



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*

Monday, July 24, 2017

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

Mayor Peters called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Mayor Lindy Peters, Vice Mayor Will Lee, Councilmember Michael Cimolino, Councilmember Bernie Norvell and Councilmember Dave Turner

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [17-391](#)** Presentation of Proclamation Recognizing August 1, 2017 as "National Night Out"

Mayor Peters presented a proclamation to Chief Lizarraga recognizing August 1, 2017 as National Night Out. The Chief urged members of the public to join the Police Department at Bainbridge Park, where there will be activities for children and a barbecue. City Manager Ruffing read remarks in support of National Night Out submitted by Kathy Silva.

- 1B. [17-379](#)** Proclamation in Special Recognition of Participants in the Mendocino Coast Children's Fund's 2017 Bridge Internship Program

Mayor Peters read a proclamation acknowledging the four students who participated in the Bridge Internship Program sponsored by the Mendocino Coast Children's Fund this summer. The students - Jaileen Gomez, Ruddy Gordon, Russel Gordon and Julin Gonzalez - helped out at the Police Department, City Clerk's Office, Finance, Public Works, HR and Community Development Department.

- 1C. [17-378](#)** Receive Presentation by Redwood Forest Foundation Inc. (RFFI) President & CEO Mark Welther Regarding Carbon Sequestration

Mark Welther, President and CEO of Redwood Forest Foundation, gave a presentation to the Council on carbon sequestration, summarizing the history of AB 32, cap and trade, and levels of emissions reduction.

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

- Carol White read a letter regarding homelessness in relation to the July 26th Planning Commission meeting on the Hospitality House.
- George Reinhardt spoke about carbon sequestration and wants the Council to focus on the issue of how the community can help with fighting climate change.
- John Gallo commented on the Mill Pond and Dry Shed 4 on the Georgia Pacific mill site.
- John Fletcher talked about the Hospitality House.

3. STAFF COMMENTS

City Manager Ruffing announced the upcoming Department of Toxic Substances Control (DTSC) open house, Finance and Administration Committee special meeting, and Planning Commission meeting regarding modifications of a use permit for the Hospitality House. She noted that Special Projects Manager Owen received word of a \$500,000 grant awarded this week to the City from the Home Investment Partnership Program for Home Owner Occupied Rehabilitation projects. Ruffing recommended that people attend the Noyo Center's orca workshop in the old rec center gym to see science in action. Public Works Director Varga reported on a recent water main break and gave an update on the Streets & Alleys project.

4. MATTERS FROM COUNCILMEMBERS

Mayor Peters noted that the League of Women Voters is holding a forum on sea level rise on October 24, and requested that Community Development Director Jones sit on the forum panel. He also commented on the need to more closely monitor the removal of garbage from the trash receptacles on the Coastal Trail. Vice Mayor Lee reported on the meeting of the Technology ad hoc committee. He asked that a report on vacant homes and businesses be presented to the Community Development Committee. He thanked the Public Works Department for so quickly repairing the water main break. Vice Mayor Lee disclosed that the extra program income of \$17K noted on Item 7C was from funds he paid back to the City. Councilmember Norvell recommended signs for the Coastal Trail that say "Pack it in, pack it out" to help with the garbage problems. Councilmember Turner talked about the orca workshop. He also asked the public to let DTSC know how important it is to have a safe and proper cleanup of the Mill Pond.

5. CONSENT CALENDAR

Mayor Peters read a Summary of Recommendation for Final Action on Agency Executives' Salaries/Compensation per Government Code Section 54953(c)(3). Councilmember Norvell asked that item 5C be removed from the Consent Calendar.

Approval of the Consent Calendar

A motion was made to approve the Consent Calendar with the exception of Item 5C. The motion carried by the following vote:

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

5A. [17-374](#)

Adopt by Title Only and Waive Second Reading of Ordinance No. 931-2017 Amending Chapter 12.14 (Drainage Facility Improvements and Drainage Fees) of Title 12 (Public Improvements) of the Fort Bragg Municipal Code to Modify Methodology for Calculating Drainage Fees

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 931-2017

- 5B. [17-373](#)** Adopt by Title Only and Waive Second Reading of Ordinance No. 932-2017 Amending Chapter 9.68 (Preservation of Parks) of Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code to Allow Consumption of Allow Consumption of Alcoholic Beverages in City Parks with a Limited Term Permit

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 932-2017

- 5D. [17-381](#)** Adopt City Council Resolution Establishing a Compensation Plan and Terms and Conditions of Employment for Exempt At-Will Executive Classifications and Amending the FY 2017/18 Budget to Appropriate \$3557.04 for Additional Personnel Costs in the General Fund (Budget Amendment #2018-01)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4022-2017

- 5E. [17-382](#)** Adopt City Council Resolution Establishing a Compensation Plan and Terms and Conditions of Employment for Exempt Mid-Management Classifications and Amending the FY 2017/18 Budget to Appropriate \$5,046.86 for Additional Personnel Costs in the General Fund (Budget Amendment #2018-01)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4023-2017

- 5F. [17-383](#)** Adopt City Council Resolution Amending the Compensation Plan for Non-Bargaining and Confidential, Non-Exempt Employees and Amending The FY 2017/18 Budget to Appropriate \$539.59 for Additional Personnel Costs in the General Fund and \$355.45 for Additional Personnel Costs in the IT Internal Service Fund (Budget Amendment #2018-01)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4024-2017

- 5G. [17-384](#)** Adopt City Council Resolution Approving Professional Services Agreement with SHN Consulting Engineers & Geologists, Inc. to Provide Design Services for the 1.5 Million Gallon Water Tank Project, City Project No. 2017-08, and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$43,500.00; Account No. 615-6003-0731)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4025-2017

- 5H. [17-385](#)** Readopt Master Traffic Resolution

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 1271-2017B

- 5I. [17-371](#) Accept Certificate of Completion for Chestnut Street Corridor Project, City Project No. 2015-04 and Direct City Clerk to File Notice of Completion

This Certificate of Completion was accepted on the Consent Calendar.

- 5J. [17-390](#) Approve Scope of Work for Microenterprise Assistance Program Operator Services Funded by Community Development Block Grant (CDBG) #16-CDBG-11140

This Scope of Work was approved on the Consent Calendar.

- 5K. [17-370](#) Receive and File Minutes of the May 3, 2017 Finance and Administration Committee Meeting

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

- 5L. [17-372](#) Receive and File Minutes of the May 30, 2017 Community Development Committee Meeting

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

- 5M. [17-395](#) Approve Minutes of Special Closed Session of July 10, 2017

These Minutes were approved on the Consent Calendar.

- 5N. [17-377](#) Approve Minutes of July 10, 2017

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5C. [17-380](#) Adopt City Council Resolution Amending the Compensation and Benefits Plan for the City Manager and Amending the FY 2017/18 Budget to Appropriate \$2979.05 for Additional Personnel Costs in the General Fund (Budget Amendment #2018-01)

This item was tabled, to be discussed at a special Closed Session on Wednesday, July 26, 2017 at 8:00 AM.

6. PUBLIC HEARING

7. CONDUCT OF BUSINESS

- 7A. [17-393](#) Receive Report and Consider Adoption of City Council Resolution Opposing Review of Designations of Greater Farallones and Cordell Bank National Marine Sanctuaries

Rachel Binah gave a presentation on the protection of marine sanctuaries and urged the Council to pass the resolution in response to President Trump's order to review the expansion of drilling and mining in marine sanctuaries, noting that the deadline to make comments is July 26. Ms. Binah related that many California cities and counties are signing similar resolutions. She showed a video on the subject and asked the public to leave comments on the saveourmarinesanctuaries.org and regulations.gov websites. Fort Bragg resident David Jensen said the proposed action of opening the coastline for oil exploration runs counter to ocean sanctuaries, is not sustainable, and does not provide secure habitat for species, causing a drastic effect on seabirds, salmon and abalone. Noyo Center for Marine Science Executive Director Sheila Semans reminded the Council that there are only five upwelling cells in the world, one of which is off our coast, and this fact alone should be enough to keep the sanctuaries.

Public comment was received from:

- Susan Nutter urged the Council to adopt the resolution, as marine sanctuaries are precious.
- Ron Nally, marine biologist, reported that elephant seals, blue whales and humpback whales are returning to the coast and he would like to see these animals come back and the fisheries continue.
- Carrie Durkee asked the Council to pass the resolution.
- Meg Courtney thanked Rachel Binah who has been working toward preserving the marine sanctuaries for 33 years and said it is essential that the Council vote to adopt the resolution.
- Ann Rennacker asked the Council to help protect the beautiful coast.
- Doug Hammerstrom emphasized the importance of the ocean to the economy of this region and said it is important to protect the ocean.
- Carol White commended City Manager Ruffing and her team for all the work she has done over the years for the community, and she urged the Council to support the resolution to protect the coastline.
- Gabriel Quinn Maroney said there needs to be a real solution that will protect the coast for 100 years and the City needs to be far more aggressive about it.

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

- The fishing community is concerned about oil leaks that could wipe out the fisheries.
- Everything from fishing, beaches, ocean sports, and tourism would be touched by a decision to expand drilling.

The general consensus of the Council was to support a resolution opposing any exploration off the California coast, and particularly the Greater Farallones and Cordell Bank National Marine Sanctuaries.

Mayor Peters recessed the meeting at 8:07 PM; the meeting reconvened at 8:16 PM.

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

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

Enactment No: RES 4026-2017

7B. [17-394](#) Receive Report and Consider Adoption of City Council Resolution Approving Contribution to Measure AA Funds for Paul Bunyan Days Insurance Coverage (Amount Not to Exceed \$3,500; Account No. 110-4321-0319)

Special Projects Manager Owen gave the staff report for this agenda item and explained that specialty insurance coverage will no longer be offered for logging shows by the insurance company

that insures Paul Bunyan Days events. She noted that staff recommends the Council approve a contribution from Measure AA Funds to assist Paul Bunyan Days Association to obtain insurance coverage.

Public Comment on this item was received from Joe Ornelas, Dolly Giusti and John Skinner.

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

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

Enactment No: RES 4027-2017

- 7C. [17-376](#)** Receive Report and Consider Adoption of City Council Resolution Accepting the Bid of Fort Bragg Electric, Inc., Awarding the Contract for the Bainbridge Park Improvement Project, City Project No. 2017-10 to Fort Bragg Electric, Inc. and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$89,611.00; Account No. 419-6031-0731), and Provide Direction to Staff Regarding Use of CDBG Supplemental Activity Funds for Bainbridge Park Improvements

Associate Planner Perkins summarized the staff report and itemized the available options for implementation of the first phase of the Bainbridge Park Improvement Plan. Staff answered questions regarding timeframe for rebidding, possibility of receiving an extension of time from CDBG, the consequences of rebidding, whether or not the City can perform some parts of the job, and the disparity in the engineer's estimate as contrasted with the bid of Fort Bragg Electric.

Public Comment: None.

Discussion: The Council expressed concern that the engineer's estimates are too low and the bid is too high. It was discussed that CDBG may require the City to do a justification for each line item because there are large discrepancies on several items. The Councilmembers agreed that the bid should be rejected and the project sent out for a new bid.

A motion was made by Vice Mayor Lee, seconded by Councilmember Turner, that the bid of Fort Bragg Electric be rejected and the project be rebid. The motion carried by the following vote:

Aye: 5 - Mayor Peters, Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

- 7D. [17-397](#)** Receive Report and Consider Approving Scope of Work for City Attorney Services

City Manager Ruffing presented the staff report on this agenda item. Mayor Peters appointed an ad hoc committee consisting of Mayor Peters and Councilmember Cimolino to review the proposals received in response to the Request for Proposals (RFP).

Public Comment:

- Carol White encouraged the Council to send the RFP out far and wide, stating that local attorneys have conflicts of interest and out of town attorneys can better serve the City.

Discussion: Items of interest during discussion included:

- City Manager Ruffing was asked to draw up a matrix of minimum qualifications.
- The ad hoc committee should consider requiring a yearly minimum attendance at Council meetings by the City Attorney.
- The ad hoc committee will compile a list of questions to ask candidates.
- The ad hoc committee will review all responses and select finalists to interview with the City

Council.

- The City Manager will do reference checks before the interviews by the Council.

This Scope of Work was referred to staff for publication of a Request for Proposals.

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

8. CLOSED SESSION

ADJOURNMENT

Mayor Peters adjourned the meeting at 9:30 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)