



# 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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Tuesday, October 15, 2019

6:00 PM

Town Hall, 363 N. Main Street

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### CALL TO ORDER

Mayor Pro Tem Morsell-Haye called the meeting to order at 6:00 PM.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** 3 - Councilmember Tess Albin-Smith, Councilmember Jessica Morsell-Haye and Councilmember Lindy Peters

**Absent:** 2 - Mayor Will Lee and Vice Mayor Bernie Norvell

### AGENDA REVIEW

Mayor Pro Tem Morsell-Haye announced that Mayor Lee and Vice Mayor Norvell are representing the City of Fort Bragg at the League of California Cities annual conference and expo in Long Beach.

### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. [19-445](#) Presentation of Proclamation recognizing October as Domestic Violence Awareness Month

Mayor Pro Tem Morsell-Haye read a proclamation designating October as domestic violence awareness month and presented it to Lia Holbrook of Project Sanctuary. Ms. Holbrook noted opportunities for raising awareness around the issue of domestic violence.

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

(1) Non-Agenda Items:

- Ruth Sparks commented on the entrance to the Guest House park and bee garden and asked that Bee City USA signs be erected in town.

(2) Consent Calendar Items: None.

(3) Closed Session Items: None.

### 3. STAFF COMMENTS

City Manager Miller noted that a special City Council meeting will be held on October 24 at 6 PM to discuss formula businesses and two other business items. Updating the name of

Columbus Day holiday to Indigenous Peoples Day was suggested. Public Works Director Varga reported on the storm drain medallion project, the tire amnesty program, the street rehabilitation project, and greenhouse gas emissions statistics. Public Works Manager Perkins reported on an emergency permit for the removal of four trees on Main Street effective this Friday.

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

Councilmember Peters reported that the Governor vetoed SB5, the funding for affordable housing. He commented on the Coastal Trail restroom situation and asked that the Police Department check to make sure the restrooms are locked nightly. Councilmember Peters noted that a Bee Garden work party is scheduled for this Saturday at the Guest House and asked that the Bee City sign be erected by the Public Works Department. Councilmember Albin-Smith reported on a recent Mendocino Council of Governments meeting. She stated that only one member of the public attended the second election system forum on October 12. A third and final forum will be held on November 18 at CV Starr Center. She met with an aide to Senator McGuire regarding electric buses for the MTA.

#### **5. CONSENT CALENDAR**

Mayor Pro Tem Morsell-Haye removed Item 5D from the Consent Calendar after City Manager Miller related that a member of the public had requested minor changes to the Minutes of the Special Meeting of September 21.

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

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

**Aye:** 3 - Councilmember Albin-Smith, Councilmember Morsell-Haye and Councilmember Peters

**Absent:** 2 - Mayor Lee and Vice Mayor Norvell

**5A. [19-458](#)** Adopt City Council Resolution Approving an Application for Funding and Execution of Agreement and Any Amendments Thereto from the United States Department of Agriculture's Community Facility Grant Program

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

Enactment No: RES 4205-2019

**5B. [19-461](#)** Adopt City Council Resolution Authorizing City Manager to Execute Master Services Agreement With US Bank to Provide Banking Services to The City For a Period of Five Years at no Anticipated Cost

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

Enactment No: RES 4206-2019

**5C. [19-453](#)** Recieve and file Minutes of the August 7, 2019 Finance and Administration

Committee

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

5E. [19-448](#) Approve Minutes of September 23, 2019

These Minutes were approved on the Consent Calendar.

### **ITEMS REMOVED FROM CONSENT CALENDAR**

5D. [19-444](#) Approve Minutes of Special Joint City Council/Planning Commission Meeting of September 21, 2019

City Manager Miller requested that the Minutes be revised to amend Public Comment on Item 1A by adding the word "wetland" before "trees" on Page 1 and the words "wetland area" before "trees" on Page 2 in the comment of Bernadette Rafanan.

A motion was made by Councilmember Albin-Smith, seconded by Councilmember Peters, that these Minutes be approved as revised. The motion carried by the following vote:

**Aye:** 3 - Councilmember Albin-Smith, Councilmember Morsell-Haye and Councilmember Peters

**Absent:** 2 - Mayor Lee and Vice Mayor Norvell

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

None.

### **7. PUBLIC HEARING**

7A. [19-419](#) Receive Report, Conduct Public Hearing, Receive Planning Commission Recommendation, Consider Adoption of City Council Resolution Adopting a Negative Declaration for Inland Land Use and Development Code Amendment 1-19, and Consider Introducing by Title Only and Waiving the First Reading of Ordinance 952-2019 Amending Article 2 (Zoning Districts and Allowable Land Uses), Article 4 (Standards for Specific Land Uses), and Article 10 (Definitions) of Title 18 (Inland Land Use and Development Code) of the Fort Bragg Municipal Code Relating to Cannabis Regulations

**Mayor Pro Tem Morsell-Haye opened the public hearing at 6:26 PM.**

Public Works Manager Perkins presented the staff report on this agenda item.

Public Comment was received from:

- Jon McColley, operator of Root One Botanicals, stated that they are in their third week of operation and thanked staff and Council for being forward looking. He said the City has a great opportunity for onsite consumption, which could be a stimulous to local businesses. He spoke in support of the City's security measures.

**Mayor Pro Tem Morsell-Haye closed the public hearing at 6:36 PM.**

Following a request from Councilmember Peters to ask staff further questions on the matter,

**Mayor Pro Tem Morsell-Haye reopened the public hearing at 6:39 PM.**

Public Works Manager Perkins responded to questions of Council regarding the limitation of the number of cannabis permits, explaining the reasoning of the Planning Commission for setting the limits. He noted that caps do not serve to deter businesses from developing, citing the examples of vacation rental and food truck limits which have only reached half of their allotted limits.

**Mayor Pro Tem Morsell-Haye closed the public hearing at 6:43 PM.**

**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:** 3 - Councilmember Albin-Smith, Councilmember Morsell-Haye and Councilmember Peters

**Absent:** 2 - Mayor Lee and Vice Mayor Norvell

Enactment No: RES 4207-2019

**A motion was made by Mayor Pro Tem Morsell-Haye, seconded by Councilmember Peters, that this Ordinance be introduced. The motion carried by the following vote:**

**Aye:** 3 - Councilmember Albin-Smith, Councilmember Morsell-Haye and Councilmember Peters

**Absent:** 2 - Mayor Lee and Vice Mayor Norvell

## **8. CONDUCT OF BUSINESS**

- 8A. [19-421](#)** Receive Report and Consider Introducing, by Title Only, and Waiving Further Reading of Ordinance 953-2019 Repealing Chapters 9.30 (Medical Marijuana Dispensaries), 9.32 (Marijuana Cultivation), and 9.33 (Cannabis Manufacturing), and Replacing them with Chapter 9.30 (Cannabis Businesses) of Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code

Public Works Manager Perkins gave the staff report on this agenda item, noting that a few minor edits to the ordinance to correct numbering errors and delete prohibition language will be made prior to bringing the ordinance back for adoption at the next meeting.

Public Comment was received from:

- Jacob Patterson spoke in favor of the ordinance.
- Roger Abrahamson asked questions about the cannabis business licensing procedure on the state and local levels.
- Jon McColley said the paperwork is a giant obstacle for small businesses.

Discussion: Staff was directed to make the changes as set forth in the public comment for this matter.

**A motion was made by Councilmember Peters, seconded by Mayor Pro Tem Morsell-Haye, that this Ordinance be introduced as amended. The motion carried by the following vote:**

**Aye:** 3 - Councilmember Albin-Smith, Councilmember Morsell-Haye and Councilmember Peters

**Absent:** 2 - Mayor Lee and Vice Mayor Norvell

**8B. [19-459](#)** Receive Report and Consider Adoption of Resolution Approving Mendocino Solid Waste Management Authority Joint Powers Agreement and an Increase to the Existing Surcharge of \$1.50 per Ton of Solid Waste

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

Public Comment: None.

Discussion: A brief discussion was held, with all Councilmembers agreeing that this increase of surcharge is necessary at this time to continue services.

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

**Aye:** 3 - Councilmember Albin-Smith, Councilmember Morsell-Haye and Councilmember Peters

**Absent:** 2 - Mayor Lee and Vice Mayor Norvell

Enactment No: RES 4208-2019

**9. CLOSED SESSION**

**ADJOURNMENT**

**Mayor Pro Tem Morsell-Haye adjourned the meeting at 7:16 PM.**

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JESSICA MORSELL-HAYE, MAYOR PRO TEM

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June Lemos, CMC, City Clerk

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