



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, March 28, 2016

6:00 PM

Town Hall, 363 N. Main Street

MEETING CALLED TO ORDER

Mayor Turner called the meeting to order at 6:01 PM.

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

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [16-097](#)** Presentation of Proclamation Declaring April 2016 as "Child Abuse and Neglect Prevention Month"

Councilmember Cimolino read a Proclamation declaring April 2016 to be Child Abuse and Neglect Prevention Month and presented the Proclamation to Rosalie Gjerde. Laura Welter of Safe Passage read a statement about improving parenting skills.

- 1B. [16-100](#)** Presentation by Leadership Mendocino Executive Director Heidi Cusick Dickerson and 2015 Scholarship Recipients

Heidi Cusick Dickerson gave the Council a presentation on Leadership Mendocino. Scholarship recipient Susie Valle of the West Company spoke about the opportunities she has had because of Leadership Mendocino. Heather Paulson expressed gratitude for her scholarship which has helped with her business management consulting business.

- 1C. [16-090](#)** Receive Presentation Regarding the Northwest California Alternative Fuels Readiness Plan (AFRP) Project

Juliette Bohn presented information regarding the future of alternative fuels in Mendocino County and the Northwest California Alternative Fuels Readiness Plan project funded by the California Energy Commission.

- 1D. [16-109](#)** Proclamation of the Fort Bragg City Council Expressing Continuing Support and Admiration for the Town of Otsuchi, Japan on the Occasion of the Inauguration of a New Community Facility at Namiita Beach

Vice Mayor Peters read a proclamation honoring Otsuchi's reopening of Namiita Beach after it was

heavily damaged by the earthquake disaster. Mayor Turner related how members of the community donated beach glass to send to Fort Bragg's Sister City for the April 17th restoration ceremony.

2. STAFF COMMENTS

Chief Lizarraga congratulated Officer Joe Shaw and his wife on the birth of their daughter. The Chief announced a Neighborhood Watch meeting on April 12 at 6PM at Town Hall. Project Sanctuary will have a viewing of "Hunting Ground," a video on sexual assault on college campuses, on April 2 at 3PM at Cotton Auditorium.

City Manager Ruffing reported that a special joint meeting of the City Council and Mendocino Coast Recreation and Parks District board will be held March 29 at 6PM at Town Hall to discuss the CV Starr Community Center budget. Ruffing reported on the recent City Dialogue forum and an upcoming Finance & Administration Committee agenda.

3. MATTERS FROM COUNCILMEMBERS

Mayor Turner reported on his recent meeting with the Mendocino Solid Waste Management Authority, Tsunami Awareness Week, open house at the Police Department's Emergency Operations Center, the Fire Board meeting, Beer Festival and Whale Run. He commended Sheila Semans, Executive Director of the Noyo Center for Marine Science, for receiving the Matt Coleman Environmental Service Award. The Mayor noted that planning is underway for a Coastal Trail celebration on June 4.

Vice Mayor Peters reported that the Mendocino Transit Authority board of directors hired a new general manager, Carla Meyer. He said Cedar Street speed bump issues will be discussed at the next Public Works and Facilities Committee meeting. Peters said a Cinco de Mayo celebration will be held on Saturday, May 7, at Bainbridge Park.

Councilmember Cimolino reported on the following meetings and events: Mendocino Opioid Safety Coalition, Coalition for Gang Awareness and Prevention, Soroptimist International Dream Girls Summer Leadership Institute, Latino community movie screening, "Don't Tell Anyone."

Councilmember Hammerstrom reported on his attendance at the Mendocino Museum Road Show at Cotton Auditorium last week.

4A. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes)

- Debra DeGraw, Vice Chair of the Fort Bragg Promotion Committee, thanked the Council for approving the downtown Wi-Fi. She said she recently gave downtown businesses instructions on how to update their listings on the promotional website, www.fortbragg.com.
- Judy Valadao suggested a work program for homeless people to get them working and involved in the community.
- Jay McMartin Rosenquist said the word "federal" should be capitalized in the June 7 voter pamphlet on Measure U and the City Council should ask the City Attorney to have the County make this and two other minor changes.
- Douglas Chouteau stated that sweeps of homeless in Redway and Eureka are driving more homeless people to Fort Bragg.
- Eric Dwyer said there are dangerous places for children and dogs on both the north and south areas of the Coastal Trail.

- George Reinhardt made comments on Juliette Bohn's alternative fuels presentation and said he wants Fort Bragg to become a leader in alternative fuels.

5. PUBLIC HEARING

6. CONDUCT OF BUSINESS

- 6A. [16-106](#)** Receive Council Ad Hoc Committee Report on Interviews with Lodging Owners; Receive Committee Recommendations Regarding Potential Ballot Measure to Increase Fort Bragg's Transient Occupancy Tax (Bed Tax) Rate and Modifications to the City's Marketing and Promotions Program; and Provide Direction to Staff

City Manager Ruffing summarized the agenda report and the Ad Hoc Committee's recommendations regarding the Transient Occupancy Tax (TOT) increase and the marketing and promotions efforts for the City of Fort Bragg. Committee Members Peters and Turner reported on their recent visits with members of the local lodging establishments, noting that the response to this increase was very good and the Committee recommends putting a measure to increase TOT on the ballot in November.

Mayor Turner recessed the meeting at 7:40 PM; the meeting was reconvened at 7:50 PM.

Public Comment on this item was received from:

- Ginabelle, a member of the Fort Bragg Promotion Committee (FBPC), asked the Council to consider postponing the decision to bring promotions back in-house at the City, as they would like to continue their efforts without interruption. She noted the website has undergone a remodel and views are up over 200%.
- Nancy Swithenbank, member of the Chamber of Commerce Board of Directors, expressed concern about the fiscal impact to the Chamber if this change in marketing and promotion oversight is made.
- Sheila Semans thanked the Council for including the Noyo Center for Marine Science as one of the recipients of the TOT increase, and noted that the Oceanarium is very strongly related to tourism.
- Johanna Jensen supports a two percent TOT increase, stating that the Noyo Center will be feeding the local economy by bringing people to the area.
- Jay McMartin Rosenquist thought the increase was one percent and wanted to know why two percent is being proposed.
- Mary Nordell, bed and breakfast owner, asked what would happen between July 2016 and June 2017 if the Chamber is no longer administering the FBPC.
- Jeanette Colombi, motel owner, said the fortbragg.com website is clear and easy to navigate. She recommended voting on a special tax instead of a general tax to direct funds toward the uses mentioned.
- Eric Dwyer recommends changes to the division of the revenues, lowering the amount for marketing and increasing the amount for athletic fields. He wants to keep the marketing with the Chamber instead of in house at the City. He would like to see money go to the Mayor's Fund for the emergency weather shelter.
- Katie Turner Carr spoke in favor of the recommendation to put this measure on the ballot, and for the addition of the Noyo Center and athletic fields to the list of those receiving a portion of the revenues from the tax increase.
- Ray Alarcon, board member of the Chamber of Commerce, advocates a special tax, stating that the community will be more strongly supportive of such a measure.

Discussion: The Councilmembers discussed this agenda item in two segments: (1) Whether or not to put the measure on the November ballot, and if so, whether the measure should be a general or specific tax increase and how the revenues should be spent; and (2) Whether or not to bring the promotions committee back in house at the City of Fort Bragg. The following was noted during further discussion of this item:

- It was agreed that a general tax was more likely to be passed than a specific tax.
- All Councilmembers supported putting this measure on the November ballot as a general tax increase along with a companion measure about how to spend the funds.
- The Council would like to receive public input on the specific purposes for which the tax revenues will be spent and the percentage allocated to each item.
- The Council wants marketing and promotions to remain with the FBPC at this time. They recommended this issue be revisited if the ballot measure passes, by holding a conversation with the community, staff, and Council regarding how to manage the marketing and promotion of Fort Bragg.

The City Council directed staff to prepare a general tax increase measure for the November 2016 ballot to raise Transient Occupancy Tax by two percent, with a companion non-binding advisory measure directing how the funds are to be spent, based on input from the public. The Council tabled further discussion on marketing and promotions until after the November election.

Mayor Turner recessed the meeting at 8:56 PM; the meeting was reconvened at 9:02 PM.

6B. [16-111](#)

Receive Report and Provide Direction to Staff Regarding Use of Electric Personal Assistive Mobility Devices on the Fort Bragg Coastal Trail

Public Works Director Varga gave his staff report to the Council, noting that the Coastal Conservancy's legal counsel stated that the Coastal Trail deed restriction prohibiting active recreational activities applies to Electric Personal Assistive Mobility Devices (EPAMDs), including Segways.

Discussion: In response to questions from Vice Mayor Peters about whether the City could be vulnerable to lawsuits if EPAMDs were allowed on the trail, City Manager Ruffing said any breach in the irrevocable offer to dedicate the trail could result in the Coastal Conservancy taking over the park.

Public Comment: Lynne Baumgartner, owner of North Coast Segway, said EPAMDs are green tech, with no noise or emissions. Her business plan proposes to partner with the Noyo Center to give history and environmental education tours, and she would like to operate her Segway tour business on the Coastal Trail. She demonstrated the use of an EPAMD to the Council.

A motion was made by Vice Mayor Peters, seconded by Councilmember Cimolino, to continue the meeting past 10:00 PM. The motion carried unanimously.

Continued Public Comment:

- Lucas Peters said he has ridden Segways on the Coastal Trail and had a 100 percent positive reaction from people on the trail. He spoke on the safety of these devices and urged the Council to allow Segways on the Coastal Trail.
- Eric Dwyer said it was a mistake to issue a business license knowing that EPAMDs are not allowed on the Coastal Trail. He recommended that the code be rewritten to keep up with modern standards.
- Brady Baumgartner said Segways would raise the stoke-meter of Fort Bragg, and the city should get groovy, get rocking, and ride on.

Discussion: Much discussion was held about the use of EPAMDs on the Coastal Trail. The final consensus was that since the Coastal Conservancy has told the City such use would violate deed restrictions, the Council cannot allow it. The Council will refer the issue of Segway tours on the streets and sidewalks of Fort Bragg to the Public Works and Facilities Committee for further review and recommendations.

This matter was referred to the Public Works and Facilities Committee.

4B. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes, If Necessary)

7. CONSENT CALENDAR

Mayor Turner requested that Item 7A be removed from the Consent Calendar.

Approval of the Consent Calendar

A motion was made by Vice Mayor Peters, seconded by Councilmember Deitz, to approve Items 7B through 7E of the Consent Calendar. The motion carried by the following vote:

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

- 7B. [16-103](#)** Adopt Joint City Council/Municipal Improvement District No. 1 Resolution Amending the FY 2015/16 Budget for Mid-Year Budget Adjustments

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 3891-2016 / RESO ID 379-2016

- 7C. [16-096](#)** Accept Certificate of Completion with Granite Construction for the Fort Bragg Coastal Restoration and Trail Project, Project No. 2014-01

This Certificate of Completion was accepted on the Consent Calendar.

- 7D. [16-110](#)** Approve Minutes of Special Meeting of March 10, 2016

These Minutes were approved on the Consent Calendar.

- 7E. [16-105](#)** Approve Minutes of March 14, 2016

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 7A. [16-094](#)** Authorize City Manager to Execute a Grant of License Permitting the Placement of Steps in the Public Right of Way in front of 144 East Laurel Street

Mayor Turner expressed concern about steps jutting out into City sidewalks and that allowing this grant of license to one business owner would set a bad precedent. The Councilmembers were in agreement that the issue should be referred to the Public Works and Facilities Committee to look

at other alternatives.

This Consent Calendar item was referred to the Public Works and Facilities Committee.

8. CLOSED SESSION

ADJOURNMENT

Mayor Turner adjourned the meeting at 10:51 PM.

DAVE TURNER, MAYOR

June Lemos, City Clerk

IMAGED (_____)