



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, September 25, 2017

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

Mayor Peters called the meeting to order at 6:05 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Mayor Lindy Peters, Vice Mayor Will Lee, Councilmember Michael Cimolino, Councilmember Bernie Norvell and Councilmember Dave Turner

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [17-495](#) Recognition of Volunteers Serving on the Planning Commission, Visit Fort Bragg, Fort Bragg Fire Protection Authority, Noyo Harbor Commission, Mendocino County Library Advisory Board, Adopt-A-Street Program, Community Emergency Response Team (CERT) Program, Bee City USA and Neighborhood Watch Coordinator

Mayor Peters and the City Council recognized volunteers serving the City of Fort Bragg and presented each with a certificate of appreciation.

- 1B. [17-493](#) Presentation of Proclamation Recognizing October 2 - 6, 2017 as "Walktober Week" in Fort Bragg and Proclaiming October 4, 2017 as Fort Bragg "Walk to School Day"

Mayor Peters presented Harley Nunan of Walk and Bike Mendocino with a proclamation recognizing October 2-6, 2017 as "Walktober Week."

- 1C. [17-462](#) Presentation of Proclamation Recognizing October 2017 as Fort Bragg Read Aloud Month

Mayor Peters presented Robert Adamczak and Ruth Sparks with a proclamation declaring October 2017 as Read Aloud Month.

2A. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes)

- John Kriege wants more Measure AB funds to be devoted to athletic field maintenance costs.

- Richard Mack presented his views on the state of the mental health care system.
- Jeff Wright spoke in support of first amendment rights.
- Rex Gressett said that a property deal between Georgia-Pacific and the Skunk Train could severely impact the City.
- George Reinhardt urged the Council to pass a resolution taking a firm stand on the Mill Pond cleanup and presented a draft resolution for their consideration.
- Carole White urged the Council to review the draft resolution presented by George Reinhardt.
- On behalf of the Fort Bragg Garden Club, Kathy Holmes presented the Council with a plaque recognizing the newly planted Victorian Fernery in honor of the 125th birthday of the Guest House Museum.
- Ann Rennacker asked that the Council discuss George Reinhardt's draft resolution.

3. STAFF COMMENTS

City Manager Ruffing announced that a City Dialogue forum is scheduled for Friday at 8:30 AM in Town Hall. Public Works Director Varga gave an update on the Streets & Alleys rehabilitation project. Chief Lizarraga reported on a gang assault last week and a change to the Police Department uniform policy that now allows neatly trimmed beards. Community Development Director Jones reported on the recent Mill Site reuse workshops and stated that over 800 people have responded to the survey regarding rezoning of the Mill Site. Jones also gave a brief report on the progress of the mural competition.

4. MATTERS FROM COUNCILMEMBERS

Mayor Peters said interviews for the City Attorney were held in closed session this morning and that there were a number of good applicants, but no reportable action was taken during that session. He noted that an MTA board meeting will be held to discuss unmet transportation needs on the South Coast next week. He said his visit to Japan was fantastic and he will be making a full presentation on his trip at the next Council meeting. Vice Mayor Lee reported on his attendance at the League of California Cities annual conference September 13-15. Councilmember Turner announced that Councilmember Norvell will replace him on the ad hoc committee for City Manager recruitment.

5. CONSENT CALENDAR

Approval of the Consent Calendar

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

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

5A. [17-485](#)

Adopt by Title Only and Waive Second Reading of Ordinance No. 933-2017 Amending Chapter 15.04 (Construction Codes - Adopted by Reference) and Chapter 15.05 (California Fire Code) of Title 15 (Building and Construction) of the Fort Bragg Municipal Code

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 933-2017

5B. [17-487](#) Approve Minutes of Special Closed Session of September 11, 2017
These Minutes were approved on the Consent Calendar.

5C. [17-488](#) Approve Minutes of September 11, 2017
These Minutes were approved on the Consent Calendar.

6. PUBLIC HEARING

7. CONDUCT OF BUSINESS

7A. [17-502](#) Receive Recommendation from Finance and Administration Committee and Consider Adoption of City Council Resolution Establishing Tools of Civility

City Manager Ruffing presented this staff report regarding improving the level of civility at City Council meetings.

Public Comment was received from:

- Simon Smith said the resolution is vague and useless and urged the Council to deny it, saying that code of conduct violations should have consequences.
- Carole White stated she was discouraged by the simplicity of the resolution because the conduct items had no descriptions and she asked the Council to keep the conversation going and work on the resolution further.
- Jeff Wright wanted to know if the tools applied to the Council and staff as well as the public.
- Rex Gressett urged the Council to reject the code of civility, saying that it treads on the first amendment.
- George Reinhardt was surprised that people who offered their expertise on this subject have not been contacted, and he thinks the resolution could use more work.
- Gabriel Quinn Maroney supports civility as well as hate speech, saying that it is up to law enforcement to protect the public.

Discussion:

The Council generally approved of adopting a Code of Civility but agreed that the sixth bullet point in the resolution, "Be agreeable," should be deleted.

A motion was made by Vice Mayor Lee, seconded by Councilmember Norvell, that this Resolution be adopted as amended by deleting the sixth bullet point, "Be agreeable." The motion carried by the following vote:

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

Enactment No: RES 4035-2017

7B. [17-503](#) Receive Recommendation from Finance and Administration Committee and Provide Direction to Staff Regarding Establishment of Rules of Order

City Manager Ruffing summarized the staff report for this agenda item and set forth the Finance and Administration Committee's recommendations.

Public Comment:

- Jeff Wright spoke in favor of having a rebuttal period after Council discussion.
- Carole White urged the City Council to adopt the rules of order.

- Rex Gressett said codifying behavior interferes with the public's First Amendment rights.
- Ann Rennacker prefers to hear staff and Council comments before public comment.

Discussion: The Councilmembers accepted the recommendations of the Finance and Administration Committee and directed staff to modify Rosenberg's Rules of Order by allowing for Council discussion of an item prior to public comments.

Staff was directed to modify Rosenberg's Rules to allow Council discussion prior to public comments and before a motion is made. The Council directed staff to present a Resolution adopting these modified Rules of Order on the Consent Calendar at the next regularly scheduled Council meeting.

7C. [17-504](#) Receive Report and Provide Direction to Staff Regarding City Council Voting Order

City Manager Ruffing presented the staff report.

Public Comment was received from:

- Jeff Wright said he would like Councilmembers to be able to vote electronically from their tablets.

Discussion: Councilmembers were in favor of moving forward with randomization of voting order, but they did not approve of electronic voting at this time due to the cost. They directed the City Clerk to develop a random voting pattern, with the Mayor always voting last, that will not be revealed until the night of the meeting.

The City Clerk was directed to create a randomized voting order for each meeting, with the Mayor always voting last.

7D. [17-505](#) Receive Recommendation from Finance and Administration Committee and Provide Direction to Staff Regarding Consent Calendar Guidelines

City Manager Ruffing gave the staff report on this item, noting that the Finance and Administration Committee suggests a list of items that can regularly be added to the Consent Calendar, including contracts of \$50,000 or less.

Public Comment:

- Jeff Wright wants the public to be able to pull Consent Calendar items.

Discussion: The Council directed staff to update the Administrative Regulations using the list on page 1 of the staff report as a guideline for items to be included on the Consent Calendar, with a \$50,000 limit for contracts. Any contract in excess of \$50,000 will need to be brought to Council under Conduct of Business.

This Staff Report was approved.

7E. [17-483](#) Receive Recommendation of Finance and Administration Committee Regarding Establishment of a New Fee Structure for Appeals of Planning Commission Decisions and Provide Direction to Staff

Community Development Director Jones summarized the staff report.

Public Comment was received from:

- Jeff Wright spoke about the opportunity for a fee waiver for elderly people.

Discussion: The Council approved of the Finance and Administration Committee recommendation for the fee structure for appeals. These fees will be included in the next Fee Schedule update, currently scheduled for late November.

This Staff Report was approved.

7F. [17-484](#) Receive Report and Consider Introduction by Title Only and Waiving First

Reading of Ordinance No. 934-2017 Amending Chapter 9.78 (Social Host Regulations) of Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code to Modify the Social Host Ordinance Prohibiting Consumption of Alcohol by Minors at Parties to also Include Marijuana and/or Other Controlled Substances

Administrative Services Director Schneider briefly summarized the staff report for this ordinance. Public Comment was received from:

- Jeff Wright asked who received the fees from the fines and stated the ordinance is vague and overbroad as to what constitutes illegal substances.

Discussion: The Councilmembers were in unanimous agreement that this ordinance be introduced.

A motion was made by Councilmember Turner, seconded by Vice Mayor Lee, that this Ordinance be introduced. The motion carried by the following vote:

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

7G. [17-490](#) Receive Recommendation from Finance and Administration Committee and Consider Adopting City Council Resolution Establishing an Insurance Matrix for Contracts, Events and Activities

Administrative Services Director Schneider provided the Council with the recommendations of the Finance and Administration Committee on this agenda item.

Public Comment: None.

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

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

Enactment No: RES 4036-2017

2B. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes, If Necessary)

8. CLOSED SESSION

ADJOURNMENT

Mayor Peters adjourned the meeting at 9:17 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)