



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, February 24, 2014

6:00 PM

Town Hall, 363 N. Main Street

MEETING CALLED TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Mayor Dave Turner, Vice Mayor Meg Courtney, Councilmember Scott Deitz, Councilmember Doug Hammerstrom and Councilmember Heidi Kraut

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- A. [14-034](#) Recognition of City Clerk Cindy VanWormer for 25 Years of Service to the City of Fort Bragg

Following the Mayor's presentation, City Clerk VanWormer thanked the Council and stated she never thought she'd be here for 25 years. She noted that the only thing that stays the same is that things change and there is always something new to learn.

Mayor Turner presented City Clerk Cindy VanWormer with a letter of appreciation, tote bag, jacket, plaque and pin in recognition of her 25 years of service to the City of Fort Bragg. Councilmembers all thanked VanWormer for the various things she has done to help them over the years.

- B. [14-048](#) Presentation of Proclamation Recognizing Gabriel Hernandez as Soccer Player of the Year and Danny Arreguin as Soccer Coach of the Year from the All-Empire Small School Boys Soccer League

Arreguin thanked the City Council for the recognition noting that the community has always been supportive of the sport teams.

Councilmember Kraut read the proclamation and presented it to Gabriel Hernandez and Danny Arreguin.

2. STAFF COMMENTS

City Manager Ruffing noted that the mid-year budget session for the C.V. Starr Community Center will be held in the Police Department Conference Room starting at 3:00 p.m. on Wednesday. On Thursday at 9:00 a.m. there will be an Oversight Board meeting at City Hall (Mayor Turner and Councilmember Deitz serve on that Board). Then a week from this Wednesday (on March 5th)

starting at 3:30 p.m. the City will have their mid-year budget review at the Police Department Conference Room.

Police Chief Mayberry thanked the City Clerk for all the help she has given him over the three years he's been with the City. He then announced the promotion of Andrew "Drew" Kendl to Police Sergeant and congratulated him. It always feels good to promote someone from within the organization.

3. MATTERS FROM COUNCILMEMBERS

Mayor Turner reported that there was a great turnout last Monday, February 17th to support the local community college. He suggested making February 17th "College Day" here in Fort Bragg from now on. There was a remarkable amount of strong support for higher education in Fort Bragg. Turner concluded by stating he is proud of the community.

Vice Mayor Courtney stated that she couldn't get in to the College meeting on the 17th as the room was packed. She stated she has heard about how fantastic the community is and that the speakers were articulate and calm. She reported that she attended a workshop last weekend put on by the Community Environmental Legal Defense Fund (CELDF) where she learned a lot about community rights. She mostly learned about how few community rights people have anymore and about ways to build those community rights.

Councilmember Deitz reported that he went on a ride-along last Friday night and found it very interesting. It is amazing what the Police Department does on a regular basis. They are very into community relations. He encouraged everyone to go on a ride-along and thanked the Chief for having such a great department.

Councilmember Hammerstrom reported that he attended a meeting in Ukiah with State representatives to discuss the drought situation. Wes Chesbro attended as did a representative from Senator Noreen Evans office. There is legislation pending to deal with drought issues that may provide an opportunity to obtain funding to address Fort Bragg's water issues.

Councilmember Kraut reported that she attended the swearing in of two new police officers last week and thanked them for joining the department. She reported that she and Councilmember Deitz attended a Public Safety Committee meeting and heard from the new coordinator of the Coalition for Gang Awareness and Prevention (CGAP) program. They are working on getting information out about the program; people can contact them through the Police Department.

4. PUBLIC HEARING

5. CONDUCT OF BUSINESS

- A. [14-025](#) Receive Presentation by Moss, Levy & Hartzheim on the Comprehensive Annual Financial Report (CAFR) for the Year Ended June 30, 2013, for the City of Fort Bragg and Fort Bragg Municipal Improvement District No. 1 and Consider Accepting the CAFR as Presented

City Manager Ruffing acknowledged Finance Director Rosana Cimolino, Assistant City Manager Ginny Feth-Michel and Derek Rampone of Moss, Levy & Harzheim for their efforts in putting the documents together. She noted that the CAFRs produced by Cimolino for the last two years have won awards from the Government Finance Officers Association. Rampone then reviewed the

reports with the City Council and stated that it was a clean audit with no large adjustments required. The following was noted during discussion of this item:

- * Staff will bring some recommendations to the Council as part of the mid-year budget review on how the City formulates and characterizes the reserves so that they don't show up as unassigned fund balances.
- * The miscellaneous income on Page 9 is generally refunds or rebates; this amount varies greatly from year to year because the Redwood Empire Municipal Insurance Fund refund is based on the City's experience during the prior year.
- * The Reconciliation of the Government Funds Balance Sheet to Statement of Net Position is required in the CAFR. It is the way to get from the modified accrual balance to full accrual balance.

A motion was made by Councilmember Deitz, seconded by Councilmember Hammerstrom, that the Comprehensive Annual Financial Report (CAFR) be approved. The motion carried by the following vote:

Aye: 5 - Mayor Turner, Vice Mayor Courtney, Councilmember Deitz, Councilmember Hammerstrom and Councilmember Kraut

- B. [14-023](#)** Receive Report and Consider Adoption of City Council Resolution (1) Upholding an Appeal by Walnut Main Group of the Planning Commission's December 18, 2013 Decision to Deny Permits for Conversion of Existing Office Building to Retail Use/Dollar Tree (CDP 5-2013, DR 5-2013, UP 4-2013, and LLA 1-2013); (2) Adopting Mitigated Negative Declaration; and (3) Approving CDP 5-2013, DR 5-2013, UP 4-2013, and LLA 1-2013 (825 and 845 South Franklin Street)

Assistant Planner Spade reviewed the Agenda Item Summary prepared for this item with the City Council. Items noted during discussion included:

- * The entire project is contingent upon written approval by all the trust holders.
- * Staff will monitor the intersection and when the stop signs are warranted they will be installed and the applicant will be required to pay the \$500.
- * The existing sign on the corner of South and Franklin Streets will be lowered and will not be illuminated. The only signage proposed for the door is small vinyl lettering on the glass saying that it is an emergency exit only.
- * Attorney David Rapport stated that Special Condition 2 is a normal requirement; it is standard practice when there is a deed of trust on the property involved in a lot line adjustment.

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

Aye: 5 - Mayor Turner, Vice Mayor Courtney, Councilmember Deitz, Councilmember Hammerstrom and Councilmember Kraut

Enactment No: RES 3693-2014

- C. [14-036](#)** Receive Report and Provide Direction to Staff Regarding 2014 Community Development Block Grant Super-NOFA Grant Application

Housing & Economic Development Coordinator Owen reviewed the Agenda Item Summary prepared for this item with the City Council. Council and staff had a lengthy discussion regarding the most competitive project(s) for the application. Items noted during discussion included:

- * A location has not yet been identified for the community garden.

- * The Mendocino Coast Hospitality Center will need to enter into a lease/purchase agreement with the owners of 300 Harrison Street.
- * Concern was expressed regarding the properties proximity to Bainbridge Park.
- * A Use Permit will be required for the Harrison Street property.
- * The West Company doesn't create jobs per se but they provide training (on creating a business plan, marketing strategies, core competencies), one-on-one coaching, and loans.

Mayor Turner recessed the meeting at 7:39 p.m.; the meeting was reconvened at 7:49 p.m.

Public comment on this item was received from: Mendocino Coast Hospitality Center (MCHC) Executive Director Anna Shaw, Eric Dwyer, MCHC Operations Manager Paul Davis, Noyo Food Forest Marketing Director Virginia Loperena, Keith Rutledge from Renewable Energy Development Institute (REDI), and Bill Gibson.

Housing and Economic Development Coordinator Owen was directed to move forward on preparation of an application using the following project priorities:

- 1. Enterprise Fund - Microenterprise Assistance up to \$250,000;**
- 2. Public Facilities - Acquisition of 300 Harrison Street for a homeless & mental health service center, offices and transitional housing up to \$1,000,000;**
- 3. Public Services - 1) "HELP Plus": Home Energy & Water Assistance and Conservation Program (up to \$300,000) and 2) Community Garden Training & Food Provision Program (up to \$200,000).**

If any of these items cannot be done Owen was directed to work with Noyo Center Coordinator Sheila Semans to identify the best use of Planning funds for the Noyo Center.

D. [14-033](#) Receive Update Regarding Main Street Merge Lane Relocation Project and Provide Direction to Staff

Councilmember Hammerstom suggested moving this item to the next meeting as he believes that the plans provided did not reflect Council's last direction. Public Works Director Varga noted that the plans are from July 2013 and do not include the Council's last direction; however, the information in the Agenda Item Summary Report is current and he would like to review it. He then reviewed the Summary with the Council. Items noted during discussion of this item included:

- * Previous discussion was mostly centered around the area from Redwood to Laurel Streets.
- * It was suggested that work not be done on Friday afternoons as that is when people come into town for the weekend.
- * Removal of the right turn lane at Redwood for southbound traffic was discussed again. It will be removed from the plans and the sidewalk and parking will be done in such a way to allow for addition of that right turn lane in the future if one becomes necessary.
- * Council was okay with a raised median on the block south of Redwood but requested that there just be a double yellow line north of Redwood.
- * The plans will be brought back to the City Council when they are final and ready to go out for bid.
- * Breaking the project into two construction phases won't add much time to the project but will add cost because the contractor will charge for mobilization for both phases.
- * Council suggested offering a premium for quicker construction. Staff cautioned that the City doesn't have enough funds to do the entire project as it is.
- * The location of utilities and drainage, slopes and ADA accessibility will all need to be looked at when considering widening the sidewalks.

Public comment on this item was received from: Dan Ladermann, business owner in Company Store.

Public Works Director Varga was directed to continue working with the

consultant to complete the plans and Caltrans to complete the environmental documentation.

6. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS

7. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Vice Mayor Courtney, seconded by Councilmember Deitz, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 5 - Mayor Turner, Vice Mayor Courtney, Councilmember Deitz, Councilmember Hammerstrom and Councilmember Kraut

- A. [14-054](#) Approve Letter of Opposition to House Resolution (HR) 29 (Gomez): Pledges Affecting Future Legislation

This Council Letter was approved on the Consent Calendar.

- B. [14-030](#) Approve Minutes of February 10, 2014

These Minutes were approved on the Consent Calendar.

Prior to recessing the meeting at 9:27 p.m. Mayor Turner noted the following item would be discussed in closed session; the meeting was reconvened to closed session at 9:32 p.m.

8. CLOSED SESSION

- A. [14-055](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION,**
Pursuant to California Government Code Section 54956.9(a):
Georgia-Pacific LLC v. OfficeMax Incorporated and Boise Cascade,
LLC, and related cross-claims; U.S. District Court, Northern District of
California, Case No. 12-02797-RS

Mayor Turner reconvened the meeting to open session at 10:39 p.m. and reported that direction was given to legal counsel.

ADJOURNMENT

Mayor Turner adjourned the meeting at 10:40 p.m.

DAVE TURNER, MAYOR

Cynthia M. VanWormer, MMC, City Clerk

IMAGED (_____)

