



# 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, May 23, 2022

6:00 PM

Town Hall, 363 N. Main Street  
and Via Video Conference

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### CALL TO ORDER

Mayor Norvell called the meeting to order at 6:00 PM, Councilmember Albin-Smith and Vice Mayor Morsell-Haye appearing via video conference.

### 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**

Mayor Norvell congratulated the Fort Bragg High School softball team for advancing to the Division IV playoffs.

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

- (1) Teresa McHugh spoke about the Blue Economy Symposium; Marcy Snyder commented on the importance of childcare as a City Council benefit.
- (2) Jacob Patterson commented on Items 5E and 5F.
- (3) None.

#### **3. STAFF COMMENTS**

City Manager Spaur thanked staff members Sarah McCormick and Cristal Muñoz for their work on organizing the Blue Economy Symposium. Mr. Spaur gave an oral summary of the adjusted annual base salary of \$195,000 for the new City Manager position.

#### **4. MATTERS FROM COUNCILMEMBERS**

Councilmember Peters said the Blue Economy Symposium was very professional and well organized, stating that the ocean is a great resource for its economic potential. He noted that the Fort Bragg Fire District Board meets tomorrow night to approve the budget and that the Fire Department has a new fire truck. Councilmember Rafanan said the Blue Economy Symposium was a great success and thanked Sarah McCormick for her work on the event. Vice Mayor Morsell-Haye said the Blue Economy Symposium has an emphasis on restorative, not

exploitative, industry and that we are proceeding with healthy ecosystems in mind. Councilmember Albin-Smith echoed the comments about the Blue Economy Symposium event. Mayor Norvell reminded the public that this is the last hybrid meeting and that starting in June, City Council and Planning Commission meetings will take place in person.

## **5. CONSENT CALENDAR**

Councilmember Albin-Smith requested that Item 5F be removed from the Consent Calendar for discussion.

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

**A motion was made by Councilmember Peters, seconded by Councilmember Rafanan, to approve the Consent Calendar with the exception of Item 5F. The motion carried by the following vote:**

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

- 5A. [22-233](#)** 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 4542-2022
- 5B. [22-234](#)** 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 4543-2022
- 5C. [22-235](#)** Adopt City Council Resolution Cancelling the Regularly Scheduled City Council Meeting of August 22, 2022 to Accommodate Summer Vacation Schedules  
**This Resolution was adopted on the Consent Calendar.**  
Enactment No: RES 4544-2022
- 5D. [22-240](#)** 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 981-2022  
**This Report was accepted on the Consent Calendar.**
- 5E. [22-241](#)** Adopt City Council Resolution Establishing a City of Fort Bragg Master Salary Rate Compensation Plan Confirming the Pay Rate/Range for the City Manager Classification  
**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 4545-2022

**5G.** [22-223](#) Approve Minutes of Special Closed Session of May 5, 2022

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

**5H.** [22-232](#) Approve Minutes of May 9, 2022

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

## **ITEMS REMOVED FROM CONSENT CALENDAR**

**5F.** [22-243](#) Approve City Council Letter in Opposition to AB 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022

Councilmember Albin-Smith asked for a further explanation of the Council Letter opposing AB 2011. City Manager Spaur explained that the League of California Cities had sent all city governments information on this proposed legislation, urging them to oppose the bill as it disregards state-mandated local planning efforts and would not allow local government decision-making and community involvement in the housing planning and approval process. Mr. Spaur noted that many of the items included in the bill are favorable, but many things need to be revised and the bill goes too far.

Public Comment: None.

**A motion was made by Councilmember Albin-Smith, seconded by Councilmember Peters, that this Council Letter be approved. The motion carried by the following vote:**

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

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

Mayor Norvell disclosed that he held a conversation with the owner of Sovereign to clarify some of the definitions in the proposed cannabis ordinance.

## **7. PUBLIC HEARING**

**7A.** [22-231](#) Conduct Public Hearing, Receive Report and Consider Adoption of City Council Resolution Adopting Mitigated Negative Declaration and Mitigation Monitoring Plan for the Raw Water Line Replacement Project, City Project 2019-02

**Mayor Norvell opened the public hearing at 6:30 PM.**

Assistant City Engineer O'Connor presented the staff report on this agenda item.

Public Comment was received from:

- Jacob Patterson spoke about analysis of the impacts to cypress trees and mitigation measures. He stated the City's response does not adequately respond to the California Department of Fish and Wildlife's (CDFW) recommendations and needs to be fixed.

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

Discussion: Christa Redd, the consultant who prepared the report, noted that they have been working hand-in-hand with CDFW as the City obtains permits from them. Some of their

suggestions have already been completed; others the City is working toward.

**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 4546-2022

**7B. [22-237](#)** Conduct Continued Public Hearing, Receive Report, Consider Introducing by Title Only Ordinance 979-2022 Amending Sections 18.22.30, 18.24.30, 18.42.055, 18.42.057, 18.42.059 and 18.100.020 of Title 18 (Inland Land Use and Development Code) of the Fort Bragg Municipal Code, and Consider Adoption of City Council Resolution Certifying the Initial Study/Negative Declaration for Ordinance 979-2022

**Mayor Norvell re-opened the continued public hearing at 6:46 PM.**

Consultant Marie Jones of Marie Jones Consulting presented the report on this agenda item.

Public Comment was received from:

- Jacob Patterson said there should be separate resolutions for the CEQA document and the ordinance and recommended that two words from the definition for accessory uses be removed.
- Brandy Moulton spoke about cannabis wholesale and distribution, recommending that the City align the manufacturing definition with the state's definition. She noted that all other cities and the County of Mendocino have successful cannabis ordinances, and Fort Bragg is the last to adopt one.
- Shelley Green said the City should promote environmental, nature, and blue economy tourism, not cannabis tourism.

**Mayor Norvell closed the public hearing at 7:08 PM.**

Discussion: Councilmembers discussed the minor use permit process. It was the majority opinion that the ordinance be amended by adding "dry sifters," "vibrating screens," and "rosin presses" to the Craft Cannabis Manufacturing definition.

**A motion was made by Councilmember Peters, seconded by Mayor Norvell, 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 Peters

**No:** 1 - Councilmember Rafanan

Enactment No: RES 4547-2022

**A motion was made by Councilmember Peters, seconded by Vice Mayor Morsell-Haye, that this Ordinance be introduced by title only, waiving the reading of the text, as amended, by adding "dry sifters," "vibrating screens," and "rosin presses" to the definition of Craft Cannabis Manufacturing. The motion carried by the following vote:**

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

**No:** 1 - Councilmember Rafanan

Enactment No: RES 4547-2022

**8. CONDUCT OF BUSINESS**

**9. CLOSED SESSION**

Mayor Norvell recessed the meeting at 7:32 PM; the meeting reconvened to Closed Session at 7:41 PM.

**9A. [22-239](#)**

PUBLIC EMPLOYEE APPOINTMENT, Pursuant to Government Code Section 54957(b): Title: City Manager

Mayor Norvell reconvened the meeting to Open Session at 8:11 PM and reported that the City Council unanimously approved a City Manager Employment Agreement with Mr. John H. Ford of Humboldt County for an annual base salary of \$195,000. It was moved by Councilmember Peters, seconded by Councilmember Albin-Smith to approve the employment agreement. The motion carried by a unanimous vote. Mr. Ford's anticipated start date is approximately July 5, 2022.

**ADJOURNMENT**

Mayor Norvell adjourned the meeting at 8:11 PM.

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BERNIE NORVELL, MAYOR

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June Lemos, MMC, City Clerk

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