



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, September 10, 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

Mayor Peters announced a change in the Mill Site Ad Hoc Committee. Bernie Norvell will replace Dave Turner on the committee when it meets, as needed, regarding planning issues.

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

(1) Non-Agenda Items:

- Mary Rose Kaczorowski asked that the Council looked into the issue of dementia care for elders who are not ready for nursing homes.

(2) Consent Calendar Items:

- Rex Gressett said that pay raises for City employees hasn't been spoken of very much and he thinks there should be more discussion before Council decides to sacrifice a police officer to the budget (Item 5A).
- Eric Dwyer disagrees with the removal of the lieutenant position in the Police Department. He encouraged the city to find a single location for the Emergency Weather Shelter (EWS) this year (Item 5H).

(3) Closed Session Items:

- Rex Gressett said the City should try to negotiate a resolution with the Coast Committee for Responsive Representation regarding district elections to save the City from financial ruin.

3. STAFF COMMENTS

City Manager Miller announced that a City Council candidate forum will be held at Town Hall on September 21. She spoke about the Tools of Civility and the need for respect in public meetings. Assistant Planner McCormick gave updates on homeless encampment cleanup efforts, weed abatement code enforcement, and the street safety plan. She reported that the Fort Bragg Local

Coastal Program amendment will be on the Coastal Commission agenda this week when they meet at Town Hall Wednesday through Friday. Chief Lizarraga said the Police Department has joined the Next Door social media website and has received a very positive response so far. Public Works Director Varga invited the public to join Coastal Cleanup Day on Saturday from 9 to noon.

4. MATTERS FROM COUNCILMEMBERS

Mayor Peters said there was no report from today's closed session but the City Attorney has been given direction to proceed. Monday Morning Meetings with the Mayor have been suspended during the election season and will continue thereafter. Vice Mayor Lee said the CVRA Districting ad hoc committee had a fruitful discussion with the attorney for Coast Committee for Responsive Representation today. The Vice Mayor will be representing the City at the League of California Cities annual conference in Long Beach this week and will vote on two important resolutions, one regarding pesticides and one on cell phone towers. He expressed appreciation for the City's weed abatement efforts which prevented a recent fire near the hospital from spreading further. Councilmember Turner reported on a special meeting of the Planning Commission and City Council regarding the Skunk Train purchase of a portion of the Mill Site from Georgia Pacific. Mayor Peters remarked that Paul Bunyan Days was one of the best in years.

5. CONSENT CALENDAR

Councilmember Norvell requested that Item 5H be pulled from the Consent Calendar for further discussion.

Approval of the Consent Calendar

A motion was made by Councilmember Norvell, seconded by Councilmember Cimolino, to approve the Consent Calendar with the exception of Item 5H. The motion carried by the following vote:

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

- 5A. [18-328](#)** Adopt City Council Resolution Updating the City of Fort Bragg Master Salary Rate Compensation Plan Confirming the Pay Rates/Ranges for All City of Fort Bragg Authorized Classifications

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4118-2018

- 5B. [18-351](#)** Adopt City Council Resolution Approving Budget Amendment #2019-01 for Fiscal Year 2018-19 to Account for Approved Position and Salary Adjustments

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4119-2018

- 5C. [18-346](#)** Adopt City Council Resolution Setting a Public Hearing on September 24, 2018 Regarding: 1) Delinquent Nuisance Abatement Charges Related to 119 Pine Street; and 2) Imposition of a Lien Against Nationstar / Mr. Cooper in the Amount of \$23,415.49

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4120-2018

- 5D.** [18-347](#) Adopt City Council Resolution Delegating Claims Administration and Authorizing Redwood Empire Municipal Insurance Fund (REMIF) and Third-Party Administrator to Accept or Reject Claims Filed Against the City

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4121-2018

- 5E.** [18-348](#) Adopt City Council Resolution Reaffirming the Decision to Rescind and Revoke Resolution No. 4109-2018 Declaring the City of Fort Bragg's Intent to Transition from At-Large Elections for City Council to District-Based Elections for City Council

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4122-2018

- 5F.** [18-339](#) Approve Release of Request for Proposals (RFP) for the Raw Water Line Replacement Project Design Engineering

This Scope of Work was approved on the Consent Calendar.

- 5G.** [18-341](#) Accept Certificate of Completion for 1.5 MG New Water Tank Project, City Project No. 2017-08, and Direct City Clerk to File Notice of Completion

This Certificate of Completion was accepted on the Consent Calendar.

- 5I.** [18-342](#) Receive and File Minutes of the June 20, 2018 Public Safety Committee Meeting

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

- 5J.** [18-343](#) Receive and File Minutes of the July 11, 2018 Public Works and Facilities Committee Meeting

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

- 5K.** [18-349](#) Approve Minutes of August 13, 2018

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5H.** [18-360](#) Approve Letter of Support for Funding Operation of and Need for the Extreme Weather Shelter During the Upcoming Winter Months

Councilmember Norvell noted that the Emergency Weather Shelter (EWS) has had problems in the past, but mostly because it was started too late in the year. He said that rotating the location of the shelter amongst the churches is better than having it located in one location. The Councilmembers

expressed appreciation to Councilmembers Norvell and Lee for the work they are doing on the ad hoc committee, stating that the committee has made amazing progress with the Hospitality Center in resolving some of the issues regarding the EWS.

Public Comment was received from:

- Eric Dwyer recommended that the City and Hospitality House work together next year to try to find a single location for a day center for homeless that can also be used as an EWS in the winter time.

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

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

6. PUBLIC HEARING

- 6A. [18-355](#)** Receive Report, Conduct Public Hearing, and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 941-2018 Amending Chapter 6.12 (Nuisances) of Title 6 (Health and Sanitation) of the Fort Bragg Municipal Code to Include Maintenance Standards for Vacant Commercial Buildings

Mayor Peters opened the public hearing at 6:38 PM.

Assistant Planner McCormick presented the staff report on this agenda item.

Public Comment:

- Eric Dwyer expressed concern that the 90-day period was too short and suggested that a six-month time frame be considered instead.

Mayor Peters closed the public hearing at 6:44 PM.

Discussion:

The Councilmembers were in general agreement that this is a good ordinance that will keep the downtown looking good and will give the City more tools to address problems with vacant commercial buildings. It was noted that no enforcement action will be undertaken if building owners and tenants are in the middle of a construction project or in the process of renovating a vacant building.

A motion was made by Councilmember Norvell, seconded by Councilmember Turner, that this Ordinance be introduced, waiving the first reading. The motion carried by the following vote:

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

7. CONDUCT OF BUSINESS

- 7A. [18-350](#)** Receive Report and Make Recommendations on Skunk Train Project to Rehabilitate Railroad Crossing at North Main Street (State Highway 1)

Public Works Director Varga presented the report on this item. Robert Pinoli of the Skunk Train gave details on the construction project, noting that Wylatti Resource Management will provide traffic control. Councilmembers asked questions regarding parking, detour route, noise and notification of residents. The City and the Skunk Train will work together to manage the project.

Public Comment: None.

Discussion/Direction: The Council accepted the plan as presented and instructed staff to make sure that notifications to neighboring businesses and residents is sent out prior to the start of the

project.

This Staff Report was referred to staff.

7B. [18-352](#)

Receive Report and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 942-2018 Adding Chapter 9.61 [Shopping Carts] to Title 9 [Public Peace, Safety, and Morals] of the Fort Bragg Municipal Code Regarding the Regulation of Shopping Carts

City Manager Miller summarized the staff report and asked for direction regarding time frame for businesses to retrieve their carts, the effective date of the ordinance, and if there should be a cart containment system (locking wheels) regulation for businesses that do not comply by picking up their carts.

Public Comment was received from:

- Rex Gressett spoke in opposition to the shopping cart ordinance.
- Mary Rose Kaczorowski asked questions about enforcement against those using the carts.
- Carole White wanted to know how people who use shopping carts for storage of personal items can retrieve their belongings once the carts are taken.
- Eric Dwyer spoke in favor of the 48-hour time frame and thinks stickers on carts can be easily taken off.
- Ruben Alcala said stores have to follow FDA rules on cleaning of the carts after they are returned, and said if someone asks the store to borrow a cart, exceptions can be made.

Discussion/Direction: After discussing the issues, the Council directed that the ordinance be amended as follows: (1) Change the requirement for shopping cart owners to pick up abandoned carts from 48 hours to 72 hours; (2) Change the effective date of the ordinance from October 24, 2018 to November 23, 2018.

A motion was made by Councilmember Norvell, seconded by Vice Mayor Lee, that this Ordinance be introduced as amended, waiving the first reading. The motion carried by the following vote:

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

7C. [18-356](#)

Receive Status Report on the Wastewater Treatment Plant Upgrade Project (City Project No. 2018-01) and Consider Adoption of Fort Bragg Municipal Improvement District Resolution Authorizing District Manager to Execute Contract Change Order No. 2 Reducing the Amount of the Construction Contract with Wahlund Construction, Inc. by \$262,404

Assistant Public Works Director Smith gave the report on this item and answered questions from Council.

Public Comment was received from:

- Eric Dwyer said the City could make money by allowing septic tank dumps at the Wastewater Treatment Facility.

Discussion:

Vice Mayor Lee requested that the septic truck dumping issue be discussed at a future Public Works & Facilities Committee meeting.

A motion was made by Councilmember Turner, seconded by Councilmember Cimolino, that this ID 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 ID 408-2018

**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 8:05 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)