



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, July 9, 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

- 1A. [18-249](#)** Presentation of Proclamation in Special Recognition of Participants in the Mendocino Coast Children's Fund's 2018 Bridge Internship Program

Mayor Peters read a proclamation recognizing the three participants in the Mendocino Coast Children's Fund's 2018 Bridge Internship Program: Alan Moran, Gabriel Pech and Savhanna Lee VanDeventer.

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

None.

3. STAFF COMMENTS

City Manager Miller announced that the City will have a table at the Farmers Market on Wednesdays with various topics of the week and different staff members available to answer questions. Chief Lizarraga announced that a National Night Out event will be held on August 7, 2018 from 5 to 7 PM at Bainbridge Park. He reported that the County Health Department held a tobacco buy survey on June 28 and of the 14 retailers audited, all but two passed. The Saturday fireworks show was mostly uneventful, with four arrests but nothing extraordinary. The Chief provided statistics on number of people booked, cited and released, and will be giving the Council regular updates on this data. The Neighborhood Watch meeting is the third Tuesday of the month at the Police Department. City Manager Miller reported that she and Councilmember Norvell recently attended a meeting on homeless services, a kickoff to a countywide program to deal with transient and homeless issues in the County. City Clerk Lemos made an announcement that the nomination period for the three at-large City Council seats opens on July 16, 2018, and persons interested in being a candidate for

office should contact her to make an appointment to pull nomination papers.

4. MATTERS FROM COUNCILMEMBERS

Mayor Peters attended a League of California Cities conference in Monterey and reported on the California Voting Rights Act (CVRA) district election session he attended. The Mayor noted that a meeting with the Latino Coalition is being scheduled for August 2 to discuss the CVRA and transitioning to district elections. Sonoma Clean Power will hold a meeting on Thursday. The Mayor reported on a minor issue involving trolley service provided by MTA for the Salmon BBQ last Saturday. Councilmember Norvell summarized the cleanup day event for the property on South Street and Cypress. Councilmember Turner spoke about the Salmon BBQ and the City's fireworks event.

5. CONSENT CALENDAR

Approval of the Consent Calendar

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

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

- 5A. [18-248](#)** Adopt by Title Only and Waive the Second Reading of Ordinance No. 939-2018 Amending Chapter 18.42.040 [Animal Keeping] of Title 18 [Inland Land Use & Development Code] of the Fort Bragg Municipal Code Modifying Beekeeping Permit Requirements to Allow Bee Hives Without a Use Permit in All Zoning Districts

This Ordinance was adopted on the Consent Calendar.

Enactment No: ORD 939-2018

- 5B. [18-234](#)** 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 4108-2018

- 5C. [18-263](#)** Receive and File Minutes of the April 18, 2018 Public Safety Committee Minutes

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

- 5D. [18-262](#)** Receive and File Minutes of the June 12, 2018 Community Development Committee Meeting

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

- 5E. [18-253](#)** Approve Minutes of Special Closed Session of June 25, 2018

These Minutes were approved on the Consent Calendar.

5F. [18-254](#) Approve Minutes of June 25, 2018

These Minutes were approved on the Consent Calendar.

6. PUBLIC HEARING

6A. [18-182](#) Receive Report, Conduct **Public Hearing #1** and Consider Adoption of a Resolution Outlining: The City's Intention to Transition from At-Large to District-Based Councilmember Elections; Approving a Tentative Timeline for Conducting Public Hearings; Drafting and Reviewing District Maps and Election Systems; and Presenting an Ordinance to City Council for Decision

City Manager Miller presented the staff report and narrated a slide show on this agenda item. She responded to questions from Councilmembers regarding the potential amount of legal bills involved in transitioning to by-district elections, the implementation of new district elections, the staggering of open seats during election years, recall procedures, the safe harbor provision of the CVRA, and the benefits and drawbacks to fighting the demand letter to convert to district elections. She noted that the demographer's report is still in draft form and has not yet been released.

Mayor Peters opened the public hearing at 6:50 PM.

- Don Rowe, Mendocino County Coordinator for Californians for Electoral Reform, spoke in support of alternatives to district voting, including changing Fort Bragg from a general law city to a charter city.
- Rex Gressett urged the Council to oppose the transition to district elections and thinks the City should organize with other cities to protect the right to its own self-government.
- Gabriel Quinn Maroney said the claim that the City is in violation of the CVRA has validity and recommends that both sides remain open-minded and move forward with due diligence.
- Jacob Patterson said the Coast Committee for Responsive Representation is supportive of other alternatives, including rank choice voting, which he recommends that the Council consider in addition to adopting the Resolution of Intent.

Mayor Peters closed the public hearing at 7:00 PM.

Discussion: Much discussion was held amongst the Councilmembers regarding moving forward with the transition to district elections. The Council discussed reaching out to the Latino community, holding forums, and talking to the protected class of voters whose ability to elect preferred candidates is allegedly impaired by the City's at-large election system. The general consensus of the Council was that although they do not prefer to change from at-large to by-district elections in Fort Bragg, they will elect to adopt the resolution of intent in order to minimize the exposure to a large amount of litigation fees.

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

No: 1 - Mayor Peters

Enactment No: RES 4109-2018

7. CONDUCT OF BUSINESS

- 7A. [18-252](#)** Receive Report and Consider Adoption of City Council Resolution Adopting in Concept and Endorsing the Homelessness Needs Assessment and Action Steps for Mendocino County by Marbut Reporting

City Manager Miller presented the staff report on this agenda item.

Public Comment was received from:

- Lynelle Johnson of Mendocino Coast Hospitality Center (MCHC) noted that homeless issues need to be looked at on a countywide basis and then cities can tackle problems on a citywide level. She noted that winter shelters are very important and thanked the Council for recognizing that and for working together to solve problems.
- Jerry Thomas of MCHC urged the Council to endorse the Marbut Report, though he noted that MCHC opposes the concept in the report that Fort Bragg doesn't need an extreme weather shelter. He said MCHC is working with the County to obtain funding.

Discussion: Councilmembers agreed that the effects of homelessness on the community need to be addressed and the Marbut report is a good starting point for many of the problematic issues. The ad hoc committee, the Public Safety Committee, and the Council in general will continue to work with the Police Department, MCHC, and other local stakeholders to try to resolve some of the problems caused by the homeless and transient populations in Fort Bragg.

A motion was made by Councilmember Cimolino, 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 4110-2018

- 7B. [18-260](#)** Receive Report and Consider Adoption of City Council Resolution to Submit a Department of Transportation BUILD Grant for the Skunk Train to Repair Its Tunnel and Track Components

Community Development Director Jones gave the staff report on this item and responded to questions about grant funds, staff time involved, and length of project. Director Jones noted that there was a slight amendment to the Resolution, striking the seventh recital paragraph.

Public Comment was received from:

- Robert Pinoli of the Skunk Train said the City was generous in its willingness to take on the grant submittal and administration. He offered to answer questions from Council on this potential huge project.
- Christopher Hart of Mendocino Railway said he appreciates staff helping with the project, and that they have been quick and responsive. He noted that this is a very competitive grant and if they do not win this one, they will apply for others because they are committed to getting the tunnel and track fixed.
- Gabriel Quinn Maroney said the Skunk Train is a fabulous thing to support and it intersects many regions of the economy.
- George Reinhardt spoke in support of the idea and said it was a good opportunity for Council and staff to educate the community about grants. He stated that replacing toxic railroad ties with safer ones is healthier for the community.

Discussion: After a brief discussion, the Council was in agreement that supporting the Skunk Train was consistent with the City's economic strategy and all Councilmembers were happy to support the resolution as amended.

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

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

Enactment No: RES 4111-2018

- 7C. [18-266](#)** Receive Report and Provide Direction on Whether to Withdraw the Special Purpose Tax Measure Submitted for the November 6, 2018 Ballot Per Resolution 4107-2018 and Submit a General Purpose Tax Measure Instead

Mayor Peters recessed the meeting at 8:05 PM; the meeting reconvened at 8:11 PM.

City Manager Miller presented the report on this item. The ad hoc committee's recommendation is that the 3/8th of a cent tax measure be a general purpose tax rather than a special purpose tax, as it has a better chance of passing. The intent is still to pay down the CalPERS liability, but the general tax language will not specify what the revenue will be used for.

Public Comment:

None.

Discussion: A brief discussion was held regarding rescinding the special tax measure and replacing it with a general tax measure. The majority of the Council agreed to direct staff to prepare a resolution withdrawing the resolution on the special tax measure and replacing it with a general tax measure. A special meeting for this purpose will be held on Wednesday, July 11, 2018 at 5:00 PM in the downstairs conference room at City Hall.

This Staff Report was referred to staff to prepare a resolution for a general tax measure to be presented to Council at a special meeting on July 11 at 5PM at City Hall.

- 7D. [18-256](#)** Receive Report from New Revenue Sources Ad Hoc Committee and Consider Approval of Argument in Favor of Sales Tax (Measure H) to be Submitted for Inclusion on the November 6, 2018 General Election Ballot

Based on the direction to staff given in Agenda Item 7C, item 7D is now moot and the item was not considered by Council.

This Staff Report was not acted on.

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

8. CLOSED SESSION

ADJOURNMENT

Mayor Peters adjourned the meeting at 8:28 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)