Plan Confirming the Pay Rates/Ranges for All City of Fort Bragg Established Classifications

Councilmember Peters disclosed a conflict of interest due to his spouse's employment with the City of Fort Bragg and recused himself from voting on this agenda item.

Public Comment: None.

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Albin-Smith, that this Resolution be adopted. The motion carried by the following vote:

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

Recuse: 1 - Councilmember Peters

Enactment No: RES 4448-2021

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

Mayor Norvell disclosed brief conversations he held regarding Item 8A.

7. PUBLIC HEARING**8. CONDUCT OF BUSINESS****8A.** [21-497](#)

Receive Report and Consider Adoption of Urgency Ordinance No. 972-2021 Placing a 45-Day Moratorium on the Approval of Applications and Permits for Cannabis Dispensaries in the Inland Zoning Area

City Manager Miller presented the staff report on this agenda item.

Public Comment was received from Angelica Sanchez, Arturo Sanchez, Chelsea Haskins, Mark Pelter, Brandy Moulton, Daniel Schultz, Gina Austin and Andrew Jordan.

Discussion: After deliberating, the Council consensus was that a moratorium would allow the current ordinance to be cleaned up to provide consistent policies and messaging regarding cannabis dispensary locations, potential buffer zones, the definition of youth centers, and other aspects regarding the handling of applications for cannabis dispensary permitting.

A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Urgency Ordinance be adopted by title only, waiving the reading of the text. 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 972-2021

8B. [21-508](#) Receive Report and Consider Establishing an Underground Utility District to Secure Rule 20 Work Credits and Avoid Becoming an Inactive District

Assistant Director - Engineering Division O'Neal presented the staff report on this agenda item.

Public Comment was received from Andrew Jordan.

Discussion: Councilmembers asked questions of a PG&E representative and held brief discussion regarding the project, funding, and specific area for a utility district. Council directed staff to proceed with an underground utility district project for the Chestnut Street district and schedule a public hearing to begin the process of forming the district.

This matter was referred to staff for further action.

8C. [21-504](#) Receive Report and Consider Adoption of City Council Resolution Approving a One-time Contribution to Mendocino Solid Waste Management Authority (MSWMA)

Mayor Norvell recessed the meeting at 8:13 PM; the meeting reconvened at 8:19 PM.

City Manager Miller summarized the staff report for this agenda item. As a member of the MSWMA board, Vice Mayor Morsell-Haye added to the report, giving background and intent of the request for the one-time contribution from the cities.

Public Comment was received from Jay McMartin Rosenquist.

Discussion: After brief discussion, the Council consensus was to approve the one-time payment to MSWMA, as this agency's services benefit the community. Council directed that the final paragraph of the resolution be amended to read as follows: NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve the \$13,600 one-time payment to MSWMA, so long as all member jurisdictions approve their portion of the payment.

A motion was made by Vice Mayor Morsell-Haye, seconded by Mayor Norvell, that this Resolution be adopted as amended. 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 4450-2021

9. CLOSED SESSION

BERNIE NORVELL, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)