



# 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, October 25, 2021

6:00 PM

Town Hall, 363 N. Main Street

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### CALL TO ORDER

Mayor Norvell called the meeting to order at 6:01 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 announced that he was combining Items 8F and 8G and moving them before Item 8D.

### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [21-539](#)** Introduction of New Employees: Rory Beak, Police Officer; Nancy Ugrin Bond, Grant Manager; Emma Compa, Police Services Transporter; Erik Filosi, Part-time Laborer; Jarod Frank, Police Officer; Alexandria Frazer, Finance Technician I; Kevin Locke, Assistant Planner; Antoinette Moore, Community Services Officer; Sarah Peters, Administrative Assistant - Community Development; Lacy Peterson, Finance Technician I; Adriana Moreno Ramos, Finance Technician I; Ezra Rinesmith, Maintenance Worker II; Valerie Stump, Code Enforcement Officer; Brandon Wilbur, Maintenance Worker I - Janitor

City Manager Miller introduced Nancy Bond from Administration. Public Works Director Smith introduced Erik Filosi, Brandon Wilbur and Ezra Rinesmith from Public Works and Sarah Peters, Valerie Stump and Kevin Locke from Community Development. Finance Assistant Director Whippy introduced Adriana Moreno Ramos, Alexandria Frazer and Lacy Peterson from Finance. Chief Naulty introduced Rory Beak, Emma Compa, Jarod Frank, Antoinette Moore and Deeann Garcia from the Police Department.

- 1B. [21-544](#)** Presentation of Proclamation Celebrating Soroptimist International for 100 Years of Service to Women and Girls

Councilmember Albin-Smith read the Proclamation honoring Soroptimist International and

introduced Lorraine Murphy, Joann Frazer and Jan Michaelson of the local Soroptimist service club.

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

(1) Jay McMartin Rosenquist. (2) None. (3) N/A.

## **3. STAFF COMMENTS**

City Manager Miller said the Trunk or Treat event at the CV Starr Center will be held at 5:30 PM on October 31. She noted that the Stage 2 Water Warning restrictions have been rescinded. The Police Department located both the vehicle and driver involved in a recent pedestrian hit and run accident. Public Works Director Smith reported that the desalination unit is up and running and that the biosolids dryer is expected to be shipped on October 27.

## **4. MATTERS FROM COUNCILMEMBERS**

Councilmember Albin-Smith reported that the Senior Center needs drivers, dining room workers and thrift store staff; interested persons can apply at the Senior Center. She requested that the City place a plaque outside Town Hall commemorating the library that burned down. Mayor Norvell reported that the City hopes to have a plan for a winter shelter in place by November.

## **5. CONSENT CALENDAR**

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

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, 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. [21-494](#)** Appoint Carolyn Schneider to the Mendocino County Library Advisory Board

**This Appointment was approved on the Consent Calendar.**

**5B. [21-536](#)** 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 4455-2021

**5C. [21-553](#)** Adopt City Council Resolution Approving a First Amendment to Professional Services Agreement with Burlington Associates in Community Development, LLC to Assess Feasibility of Establishing a Community Land Trust and Authorizing City Manager to Execute Same

(Amount Not to Exceed \$60,000: \$40,000.00 from Account No. 329-4873-0755 and \$20,000 from Account No. 329-5078-0630)

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

Enactment No: RES 4456-2021

- 5D.** [21-554](#) Adopt City Council Resolution Authorizing the City Manager to Execute the Certificate of Acceptance of an Offer of a 14-Foot-Wide Public Right of Way dedication for South Sanderson Way from Sean Pyorre and Renee Pyorre

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

Enactment No: RES 4457-2021

- 5E.** [21-555](#) Adopt City Council Resolution Authorizing Submission of Whale Tail Grant Application Seeking Funding from the California Coastal Commission

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

Enactment No: RES 4458-2021

- 5F.** [21-556](#) Adopt City Council Resolution Rescinding the City of Fort Bragg's Stage 2 Water Warning Declaration

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

Enactment No: RES 4459-2021

- 5G.** [21-557](#) 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 4460-2021

- 5H.** [21-561](#) Receive and File City Council Report on Actions Following Adoption of Interim Urgency Ordinance Placing a 45-Day Moratorium on the Approval of Applications for a Cannabis Dispensary in the Inland Zoning Area

**This Report was accepted on the Consent Calendar.**

- 5I.** [21-542](#) Approve Minutes of Special Closed Session of October 4, 2021

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

- 5J.** [21-545](#) Approve Minutes of October 12, 2021

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

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

Mayor Norvell and Councilmember Rafanan disclosed conversations with members of the

public and business owners regarding some of the cannabis-related items on the agenda.

## **7. PUBLIC HEARING**

## **8. CONDUCT OF BUSINESS**

- 8A. [21-558](#)** Receive Report and Consider Adoption of Urgency Ordinance No. 973-2021 Rescinding Interim Ordinance No. 964-2021 Placing a Moratorium on the Approval of Applications for Formula Businesses

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

Public Comment: None.

**A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Peters, 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 973-2021

- 8B. [21-559](#)** Receive Report and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 974-2021 Rescinding Interim Ordinance No. 964-2021 Placing a Moratorium on the Approval of Applications for Formula Businesses

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

Public Comment: None.

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, that this Ordinance be introduced 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

- 8C. [21-560](#)** Receive Report and Consider Adoption of City Council Resolution Authorizing City Manager to Execute Contract Amendment with DakaDesign, LLC for Network Security Consulting Services, Increasing the Amount of the Contract by \$50,000, Total Contract Amount Not to Exceed \$60,000 (Account No. 521-4394-0384); and Approving Budget Amendment 2022-10 to Appropriate \$110,000 from the I.T. Internal Service Fund for I.T. Network Equipment, Software, Temporary Part-time Assistance and Contract Consulting Services

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

Public Comment: None.

Discussion: Council consensus was that network security is a priority and this is money well spent.

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, 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 4461-2021

- 8F. [21-550](#)** Receive Report and Provide Direction to Staff on Whether the City Should Establish a Limit on the Total Number of Cannabis Dispensaries Allowed in the Central Business District or Other Commercial Districts

**Mayor Norvell announced that the meeting will end at 9PM and any remaining agenda items will be continued to a future Council meeting.**

Associate Planner Gurewitz summarized the combined staff reports for Items 8F and 8G. Public Comment was received from Jay Koski, Susan Juntz, Andrew Jordan, Brandy Moulton, Jacob Patterson and Jay McMartin Rosenquist.

Discussion: Councilmembers deliberated on the merits of establishing a cap on the total number of cannabis dispensaries to be allowed in the Central Business District (CBD) or other City districts. After much discussion, Council directed as follows: (1) A limit of three dispensaries in the CBD is to be established. (2) Cannabis dispensaries are to be allowed by right through an administrative permit process. (3) Applications are to be considered on a point-system basis calculated by a checklist to be created for such purpose, instead of on a first-come-first-served basis. These changes are to be included in the next update to the cannabis ordinance.

**This Staff Report was referred to staff with directions to amend the current cannabis ordinance as set forth above.**

- 8G. [21-546](#)** Receive Report and Provide Direction to Staff on the Process for Potentially Revising Section 18.22.030 Table 2-6 and Section 18.42.057 of the Inland Land Use and Development Code for the Land Use Regulations for Cannabis Dispensaries in the City of Fort Bragg

**This agenda item was combined with Item 8F per the Mayor's instructions.**

- 8D. [21-548](#)** Receive Report and Provide Direction to Staff on the Definition of Youth Center and Whether the City Should Establish a Buffer Zone of More or Less Than 600 Feet from Cannabis Dispensaries

**Mayor Norvell recessed the meeting at 8:13 PM; the meeting reconvened at 8:20 PM.**

Associate Planner Gurewitz gave the staff report for this agenda item.

Public Comment was received from Jay Koski, Jacob Patterson and Jay McMartin Rosenquist.

Discussion: After discussion, Council directed as follows: (1) The City will follow the State's definition of a youth center. (2) Cannabis dispensaries will not be allowed within 100 feet of a youth center. (3) The buffer will be measured from parcel line to parcel line.

**This Staff Report was referred to staff with directions to amend the current cannabis ordinance as set forth above.**

- 8E. [21-547](#)** Receive Report and Provide Direction to Staff on Potential Updates to

Section 18.42.057 of the Inland Land Use and Development Code to Address the Siting of Cannabis Dispensaries in Relationship to Residential Neighborhoods

**This Staff Report was continued to a future Council agenda.**

**8H.** [21-549](#)

Receive Report and Provide Staff with Clarification on the Proposed Zoning for Cannabis Microbusinesses in the City of Fort Bragg

**This Staff Report was continued to a future Council agenda.**

**8I.** [21-552](#)

Receive Staff Update on the Development of an Ordinance to Amend the Inland Land Use and Development Code to Address Zoning for the Commercial Cultivation of Cannabis in the City of Fort Bragg

**This Staff Report was continued to a future Council agenda.**

**9. CLOSED SESSION**

**ADJOURNMENT**

**Mayor Norvell adjourned the meeting at 9:09 PM.**

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BERNIE NORVELL, MAYOR

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June Lemos, CMC, City Clerk

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