



# 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, May 27, 2014

6:00 PM

Town Hall, 363 N. Main Street

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### MEETING CALLED TO ORDER

Mayor Turner called the meeting to order at 6:04 p.m.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** 4 - Mayor Dave Turner, Vice Mayor Meg Courtney, Councilmember Doug Hammerstrom and Councilmember Heidi Kraut  
**Absent:** 1 - Councilmember Scott Deitz

### AGENDA REVIEW

Mayor Turner asked for a moment of silence in recognition of Memorial Day.

### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

**1A. 14-157** Presentation of Proclamation in Appreciation of Local, State and Federal Agencies for Their Assistance and Response to the March 19, 2014 Officer Involved Shooting Incident in Cleone

**The Proclamation was read by Mayor Turner and presented to representatives of the various agencies.**

**1B. 14-170** Presentation of Proclamation Commending the Fort Bragg Advocate-News on the Occasion of Its 125th Anniversary

**The Proclamation was read by Councilmember Kraut and presented it to representatives of the Fort Bragg Advocate-News.**

**1C. 14-153** Recognition of Jamie Peters for her Service on the Fort Bragg Planning Commission, October 11, 2011 - April 15, 2014

Jamie Peters thanked the Council and staff for their help throughout the years and for the recognition. She stated she hates to leave but with her current employment she is frequently asking for donations and felt that she would need to recuse herself on numerous items due to conflict of interest issues.

**Vice Mayor Courtney recognized Jamie Peters for her service on the Fort Bragg Planning Commission and presented her with a plaque in recognition of her service.**

- 1D. 14-117** Receive Presentation Regarding "Communities of Excellence in Nutrition, Physical Activity and Obesity Prevention Program" (CX3 Program)

A PowerPoint regarding CX3 was presented by Petra Shulte and two students.

## **2. STAFF COMMENTS**

## **3. MATTERS FROM COUNCILMEMBERS**

Vice Mayor Courtney reported the League of California Cities Redwood Empire Division was here on May 16th and there was a presentation about water that included an impressive slide show on the damage done by illegal grows in Humboldt County. She stated that she also attended "Water Day" at Jug Handle where Water Projects Coordinator Teri Jo Barber made a presentation and there was a demonstration on rain water collection. Courtney stated that she is circulating a petition regarding the community rights to clean water initiative. It also includes regulations against fracking. They need to gather 5,000-6,000 signatures to get 3,000 good ones by the end of June.

Councilmember Kraut reported that she also attended the Redwood Empire Division meeting and shared how excited all the other city officials were to be here. She thanked all the staff that worked on putting the meeting together; it was a nice event that showed the best of Fort Bragg. Kraut reported that she attended most of the Department of Toxic Substance Control (DTSC) workshop last week and stated that it was nice to get an update about the mill site and hear that things are moving along.

Mayor Turner noted that there was a good turnout for the DTSC meeting; they stated they will be back again when the remediation is close to completion. He reported that he spent some time with Jared Huffman over the weekend; the community has a fine Congressman. Turner reported that the Council had a budget meeting with the Mendocino Coast Recreation and Park District regarding the C.V. Starr Community Center and things are going really well.

## **4. PUBLIC HEARING**

## **5. CONDUCT OF BUSINESS**

- 5A. 14-162** Receive Report and Consider Adopting City Council Resolution Authorizing Water Bond Refinancing

Finance Director Cimolino introduced Jeff Land with Brandis Tallman LLC who reviewed the Agenda Item Summary with the City Council.

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

**Aye:** 4 - Mayor Turner, Vice Mayor Courtney, Councilmember Hammerstrom and Councilmember Kraut

**Absent:** 1 - Councilmember Deitz

Enactment No: RES 3705-2014

- 5B. 14-161** Receive Recommendation from Community Development Committee and Provide Direction to Staff Regarding Barn Quilt and Mural

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### Administrative Art Design

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

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

- \* The City would not do any direct advertising of the program but could have a brochure or flyer at the Community Development Department counter.
- \* Mural and barn quilts would currently fall under the design review process.
- \* City Attorney Warner recommended that non-discretionary standards be developed. He also suggested adding that if it is determined to be a sign then the sign code applies; all commercial and non-commercial messages would be governed by sign regulations.
- \* Window painting is allowed up to a maximum of 20% of all windows in the building and is not regulated by the City's sign regulations. Code enforcement for window painting has not been done because there have not been any complaints filed.
- \* Council expressed concern with allowing barn quilts and murals in residential areas. They felt that a 10x10 quilt square would be too large and suggested that the size be smaller for residential zones.
- \* Council suggested encouraging murals in the alleys in the business district.
- \* Jones noted that there are currently no regulations regarding painting in residential zones so someone could put a mural on their house now.
- \* Council consensus was to remain silent (not promote) the program in residential zones.
- \* Mayor Turner recommended the program include barn quilts, murals, and three-dimensional art but be written in a way that, should it not work, any one of the forms of art can be removed from the program without affecting the other forms of art.

**This Staff Report was referred to staff for preparation of a final program and application form for Council adoption on the consent calendar.**

### 5C. 14-137

Receive Report and Consider: 1) Adoption of City Council Resolution Authorizing City Manager to Execute Confidentiality Agreement and Memorandum of Understanding Between the City of Fort Bragg and the Sherwood Valley Band of Pomo Indians; and 2) Adoption of City Council Resolution Authorizing City Manager to Execute Monitoring Agreement and Post Review Discovery Agreement Between the City of Fort Bragg and the Sherwood Valley Band of Pomo Indians

Community Development Director Jones reviewed the Agenda Item Summary prepared for this item with the City Council. She clarified that the Memorandum of Understanding with the Tribe is intended to be used when environmental review requires preparation of a mitigated negative declaration or an environmental impact report.

**A motion was made by Councilmember Hammerstrom, seconded by Councilmember Kraut, that the Resolution approving a monitoring agreement and post review discovery agreement with the Sherwood Valley Band of Pomo Indians for monitoring the Fort Bragg Coastal Restoration and Trail Project be adopted. The motion carried by the following vote:**

**Aye:** 4 - Mayor Turner, Vice Mayor Courtney, Councilmember Hammerstrom and Councilmember Kraut

**Absent:** 1 - Councilmember Deitz

Enactment No: RES 3706-2014 & RES 3707-2014

**A motion was made by Councilmember Kraut, seconded by Vice Mayor Courtney,**

that the Resolution approving a Memorandum of Understanding and a Confidentiality Agreement with the Sherwood Valley Band of Pomo Indians be adopted. The motion carried by the following vote:

**Aye:** 4 - Mayor Turner, Vice Mayor Courtney, Councilmember Hammerstrom and Councilmember Kraut

**Absent:** 1 - Councilmember Deitz

Enactment No: RES 3706-2014 & RES 3707-2014

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

### **7. CONSENT CALENDAR**

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

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

**Aye:** 4 - Mayor Turner, Vice Mayor Courtney, Councilmember Hammerstrom and Councilmember Kraut

**Absent:** 1 - Councilmember Deitz

- 7A. 14-160** Adopt City Council Resolution Approving a Professional Services Agreement with Green Valley Consulting Engineers for Construction Management and Inspection Services for the Fort Bragg Coastal Restoration and Trail Project and Authorizing City Manager to Execute Same (Amount not to Exceed \$374,350; to be Split Equally Between Account Numbers 407-4833-0731 and 407-5007-0731)

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

Enactment No: RES 3708-2014

- 7B. 14-167** Approve Minutes of May 12, 2014

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

- 7C. 14-168** Approve Minutes from Special Meeting of May 14, 2014

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

## **8. CLOSED SESSION**

### **ADJOURNMENT**

**Mayor Turner adjourned the meeting at 7:21 p.m.**

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DAVE TURNER, MAYOR

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Cynthia M. VanWormer, MMC, City Clerk

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