



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, February 10, 2014

6:00 PM

Town Hall, 363 N. Main Street

MEETING CALLED TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Mayor Dave Turner, Vice Mayor Meg Courtney, Councilmember Scott Deitz, Councilmember Doug Hammerstrom and Councilmember Heidi Kraut

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

2. STAFF COMMENTS

City Manager Ruffing reported that she spent a few days last week in Long Beach at the League of California Cities' City Manager's conference. It was an incredible conference for City Managers from all around the state. It was inspiring and was an opportunity to sit back and think of the big picture of what City Manager's do. She stated she came away feeling very blessed to work with this Council as not every City Manager has such a good Council to work with. She also brought back some information regarding a fiscal diagnostic tool that will be discussed further during the budget process.

Police Chief Mayberry invited the Council to attend a welcoming party for Officers O'Neal and Song at 3:00 p.m. on Friday at the Police Department.

3. MATTERS FROM COUNCILMEMBERS

Mayor Turner reported that he attended a Board of Trustees meeting at the College of the Redwoods last week; they will be in Fort Bragg next Monday from 12:00-2:00 p.m. to receive comments from the public. He reported that he, Jennifer Owen, Steve Lund, and Sheila Semans will go to Ukiah on Wednesday to meet with the Mendocino College President and staff; he will provide more details as they develop. He noted that Caito Fisheries is thanking the Fire Department with a crab dinner this evening for the volunteers but he and Councilmember Deitz (who serve on the Fort Bragg Fire Protection Authority Board) were unable to attend. Turner read a letter of thanks from the Hospitality House regarding use of the Mayor's Fund for the Homeless.

Vice Mayor Courtney reported that she and Councilmember Hammerstrom met with Wayne Allen, Interim Chief Executive Officer and Chief Financial Officer of the Mendocino Coast District Hospital, and informed him of the City's interest in working with them. She noted that there wasn't a lot Allen could report to them as most discussions regarding the bankruptcy are confidential. He did say that the bankruptcy did not mean they were going out of business but that they were restructuring. There are changes being made to hospitals all around the state due to the Affordable Care Act. Courtney stated that she asked Allen to come to a Council meeting

and provide an update at some point in the future.

Councilmember Deitz stated that he heard someone saying that things are pretty gloomy for Fort Bragg right now with the College of the Redwoods closure, the hospital in trouble, the bank closing and many stores closed. He stated that he sees this as an opportunity for growth.

Councilmember Hammerstrom reported that not only did the Hospital intend to come out of bankruptcy they based their entire strategy on doing so by not waiting until they were down to their last dollar before declaring bankruptcy. They went into bankruptcy with enough money to bring themselves out of it. Hammerstrom reported that he and Vice Mayor Courtney also went to a meeting a couple of Saturday's ago with a group of people concerned about the new transfer station on Highway 20. There will be a scoping session on the environmental impact report (EIR) on the 19th and he encouraged everyone to bring their concerns to that meeting. He stated that he did attend both the Local Agency Formation Commission and Mendocino Council of Government meetings last week and had nothing to report other than that LAFCO finalized the Noyo Harbor Municipal Services Review. He talked to Dusty Dillion at that meeting about Dillion's idea of adding a pier along Noyo Beach; Hammerstrom stated he liked that idea.

4. PUBLIC HEARING

- 4A. 14-020** Receive Report, Conduct Public Hearing, and Consider Adoption of City Council Resolutions: 1) Certifying the Final Subsequent Environmental Impact Report (EIR) and approving a Mitigation Monitoring and Reporting Program; and 2) Approving Coastal Development Permit Amendment 10-10/14 (CDP 10-10/14), Design Review Amendment 11-10/14 (DR 11-10/14), Variance 2-11/14 (VAR 2-11/14) for the Fort Bragg Coastal Restoration & Trail Project

Community Development Director Jones reviewed the Agenda Item Summary prepared for this item with the City Council.

Public comment on adopting the Environmental Impact Report was received from George Reinhardt who gave a "thumbs up" from the audience.

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

Aye: 5 - Mayor Turner, Vice Mayor Courtney, Councilmember Deitz, Councilmember Hammerstrom and Councilmember Kraut

Enactment No: RES 3690-2014

- 2) Approving Coastal Development Permit Amendment 10-10/14 (CDP 10-10/14), Design Review Amendment 11-10/14 (DR 11-10/14), Variance 2-11/14 (VAR 2-11/14) for the Fort Bragg Coastal Restoration & Trail Project

Mayor Turner opened the public hearing regarding the planning permits at 6:20 p.m.; seeing no one wishing to speak the public hearing was immediately closed.

A motion was made by Councilmember Hammerstrom, seconded by Councilmember Kraut, that this resolution be adopted. The motion carried by the following vote:

Enactment No: RES 3691-2014

Aye: 5 - Mayor Turner, Vice Mayor Courtney, Councilmember Deitz, Councilmember Hammerstrom and Councilmember Kraut

5. CONDUCT OF BUSINESS**5A. 14-019** Receive Report Regarding Water Supply, Water Conservation Ordinance and Voluntary Sales of Water, Provide Direction to Staff, and Consider Adoption of City Council Resolution Setting Water Charges for Voluntary Water Sales

Public Works Director Varga reviewed the Water Supply portion of the Agenda Item Summary prepared for this item with the City Council. He noted that even though 4" of rain was received over the weekend it does not get the rainfall amount anywhere near normal for the year. City Manager Ruffing reviewed the proposed ordinance amendments and requested that the City Council give staff authority to take this item to the Finance and Administration Committee if there are any questions when it is being drafted.

Public comment on this agenda item was received from George Reinhardt (NHUDG) Chris Koch, Gary Malsom, Ann Rennacker, and Jerry Staffley.

The following was noted during discussion of this item:

- * Council discussed whether the City Manager should be allowed to declare an emergency prior to the public meeting.*

- * Council concurred that imposing penalties rather than increasing water rates would be the preferred method as it would not require a Prop 218 hearing.*

- * Council supported delegating the Finance and Administration Committee to review the ordinance and answer any staff questions.*

- * It was suggested that the ordinance allow use of grey water for landscaping.*

- * Water tanks under a certain size can be installed without a permit.*

- * Concern was expressed about harming certain businesses such as the Brewery and fisheries that rely on large quantities of water; jobs could be lost by requiring them to reduce their water use significantly. Ruffing noted that Item 5 in the staff report recommends adding a provision to the ordinance to allow exceptions to be granted by the City Manager; she suggested that staff craft wording to allow for an exception in cases such as these.*

- * There needs to be an outreach program to talk to people about the appropriate use of grey water, types of catchment facilities and the process for using a well for landscaping.*

- * Council consensus was to require 15% reduction in Stage 1 emergency.*

Varga then reviewed the informatoin regarding sales to water haulers. Council discussed the issues related to the Highway 20 water tank which require the tank to be emptied periodically in order to maintain the required chlorine residual.

Public comment on this portion of the discussion was received from Gary Malsom who stated that the water haulers are doing the City a favor as they would just have to release the water from the Highway 20 tank if they don't take it.

The following was noted during discussion of this item:

- * Council consensus was to reduce the proposed rate in the resolution from 5 cents per gallon to 2 cents per gallon.*

- * Vice Mayor Courtney acknowledged Congressman Huffman for asking Congress to change a 1924 Army Corp of Engineers requirement that a certain amount of water be released from reservoirs regardless of whether there is a flood concern or not. It just doesn't make sense in a drought period.*

A motion was made by Councilmember Deitz, seconded by Councilmember Kraut, that this Resolution be adopted as amended to charge 2 cents per gallon (\$14.96 per HCF). The motion carried by the following vote:

Aye: 5 - Mayor Turner, Vice Mayor Courtney, Councilmember Deitz, Councilmember Hammerstrom and Councilmember Kraut

Enactment No: RES 3692-2014

5B. 14-028 Receive Report and Provide Direction to Staff Regarding Request for Proposals for Public, Educational, and Government Access (PEG) Services

City Manager Ruffing reviewed the Agenda Item Summary prepared for this item with the City Council.

The following was noted during discussion of this item:

** The scope of work should include mention that the signal needs to be split so that it goes out over the PEG channel and also to the City's encoder for the Granicus system.*

** The PEG operator will be required to account for equipment purchased with money from the City separately from other funding sources.*

Public comment on this agenda item was received from: Junice Gleason, Chris Koche, Eric Dwyer, and Ann Rennacker.

The following was noted during continued discussion of this item:

** The Footlighters Board would need to make a decision regarding the archives; whether they want to retain them or turn them over to the City.*

** The City has copies of all Council meetings filmed by MCCET/MCTV on disk.*

** Following lengthy discussion regarding the archival information stored in the Footlighters building it was recommended that a committee of interested parties (those who have recordings in the archives) be formed to deal with the archives and that it not be part of the Request for Proposals (RFP) process.*

Staff was directed to proceed with issuing a Request for Proposals using the scope of work in the Staff Report.

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

7. CONSENT CALENDAR

Approval of the Consent Calendar

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

Aye: 5 - Mayor Turner, Vice Mayor Courtney, Councilmember Deitz, Councilmember Hammerstrom and Councilmember Kraut

7A. 14-015 Waive the Second Reading and Adopt, by Title Only, Ordinance 909-2014 Amending Title 18 (Inland Land Use & Development Code)

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 909-2014

7B. 14-026 Adopt Fort Bragg Redevelopment Successor Agency Resolution Approving Contract with SCA Environmental, Inc. for Environmental Consulting Services Related to the Georgia-Pacific Mill Site Remediation Project (Amount: Time & Materials per Recognized Obligation Payment Schedule; Account No: 175-4810-0319)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES RS 05-2014

Approval of Minutes

7C. 14-016 Approve Minutes of January 27, 2014

These Minutes were approved on the Consent Calendar.

8. CLOSED SESSION

ADJOURNMENT

Mayor Turner adjourned the meeting at 8:45 p.m.

DAVE TURNER, MAYOR

Cynthia M. VanWormer, MMC, City Clerk

IMAGED (_____)