



# 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, November 14, 2016

6:00 PM

Town Hall, 363 N. Main Street

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### CALL TO ORDER

Mayor Turner called the meeting to order at 6:00 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

Mayor Turner announced that Agenda Item 7F would be continued to the next City Council meeting.

### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [16-435](#)** Presentation of Proclamation Recognizing Heather Paulsen on Receiving the B Corp "Building the Movement" Award

Mayor Turner presented a Proclamation to Heather Paulsen for receiving the Certified B Corporation "Building the Movement Award" this year.

### 2A. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes)

- Charles Brandenburg asked the Council to discuss what to do regarding the possibility of local undocumented residents being deported or imprisoned.
- Simon Smith thanked Councilmembers Hammerstrom and Deitz for their service on the Council and encouraged the Councilmembers to pursue measures that would protect citizens and visitors in advance of the incoming presidential administration.
- Andy Wellspring urged the City to look into Sanctuary City status and declaring Fort Bragg a hate-free zone.
- Terrence Vaughn said parking lot limitations discourage people from shopping downtown, and he asked that Agenda Item 5D be removed from the Consent Calendar for further discussion.
- Erica Harrold spoke in support of the two-year lease extension for Flockworks, saying it is a fabulous use of space that helps local people learn a new skill or craft.

### 3. STAFF COMMENTS

City Manager Ruffing thanked the management team for keeping the City running smoothly in her

absence. She acknowledged the Veterans on the City staff, invited the public to a City Dialogue meeting on November 17 at 5PM at Town Hall, and noted that City Hall will be closed for Thanksgiving on November 24 and 25. City Clerk Lemos provided an update on the status of the election, noting that the County Elections Office will certify the results on or before December 6. Police Chief Lizarraga said a benefit dinner for the Public Safety Foundation will be held at Veterans Hall November 19 to provide training and equipment for the two Police K-9s.

**3A. [16-447](#)**      The City's New Street Sweeper

Public Works Director Varga gave an update on the City's new street sweeper.

#### **4. MATTERS FROM COUNCILMEMBERS**

Mayor Turner announced that he was forming an ad hoc committee consisting of himself and Vice Mayor Peters to investigate the Sanctuary City matter. Mayor Turner reported that he spoke at Veterans Hall on Veterans Day. He encouraged people to go outside and look at the Super Moon tonight. Vice Mayor Peters stated he is happy to serve on the Sanctuary City ad hoc committee. He reported smart phone apps were recently discussed at a Mendocino Transit Authority meeting, which would provide more efficient service to transit riders. He encouraged locals to attend the Fort Bragg High School football game Friday. Councilmember Cimolino reported on the first Bee City USA meeting, a Coalition for Gang Awareness & Prevention meeting, and upcoming Community Emergency Response Team training. Councilmember Cimolino also reported on new wood pellet and wool mill operations opening soon in Mendocino County. Councilmember Hammerstrom spoke on the Sanctuary City issue.

#### **5. CONSENT CALENDAR**

Mayor Turner requested that Item 5D be removed from the Consent Calendar for further discussion.

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

**A motion was made by Vice Mayor Peters, seconded by Councilmember Hammerstrom, to approve the Consent Calendar with the exception of Item 5D.  
The motion carried by the following vote:**

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

**5A. [16-432](#)**      Adopt by Title Only and Waive Second Reading of Ordinance 926-2016 Amending Chapter 6.14 (Licensing of Tobacco Sellers) and Chapter 6.18 (Smoking Pollution Control and Health Protection Regulations) of the Fort Bragg Municipal Code to Modify Tobacco Retailer Licensing Regulations and Smoking Prohibitions to Include Electronic Smoking Device

Enactment No: ORD 926-2016

**5B. [16-433](#)**      Adopt by Title Only and Waive Second Reading of Ordinance 927-2016 Adding Chapter 9.33 (Cannabis Manufacturing) to Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code

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

Enactment No: ORD 927-2016

- 5C. [16-444](#) Adopt City Council Resolution Downgrading the City of Fort Bragg's Water Emergency from Stage 2 to Stage 1

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

Enactment No: RES 3949-2016

- 5E. [16-460](#) Adopt City Council Resolution Authorizing Expenditure of Asset Forfeiture Funds and Amending the FY 2016-17 Budget (Budget Amendment No. 2017-11) to Purchase Two New 2015 Ford Taurus Vehicles (Amount Not to Exceed \$50,000; Transfer from Asset Forfeiture Account No. 167-7999-0799 to Fleet Account No. 522-4550-0742)

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

Enactment No: RES 3951-2016

- 5F. [16-450](#) Approve City Council Letter in Support of Economic Development & Financing Corporation Application to the Intermediary Relending Program

**This Council Letter was approved on the Consent Calendar.**

- 5G. [16-458](#) Receive and File Minutes of August 23, 2016 Community Development Committee Meeting

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

- 5H. [16-434](#) Approve Minutes of October 24, 2016

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

## **6. PUBLIC HEARING**

- 6A. [16-439](#) Receive Report and Conduct Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 14-CDBG-9731

Special Projects Manager Owen delivered her staff report on the Community Development Block Grant (CDBG) Over-the-Counter (OTC) grant funded loan for Sportz Investment, Inc. and responded to questions from Councilmembers on how loan programs are publicized and announced to the community.

**Mayor Turner opened the public hearing at 6:50 PM.**

The following members of the public took the podium to express thanks to Special Projects Manager Owen for the work she does in bringing CDBG grants to Fort Bragg: Carol White, George Reinhardt, Gabriel Quinn Maroni, Janet Self, Marianne McGee, Hilary White, Linda Jupiter, Meg Courtney, Terry Vaughn, Chriss Zaida and Will Lee.

**Mayor Turner closed the public hearing at 6:58 PM.**

The Mayor noted that Owen may be the most knowledgeable person in the state about the complicated CDBG process and thanked her for her hard work, which was echoed by all the Councilmembers.

## **7. CONDUCT OF BUSINESS**

- 7A. [16-463](#)** Receive Report from Janet Self, Executive Director of Flockworks, and Consider Adoption of Resolution Approving First Amendment to Lease Agreement with Flockworks and Authorizing City Manager to Execute Same

Administrative Services Director Schneider presented a brief staff report on this agenda item. Janet Self, Executive Director of Flockworks, gave a report to the City Council on how Flockworks brought about the transformation of the boys locker room at the gymnasium into an industrial arts work center for print art and letter press work over the last two years. She requested the Council approve a two-year extension of the lease so the organization could move beyond the incubation stage and grow into a valuable community asset. Ms. Self also requested that Flockworks be allowed to use the hallway access to the gymnasium for display space and special projects.

Public Comment: Larry Thomas, Debbie Lennox, Janet Self and Jonathan Plumber spoke in favor of the lease extension.

Discussion: It was generally agreed by the Council to support Flockworks in their endeavors, to approve the lease extension for two more years, and to allow them to utilize the extra space when needed subject to the City's gymnasium reservation policies.

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

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

Enactment No: RES 3952-2016

- 7B. [16-443](#)** Receive Recommendation of Public Works & Facilities Committee and Provide Direction to Staff Regarding Electric Vehicle Charging Stations

Administrative Services Director Schneider summarized the staff report. Public Works Director Varga noted that the parking spaces for the EV charging stations located in the Sears Alley on Attachment 1 would need to be moved behind the bus stop in the Footlighters parking lot due to Sears truck loading and unloading activities. Doug Kern of the Mendocino Land Trust spoke to the Council regarding the safety of the EV charging stations.

Public Comment was received from:

- George Reinhardt spoke in support of the project.
- Simon Smith asked if the ADA space would be an EV charging station.

Discussion: All Councilmembers supported moving forward with the project as recommended by the Public Works and Facilities Committee, except that the location of two EV stations should be moved from Sears Alley to Footlighters parking lot.

**This Staff Report was approved as amended. Staff was directed to proceed with the project.**

- 7C. [16-440](#)** Receive Recommendation from Community Development Committee to Host a Mural Competition in Fort Bragg and Provide Direction to Staff

Community Development Director Jones outlined the staff report on this agenda item.

Public Comment was received from:

- Carol White spoke in favor of the mural competition.

- George Reinhardt spoke in favor of the competition.
- Jonathan Palmer talked about the submission of entries/artwork and how that process would work.

Discussion: The general consensus of the Council was to support a mural competition, with Council to approve of the mural locations. Local business owners at those locations would decide which mural is to decorate their building. As funding is not yet confirmed for the competition, the Council asked staff to come up with a funding plan to seek grants, consider fundraising opportunities, and to use what is left of the Waste Management Community Benefit Fund. No general fund revenues are to be used.

**Council directed staff to proceed with a mural competition as follows:**

- \* Staff to return to City Council with a funding plan prior to launching the mural competition**
- \* The Council does not wish to choose a theme for the competition**
- \* Staff will present several suggested locations and the top 20 mural designs to the Council for review**
- \* Council will decide on three to four mural locations for the first year of this annual competition**
- \* The business owners at those locations will select the design for their buildings out of the top 20**

**7D. [16-441](#)**

Adopt City Council Resolution Awarding the Contract for the Chestnut Street Corridor Project, City Project No. 2015-04 to Akeff Construction Services of Fort Bragg, Authorizing City Manager to Execute Contract (Amount Not to Exceed \$1,379,313.00; Account No. 413-5009-0731 and 413-4950-0731) and Approving Budget Amendment No. 2017-06 for \$563,313 Amending the FY 2016/17 Budget to Appropriate from Special Sales Tax - Street Repair, Fund 250 to Account No. 413-4950-0731

Public Works Director Varga presented the staff report on this item. (Note: There was a typographical error at the bottom of page 2, which should have read, "It is recommended to not include...") Varga noted that there were two resolutions recommended for adoption: One to approve the contract with Akeff Construction and one to amend the budget to utilize street sales tax funds to allow for the project's completion.

Public Comment: Terry Vaughn spoke in opposition to the project.

Discussion: Some Councilmembers were concerned with the budget shortfall on this project and requested that staff inform Council of any anticipated budgeting issues for projects in the future.

**A motion was made by Councilmember Hammerstrom, seconded by Councilmember Deitz, that the Resolution awarding the project to Akeff Construction be adopted. The motion carried by the following vote:**

**Aye:** 4 - Vice Mayor Peters, Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner

**No:** 1 - Councilmember Cimolino

Enactment No: RES 3953-2016 / RES 3954-2016

**A motion was made by Councilmember Deitz, seconded by Mayor Turner, that the Resolution approving Budget Amendment No. 2017-06 be adopted. The motion carried by the following vote:**

**Aye:** 3 - Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner

**No:** 2 - Vice Mayor Peters and Councilmember Cimolino

Enactment No: RES 3953-2016 / RES 3954-2016

- 7E. [16-461](#)** Receive Report and Adopt Resolution Authorizing Execution of a Grant Agreement, Committing Match Funding of \$27,368, and Amending the FY 2016-17 Budget (Budget Amendment No. 2017-12) for Purchase of Up To Twenty Body-Worn Cameras and Associated Equipment for the Body-Worn Camera Policy and Implementation Program (Amount Not to Exceed \$25,219.00; Account No.110-4200-0381)

Police Chief Lizarraga summarized this agenda item and answered questions from Council regarding the body worn camera program.

Public Comment: Terry Vaughn spoke in favor of the program.

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

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

Enactment No: RES 3955-2016

- 7F. [16-457](#)** Receive Report and Provide Direction to Staff Regarding Proposed Amendments to Article 3 and Article 4 of the Fort Bragg Municipal Code Title 18, the Inland Land Use and Development Code (ILUDC)

**This Staff Report was continued to November 28, 2016.**

## **ITEMS REMOVED FROM CONSENT CALENDAR**

- 5D. [16-445](#)** Adopt City Council Resolution Approving Sublease of a Portion of the Skunk Depot Parking Lot to North Coast Brewing Company and Authorizing City Manager to Execute Same

Administrative Services Director Schneider gave the background on this parking lot sublease with the North Coast Brewing Company.

Public Comment was received from:

- Terry Vaughn asked the Council to hold off on this item until the timed parking issues could be discussed.
- Simon Smith spoke in favor of executing the lease agreement.
- Marianne McGee remarked that all downtown parking should be looked at.
- Will Lee made comments about In Lieu parking fees.

Discussion: There was general agreement that the Council was in favor of the sublease.

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

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

Enactment No: RES 3950-2016

## **2B. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes, If Necessary)**

**8. CLOSED SESSION**

**ADJOURNMENT**

Mayor Turner adjourned the meeting at 9:41 PM.

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DAVE TURNER, MAYOR

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June Lemos, City Clerk

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