



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
Fax: (707) 961-2802

## 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 26, 2015

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 6:00 PM.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** 4 - Vice Mayor Lindy Peters, Councilmember Michael Cimolino, Councilmember Doug Hammerstrom and Mayor Dave Turner  
**Absent:** 1 - Councilmember Scott Deitz

### AGENDA REVIEW

#### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

Mayor Turner acknowledged Taimi Barty and Bob Sanderson, local woodworkers and owners of the Wood Joint Studio in Fort Bragg, for their fine craftsmanship in creating the beautiful new dais for Town Hall. Taimi thanked the City for allowing them to be a part of the process, noting that the wood is locally grown madrone.

#### 2. STAFF COMMENTS

City Manager Ruffing announced a special Finance and Administration meeting will be held on Friday, May 29 at 10:00 AM at City Hall regarding reconciliation of grants and special revenue accounts discussed at a recent budget workshop. She invited the public to attend a City Dialogue meeting on Thursday, June 4 at 5:00 PM at Town Hall. Representatives from all City Departments will be available at this informal round-table discussion about activities and projects; questions and suggestions are welcome. Ruffing noted that the new restrooms have been installed on the Coastal Trail.

Community Development Director Jones asked for volunteer gardeners to help with invasive plant removal on Friday, May 29 from 9:00 to 11:00 AM, and related that the weeding project is nearly complete.

#### 3. MATTERS FROM COUNCILMEMBERS

Mayor Turner reported that the Fire Board met on May 26 and approved the budget, the Adopt-a-Street program is moving along nicely, and last week's budget workshop was well presented.

Vice Mayor Peters announced that the Mendocino Transit Authority board meeting will be held on Thursday, May 28 at 1:30 PM at the MTA Conference Room. He is recommending that the Bragg-About bus run every half hour rather than every hour. The Public Works Committee met last week to discuss the Adopt-a-Street program, which is moving forward. Vice Mayor Peters suggested that the Bicycle Master Plan be put on a future Public Works Committee agenda to encourage people to use bicycles.

Councilmember Cimolino stated that the Community Development Committee met May 26 regarding mobile vending and good input was received from the public. This item will be moved forward to a future City Council agenda for discussion.

Councilmember Hammerstrom noted that a Notice of Intent to Circulate a Recall Petition was recently served on Mayor Turner. He would like to urge that the recall not go forward, as it is very costly, a distraction, and there is no reason for it. He said there is something people can do: If they are asked to sign the Petition for Recall, do not sign it.

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

1. Ron White thanked the Council for its dedicated service to the community and City Manager Linda Ruffing for implementing the Council's decisions. Regarding the homeless services facility at the Old Coast Hotel, White stated that after asking questions and looking into the matter, he can now see why Mayor Turner made the decisions he did. He believes the recall would be a black eye on the community.
2. Heidi Kraut said she is grateful to live in Fort Bragg, a city which has been improved immeasurably by the work of Mayor Turner. Kraut remarked that a politically motivated recall is a terrible waste of public money and time and urged the public not to support a recall.
3. Carol White wants to see Mayor Turner complete his term on the City Council, saying she appreciates his years of service and dedication to the City. White said the recall is a costly tactic and not a solution to the issues facing Fort Bragg.
4. Hillary White expressed support for Mayor Turner and dissatisfaction and disappointment with the recall petition. She believes it is the duty of the voters to defend who they put into office, and the elected officials need to consider the needs of the whole community, and not just the loud, the angry, the wealthy or the influential. She concluded by stating that the mayor has earned our respect through the thoughtful and informed decisions he has made over the last 12 years and the recall wastes time and energy and is a serious misuse of public funds.
5. Lisa Hannon supports Dave Turner, stating he has done a wonderful job of making the town complete in a number of ways. She believes the recall is a waste of time and effort.
6. Chris Zeta does not support the recall, saying a vengeance based recall is not the answer to our challenges as a community.
7. Mark Hannon spoke in opposition to the recall. He supports Dave Turner and the City Council and looks forward to more good things for Fort Bragg.
8. George Reinhardt is opposed to the recall and urged people not to sign the petition. He remarked that he is thrilled that more people are coming to City Council meetings and would like to keep that trend alive.
9. Jamie Peters does not support the recall. She does not always agree with everyone on the Council 100%, but she believes that every single person on the Council wants what is best for the City, and none of them wants to thwart the City. She said that the recall is a waste of time and tax dollars and supports not signing the recall petition.
10. Richard Miller said that a recall is a device used by the public when a public figure has done something illegal, immoral or unethical. He knows of no accusation against Mayor Turner of this nature. If there is a person who wants to accuse him of being illegal, immoral or unethical,

they should stand up and make their case openly, but until then, there is no case. He feels Dave Turner is an honest man and this matter should be put to rest. He recommended that people who want the mayor out of office should mount a fierce campaign for their candidate the next time there is an election.

11. Mike Grady spoke for himself and several dozen people who could not attend the meeting, saying they are opposed to the recall. He cited several examples of what Mayor Turner has done for the community and stated that he feels gratitude and respect for the mayor and all the other City Councilmembers.
12. Joseph Byrne submitted a document for the record from Captain Cass Forrington at the Sea Glass Museum. Byrne would like the City to promote a Sea Glass festival in Fort Bragg.
13. Linda Jupiter stated that she is against any action for recall. She said that in the election six months ago, Dave Turner was voted in and as far as she is concerned, he has done nothing wrong. She believes he is being used as a scapegoat and urged people not to sign the petition.
14. Karina Pizerra is against the recall, and is concerned that people in the Latino community are misinformed as to what the recall is about. She thinks it is important for those who do want to take action against the Mayor to inform people of what they are actually trying to do. She will do her part to speak to the Latino community about not voting for the recall.
15. Rex Gressett said the people who have initiated the recall petition have spent time, energy and money because they love Fort Bragg. He stated that the City budget is convoluted, obscure and indecipherable and believes the people have been embezzled, cheated, and treated with contempt. He thinks City staff are only interested in making money for themselves while operating a complex machine that generates revenue for only a few, which he states constitutes a violation of the spirit of the Brown Act.
16. Jamie Fales remarked that you can't say you love the City and then have a hate-based campaign for your argument. Personal attacks are not love; separating a community is not love. There has been talk of Brown Act violations and embezzlement, but no proof has been offered. She is tired of people making accusations not backed up by evidence and is upset with people supporting the recall. She asked that voters not sign the recall petition.
17. Christopher Cisper feels there is a general dissatisfaction with the way the town is being run because people don't understand what is going on. He doesn't support the recall and is suspicious about the reasons behind the recall, but would like to look into ways to make local government more accessible to the people. He feels the government is beginning to serve itself more and more these days, and a lot of that has to do with the financial crisis.

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

None.

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

##### **5A. [15-167](#)      Receive Report and Provide Direction to Staff Regarding the Coastal Trail Project**

Community Development Director Jones reviewed her summary report and requested direction from Council on six items regarding the Coastal Trail: (1) width of the trail on the south parkland; (2) murals to soften the visual impact of the restrooms; (3) fencing on site to make it more difficult to trespass on Georgia-Pacific property; (4) dedication of a bench at Otsuchi Point in memory of Jere Melo; (5) revisions to ordinances addressing challenges with behavior on the trail; and (6) a date for the Coastal Trail grand opening.

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

- Concern that a wider asphalt trail might encourage cyclists to drive faster and more recklessly.
- Cost of widening the trail would be approximately \$30,000 beyond the project's current budget.
- General consensus that a bench dedicated to Jere Melo is a great idea and that Jere's wife, Madeline Melo, should make the ultimate determination on the style of bench and date of dedication.
- Support for an ordinance prohibiting removal of glass from Glass Beach.

Public Comment on this item was received from: Madeline Melo, Ron White, Carol White, Tammy Davis, Elaine Charkowski, Ed Oberweiser, Rex Gressett and Mike Grady.

Further Discussion: Although a wider trail might be nicer for bicyclists, the additional cost and the potential for reckless bicycle riding were generally thought to be more important considerations; therefore, the Council agreed that the trail width should remain consistent with the northern parkland trail as planned. All Councilmembers thought that a Native American mural on one of the restrooms would be appropriate. They also requested that the mill site be more prominently displayed on one of the murals and that more of the local wildlife be included on the murals. Regarding the memorial bench for Jere Melo, it was suggested that the wording be translated into Japanese by one of our Otsuchi City Council counterparts. Mayor Turner suggested including the name "Glass Beach" on signs that say "Noyo Headlands Park" for clarity. The Council discussed the recommended revisions to the Municipal Code, including the prohibitions regarding beach glass removal, rappelling, digging and scavenging. Because of major citywide events in early September (such as Paul Bunyan Days and Winesong), it was felt that late September or early October would be the best time to hold a grand opening event for the Coastal Trail.

**The City Council concurred with the recommended action in the Agenda Item Summary, namely:**

1. The current multi-use trail configuration of eight feet of asphalt and four feet of soft walking/running surface will be retained on the south parkland and the trail will not be widened.
2. Three murals will cover the restrooms. The Sherwood Valley Band of Pomo will be invited to do one of the murals; local wildlife will be included on a second mural; and depictions of the lumber mill will be included on a third mural. Staff will bring further artists' renderings back to Council for consideration.
3. Black interior boundary fencing will be installed.
4. Madeline Melo will choose the bench that will be dedicated to her late husband, Jere Melo. The bench will include a plaque, photo of Jere, and Japanese translation of the dedication wording.
5. Staff will present a resolution to City Council amending the language in Municipal Code Section 9.68 concerning park regulations.
6. Staff will recommend to Council a weekend date in late September or early October for the Coastal Trail grand opening event.

**5B. [15-172](#)**

Receive Report Regarding the Need for Additional Safety Measures at Noyo Beach During 4th of July Fireworks Show and Provide Direction to Staff

City Manager Ruffing outlined the need for additional safety measures at Noyo Beach during the Fourth of July, recommending controlled access at Noyo Beach and a ban on alcohol and fireworks. This event has grown over the years, becoming a potentially dangerous situation due to alcohol consumption and the illegal use of fireworks. Fort Bragg Police Department Lt. Gilchrist briefed the Council on the steps that would need to be taken to ensure that alcohol and fireworks are not used on the beach, including checkpoints, foot and bicycle patrols, coordination with other law enforcement agencies, and removal of driftwood from the beaches. The main objective is to

avoid injuries and wildfires.

Discussion:

- Traffic control measures are not feasible due to lack of personnel to control the traffic.
- If alcohol and fireworks are banned, the word needs to immediately be put out to the public.
- It should be emphasized that fireworks are not allowed in Mendocino County at all, so a ban on fireworks at the beach is not just a City regulation.
- The main point should be that the City wants to make this a safe event for everyone.

Public Comment on this item was received from: Rex Gressett, Terry Vaughn, Katie Turner and Christopher Cisper.

Further Discussion: Vice Mayor Peters said an important aspect of his job as Councilmember is to protect public safety of the community, and noted that by voting to manage Fourth of July activities, he is not trying to restrict freedoms but rather suggesting that people follow the laws that are already on the books. He feels that moving forward with this resolution will make it a more family friendly event. Councilmember Cimolino said he could not live with himself if there was an accident and a child was injured based on the Council's inaction.

**Mayor Turner recessed the meeting at 8:15 PM; the meeting was reconvened at 8:25 PM.**

**Staff was directed to bring back a resolution to the June 8, 2015 City Council meeting, documenting the safety concerns and establishing rationale for limited searches at the Noyo Beach access point on Fourth of July. Staff was also asked to publicize the special measures to prevent alcohol and fireworks on the beach as soon as possible after the Resolution is approved.**

**5C. [15-164](#)**

Receive Recommendation from Public Works & Facilities Committee and Consider Adopting Improvement District Resolution Approving a Professional Services Agreement with HDR Inc. for Design Services for Wastewater Treatment Plant Upgrade Project and Authorizing District Manager to Execute Same (Amount Not to Exceed \$699,993; Account No. 716-7001-0310)

Public Works Director Varga recounted the background on the Request for Proposals for the design services of the Wastewater Treatment Facility (WWTF) upgrade. He itemized the portions of the WWTF that need updating, including a better disinfection system. Varga stated that five proposals were received and HDR Inc. was selected from the three strongest, as they had the most realistic bid (just under \$700,000) and were very experienced. The design phase will take approximately ten to 12 months to complete and roughly two years to build, which means the new facility could be in use by 2017/18.

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

- The current rate structure provides funding to help offset long-term financing if the City were to issue bonds for the plant.
- The Councilmembers stated they did not want rates to increase for this study; City Manager Ruffing stated that they would not.
- Operations Manager Smith will be the Project Manager on this job, working together with the engineering firm to be sure that the plans stay on target for what is needed at the WWTF and that the plans will work as drawn.

Public Comment on this item was received from: Rex Gressett, George Rinehardt and Christopher

Cisper.

Further Discussion:

- The Council would like to get regular updates from Varga and the consultants so they can be informed during the various steps of the project.
- The Resolution needs to be amended to attach the scope of services as an exhibit, adding the following language to the last paragraph: "...with the scope of services schedule and cost framework as specified in Exhibit A which is attached and incorporated herein by reference."

Staff is directed to amend this Resolution and put it on the consent calendar for action on June 8, with the entire agreement attached and the language modification as discussed above.

**6B. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (Continued, If Needed)**

**7. CONSENT CALENDAR**

**Approval of the Consent Calendar**

A motion was made by Vice Mayor Peters, seconded by Councilmember Cimolino to approve the Consent Agenda. The motion carried unanimously.

- 7A. [15-159](#) Approve Minutes of May 11, 2015

These Minutes were approved.

- 7B. [15-162](#) Receive and File Minutes from March 26, 2015 Finance and Administration Committee Special Meeting

These Committee Minutes were received and filed.

- 7C. [15-163](#) Receive and File Minutes from April 21, 2015 Finance and Administration Committee Special Meeting

These Committee Minutes were received and filed.

- 7D. [15-171](#) Receive and File Minutes from January 27, 2015 Community Development Committee Meeting

These Committee Minutes were received and filed.

**8. CLOSED SESSION**

Mayor Turner recessed the meeting at 9:10 PM; the meeting was reconvened in Closed Session at 9:20 PM.

- 8A. [15-168](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Pursuant to Government Code Section 54956.8)**

Property: Georgia-Pacific Mill Site, 90 West Redwood Avenue,  
Fort Bragg, CA

City Negotiators: City Manager Linda Ruffing and Community  
Development Director Marie Jones

Negotiating Parties: City of Fort Bragg and Georgia-Pacific, LLC  
Under Negotiation: Real property negotiations, including price  
and term of payment

**8B. [15-169](#)**

**CONFERENCE WITH LABOR NEGOTIATOR:**

Pursuant to Government Code Section 54957.6:

City Negotiator: Linda Ruffing, City Manager

Employee Group: Executive, At Will Classifications- Assistant City  
Manager, City Clerk, Community Development Director, Finance  
Director, Police Chief, Public Works Director

**ADJOURNMENT**

Mayor Turner reconvened the meeting to Open Session at 9:55 PM and reported  
that no reportable action was taken. Mayor Turner adjourned the meeting at 9:56  
PM.

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DAVE TURNER, MAYOR

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June Lemos, Acting City Clerk

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