



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 24, 2021

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

Mayor Norvell called the meeting to order at 6:00 PM, with Councilmember Albin-Smith appearing via video conference and all other Councilmembers appearing in person at Town Hall.

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

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. [21-259](#) Presentation of Proclamation Declaring June 2021 as LGBTQ Pride Month

Mayor Norvell read a Proclamation declaring June 2021 as LGBTQ Pride Month.

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

(1) Public Comments on non-agenda items were received from Michelle Goodman and Annemarie Weibel.

(2) None.

(3) None.

3. STAFF COMMENTS

City Manager Miller reported that the Mendocino County Sheriff's Office and Office of Emergency Services will test the Mass Notification Systems on May 26. The City's Independence Day fireworks display will be held on July 3 at nightfall (approximately 9:30 PM). Miller reported that the broadband feasibility study is now underway. The City and County will jointly release a Request for Proposals for a new solid waste franchise agreement in mid-June. Public Works Director Smith noted that this year is shaping up to be the worst drought since 1977. He summarized information regarding the Noyo River flows and said that the voluntary Stage 1 conservation efforts will reduce water consumption by about ten percent.

4. MATTERS FROM COUNCILMEMBERS

Vice Mayor Morsell-Haye reported on a blue economy workshop held last Friday involving several local stakeholders. A symposium open to the public will be held in October. Morsell-Haye reported that the Fort Bragg Name Change Citizens Commission has met twice this month and anticipates presenting recommendations to the Council by November. Councilmember Peters reported that the Fire Protection Authority meets tomorrow regarding budget matters.

5. CONSENT CALENDAR

Mayor Norvell requested that Item 5B be removed from the Consent Calendar to make some minor amendments to the language of the ordinance.

Approval of the Consent Calendar

A motion was made by Councilmember Peters, seconded by Vice Mayor Morsell-Haye, 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. [21-184](#)** Adopt City Council Resolution Authorizing the City Manager to Execute the Acceptance of a 10-Foot-Wide Public Sewer Easement over an Existing Public Sewer Pipe Located on the Lands of William Allen Goodwin

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4390-2021

- 5C. [21-228](#)** 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 4391-2021

- 5D. [21-252](#)** Adopt Municipal Improvement District Resolution Approving Budget Amendment No. 2021-11 Adjusting Selected Expenditure Budgets

This Resolution was adopted on the Consent Calendar.

Enactment No: RES ID 445-2021

- 5E. [21-232](#)** Approve Minutes of May 10, 2021

These Minutes were approved on the Consent Calendar.

- 5F. [21-251](#)** Approve Minutes of Special Meeting of May 17, 2021

These Minutes were approved on the Consent Calendar.

- 5G.** [21-250](#) Approve Minutes of Joint City Council/Mendocino Coast Recreation and Park District Special Meeting of May 17, 2021

These Minutes were approved on the Consent Calendar.

- 5H.** [21-254](#) Approve Minutes of Special Closed Session of May 17, 2021

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5B.** [21-227](#) Adopt by Title Only and Waive the Second Reading of Ordinance 966-2021 Amending Chapter 9.30 (Cannabis Businesses) of Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code

Mayor Norvell requested that the Ordinance be amended by substituting the phrase "community choice aggregate energy provider" in the place of "Sonoma Clean Power" throughout the ordinance.

Public Comment: None.

A motion was made by Mayor Norvell, seconded by Councilmember Peters, that this Ordinance 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: ORD 966-2021

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

7. PUBLIC HEARING

- 7A.** [21-246](#) Conduct Public Hearing, Receive Report and Consider Adoption of Urgency Ordinance No. 964-2021 Extending the Temporary 45-Day Moratorium on the Approval of Applications and Permits for Formula Businesses in the Inland Zoning Areas

Mayor Norvell opened the public hearing at 6:25 PM.

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

Public Comments in opposition to extending the moratorium on formula businesses in the Inland Zone were received from John Wojtila. Jacob Patterson and Annemarie Weibel spoke in support of the moratorium extension.

Mayor Norvell closed the public hearing at 6:38 PM.

Discussion: After discussing the matter, a four-fifths majority of Councilmembers were in favor of extending the temporary moratorium on formula business development in the Inland Zone.

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

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

No: 1 - Mayor Norvell

Enactment No: ORD 967-2021

8. CONDUCT OF BUSINESS

- 8A. [21-255](#)** Continue City Council Workshop from May 17, 2021 to Review Draft Fiscal Year 2021/22 Budget Including General Fund Operating Budget, Water Enterprise Budget, Wastewater Enterprise (Municipal Improvement District No. 1) Budget, and Capital Projects Budget and Provide Direction to Staff

The report on this agenda item was presented by City Manager Miller and Public Works Director Smith.

Public Comment: None.

Council Direction: Council directed staff to move forward with an engineering technician and a full-time Maintenance I position. They also approved reducing the Administrative Services/Finance Director position to an administrative position to assist the City Manager.

This Staff Report was referred to staff.

- 8B. [21-247](#)** Receive Report and Consider Adoption of City Council Resolution to Approve Joining the Employment Risk Management Authority (ERMA) Joint Power Authority (JPA) for Employment Practices Liability Coverage

City Manager Miller summarized the staff report for this agenda item.

Public Comment: None.

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 4392-2021

9. CLOSED SESSION

Mayor Norvell recessed the meeting at 7:46 PM. The meeting reconvened to Closed Session at 8:14 PM.

- 9A. [21-256](#)** CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR POSSIBLE ACQUISITION OF REAL PROPERTY, Pursuant to Government Code Section §54956.8: Real Property: APN 018-430-22-00, 018-040-61-00, 018-430-21-00, 008-020-17-00, 008-171-07-00, 008-161-08-00, 90 W. Redwood Ave., Fort Bragg, CA 95437; City Negotiator: Tabatha Miller, City Manager; Negotiating Party: Dave Massengill, Environmental Affairs, Georgia Pacific Corporation; Under Negotiation: Terms of Acquisition, Price

9B. [21-257](#)

CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6: City Negotiators: Tabatha Miller, City Manager; Employee Organizations: Fort Bragg Police Association

Mayor Norvell reconvened the meeting to Open Session at 9:01 PM and reported that no reportable action was taken on the Closed Session items.

ADJOURNMENT

Mayor Norvell adjourned the meeting at 9:01 PM.

BERNIE NORVELL, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)