



# 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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Monday, February 23, 2015

6:00 PM

John Diederich Center  
208 Dana Street

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### 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 noted that the City Council, at their retreat on Saturday, talked about the best way to handle Public Comment on Non-Agenda, Consent Calendar and Closed Session Items. It was decided to have 30 minutes of Public Comment immediately following Matters from Councilmembers and an additional 30 minutes just prior to approval of the Consent Calendar, if needed. He requested that people fill out speaker cards and give them to the City Clerk.

### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

### 2. STAFF COMMENTS

City Clerk VanWormer reported that she created a new City webpage listing upcoming City Council agenda items. It can be found on the City's website, [city.fortbragg.com](http://city.fortbragg.com), in the "My Government" tab under "City Council". She encouraged people to check it out.

### 3. MATTERS FROM COUNCILMEMBERS

Mayor Turner reported on the following items:

1. The City Council had a goal setting session on Saturday and will have a follow-up meeting with Management Staff at the end of March. One item discussed was how to get more public involvement and communication. One solution is to have more City Council committee meetings as this is a way to get more information out to the public and get public comment in a more informal meeting venue. The new web page of upcoming agenda items discussed by the City Clerk is another way to get information out to the public.
2. About a year ago the City asked the property owner at 125 N. McPherson to demolish his building as it is an attractive nuisance. He has been slowly working on demolishing it. Waste Management has offered to donate a roll off bin to the Downtown Watch Group (downtown businesses tracking what is happening downtown) for use at this site and Brian Paulson, through the good work of Councilmember Deitz, has agreed to bring equipment over to help

take the building down faster.

3. The Finance and Administration Committee discussed the Business Improvement District (BID) proposal that will soon be coming before the Council. The BID currently charges an additional 1% over the 10% TOT (Transient Occupancy Tax) charged by the City; the funds from the 1% are used for advertising purposes. The BID wants to request an additional 1%. Turner noted that the City is concerned because TOT is one of the major revenue sources for City services. The Committee requested staff notify local hospitality establishments about attending a future Finance and Administration Committee so that the Committee Members can hear their concerns. Turner stated that the Committee discussed the idea of adding an additional ½% TOT to be designated for use on the Coastal Trail.
4. The Caspar Joint Coordinating Committee has scheduled a meeting for March 19th to get comments on the Draft Environmental Impact Report for the proposed transfer station on Highway 20.

Vice Mayor Peters reported on the following:

1. He congratulated the Fort Bragg wrestling team, who has nine wrestlers going to the League tournament.
2. The Public Works Committee met last week and discussed improvements on Chestnut Street as part of the Safe Routes to School Program. He reviewed the project, noting that improvements to one side of Chestnut Street are all the funding will cover. Improvements will be made to the north side because there are fewer obstructions such as telephone poles. All parking on Chestnut Street will be on the north side of the street. An 8' wide sidewalk/pathway will be constructed from Franklin Street to the High School and traffic lanes will be narrowed to 11'. The idea is to calm traffic and slow it down. There will be some bulb-outs, new crosswalks, no speed bumps, no roundabouts and no loss of property. There will be a stop sign at Corry & Grove Streets to help calm traffic. City staff will work with the School District to finalize the plans prior to them coming to the City Council for approval, denial or modification.
3. One thing that came out at the Council retreat on Saturday was that the City needs to be more transparent and engage the public in an earlier stage. One way to do that is to move public comment to the beginning of the meeting for 30 minutes followed by another 30 minutes at the regular time, if needed. One of the things Peters stated that he did for the Public Works Committee meeting was to use his Facebook page to tell people about the meeting; 1859 people were reached by that post. The City needs to get information out to the public and tell them exactly what is coming up, starting at the Committee level.
4. The City Council needs to work together. He stated that his prior experience taught him that even though Councilmembers disagree and can have a healthy argument, they need to work together most of the time. The retreat educated all of the Council, the existing ones and the new ones.
5. Peters addressed the movement in the community to have a recall election and noted that this is up to the public and he isn't one to discourage them from doing what they think is right but in his opinion it isn't the best way to go. For one thing, it will take too long. It will take two months to get all of the signatures and then the County Clerk needs to verify the signatures and who knows how long that will take. Also, a recall election will cost the City up to \$10,000. By the time a special election can be held it will be November and then the Council is only a year away from another election. He encouraged the community members to find a good candidate, groom the candidate, get him or her set to run and have him or her run in the regular November 2016 election. He noted that no one on the City Council has committed a crime here; they just made a decision that isn't popular.
6. He suggested that community members put the decision back on the Hospitality Center to move from the Old Coast Hotel to another location.

Councilmember Cimolino reported on the following:

1. The Economic Development Financing Corporation (EDFC) met on February 12th. He noted that the Board is comprised of 21 people and listed the representatives. One local business in Fort Bragg has taken advantage of what EDFC has to offer. The average small business loan is \$19,000 but EDFC has been reclassified as a loan company and can now do loans up to \$250,000. He noted that they have a grant writer on staff. Some of the projects they are working on is a meat processing company, a three megawatt power plant in Covelo for the Round Valley Indian Tribe, a broadband project on the south coast using a grant from Google, and the reopening of the hotel in Point Arena.
2. He noted that he has been pretty quiet on the Council as he promised himself to just listen for the first 90 days but he feels he needs to speak after what Vice Mayor Peters said about the recall. He noted that he cannot vote on the use of the Old Coast Hotel by the Hospitality Center because he lives within 500' of the project but he has looked at the players involved and the potential damage from this action. The three groups involved are the City Council, Hospitality Center and the community. He stated that it befuddles him why the Hospitality Center would want to put the community in a situation like this and risk their public support and donations. He noted that the community is in the position of doing a recall if they want to do it; that is their only avenue of control in this situation. A recall can be damaging and put the town through a lot of turmoil. The three groups should think about the way they can change the situation and whether the Old Coast Hotel project is important to the detriment of the community. Either the City Council will need to vote to reconsider or the Hospitality Center will need to withdraw the project; or the public can do a recall election. Cimolino suggested that all of the parties sit down, take a break, and think about what will benefit the community. If someone doesn't budge, something will happen, and whatever that is the parties will all have to live with it.

Councilmember Deitz thanked the Councilmen for their good work this weekend. It was a good session with some good ideas. He directed people to a survey on the downtown Wi-Fi project on [www.fortbraggwifi.com](http://www.fortbraggwifi.com). He noted that the website was created by John Naulty Jr. and they hope to get this project going downtown.

Councilmember Hammerstrom thanked the other Councilmembers for the good work session on Saturday. The Council plays an important role in the community because they are elected to make decisions for the City of Fort Bragg and they have an obligation to do that thoughtfully and to set up procedures to assure fairness. One topic was about involving the public in discussion of topics at Committee meetings as there is less formality than at a City Council meeting. In the past when the City knew there were stakeholders who had an interest in a topic they had discussions with those stakeholders at Committee meetings. The Council agreed to have those two things, Committee discussions and actively inviting stakeholders, as something to do in the future. The City Council and staff endeavor to do things in a responsible way that pays attention to everyone while following set procedures. He commended the Council and staff for being committed to that. He stated that he believes some of the staff is feeling agitated at meetings because of the repudiation of an orderly process. He requested that people speak to staff and let them know that their efforts to be fair are appreciated.

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

1. Diane Harris spoke in support of the Hospitality Center at the Old Coast Hotel.
2. Evan Dick spoke against the Hospitality Center at the Old Coast Hotel and asked if the City is using grants as a money making venture.

3. Dewey Turner spoke in support of his father, Mayor Dave Turner, and the City Council. He noted that there is a full house of people here to knock his father down. People are making things up to scare people such as saying the homeless and sex offenders will be housed in the Old Coast Hotel. The audience at Council meetings started filling up when the former Police Chief quit for personal reasons but blamed it on the City Manager. He suggested people pull together and support the Council rather than being so negative. He suggested people listen to what the Council has to say and respect the work they put forward.
4. Douglas Chouteau stated that he respects the Mayor for the job he did raising his son. He stated that he appreciates Council changing the order of Council meeting, doesn't support the use of the Old Coast Hotel by Hospitality Center, and doesn't support a recall. He suggested that Council have another vote to change their decision.
5. Tammy Lowe stated that she spoke to newly arrived homeless over the weekend and was told that they came to Fort Bragg from Ukiah and Lake County, because they heard that the Old Coast Hotel was being turned into a homeless shelter. They are now living in cars because they didn't feel they could meet the Hospitality Center's rules. She suggested the Council go out and talk to the homeless and see why they came here.
6. Judy Valadao stated that she appreciates the comments made by Dewey in support of his father. She noted that Councilmember Hammerstrom stated that he was voted in to vote for the community but in order to do that he must listen to the community. She noted that she walked the street for days to get 1200 signature on a petition and they still are not listened to and are treated with disrespect by the Council. As far as blaming the City Manager for anything she stated she was not sure where that came from; the Council are the people making the decisions, not the City Manager. She suggested a "Town Hall" meeting at the Veteran's building to allow people to voice their opinions without a timer going off; get answers and solutions, don't ignore the people. She stated that a recall has been talked about and the votes are there; she suggested that maybe someone should resign if he cares about the community that much as that would save money and time.
7. Alice Chouteau asked why a Police substation is needed in the Old Coast Hotel stating that the police are already overburdened dealing with the homeless. The Old Coast Hotel is the wrong location for this project.
8. Joe Wagner referenced an item by John W. Wallace that he found on Google that sets out factual regulations about when a decision maker should abstain because a decision affects his or her real property. Google has FloBeds at less than 500' from the Harrison Street house. He stated that he doesn't believe Turner's vote should stand.
9. Rex Gressett stated that there needs to be a recall election as that is the only way the Council will back down. He noted that the City gave \$2.5 million to the Koch Brothers for the mill site. The City Manager and Community Development Director are making the decisions, not the City Council. He stated that the elected officials have betrayed the community because they are all in agreement with the City Manager. The town needs to take control of itself.
10. Charles Brandenburg supported the City Council and City Manager but noted that a situation has occurred that is hard to undo but needs to be undone. It was a wrong decision and when people speak up and are told that the Council has made their decision it is hard to handle. He stated that Anna Shaw really isn't part of this community; she is on a mission. He suggested that if this action can't be undone, people shouldn't go after the City Council but stop donating to the Hospitality Center and Food Bank.
11. Jay Rosenquist submitted written comments that were read by Mayor Turner regarding parking at the Old Coast Hotel. She noted Anna Shaw stated that no parking is needed but an on-line job posting by Ortner says a valid driver's license is required for the job.

Mayor Turner, addressing comment made by Joe Wagner, stated that when this issue first came up in February/March 2014 the rule requiring abstention due to a conflict of interest was 300 feet.

That was changed to 500 feet this year. His vote on the Harrison Street house was legal, as was his vote on the Old Coast Hotel.

Acting Lieutenant Gilchrist stated that the idea of a police substation at the Old Coast Hotel was his idea. There has been talk about a downtown substation for years and he saw an opportunity to get one again. This was discussed at the Public Safety Committee but was not a Council directed action. The police department would run foot patrol out of the substation so that they would be available in the downtown area. This is an effort to meet a need addressed by downtown businesses.

Vice Mayor Peters stated that he brought up forming a citizens advisory committee to deal with the homeless issue at the last Public Safety Committee meeting. The first step to forming that committee is having the community show up and tell him what they want. That meeting will be held in the near future.

#### **4. PUBLIC HEARING**

#### **5. CONDUCT OF BUSINESS**

- 5A. 15-024** Receive Presentation by Moss, Levy & Hartzheim on the Comprehensive Annual Financial Report (CAFR) for the Year Ended June 30, 2014 for the City of Fort Bragg and Fort Bragg Municipal Improvement District No. 1 and Consider Accepting the CAFR as Presented

Derek Rampone, Moss Levy & Hartzheim, reviewed the June 30, 2014 CAFR. City Manager Ruffing stated that retiree health benefits have been phased out over time; the Other Post-Employment Benefits (OPEB) apply to current retirees and employees hired prior to a certain date and will diminish over time.

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

- Mayor Turner noted that the intergovernmental fund shows \$121,000 budgeted but only \$76,000 billed. This is the money the City receives for administering grants.
- Councilmember Cimolino thanked the employees of the City who go through the misery of supplying information for the auditors. They do a good job and the City is lucky to have them. Rampone stated that his firm is given full access to all the records. They visit a lot of departments and ask for a lot of documents and everyone provides prompt responses and straight up answers. They have never had any issues getting cooperation.

**A motion was made by Councilmember Hammerstrom, seconded by Councilmember Cimolino, to accept the CAFR. The motion carried by a unanimous vote.**

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

1. Lorraine Murphy noted that back in the late 70s the same comments being made about the Old Coast Hotel were made about the Delancy Project in San Francisco. It has proven to be a very successful project that is a vital part of the San Francisco community. The project was formed on the belief that if you reach out and help people they can do better.
2. Eric Dwyer stated that he is still waiting for more time with the PEG (Public, Educational, and Government) Ad-Hoc Committee. He stated that his PEG proposal will provide more transparency. He suggested that the City Council should get paid a salary. He concluded by

addressing the Cedar Street Project and suggested 6' sidewalks with 13' lanes; less sidewalk, more street.

3. Ann Marie Cesario stated that she has done social work in this community and believes that the Old Coast Hotel is an inadequate site. Transitional housing is not temporary; people historically live in transitional units for two years. The Hotel has a shared bath on the second floor and a shared kitchen on the first floor. People need their own bathroom and kitchen. There are better sites. She questioned where all the cars for staff, residents and people seeking services will park. Also, there is no handicap access to the second floor. She asked the Council to reconsider their action.

## **7. CONSENT CALENDAR**

Councilmember Hammerstrom requested that Item 7A be pulled for discussion.

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

**A motion was made by Councilmember Cimolino, seconded by Councilmember Deitz, to approve the Consent Calendar, with the exception of Item 7A. The motion carried by the following vote:**

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

- 7B. 15-034** Adopt City Council Resolution Approving a Subrecipient Agreement with Renewable Energy Development Institute to Use Funds from Community Development Block Grant #14-CDBG-9881 for a Fort Bragg HELP Plus Program (Amount NTE: \$213,953; Account No. 315-5015-0630) and HELP H2O Program (Amount NTE: \$65,116; Account No. 315-5016-0630) and Authorizing City Manager to Execute Same

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

Enactment No: RES 3784-2015

- 7C. 15-020** Approve Minutes from November 12, 2014 Public Safety Committee Meeting

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

- 7D. 15-039** Approve Minutes from Special Meeting of February 9, 2015

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

- 7E. 15-040** Approve Minutes of February 9, 2015

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

## **MATTERS REMOVED FROM CONSENT CALENDAR**

- 7A. 15-025** Approve Scope of Work for Athletic Fields Master Plan and C.V. Starr Community Center Phase 3 Master Plan Request for Proposals.

Councilmember Hammerstrom noted that there was an ad-hoc committee made up of two

Councilmembers and two Mendocino Coast Recreation and Park District Board Members to discuss the proposed gymnasium. One of the suggestions they discussed was using a steel building. He requested that this be added to the scope of work in the Request for Proposals.

**A motion was made by Councilmember Hammerstrom, seconded by Vice Mayor Peters, that this Scope of Work be approved as amended to include reference to use of a steel building. The motion carried by a unanimous vote.**

## **8. CLOSED SESSION**

### **ADJOURNMENT**

Mayor Turner adjourned the meeting at 7:27 p.m.

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DAVE TURNER, MAYOR

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Cynthia M. VanWormer, MMC, City Clerk

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