



# 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*

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Monday, August 24, 2015

6:00 PM

Town Hall, 363 N. Main Street

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### MEETING CALLED TO ORDER

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

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** 4 - Vice Mayor Lindy Peters, Councilmember Michael Cimolino, Councilmember Scott Deitz and Mayor Dave Turner  
**Absent:** 1 - Councilmember Doug Hammerstrom

### AGENDA REVIEW

#### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [15-336](#)** Receive Presentation from Redwood Empire Municipal Insurance Fund (REMIF) General Manager Mark Ferguson

Mark Ferguson, General Manager of Redwood Empire Municipal Insurance Fund (REMIF) gave a presentation to the City Council regarding the various types of insurance coverage provided to the City by REMIF.

#### 2. STAFF COMMENTS

Police Chief Lizarraga explained that the reason some of his officers may be looking a little scruffy lately is that he is allowing them to grow a beard for Paul Bunyan Days. After Labor Day, they will all be clean shaven once more.

Public Works Director Varga reported the good news that two water leaks have been found and corrected; the City is back on track for successful water conservation strategy. The contract for Phase II of the Green Alleys project is being awarded to Granite Construction. The two alleys involved in the project are Minnesota Avenue Alley behind the C.V. Starr Community Center and Colombi Alley behind the Colombi Motel.

City Manager Ruffing pointed out the new automatic ADA doors at Town Hall. She gave an update on Public Education and Government (PEG) TV which is currently in the testing phase. It is anticipated that the next City Council meeting will be broadcast live on Comcast. Ruffing also noted that City Hall will be closed on Labor Day, September 7. The Latino Coalition, Safe Passage and Project Sanctuary are co-sponsoring a Mexican Independence Day Celebration at Bainbridge Park on September 13. The grand opening of the Coastal Trail is being postponed while Georgia-Pacific

and the City finish the paperwork on the property exchange. The fence for the trail is on hold until fencing materials arrive and the Parlin Forks crew is available to install. The trail is anticipated to be opened to the public in mid- or late October, with the grand opening sometime next spring.

### **3. MATTERS FROM COUNCILMEMBERS**

Mayor Turner attended Congressman Jared Huffman's harvest celebration in Boonville last week which was hot and smoky due to fires. He reached out to emergency officials in Lake County and offered Fort Bragg as a refuge to Lake County residents wanting to escape the poor air quality; however the Governor's Office of Emergency Services said that most people have indicated they want to stay local. Mayor Turner thanked Jenny Shattuck for the suggestion of offering to share Fort Bragg's fresh air with our Lake County neighbors. The mayor attended a meeting of the Mendocino Solid Waste Authority on August 20. The rest of the county will follow Fort Bragg's lead in mixed organic recycling.

Vice Mayor Peters reported that a Council subcommittee met last week regarding construction of a Fort Bragg monument to United States African-American troops who defeated Braxton Bragg in the Civil War. As interest in the name changing issue seems to have waned, the subcommittee members decided not to take any further action on a monument project at this time. Peters asked that public restroom hours and Town Hall rental policies be added to the next Public Works and Facilities Committee meeting agenda. The Mendocino Transit Authority meets Thursday, August 27 at 1:30 PM in Point Arena at City Hall.

Councilmember Cimolino attended the Economic Development Finance Council (EDFC) meeting in Ukiah and reported that Mendocino Wool and Fiber Company, a Ukiah startup financed by EDFC, will employ eight employees on two shifts to process wool and make yarn. Cimolino reported that there are \$300,000 in pending applications at EDFC, and that there is a direct public offering to invest local monies in EDFC to be used in Mendocino County as loan money for entrepreneurs. Cimolino said that all the equipment has now been installed at PEG and if the testing goes perfectly for ten days straight, Comcast will turn it on. PEG is looking for school interns for their committee. They also are building a non-profit list, and Cimolino invited local non-profit organizations to contact Terry Vaughn at Mendocino TV. Cimolino said that persons who wish to use Town Hall should be given the opportunity to do so regardless of the politics involved.

Councilmember Deitz related that the traveling fire truck and crew came back safely last night after four weeks of fighting fires in Lake County.

### **4A. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes)**

Rex Gressett spoke about Town Hall meetings. He wants to have public meetings that are not controlled by the City so the public can discuss the same issues. He requested a meeting about the Hare Creek Center before the Environmental Impact Report is released. He proposed that these meetings be conducted according to Robert's Rules of Order and that a resolution and recommendation be made at the conclusion of the meetings.

Susie DeCastro spoke in support of Russ Hopf who was asked to leave his place of residence in the Golden West. She stated that it breaks her heart to see him without a place to live and that in San Francisco, people with mental health issues are given three months to find another home.

Russ Hopf said he has had problems with housing and his time at Hospitality House was awful. He got jerked around and dreaded waking up.

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

- 6A. [15-326](#)** Receive Report and Consider Introduction, by Title Only, and Waive Further Reading of Ordinance 920-2015 Replacing Section 10.22.150 (Parking of Peddlers Vehicles-Permit-Required) and Section 10.22.155 (Parking of Peddlers Vehicles-Permit-Liability Insurance Requirements) of Chapter 10.20 (Stopping, Standing and Parking) of the Fort Bragg Municipal Code

City Manager Ruffing summarized the staff report for this agenda item. She said that in addition to the Coastal Trail property, Pomo Bluff Park cannot have commercial uses because the Coastal Conservancy funds used in the construction of the park prohibit this type of use.

Public comment on this item was received from: Local business owner Wendy Younger said she is concerned that food trucks on Franklin Street make that portion of Fort Bragg impassable. She suggested the vacant lot that Century 21 owns as a potential site for food vendors. Younger asked the Council to ensure that the same taxes and fees would apply to mobile vendors as for other food businesses like hers.

Discussion: The Councilmembers held extensive discussion regarding mobile vending, particularly with regard to the location of food trucks and food/flower carts and whether or not to prohibit them on Main Street. Encroachment permits and insurance requirements were also discussed. Ruffing was asked whether setback issues were a concern; she responded that the Community Development Director looks at setbacks as a requirement of any permit in order to protect public safety.

The consensus was to send the resolution back to staff for revision, to include the following points:

- No food trucks on Main Street.
- No food trucks in the Central Business District (CBD) except in designated locations to be determined by Resolution.
- Carts to be allowed in the CBD.
- Permits for carts to be restricted to two-year term.
- Permits for food trucks to be restricted to three-year term.
- Designated vending zones, number of permits allowed and permit fees to be determined by Resolution.
- Delete the provision regarding one parking space for food trucks, as most trucks are too large for one space.
- Separate regulations for food/flower carts from food trucks.

**This Ordinance was referred to staff for revisions and introduction at the next City Council meeting.**

- 6B. [15-331](#)** Receive Report and Consider Adoption of City Council Resolution Amending the FY 2015-16 C. V. Starr Community Center Budget to Appropriate a Net Total of \$29,467 from the C.V. Starr Enterprise Fund (Budget Amendment #2016-08; Not to Exceed \$29,467; Fund 810-4812; C.V. Starr Enterprise Fund)

Administrative Services Director Schneider summarized his staff report on the proposed budget amendment for the C.V. Starr Community Center which includes heating/ventilating/air conditioning improvements, personnel changes and towel service cessation.

Public comment on this agenda item was received from: Wendy Younger suggested the C.V. Starr Center charge fifty cents or a dollar for towel rental. Dede Lehnhardt, Aquatics and Programs Coordinator at C.V. Starr, informed the Council of the pool hours of operation and said typically there are no swimmers at the end of the day, but three lifeguards are always present.

Discussion: The Councilmembers generally agreed they would prefer the C.V. Starr Community Center does not cut the pool operation hours if at all possible. They requested that District Administrator Ethan Newton give the Council a more in-depth report, showing pool usage figures, to avoid cutting back on hours of operation.

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

**Aye:** 4 - Vice Mayor Peters, Councilmember Cimolino, Councilmember Deitz and Mayor Turner

**Absent:** 1 - Councilmember Hammerstrom

Enactment No: RES 3840-2015

#### **4B. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes, If Necessary)**

#### **7. CONSENT CALENDAR**

##### **Approval of the Consent Calendar**

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

**Aye:** 4 - Vice Mayor Peters, Councilmember Cimolino, Councilmember Deitz and Mayor Turner

**Absent:** 1 - Councilmember Hammerstrom

- 7A. [15-324](#)** Accept Certificate of Completion for the Wastewater Treatment Facility West Fencing Project, City Project 2015-01, and Direct Acting City Clerk to Record Notice of Completion

**This Certificate of Completion was accepted on the Consent Calendar.**

- 7B. [15-321](#)** Adopt City Council Resolution Designating the Administrative Services Director as the City of Fort Bragg's Alternate Director on the Redwood Empire Municipal Insurance Fund (REMIF) Board of Directors

**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 3841-2015

- 7C. [15-322](#)** Adopt City Council Resolution Approving Lease Agreement with Noyo

Center for Marine Science for Rental of a Portion of City Hall East and Authorizing City Manager to Execute Same

**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 3842-2015

**7D. [15-327](#)**

Adopt City Council Resolution Accepting the Bid of Granite Construction Company as the Lowest Responsive Bid, Awarding the Contract for the Green Alley Project - Phase II, City Project 2015-03, to Granite Construction Company and Authorizing City Manager to Execute Contract (Amount Not to Exceed \$212,488.00; Account No.409-5011-0731)

**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 3843-2015

**7E. [15-328](#)**

Adopt City Council Resolution Affirming Change Orders No. 1 - 29 with Granite Construction Inc. for the Fort Bragg Coastal Trail Project; City Project 2014-01

**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 3844-2015

**7F. [15-329](#)**

Adopt City Council Resolution Amending the FY 2015/16 Budget to Appropriate \$20,465.24 from Fund 223 (STP D1 MCOG Streets/Highway) for Improvements to Cypress Street Extension (Budget Amendment #2016-05; Amount Not To Exceed \$20,465.24; Transfer from Fund 223 to Fund 407-Coastal Trail Capital Project)

**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 3845-2015

**7G. [15-332](#)**

Adopt by Title Only and Waive Further Reading of Ordinance 911-2015 Repealing and Replacing Chapters 14.08 through 14.40 of Title 14 (Water and Sewer) of the Fort Bragg Municipal Code

**This Ordinance was adopted on the Consent Calendar.**

Enactment No: ORD 911-2015

**H. [15-342](#)**

Adopt by Title Only and Waive Further Reading of Ordinance 916-2015 Repealing and Replacing Chapter 15.05 International Fire Code and California Fire Code) and 15.06 (Automatic Fire Sprinkler and Alarm System) of the Fort Bragg Municipal Code

**This Ordinance was adopted on the Consent Calendar.**

Enactment No: ORD 916-2015

**I. [15-333](#)**

Adopt by Title Only and Waive Further Reading of Ordinance 919-2015 Amending Chapter 14.06 (Water Conservation) of Title 14 (Water and Sewer) of the Fort Bragg Municipal Code

**This Ordinance was adopted on the Consent Calendar.**

Enactment No: ORD 919-2015

- J. [15-340](#) Approve Minutes of August 10, 2015

**These Minutes were approved on the Consent Calendar.**

- K. [15-341](#) Approve Minutes of Special Meeting of August 10, 2015

**These Minutes were approved on the Consent Calendar.**

- L. [15-281](#) Receive and File Minutes from May 21, 2015 meeting of Public Works and Facilities Committee Meeting

**These Committee Minutes were received and filed.**

## **8. CLOSED SESSION**

### **ADJOURNMENT**

**Mayor Turner adjourned the meeting at 8:01 PM.**

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DAVE TURNER, MAYOR

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June Lemos, Acting City Clerk

IMAGED (\_\_\_\_\_)