



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, May 14, 2018

6:00 PM

Town Hall, 363 N. Main Street

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 4 - Vice Mayor Will Lee, Councilmember Michael Cimolino, Councilmember Bernie Norvell and Councilmember Dave Turner
Absent: 1 - Mayor Lindy Peters

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [18-179](#)** Presentation of Proclamation Recognizing May 20-26, 2018 as National Public Works Week

Vice Mayor Lee presented a Proclamation recognizing May 20-26, 2018 as National Public Works Week to Public Works Director Tom Varga. Director Varga spoke of all the jobs and projects Public Works crews do in City buildings and out in the field.

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

(1) Non-Agenda Items:

- Cal Winslow spoke about segregation in housing, education and government in Fort Bragg and supported dividing Fort Bragg into voting districts.
- Rex Gressett is opposed to districting and has not experienced racism in Fort Bragg.
- Sheba Brown introduced herself as the new field representative for Congressman Huffman.

(2) Consent Calendar Items: None.

(3) Closed Session Items: None.

3. STAFF COMMENTS

City Manager Miller announced upcoming budget workshops for the CV Starr Center and City of Fort Bragg and a Department of Toxic Substances Control workshop on mill site cleanup. City Hall will be closed on Monday, May 28 in observance of Memorial Day so the regular City Council meeting will occur Tuesday, May 29. Miller noted that the County Elections Office is in need of election officials for the June 5th primary election; interested parties should contact Gina Bartolomie at the

County of Mendocino. Chief Lizarraga spoke about an upcoming Neighborhood Watch meeting and reported that body worn cameras have now been deployed for Fort Bragg police officers. Public Works Director Varga gave an update on the water tank project.

4. MATTERS FROM COUNCILMEMBERS

Vice Mayor Lee reported that Mayor Peters is absent due to recent knee replacement surgery. He said the California Voting Rights Act (CVRA) ad hoc committee will meet with Jacob Patterson tomorrow and report back to the Council. Councilmember Cimolino reported that he will not be running for reelection. Councilmember Turner thanked Sheba Brown for staffing Congressman Huffman's office in Fort Bragg. He noted that he has just recently returned from a trip to Jerusalem.

5. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Councilmember Turner, seconded by Councilmember Norvell, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 4 - Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

Absent: 1 - Mayor Peters

5A. [18-172](#) Adopt by Title Only and Waive Second Reading of Ordinance No. 937-2018 Repealing and Replacing Section 17.94.030C of Chapter 17.94 [Local Coastal Program Amendments] of Title 17, the Coastal Land Use and Development Code to Revise Noticing Requirements for Zoning Changes to Properties Located in the Timber Resources Industrial Zoning District

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 937-2018

5B. [18-166](#) Adopt by Title Only and Waive Second Reading of Ordinance No. 938-2018 Authorizing the Amendment of the Contract Between the City of Fort Bragg and the Board of Administration of the California Public Employees' Retirement System

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 938-2018

5C. [18-176](#) Receive and File Minutes of the January 17, 2018 Public Safety Committee

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

5D. [18-175](#) Receive and File Minutes of the February 7, 2018 Finance and Administration Committee

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

- 5E. [18-164](#) Approve Minutes of Special Closed Session of April 23, 2018
These Minutes were approved on the Consent Calendar.

- 5F. [18-173](#) Approve Minutes of April 23, 2018
These Minutes were approved on the Consent Calendar.

- 5G. [18-178](#) Approve Minutes of Special Meeting of May 2, 2018
These Minutes were approved on the Consent Calendar.

6. PUBLIC HEARING

7. CONDUCT OF BUSINESS

- 7A. [18-157](#) Receive Report from Mendocino Coast District Hospital Representatives and Consider Adoption of City Council Resolution Endorsing Measure C - Mendocino Coast District Hospital Funding Measure

Councilmember Norvell recused himself from hearing this agenda item, citing a conflict of interest, and left the chamber at 6:20 PM.

Jim Hurst and John Allison presented the Mendocino Coast District Hospital (MCDH) report in support of Measure C. They cited statistics on how the hospital has served the community, outlined the programs provided, and the importance of the hospital to the local economy. They concluded by urging the Council to adopt the resolution in support of Measure C.

Public Comment:

- The following persons spoke in support of Measure C: Myra Beals, Dr. Jason Kirkman, Dr. Jennifer Kreeger, Rella Gadolka, Sheriff Tom Allman, Rex Gressett, Jay Tippet, Ann Rennacker.
- Eric Dwyer said Vice Mayor Lee should recuse himself because he works at the hospital.

Discussion:

Vice Mayor Lee noted that with the Mayor absent and Councilmember Norvell recusing himself, he felt he must vote on this issue because of its importance to the community. He read the Government Code, Title 9, Chapter 2, stating that after conferring with legal counsel, he concludes that his voting on this item is not a conflict of interest. All Councilmembers spoke of how much the hospital has meant to them and their family members personally and to the community at large. The general consensus was to adopt a resolution in support of Measure C, the funding measure to maintain services at MCDH.

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

Aye: 3 - Vice Mayor Lee, Councilmember Cimolino and Councilmember Turner

Absent: 1 - Mayor Peters

Recuse: 1 - Councilmember Norvell

Enactment No: RES 4091-2018

- 7B. [18-163](#) Receive Report and Consider Adoption of Joint City Council/Municipal

Improvement District Resolution Accepting the Bid of Wahlund Construction, Inc., Awarding the Contract for the Wastewater Treatment Plant Upgrade Project, City Project No. 2018-1 to Wahlund Construction, Inc., and Authorizing City/District Manager to Execute Contract (Amount Not to Exceed \$15,352,500; Account No. 716-7001-0731)

Councilmember Norvell returned to the chamber at 7:06 PM.

Assistant Director of Public Works Smith gave the staff report for this agenda item and answered questions on the project.

Public Comment:

- Jacob Patterson asked for clarification about unit price items in the contract.
- Eric Dwyer thanked the Council for getting this project going and for using a local subcontractor.

Discussion: Councilmember Turner said he was pleased to see so much of the cost of this major project being funded by grants and thanked Project Analyst Prairie for her role in procuring the grant funding. The following items were noted during discussion of this item:

- This is a modular project and can be added to and enhanced in the future;
- The contract is a lump sum bid so there are no unit prices for anything;
- The contract form is from the Engineers Joint Contract Committee and risk management personnel at the USDA, who requires that the City use this form in order to use their money.
- City Attorney Hildebrand noted that he has reviewed the contract and it is a good contract.
- Mr. Wahlund of Wahlund Construction said wastewater treatment plants are the only projects they do and they would like to take advantage of the season and start immediately.

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

Aye: 4 - Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

Absent: 1 - Mayor Peters

Enactment No: RES 4092-2018 / RES ID 404-2018

7C. [18-133](#)

Receive Report and Community Development Committee Recommendations on the Marketing and Promotions Action Plan Management Structure and Consider Adoption of City Council Resolution on the Formation of the Visit Fort Bragg Committee

City Manager Miller explained that the structure of the Visit Fort Bragg (VFB) Committee needed to change so they provide a higher level of direction on decisions rather than participating in hands-on matters. The responsibility at the City for oversight of the VFB Committee has changed from Special Projects Manager Perkins to Administrative Services Director Schneider, who presented the staff report on this item. He also asked the Council to direct staff on whether or not scopes of work needed to be brought forward to Council or not.

Public Comment was received from:

- Ann Rennacker said the VFB promotions should focus on the reasons why visitors come here -- for the city's old time charm, whale watching, and parks.
- John Creege said it looked like an effort to give staff more control over the VFB Committee and recommended striking one recital in the resolution.
- Jacob Patterson wanted some paragraphs struck for inaccuracy.
- Eric Dwyer said quarterly meetings of the VFB Committee are fine but he would like them open to

the public.

- Deborah DeGraw said the VFB Committee members are being kicked off and will have to apply; the meetings should be held monthly; and the Committee should not be overseen by one person on City staff.

Discussion: It was generally agreed to strike the word "exclusively" from the second recital paragraph of the resolution. The Council was in support of the change, but indicated that the meetings of the VFB Committee may need to be more frequent than quarterly, at least in the beginning.

A motion was made by Councilmember Turner, seconded by Councilmember Cimolino, that this Resolution be adopted as amended, by striking the word "exclusively" from the second recital paragraph. The motion carried by the following vote:

Aye: 4 - Vice Mayor Lee, Councilmember Cimolino, Councilmember Norvell and Councilmember Turner

Absent: 1 - Mayor Peters

Enactment No: RES 4093-2018

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

8. CLOSED SESSION

Vice Mayor Lee recessed the meeting at 8:02 PM. The meeting reconvened to Closed Session at 8:10 PM.

8A. [18-177](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:
Significant exposure to litigation pursuant to Paragraph (2)
of Subdivision (d) of Section 54956.9: One (1) Potential Case

Vice Mayor Lee reconvened the meeting to Open Session at 8:54 PM and reported that no reportable action was taken on the Closed Session item.

ADJOURNMENT

Vice Mayor Lee adjourned the meeting at 8:54 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)