



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 12, 2016

6:00 PM

Town Hall, 363 N. Main Street

MEETING CALLED TO ORDER

Mayor Turner called the meeting to order at 6:02 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Vice Mayor Lindy Peters, Councilmember Michael Cimolino, Councilmember Scott Deitz, Councilmember Doug Hammerstrom and Mayor Dave Turner

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

- 1A. [16-358](#)** Presentation of Proclamation Recognizing Ruth Sparks as the 2016 Jere Melo Foundation Volunteer of the Year

Vice Mayor Peters presented a Proclamation recognizing Ruth Sparks as the Jere Melo Foundation Volunteer of the Year. Ms. Sparks expressed thanks and spoke of her love for the community.

- 1B. [16-352](#)** Presentation of Proclamation Announcing September 2016 as National Preparedness Month in Fort Bragg

Councilmember Cimolino announced September 2016 as National Preparedness Month in Fort Bragg and presented a Proclamation to Police Chief Lizarraga. The Chief said emergency preparedness is truly essential and that homes, families, communities and neighborhoods need to be prepared in order to respond to natural and man-made disasters.

- 1C. [16-347](#)** Presentation by Farmers Market Manager Julie Apostolu and Nutrition Educator Petra Schulte Regarding the Fort Bragg Farmers Market "Market Match" Program

Nutritionist Petra Schulte and Farmers Market Manager Julie Apostolu reported on the Farmers Market "Market Match" Program.

2. STAFF COMMENTS

City Manager Ruffing reminded the public about two upcoming meetings on September 19: The joint Board of Supervisors-City Council meeting to conduct a public hearing on the Revised Final Environmental Impact Report for the Central Coast Transfer Station, and a Public Scoping Session

for the Hare Creek Center Project Environmental Impact Report. Chief Lizarraga announced a September 13 Neighborhood Watch meeting and explained how the Emergency Operation Center works. Public Works Director Varga reported on the new Summers Lane Reservoir, which may be filled by Thanksgiving of this year.

3. MATTERS FROM COUNCILMEMBERS

Mayor Turner spoke about the death of Barbara Clark, the Jere Melo walk, the Kern County and Cedar fires, and Paul Bunyan Day weekend. Vice Mayor Peters commented on a fundraiser to benefit the Food Bank, the Transient Occupancy Tax increase, a checklist for prospective business owners that is now available from the Community Development Department, and untrue social media rumors about a \$1500 mural fine. Councilmember Cimolino reported on the Lower Lake fire, a Coalition for Gang Awareness and Prevention meeting, and marijuana legalization. Councilmember Hammerstrom reported on a Mendocino Council of Governments meeting and the new Willits Bypass tour. He requested that Public Works Director Varga make a presentation on roundabouts at a November City Council meeting.

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

- Brent Hagen, executive director for Mendocino County Tourism Commission, stated he will be working with the Promotions Committee to bring people into the Fort Bragg area.
- Scott Menzies announced his candidacy for City Council in 2016.
- George Reinhardt spoke about the fate of the Mill Pond and the spreading of dredge soils on the Coastal Trail property.

5. PUBLIC HEARING

6. CONDUCT OF BUSINESS

- 6A. [16-363](#)** Receive Presentation from Sonoma Clean Power and Mendocino County Representatives Regarding the Possibility of the City of Fort Bragg Joining the Sonoma Clean Power Joint Powers Authority and Provide Direction to Staff

Geof Syphers of Sonoma Clean Power (SCP) made a presentation to the City Council regarding Community Choice Aggregation and the possibility of the City of Fort Bragg joining SCP's Joint Powers Authority to provide customers with an alternative to PG&E for their energy needs. Public Comment was received from Scott Menzies, George Reinhardt, Richard Miller and Irene Malone.

Discussion: The Council was unanimous in its support for the project and instructed staff to move forward with it.

Mayor Turner recessed the meeting at 7:42 PM; the meeting was reconvened at 7:48 PM.

Council directed staff to come forward with a resolution and an ordinance for introduction at the September 26, 2016 Council meeting. The ordinance will return for adoption on October 11, 2016.

- 6B. [16-332](#)** Receive Report and Provide Direction to Staff Regarding Draft Cannabis Manufacturing Ordinance

Associate Planner Perkins presented the staff report on this agenda item.

Public Comment was received from:

- James Goodall spoke in opposition to the ordinance.
- Richard Miller, Simon Smith, Scott Menzies, Gabriel Quinn Moroni, Jon McColley and Richard Mack spoke in support of the ordinance.
- Jean Goodall and David Eyster spoke regarding the water use associated with the manufacturing process.

Discussion: Citing medical benefits and the addition of jobs for the community, the Councilmembers were unanimous in their support of the ordinance. Staff was directed to report back to the Finance and Administration Committee on what is happening with other cities in the state in conjunction with taxation of cannabis manufacturing operations. The Council suggested that the definition of cannabis be tied more loosely to the State code instead of specifically to the Health and Safety Code.

The Council directed staff to prepare an ordinance for introduction at a future City Council meeting.

6C. [16-360](#) Consider Request that City Council Oppose Measure AF - Mendocino Heritage Initiative

Hal Wagonet made a presentation to the Council on behalf of a Committee that opposes Measure AF, the Mendocino Heritage Act. He requested that the Council pass a resolution saying that they support the No on Measure AF group.

Public Comment was received from Sarah Wagner.

Discussion: After much discussion, the Councilmembers agreed to remain neutral on this matter, as it only applies to the unincorporated portion of the County of Mendocino, and to let the voters in the County decide what they want insofar as the Mendocino Heritage Act is concerned.

No action was taken on this matter.

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

7. CONSENT CALENDAR

Councilmember Cimolino requested that Item 7D be removed from the Consent Calendar and recused himself from voting on this matter, citing an acquaintance with the claimant.

Approval of the Consent Calendar

A motion was made by Councilmember Cimolino, seconded by Vice Mayor Peters, to approve the Consent Calendar, with the exception of Item 7D. The motion carried by the following vote:

Aye: 5 - Vice Mayor Peters, Councilmember Cimolino, Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner

7A. [16-343](#) Adopt City Council Resolution Authorizing City Manager to Decline the Right of First Refusal to Purchase 435 N Whipple Unit B, an Inclusionary Housing Unit, and Instead Authorize Owner of 435 N Whipple Unit B to Sell the Unit, Subject to City Approval, to an Income Qualified Person with Preference to Essential Public Service Employees (Teachers, Firefighters, Police, etc.)

Enactment No: RES 3931-2016

- 7B. [16-365](#)** Adopt City Council Resolution Authorizing City Manager to Sign Program Supplement Agreements with the California Department of Transportation
- This Resolution was adopted on the Consent Calendar.**
- Enactment No: RES 3932-2016
- 7C. [16-361](#)** Adopt City Council Resolution Establishing Schedule for Standing Committee Meetings
- This Resolution was adopted on the Consent Calendar.**
- Enactment No: RES 3933-2016
- 7E. [16-355](#)** Receive and File Minutes of June 22, 2016 Public Works and Facilities Committee Special Meeting
- These Committee Minutes were received and filed on the Consent Calendar.**
- 7F. [16-356](#)** Receive and File Minutes of August 18, 2016 Public Works and Facilities Committee Meeting
- These Committee Minutes were received and filed on the Consent Calendar.**
- 7G. [16-357](#)** Receive and File Minutes of July 26, 2016 Community Development Committee Meeting
- These Committee Minutes were received and filed on the Consent Calendar.**
- 7H. [16-350](#)** Approve Minutes of August 22, 2016
- These Minutes were approved on the Consent Calendar.**

ITEMS REMOVED FROM CONSENT CALENDAR

- 7D. [16-346](#)** Reject Claim of Steve Bradley and the F/V Sound Adventure
- A motion was made by Mayor Turner, seconded by Vice Mayor Peters, that the rejection of the Claim of Steve Bradley and the F/V Sound Adventure be approved. The motion carried by the following vote:**
- Aye:** 4 - Vice Mayor Peters, Councilmember Deitz, Councilmember Hammerstrom and Mayor Turner
- Recuse:** 1 - Councilmember Cimolino

8. CLOSED SESSION

ADJOURNMENT

Mayor Turner adjourned the meeting at 9:31 PM.

DAVE TURNER, MAYOR

June Lemos, City Clerk

IMAGED (_____)