



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, January 22, 2018

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

2A. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS (30 Minutes)

(1) Non-Agenda Items:

- Ann Rennacker commented on Items 5B, 5C and 5G, stating she wanted further explanation.

(2) Consent Calendar Items: None.

(3) Closed Session Items: None.

3. STAFF COMMENTS

Chief Lizarraga provided an update on the two fires that occurred in town on Saturday on Stewart Street and Pine Street. Community Development Director Jones noted that staff is working with the owner of the Pine Street property to get everything demolished and stormwater protections put in place following the fire.

4. MATTERS FROM COUNCILMEMBERS

Mayor Peters announced that Sonoma Clean Power provides free chargers for electric vehicles. He commented on the well-attended Women's March on Saturday and said that the Council held a series of interviews with candidates for City Manager today. Vice Mayor Lee commended the volunteer firemen for their actions to combat the two fires on the weekend. Councilmember Norvell reported on the progress being made by the ad hoc committee for the Hospitality House.

5. CONSENT CALENDAR

Mayor Peters removed items 5A and 5H from the Consent Calendar for further discussion.

Approval of the Consent Calendar

A motion was made by Councilmember Norvell, seconded by Vice Mayor Lee, to approve the Consent Calendar with the exception of Items 5A and 5H. The motion carried by the following vote:

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

- 5B. [17-656](#)** Adopt City Council Resolution Establishing a City of Fort Bragg Master Salary Rate Compensation Plan Confirming the Pay Rates/Ranges for All City of Fort Bragg Established Classifications
This Resolution was adopted on the Consent Calendar.
Enactment No: RES 4063-2018
- 5C. [18-012](#)** Adopt City Council Resolution Accepting the 2018 Fort Bragg Police Department Salary Survey Results as Required by Ordinance 672
This Resolution was adopted on the Consent Calendar.
Enactment No: RES 4064-2018
- 5D. [18-016](#)** Adopt by Title Only and Waive Second Reading of Ordinance No. 935-2018 Amending Section 14.04.030 [Water Billing - Failure to Pay - Action] of Chapter 14.04 [Water Department and Regulations] of Title 14 [Water and Sewers] of the Fort Bragg Municipal Code
This Ordinance was adopted on the Consent Calendar.
Enactment No: ORD 935-2018
- 5E. [18-017](#)** Adopt by Title Only and Waive Second Reading of Ordinance No. 936-2018 Amending Section Chapter 10.20 [Stopping, Standing, and Parking] of Title 10 [Vehicles and Traffic] of the Fort Bragg Municipal Code to Add Section 10.20.215 [Electric Vehicle Charging Station Parking]
This Ordinance was adopted on the Consent Calendar.
Enactment No: ORD 936-2018
- 5F. [18-011](#)** Accept Certificate of Completion for 2017 Streets & Alleys Rehabilitation Project, Project No. 2017-06, and Direct City Clerk to File Notice of Completion
This Certificate of Completion was accepted on the Consent Calendar.
- 5G. [18-009](#)** Reject Claim of Rex Gressett
The rejection of this Claim was approved on the Consent Calendar.
- 5I. [18-027](#)** Receive and File Minutes of the December 6, 2017 Finance and

Administration Committee Meeting

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

- 5J. [18-018](#) Receive and File Minutes from the January 12, 2017 Special Meeting of the Oversight Board to the Fort Bragg Redevelopment Successor Agency

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

- 5K. [18-013](#) Approve Minutes of January 8, 2018

These Minutes were approved on the Consent Calendar.

- 5L. [18-021](#) Approve Minutes of Special Closed Session of January 11, 2018

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5A. [18-010](#) Adopt City Council Resolution to Join the California Enterprise Development Authority (CEDA) as an Associate Member and to Authorize CEDA, through Figtree Financing, to Offer their Property Assessed Clean Energy (PACE) Program and Levy Assessments within the City of Fort Bragg

Public Comment on this item was received from:

- Jacob Patterson expressed concern about the PACE program and asked the Council to reconsider before adopting the resolution.
- Charles Ward, program administrator for PACE, noted that three PACE programs have been in place in Fort Bragg for many years.

Discussion: The City Council remanded this item to the Community Development Committee, to be placed on their next regular meeting agenda.

This Resolution was referred to the Community Development Committee.

- 5H. [18-028](#) Receive and File Minutes of the November 28, 2017 Community Development Committee Meeting

Public Comment was received from:

- Robert Pinoli commented on the video of the last meeting of the Community Development Committee (at time stamp 9:40), taking issue with the statement that an asset like the Skunk Train is being depleted when that is not the case.

Discussion: It was generally agreed amongst the Councilmembers that the Skunk Train is an important piece of local history and the Council supports it.

These Committee Minutes were received and filed.

6. PUBLIC HEARING**7. CONDUCT OF BUSINESS**

- 7A. [18-019](#) Receive Report and Interview Applicants for Interim City Appointee to the

Noyo Harbor Commission

City Clerk Lemos gave the staff report on this agenda item. The City Council posed questions to applicants Stacey Bradley, Jay Coakley, Abbie Colbert and Travis Swithenbank regarding their interest in serving on the Noyo Harbor Commission, their involvement in community activities, experience, background and issues they believe the Commission should focus upon.

Public Comment was received from:

- Dave Larkin spoke in support of Stacey Bradley and urged the Council to appoint her to the interim position on the Noyo Harbor Commission.
- Rex Gressett recommended delaying the appointment of harbor commissioner until the offshore desertification and die-off of eel grass is addressed by an environmentalist.

Discussion: The City Council considered all the applicants' responses and deliberated over naming an interim appointee to the Noyo Harbor Commission.

A motion was made by Councilmember Turner that Abbie Colbert be appointed Interim Commissioner of the Noyo Harbor Commission. The motion failed for lack of second.

A motion was made by Councilmember Norvell, seconded by Vice Mayor Lee, that Stacey Bradley be appointed Interim Commissioner of the Noyo Harbor Commission, with her term to commence upon being sworn into office, and terminating on October 31, 2018. The motion carried by the following vote:

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

7B. [18-014](#) Receive Presentation of Quarterly Report From Visit Fort Bragg

Special Projects Manager Perkins presented the staff report for this item and introduced Aspen Logan, representing Visit Fort Bragg (VFB). Ms. Logan gave a brief update on the VFB Committee's activities and introduced Sharon Davis of the Chamber of Commerce who is responsible for the social media portion of the VFB action plan. She reported to the Council on the effects of VFB's social media campaign and promotion marketing for Facebook, Instagram and Twitter. Justin Nadeau of HubNami who manages the VFB ad campaigns summarized their strategy and results, showing expanded reach and exposure over the last 18 months.

Public Comment was received from:

- Thais Mazur cautioned that the City should not become dependent on bringing people in from the outside and recommended localizing the economy.

7C. [18-024](#) Receive Biannual Report from Noyo Center for Marine Science

Noyo Center for Marine Science Director Sheila Semans gave a slideshow presentation to the Council on the activities of the Noyo Center and its current financial situation.

Public Comment on this agenda item was received from: Sue Colter, Leslie Kashiwata, Sheila Tracey, Ron LeValley, Tanaya Russell, Larry Knowles and Thais Mazur.

Mayor Peters recessed the meeting at 7:58 PM; the meeting reconvened at 8:09 PM.

7D. [18-026](#) Receive Report and Recommendation from Finance & Administration Committee and Provide Direction to Staff Regarding Transfer of 11.6-Acre Noyo Center Parcel to Noyo Center for Marine Science Non-Profit Organization

City Manager Ruffing summarized the staff report for this item. Discussion was held by the

Councilmembers regarding the reversionary clause in the transfer documents and reconfiguration of a triangle-shaped portion of the parcel near the runway.

Public Comment on this item was received from:

- Peter O'Donohue, Dermot O'Kelly, Jim Gagnon, Kathy Jackson, Dan Keyes, Ann Rennacker and Carole White spoke in support of the property transfer.
- Ginny Feth-Michel and Doug Hammerstrom spoke in support of the transfer and urged the Council to be generous in setting a deadline for the reversionary clause.
- Eric Dwyer stated he is not in favor of more taxes to support the Noyo Center, but he supports their program.
- David Alden, Charlene McAllister, Hilary White and Ron LeValley submitted written comments in support of the Noyo Center and the property transfer.

Discussion: The Council unanimously agreed to accept the Finance and Administration Committee's recommendation regarding the property transfer, with a boundary line adjustment to include the triangle of property discussed at the meeting. They agreed to make the timetable for completion of construction on the generous side and to discuss the Center's progress toward the goal of building the science center during their annual report before the Council, with a more formal review and discussion at the ten-year mark. City Attorney Hildebrand suggested setting up a Deed of Trust instead of using a reversionary clause in the deed. The City Attorney was directed to work with Noyo Center and City staff to draft the appropriate documents and present them to Council for approval.

A motion was made by Councilmember Turner, seconded by Councilmember Norvell, to proceed with the boundary line adjustment and transfer of the 11.6-Acre Noyo Center Parcel to Noyo Center for Marine Science Non-Profit Organization. The motion carried by the following vote:

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

7E. [18-005](#) Receive Report, Consider Planning Commission Recommendation to City Council Regarding Mill Site Land Use Plan and Sustainability Policies and Provide Direction to Staff

Community Development Director Jones presented the staff report on this item, reserving the portion regarding sustainability for a future City Council meeting due to the lateness of the hour.

Public Comment was received from:

- Teri Jo Barber spoke regarding daylighting Alder and Maple Creeks and protecting the forest as a wilderness area.
- Leslie Kashiwata said zoning needs to explicitly protect the trees.
- Ann Rennacker commented on daylighting the creeks, protecting the trees, and remediating the mill pond.
- Sheila Tracey suggested planting seeds to grow a forest.
- Rex Gressett stated the Council should ban any building on the site until dioxins are cleaned up.
- Gabriel Quinn Maroney spoke about incentivizing beauty and green building.
- Eric Dwyer said extending the Central Business District onto the Mill Site makes sense and spoke about upgrading historic downtown.

Discussion: Council directed that General Principal #5, extending the downtown commercial district onto the Mill Site, be the focus of future discussion and a separate workshop, with all downtown business merchants invited to participate. Council directed that the Visitor Serving Commercial zone above Walnut Street be converted to Open Space. They agreed to all the changes recommended by the Planning Commission, including the Vision Statement and the changes to Guiding Principal #6.

This Staff Report was referred to staff.

2B. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS (30 Minutes, If Necessary)

8. CLOSED SESSION

Mayor Peters recessed the meeting at 9:51 PM. The meeting was reconvened to Closed Session at 9:58 PM.

8A. [18-020](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION;
Anticipated Litigation Under Government Code Section 54956.9(d)(4);
Number of Potential Cases: Two (2)

By unanimous vote of the Council, the meeting was continued past 10:00 PM. Mayor Peters reconvened the meeting to Open Session at 10:07 PM and reported that by unanimous vote, the City Council authorized the City Attorney to proceed with litigation to enforce violations of the City Municipal Code at one location. As ongoing negotiations to abate the violations are currently proceeding, the City will not disclose the location at this time.

ADJOURNMENT

Mayor Peters adjourned the meeting at 10:07 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)