



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, January 26, 2015

6:00 PM

John Diederich Center
208 Dana Street

MEETING CALLED TO ORDER

Mayor Turner called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Vice Mayor Lindy Peters, Councilmember Michael Cimolino, Councilmember Scott Deitz, Councilmember Doug Hammerstrom and Mayor Dave Turner

AGENDA REVIEW

Mayor Turner stated that Public Comment will be moved up on the agenda and will be done before the Public Hearings since there are so many people here to speak under Public Comment. He reported that the Closed Session item was discussed earlier this afternoon at a special meeting.

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. 15-001 Receive Update from Mark Montgomery of Ortner Management Group Regarding the Adult System of Care for People with Mental Illnesses

Mark Montgomery, Ortner Management Group, provided two handouts ("Access to Mental Health Services" brochure and Integrated Care Management Solutions (ICMS) flow chart) and provided an update on the Adult System of Care contract between Ortner and Mendocino County. He stated that they are actively involved in supporting both the City and the Mendocino Coast Hospitality Center on the possible relocation of their services to the new facility and noted that centralized services are a good thing. In response to a question by Council, Montgomery noted that if someone is placed on a 5150 hold, taken to the emergency room, and tests positive for alcohol or drugs then they are not considered to have a mental health issue; it is a substance abuse issue. It makes it difficult to then place them in a mental health facility. Montgomery stated, in response to a question by Vice Mayor Peters, that someone from Ortner would be interested in participating in a Citizens Advisory Group and noted that they currently meet monthly with the law enforcement agencies.

2. STAFF COMMENTS

City Manager Ruffing stated that staff is hoping to have a "soft" opening of the Coastal Trail this coming weekend, even though there are a few things, such as installation of the restroom, that won't be completed for a couple of months. She stated that the cable stairs down to the beach will be blocked off until they can be evaluated and repaired. An official grand opening will be done in

the Spring. Ruffing noted that the Town Hall remodel project is coming along beautifully and staff hopes that it will be completed in time for the City Council's February 23rd meeting.

City Attorney Zutler addressed the noticing issue that came up after the last meeting concerning the Old Coast Hotel. She noted that a representative from the Community Development Block Grant (CDBG) program has informed the City that no public hearing was required to change the facility location. The fact that the public hearing notice stated an incorrect address is immaterial because no hearing was required at all. Since the property is permitted for the intended use, no public hearing is required for that either.

Housing and Community Development Coordinator Owen noted that the City did more than normally done in terms of noticing the Old Coast Hotel item; the notice was posted in the newspaper, and a press release and amended notice was done showing the corrected address and including the name "Old Coast Hotel." It was obvious by the number of people who attended the meeting that people read the notices. Owen stated that she has been receiving letters and phone calls that have led her to believe there is a lot of misinformation about the project despite City staff's attempts to get information out. It appears that the people gathering signatures on a petition told people that all mental health services will be eliminated in Ukiah and everyone will be sent to Fort Bragg; that is not true. The mental health services offered at this location don't represent an increase in services on the coast but are an attempt to get back to an acceptable level of mental health services. The services being relocated to the Old Coast Hotel already exist on South Franklin Street; this will allow them to be in a location that offers waiting areas within the walls of the facility. Owen noted that there is an amendment on the Consent Calendar to move funding from Mendocino Coast Clinics to Mendocino Coast Hospitality Center which is not an increase in funding but reflects a change in program needs.

3. MATTERS FROM COUNCILMEMBERS

Mayor Turner reported on the following items:

1. He attended a Mendocino Solid Waste Management Authority (MSWMA) meeting last week and noted that he will report on those meetings from time to time.
2. The Noyo Center Board met and learned about exciting programs the Executive Director is working on with the school district.
3. He attended the State of the County 2015 meeting put on by the Agriculture & Business Coalition and provided a State of the City report.
4. Turner stated that he has received a number of visits, calls, letters, and petitions both for and against the project at the Old Coast Hotel. As Mark Twain said, "Do the right thing. It will gratify some people and astonish the rest." Turner stated that he was elected to consider the facts and vote what he thinks is the best for the community. Everyone has heard about politicians who vote by poll results and have no moral compass; that is not his style, he has a moral compass. Turner reviewed the programs that will be provided and noted that there are different types of people being lumped together as homeless. Many homeless have no interest in becoming clean and sober and no interest in services that will be offered by the Wellness Center at the Old Coast Hotel. But there are those who need help, are disabled, or need help with case management and those are the people who the Wellness Center can help. Turner noted that the corner of Oak and Franklin is not the center of the downtown area. The community did not support the business in that building previously, which is why it closed. Turner stated that he has invested in downtown; he owns the building his business is in and his daughter has a store on Laurel Street. He referenced the newspaper article in the Advocate News the week before the hearing and stated that there was good noticing. The Council took the action they did because it is the right thing to do. These problems won't be solved by wishing them away. The Wellness Center will help move people into a more productive life.

Vice Mayor Peters addressed the following issues:

1. He stated that he was also elected by the people of Fort Bragg and feels as though he has a pretty good finger on the pulse center of the community. He noted that he did his homework and talked to businesses and residents and that is what should be the Council's true compass. He stated that he hopes the Council can have a good social discourse at this meeting.
2. He availed himself of the coastal trail by bicycle this weekend and everyone was having a great time. It is really an absolutely fantastic thing the City has done and he is proud to be a small part of it. He stated that when people criticize things that happen at the City level, they should also look at the successes.
3. He attended the League of California Cities conference in Sacramento for newly elected Councilmembers and Mayors last week and learned a lot. There were also a lot of networking opportunities. Peters noted that when he was elected in 1992 there was no handbook or conference and he found this conference to be very helpful and gave him a useful toolbox to help him work through his job as Councilmember.
4. He took a bicycle ride with bicycle enthusiasts on Friday through town and will work with the Mendocino Transit Authority (MTA) on getting more bike racks downtown. He felt that the City should be marketed as a place with great bicycle riding streets and an area with good trails just out of town. He stated that one member of the bicycle club wants to come to the City Council with an idea on how to boost the City's economy with money that is clean and green.

Councilmember Cimolino stated that he also received a lot of letters and e-mails about the Old Coast Hotel issue and has been asked why he didn't vote. He explained that he was unable to vote because he lives within 500' of the Coast Hotel. Cimolino reported that he went with Vice Mayor Peters to the Mayors and Councilmembers conference and it was a very informative, learning experience. He noted that the five important things to be aware of are:

1. There are no more free lunch (that is called gifting),
2. All documents must be read very carefully to make sure there is nothing that would be considered a conflict of interest. If there is, that issue needs to be pulled out from the rest.
3. The public should be addressed with respect and should not be addressed by their personal name.
4. When it comes to notification city government should use all forms of it such as Facebook and Twitter.
5. Regarding ethics they were told that they can't sit at home and try to figure out how they will vote; Councilmembers need to listen to everyone and get all the information before making a decision. If a prepared speech is read before a vote, that isn't a good thing.

He concluded by stating there were a lot of communities with new Councilmembers and many of them were young and enthusiastic.

Councilmember Deitz noted that the City has a great website, www.city.fortbragg.com <<http://www.city.fortbragg.com>>, where people can sign up to receive notification when agendas are posted. The public has access to the same backup information the Council receives. Deitz stated that the Council wants and needs the public's participation. He noted that he has been asked a lot about his vote on the Hospitality House and read a statement that included the following key points:

1. There are strong and valid opinions on both sides of this issue. A tough decision had to be made.
2. When he was growing up he never saw a homeless person. Back then a person could work at a gas station and support a family; times have changed. If a person works at a gas station now they can hardly support themselves. It is predicted that within two years the top 1% will own over 50% of all the wealth in the World.

3. This change in economy has resulted in 1 out of every 95 people in California being homeless. Fort Bragg has become especially vulnerable since the closure of the Mill. Two-thirds of Fort Bragg families are either low income, very low income or extremely low income and 70% of the students in the Fort Bragg schools qualify for free or reduced cost lunches.
4. The Mendocino Coast Hospitality Center (a private non-profit organization) has been providing help for 29 years and have recently stepped up to provide even more homeless and mental health services as other agencies have pulled out. As Congressman Jared Huffman said in his strong letter of support for this grant dated April 14, 2014, "The Mendocino Coast is in dire need of increased mental health services and transitional housing units."
5. Most people have said that they know the community needs the services and strongly support the Hospitality Center programs but just don't like the location or this use for the Historic Coast Hotel.
6. There seems to be widespread misunderstanding of what the use of this building will be as several letters the Council has received opposing this project reflect the mistaken believe that it is going to be used as a homeless shelter. The building will not be used as a homeless shelter nor will it provide on-site meals for the homeless. What it will be is five transitional housing units, a wellness center and much needed mental health services. It will not attract the homeless from out of the area because it does not provide free food or free lodging.
7. A client has to qualify for a transitional housing unit, he or she must be clean and sober and have a desire to move on to permanent housing. 84% of Hospitality House transitional housing clients have been successful in doing so.
8. The wellness portion of the facility will provide classes in topics such as life skills, employability, how to interview and budgeting. Future plans include vocational training and a computer lab. These programs are open to all members of the community. The Hospitality Center hopes to someday open up a coffee shop and offer space for other community uses. The building will be open regular business hours from 8:30 to 5:00 during the week and on Saturday mornings. The rest of the time only the transitional housing clients and the full time live-in supervisor will be there.
9. Improvements to mental health services are one of the biggest benefits to consolidating these services in one building. It will be easier to help clients stay on their meds and will make referrals for undiagnosed conditions more effective. A majority of those who will benefit from these improved mental health services are people who live in Fort Bragg.
10. Business owners are concerned that there will be more homeless in the downtown area thereby keeping shoppers and tourists away. Visitors to Fort Bragg are not surprised by our homeless. They have their own homeless were they come from. Mendocino Village has many homeless hanging out yet is crowded with tourists. San Francisco is one of the top tourist destinations in the World and has panhandlers on every street corner and others sleeping in doorways. This project should decrease, not increase, the number of homeless on the streets of Fort Bragg.
11. Except for the five transitional units, services are not being increased. The current homeless services facility is already located in a commercial area with a restaurant, shops and a bank nearby. The small size of that building and the lack of a waiting room are not ideal. Clients have to wait outside for appointments. The new facility has a large patio with 11' high walls which will be supervised and serve as the waiting room thereby eliminating the need to hang out on the street prior to an appointment.
12. The search for a suitable building for these services has been long, starting in 2007. Many potential sites have been considered including the old social services building owned by the Affinitos. Unfortunately, none have been appropriate because they either cost too much or need too much work to fit their needs. Recently the Hospitality Center identified a site in a residential neighborhood that would work and it was strongly suggested to them that this site near the park was not appropriate. They were told that the commercial area would be

preferable to one in a residential neighborhood. Then the Old Coast Hotel site became available to them and through a combination of grants and donations they have finally found a building that perfectly fits their needs. Concerns were then raised that this project should not be located in a commercial zone.

13. This site is on the very edge of the downtown commercial zone. Across the street is another vacant building and on both sides there is low cost apartment housing. To the West are PG+E offices and to the East is an excellent company but not one that caters to tourists. This project could add vibrancy to this corner. A possible coffee house and other potential community uses would add some life to what is now an underutilized area.
14. Another concern is that this historic building should only be used as a hotel, restaurant and bar. The Coast Hotel has not had a successful restaurant or been a busy Hotel for many years. Starting a restaurant is no easy task and owning the building or securing a very reasonable lease is essential.
15. Vacant buildings deteriorate and the old Coast Hotel is already beginning to need paint and repairs. A few more years of non-use would cause serious deferred maintenance problems.
16. One thing everyone can agree on is that the Hospitality House takes great care of their properties. This building will be loved and cared for. Pride of ownership will set an example for other building owners and will help improve the self-esteem of those who use the building.
17. This facility will not be a destination for the "trimigrants" or "travelers" who panhandle on the streets. It will be a place where people go who want to improve their lives and are getting assistance to do so.
18. There were several complaints during the hearing related to unlawful conduct by the homeless. This is unacceptable and needs to be addressed. He stated that he and Councilmember Peters are on the Public Safety Committee that works with the Police Department regarding complaints such as these and he has asked that an item be placed on their next agenda (for the meeting to be held on February 11th at 3:00 PM at the Police Department conference room) about this issue. He asked people to attend the meeting, bring their concerns and ideas, and talk directly with police department representatives.
19. One idea that has already surfaced is to have more foot patrols downtown. The new Wellness Center would be a great location for a small sub-station to facilitate those patrols and both the Police Department and Hospitality Center support this idea.

Councilmember Hammerstrom stated that he supports many of the things Mayor Turner and Councilmember Deitz have said; those things were part of his decision as well. He stated that he views his role as Councilmember as one to not just hear what is said in the room and out on the street but to take all the information from all sources and make the decision he feels is warranted by the facts he's found. This is referred to as representative democracy. California doesn't have New England town meetings where people make decisions directly; people elect people to represent them and make decisions for them. Hammerstrom stated that he feels this facility will provide help to people seeking help and most of the letters have referred to people who aren't in that mode. In weighing information he received he had to take into consideration where things don't fit the facts as he know them. He stated that he hears people's concerns and wants them to know that he firmly believes that the people who will be served by this facility are the people who will be trying to help themselves. Hammerstrom report that he went out to the portion of the trail that is actually open, along MacKerricher Park last Thursday and it was really beautiful. The trail is elevated enough that people can look across the natural environment there and see the native plants and the ocean. He also went to Otsuchi Point recently so he got to see the trail there as well. Hammerstrom stated that this trail will be a great asset for the community.

6. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS

1. Tammy Lowe stated that there is a severe lack of care for the severely mentally ill patients. They cannot get help from the Mendocino Coast Hospitality Center (MCHC) or Ortner. Something needs to be done for them.
2. Joe Wagner, Cleone, noted that FloBeds is a stone throw away from the Hospitality House and he doesn't believe that Mayor Turner should have voted on this issue. Also, with Councilmember Deitz being a realtor there is likely a conflict of interest. He stated he wasn't thrilled with the location and didn't think this was the right use for this building. He suggested something in the south part of town near the hospital and police station. He noted that there were a number of bars and stores with liquor licenses within a block and half of the Old Coast Hotel.
3. Charles Brandenburg, Mendocino, stated that he is pro-homeless but was against using the historic Old Coast Hotel for this purpose. He stated that "you can turn a bowling alley into a church but you can't turn a church back into a bowling alley." He thanked the Council for the Coastal Trail and stated that he appreciates the Council but feels they blew it on this issue (Old Coast Hotel). If there is no right place for these services then it doesn't make the wrong place the right place.
4. Judy Valadao noted that a comment was made that there are people saying things about the building that are incorrect but how can they say the correct thing when they are not informed of what will go on in the building. She asked if the plan for this building is the same as the plan was for the Harrison Street building and, if so, will the chronically mentally ill be housed there. When they asked Mr. Montgomery that previously he said that they would. He also said that sex offenders might be housed there if they were considered chronically mentally ill. Valadao submitted petitions signed by over 1,200 people, 600 from Fort Bragg, objecting to a lack of noticing of the project.
5. Tom Lazzarini, Coast Theater, stated that a lot of questions he had were answered by Jennifer Owen. He noted that people will not feel safe dropping off children at the theater if it gets out that the mentally ill and sex offenders will be housed at the Old Coast Hotel. He reported that he had to call the police a couple of times because of transients blocking their entrance. If it goes the way Jennifer Owen says it will then it would probably be okay.
6. Tim Taubold stated that he is completely disabled and trying to get a Seeing Eye dog but he has to learn to walk with a cane before they will give him one. He was practicing walking down Franklin Street but was harassed by homeless people so now he is walking from Jewett Street to Colombi Market. The area he is walking has sidewalks that don't meet code, have telephone poles in the way, cars parking in driveways blocking the sidewalk, etc. but he still feels safer doing that than walking down Franklin Street where people ask him for money and other crazy things. He stated he would feel better walking down Franklin Street if the shelter was down in Affinito's building.
7. Kelly Fairall stated that she was concerned with Hospitality House checking into the Old Coast Hotel. She is concerned for the building and the shadiness that went on with City Council and Hospitality House staff during this process. She stated that on her way to the meeting she passed many locations that would be better for this facility. She stated that she didn't feel that the general public and downtown businesses were properly notified. She doesn't feel that the grant money is being spent wisely and felt that the process is going way too fast with too little input from the public.

Mayor Turner recessed the meeting at 7:24 p.m.; the meeting was reconvened at 7:34 p.m.

8. Don Snyder, citizen of Fort Bragg, stated that the Councilmembers who voted in favor of the project at this location are not reflecting the will of their constituents. He asked anyone who wanted that project in that location to raise their hands and only four people raised their hands.

He stated that this is a small statistical sample showing the overwhelming sentiment against the project.

9. Elaine Ball felt that two parking spaces for 15 employees was inadequate. She also asked about whether the building had a sprinkler system, if background checks would be required, if there would be round-the-clock staff, how many of the current staff members are certified to deal with unstable individuals, and whether they would be required to pay property tax. She encouraged the City to look at other locations, perhaps in Little River, Mendocino, or Albion.
10. Jim Britt felt that the Council didn't give any consideration to the downtown merchants. He suggested other locations such as the Ebb Tide motel or Affinito's property. He requested that other locations that won't hurt the downtown area be considered.
11. Evan Dick, local resident, felt that the City leaders have created a lack of trust by not being clear and transparent. He suggested clearing out City leaders in City Hall and get new leadership that will work for the community members.
12. Douglas Chouteau stated that no one is against helping people who want to help themselves. The key question is whether this is the right building or whether something else can be found. He stated that if the Council ends up approving the Hare Creek project as well he thinks there will be an active process to recall the Councilmembers who voted for these projects.
13. Rodney Garrison, 1210 E Oak Street, suggested that this item go to a vote of the people.
14. Frank Casian felt that there has been a lot of bad decision making and the Council is only one away from having an all-out protest.
15. Phillip Johnson stated that his family has been doing business in downtown for 29 years and his mom helped start the Hospitality House. He stated that he doesn't think this is a good location for these services and is concerned that the City Attorney is saying that the Council doesn't need the community's input.
16. Holly Hawkins thanked Councilmember Peters for his compassion in his vote two weeks ago and stated that she is not opposed to the facility, just where it is located. She stated that she has spoken to hundreds of people over last few weeks and no one was in favor of the Hospitality Center at the Old Coast Hotel. People have suggested the old social services building and were told it wasn't available but she doesn't think that is true. She asked who would pay the taxes, insurance, maintenance, etc. on the building and whether it is the City's ultimate plan to raise sales tax again like they did for the C.V. Starr Center and library. She suggested this be a ballot item and let the public vote on it.
17. Jeanette Colombi read a letter from the owner of a building across from the Old Coast Hotel. She stated that they recognize that the community needs a homeless shelter and supports that but doesn't think the Old Coast Hotel is the location. She stated that people feel that there is a huge disconnection between City Council, City Management, and the citizens of the community.
18. Christina Affinito stated that MCHC has not talked to them about the former social services building. They are willing to talk and believe they can make something work by allowing them to use a portion of the building now and allow for growth later.
19. Anna Shaw, Executive Director of MCHC, stated that sex offenders will not be allowed in transition housing. They do records checks and check Megan's Law as part of the approval process. Transitional housing is for families and it is against the law to house people who are sex offenders in that type of situation; both state law and MCHC policy. In response to a question by Mayor Turner, Shaw stated that the old social services building is basically a shell that would take all the grant money to rehabilitate for their use, leaving none for purchase cost. Also, it will not provide an enclosed location for people to wait like the Coast Hotel. She noted that she cannot make on the spot real estate decisions but if they could pencil it out and they could get a Use Permit then all options are open. Chronic mental illness is one of the disabilities listed for transitional housing so they can be housed there.
20. Mark Montgomery stated that the comment made about sex offenders and housing was almost

correct. At the Harrison Street project there was an outpatient mental health services program component but in terms of housing, it is up to the program provider on whether or not they would allow sex offenders. Outpatient services are different than transitional housing and homeless services. There is a lot of blending of homeless, outpatient services and transitional housing in people's comments. There is also a respite program component and if a person is placed on a 5150 hold but a locked facility is not required then that person could go to a respite program that is coordinated with law enforcement, the emergency room staff, and the program.

21. Lucy Johnson stated that the police are not the first responders to homeless issues, the business owners are. She asked what MCHC has offered in terms of training for first responders such as the business owners. She noted that there was a police car sitting in the Purity parking lot and much more police activity in the last week so someone must have given the Chief of Police an order to clean up the streets.
22. Malcolm McDonald stated that Anna and Mark know that he has misgivings about Ortnier Management Group's ability to run mental health care on the Mendocino Coast. He stated that people should have paid attention in civics classes; it is their own fault if they didn't make themselves aware before this project went forward for action. He found it appalling that City staff didn't go around and tell the merchants what was going to happen and felt that was not acceptable.
23. Tammy Lowe asked who would own the building; Mayor Turner responded that it would be owned by MCHC.
24. Ray Burke stated that people are opposed to using this site, not the services, and pointed out that there are over 1,200 signatures, 600 within the City limits, and the Council should consider that.

Councilmember Deitz stated that he does not have any financial interest in this deal. If he spent as much time on his business as he does on Council business he would have a lot more money. He didn't feel anyone should question his integrity.

4. PUBLIC HEARING

- 4A. 14-438** Receive Report, Conduct Public Hearing, and Consider Adoption of City Council Resolution Approving the Addition of Supplemental Activities to 2014 Community Development Block Grant #14-CDBG-9881

Mayor Turner stated that he needs to recuse himself as he owns property within 500' of the Food Bank and left the meeting at 8:12 p.m. Vice Mayor Peters recessed the meeting at 8:13 p.m.; the meeting was reconvened at 8:18 p.m.

Housing and Economic Development Coordinator Owen reviewed the Agenda Item Summary prepared for this item with the City Council.

Discussion: The following was noted during discussion of this item:

- The money provided by the grant will not cover the entire cost of the proposed projects. Either funds from other sources will be used or only as much work as can be paid for with the approved funding will be completed.
- The maintenance plan for Dana Gray fields is being completed using the Housing Related Parks Grant.

Vice Mayor Peters opened the public hearing at 8:28 p.m.; seeing no one wishing to speak the public hearing was immediately closed.

A motion was made by Councilmember Deitz, seconded by Councilmember Cimolino, that this Resolution be adopted. The motion carried by the following

vote:

Aye: 4 - Vice Mayor Peters, Councilmember Cimolino, Councilmember Deitz and Councilmember Hammerstrom

Abstain: 1 - Mayor Turner

Enactment No: RES 3773-2015

Mayor Turner returned to the meeting at 8:30 p.m.

- 4B. 14-452** Receive Report, Conduct Public Hearing, and Consider Adoption of the Following:
- 1) City Council Resolution Adopting Updated Fees for Various Planning and Building Services
 - 2) City Council Resolution Adopting a Fee Schedule for Miscellaneous City Services

City Clerk VanWormer reviewed the Agenda Item Summary prepared for this item with the City Council.

Discussion: The following was noted during discussion of this item:

- In response to a question from Council, VanWormer and City Manager Ruffing explained that the \$200 fee for Planning Commission discussion of a sign permit would be charged when a person has a non-conforming sign that they want to replace with a sign that does not meet current code but is more in compliance than the existing sign.
- The fees are calculated based on the average personnel cost to process the request.

Mayor Turner opened the public hearing at 8:37 p.m.; seeing no one wishing to speak the public hearing was immediately closed.

Discussion: The following was noted during continued discussion of this item:

- The water hydrant meter deposit is used when contractors want to use water from a fire hydrant during construction. They pay for the cost of the water that flows through the meter. The deposit needs to be increased because the cost of the meter has increased.

A motion was made by Vice Mayor Peters, seconded by Councilmember Deitz, this Resolution 3774-2015 adopting updated fees for various planning and building services be adopted. The motion carried by the following vote:

Aye: 5 - Vice Mayor Peters, Councilmember Cimolino, Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner

Enactment No: 3774-2015 / 3775-2015

A motion was made by Vice Mayor Peters, seconded by Councilmember Hammerstrom, that Resolution 3755-2015 adopting a fee schedule for miscellaneous City Services be adopted. The motion carried by the following vote:

Aye: 5 - Vice Mayor Peters, Councilmember Cimolino, Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner

Enactment No: 3774-2015 / 3775-2015

5. CONDUCT OF BUSINESS

5A. 15-007 Receive Report from Public, Education & Government (PEG) Access Ad Hoc Committee Regarding Status of Procurement Process for Vendor Services

City Manager Ruffing reviewed the Agenda Item Summary prepared for this item with the City Council. Councilmember Hammerstrom stated that the overview is that PEG was something different in the past when a lot of people watched television through cable and now there are fewer cable viewers and people view video content on the internet. PEG in the past involved multiple agencies and those agency partners aren't necessarily on board anymore. Also in the past the ROP program at the high school provided volunteer camera operators. There are limited funds available which is why the Ad Hoc Committee was looking at the possibility of a server where others could broadcast content over the cable lines and content can be taken from the internet and broadcast as well. Councilmember Cimolino stated that it would cost \$70,000 for one employee so the City doesn't even have enough money to pay for a half-time person. At this point the Ad Hoc Committee would like input from the City Council and public.

Discussion: The following was noted during discussion of this item:

- The City has five years left on the franchise agreement with Comcast, after which there will be no funds coming in for PEG.
- Cimolino noted that it may be that the PEG broadcasts to television be through an antenna system.

Public comment on this agenda item was received from: Junice Gleeson, Terry Vaughn (Mendocino TV), Ann Rennacker, Richard Karch and Erik Dwyer. Items of note included:

- Footlighters will not necessarily be a stakeholder but is willing to let the new entity use the equipment and program content they have at their facility.
- Footlighters does not plan to televise their shows.
- Mendocino TV currently records and broadcasts the Council meetings live on their website as news and the City purchases a DVD of the meeting. They are not hired by the City.
- Information on the internet, such as videos on YouTube are not copyright free.
- The franchise requires eight hours of unique content per channel per week.
- Vaughn proposed having an interactive public meeting at the Mendocino TV Studio as an opportunity to explore what the community really wants and needs.
- Dwyer provided a written response to the Agenda Item Summary.

Discussion: The following was noted during continued discussion of this item:

- There is a considerable amount of content being held at the Footlighters building.
- If the Ad Hoc Committee thinks it would be productive to meet with Dwyer again they should do so.
- It is important to have the various community meetings (City Council, Planning Commission, Hospital Board, School District Board) broadcast either on television or internet.
- The County should participate in the Ad Hoc Committee also. Ruffing stated that she has tried to get the County to participate but has had limited success; they have not attended any of the Ad Hoc Committee meetings even though they were invited.
- The County reviewed the NCT&T proposal and responded that it didn't match the RFP, most particularly in that the proposal states that the equipment purchased with the franchise fees would not remain agency property.
- Hammerstrom stated that he envisioned a volunteer committee that could work on getting sponsorships and underwriting of programming.
- Having a private company perform the PEG function is a conflict as the company would be

searching for revenue sources for both the non-profit and their for-profit company.

- The Ad Hoc Committee consensus was that they don't want the government to run the PEG station, they want it to be run by the public.
- Franchise fees from the City and County would amount to approximately \$50,000 per year.
- Mayor Turner stated that he supported purchasing the \$11,000 server but didn't think that the City should try to keep all three PEG channels.
- The City does not want to undermine a private business in the community.

City Council consensus was to have the Ad Hoc Committee continue working on the PEG issue.

7. CONSENT CALENDAR

Councilmember Cimolino requested Item 7B be pulled from the Consent Calendar and acted on separately as he has a conflict of interest.

Approval of the Consent Calendar

A motion was made by Vice Mayor Peters, seconded by Councilmember Cimolino, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 5 - Vice Mayor Peters, Councilmember Cimolino, Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner

7A. 14-451 Adopt City Council Resolution Accepting the 2015 Fort Bragg Police Department Salary Survey Results as Required by Ordinance 672

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 3776-2015

7C. 14-455 Adopt City Council Resolution Approving the Second Amendment to the Subrecipient Agreement with Mendocino Coast Clinics for the Public Service Activity Funded by CDBG #12-CDBG-8388 and Authorizing City Manager to Execute Same (Amount Not to Exceed \$177,130; Account No. 302-5001-0630)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 3777-2015

7D. 15-003 Approve Minutes from Special Meeting of January 8, 2015

These Minutes were approved on the Consent Calendar.

7E. 15-002 Approve Minutes of January 12, 2015

These Minutes were approved as amended on the Consent Calendar.

7F. 15-004 Approve Minutes from Special Meeting of January 13, 2015

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

7B. 14-454 Adopt City Council Resolution Approving the Second Amendment to the Subrecipient Agreement with Mendocino Coast Hospitality Center for the Public Service Activity Funded by CDBG #12-CDBG-8388 and Authorizing City Manager to Execute Same (Amount Not to Exceed \$285,370; Account No. 302-5001-0630)

A motion was made by Vice Mayor Peters, seconded by Councilmember Hammerstrom, that this Resolution be adopted. The motion carried by the following vote:

Aye: 4 - Vice Mayor Peters, Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner

Abstain: 1 - Councilmember Cimolino

Enactment No: RES 3778-2015

8. CLOSED SESSION

8A. 14-450 **CONFERENCE WITH LABOR NEGOTIATORS;** Pursuant to Government Code Section 54957.6:
City Negotiators: Linda Ruffing, City Manager & Ginny Feth-Michel, Assistant City Manager
Employee Organization: Fort Bragg Police Association

This item was discussed at a Special Closed Session meeting at 1:30 p.m.

ADJOURNMENT

Mayor Turner adjourned the meeting at 9:40 p.m.

DAVE TURNER, MAYOR

Cynthia M. VanWormer, MMC, City Clerk

IMAGED (_____)