



# 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, October 24, 2016

6:00 PM

Town Hall, 363 N. Main Street

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### CALL 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. [16-431](#)** Present Proclamation Recognizing Robert Armitage for His 36 Years of Service on the Noyo Harbor Commission

Mayor Turner presented Robert Armitage with a Proclamation and City Plaque recognizing his 36 years of service on the Noyo Harbor Commission.

#### **2. STAFF COMMENTS**

Chief Lizarraga mentioned an upcoming Neighborhood Watch Program meeting and a Community Emergency Response Team (CERT) presentation. The Chief said the Police Department's second K-9, Maverick, will begin work this week, handled by Sgt. Kendl. Finance Director Damiani reported that the City's Finance Department was awarded the Government Finance Officers Association Distinguished Budget Presentation Award for its FY 2016/17 budget. Public Works Director Varga gave a brief update on the water situation, noting that the Summers Lane Reservoir is about three-quarters full. Acting City Manager Schneider announced that the City has a job opening for Assistant City Engineer.

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

Mayor Turner reported that he met with the School Board's playing field committee and the consensus was that if Measure AA passes, a nonprofit will be formed to make the best use of the funds to help in maintaining the playing fields. The Mayor announced that he received an invitation to a ceremony in Tokyo to celebrate the recovery and rebuilding of Fort Bragg's Sister City, Otsuchi, and will therefore miss the December 12 meeting of the City Council.

Vice Mayor Peters reported that the Mendocino Coast Recreation and Parks District (MCRPD) had unanimous support for Measure AA. If the nonprofit organization is formed, MCRPD may be eligible for matching grants. Peters noted that the Mendocino Transit Authority meets in Point Arena next week.

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

- Ron White related that Glass Beach artwork is available for use by a nonprofit to raise funds to go toward the cost of coastal trail and restroom maintenance.
- Kaitlin Alexander and Sharon Davis updated the Council on Visit Fort Bragg's promotional efforts.

#### **5. PUBLIC HEARING**

#### **6. CONDUCT OF BUSINESS**

- 6A. [16-430](#)** Receive Recommendation from Ad Hoc Committee Regarding the Appointment of a Commissioner and Chair of the Noyo Harbor Commission

Mayor Turner reported that the ad hoc committee met with Supervisor Dan Gjerde and interviewed applicants for positions on the Noyo Harbor Commission. The committee recommended that the City and County jointly appoint current Noyo Harbor Commissioner Joe Caito as Chair of the Commission; that the County appoint Steve Bradley to fill Mr. Caito's vacant seat; and that the City confirm interim appointee William Forkner as the City's designated Harbor Commissioner.

Public Comment: None.

**A motion was made by Vice Mayor Peters, seconded by Councilmember Deitz, that Joe Caito be the City's appointee for the Joint Chair position on the Noyo Harbor Commission. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Hammerstrom

**A motion was made by Councilmember Cimolino, seconded by Vice Mayor Peters, that William Forkner be appointed to the Noyo Harbor Commission. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Hammerstrom

- 6B. [16-403](#)** Receive Report and Consider Introduction, by Title Only, and Waive Further Reading of Ordinance 927-2016 Adding Chapter 9.33 (Cannabis Manufacturing) to Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code

Associate Planner Perkins gave the staff report on this agenda item and recommended that the Council introduce the ordinance, waiving the first reading.

Public Comment was received from:

- David Eyster thanked the Council and spoke in support of the ordinance.
- Gabriel Quinn Moroni spoke about the safety of cannabis manufacturing workers.

- Richard Mack said he has been denied housing and services because of his cannabis use.

Discussion: It was noted that CalOSHA has regulations that protect workers in the cannabis manufacturing business.

**A motion was made by Vice Mayor Peters, seconded by Councilmember Cimolino, that Ordinance 927-2016 be introduced by title only, waiving the first reading. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Hammerstrom

**6C. [16-419](#)** Receive Report and Provide Direction to Staff Regarding Follow Up on Proposed Amendments to Article 2 of the Inland Land Use and Development Code & Vacancy Tax

Associate Planner Perkins presented the staff report on this item and requested direction from Council on condominium conversions and the proposed changes for use findings in the Central Business District (CBD).

Public Comment was received from:

- Ann Rennacker spoke on the vacancies in downtown businesses.
- Catherine Reitz said the City needs to do something about the raccoons, possums and rats.

Discussion: It was generally agreed by the Councilmembers as follows:

1. **Condominium Conversions:** The ordinance language concerning condominium conversions should remain as is, and not allow conversion projects of more than 3 units in the high density zoning districts.
2. **Use Permits and Minor Use Permits in the CBD.** The revisions to the section entitled "Limitation on the location of allowable land use" are approved, which will allow for more flexibility if the Review Authority can make the findings as outlined in the proposed changes.
3. **Emergency Shelter Definition.** This item was referred to the Community Development Committee (CDC) for discussion.
4. **Service Animal Definition.** This item was referred to the CDC for discussion.
5. **Vacancy Tax.** This item was referred to the CDC for discussion.

**Direction was given to staff.**

**6D. [16-424](#)** Receive Report and Consider Introduction, by Title Only, and Waive Further Reading of Ordinance 926-2016 Amending Chapter 6.14 (Licensing of Tobacco Sellers) and Chapter 6.18 (Smoking Pollution Control and Health Protection Regulations) of the Fort Bragg Municipal Code

Acting City Manager Schneider gave a report on this item and recommended introduction of the ordinance, waiving the first reading.

Public Comment: None.

**A motion was made by Vice Mayor Peters, seconded by Councilmember Deitz, that Ordinance 926-2016 be introduced, waiving the first reading. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Hammerstrom

- 6E. [16-427](#)** Receive Report and Provide Direction to Staff on Modifications to City Council, Council Committee, and Planning Commission Meeting Minutes Format

City Clerk Lemos presented the staff report on brief summary minutes.

Public Comment: None.

Discussion: After brief discussion, the Council decided to transition to brief summary minutes on a permanent basis.

**The Council directed staff to prepare brief summary minutes for all future City Council, Planning Commission, and standing Council Committee meetings.**

**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 Vice Mayor Peters, 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. [16-423](#)** Adopt Resolution Confirming the Continued Existence of a Local Drought Emergency in the City of Fort Bragg

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

Enactment No: RES 3945-2016

- 7B. [16-425](#)** Adopt City Council Resolution Establishing City Council Rules of Procedure for Conduct of City Council Business

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

Enactment No: RES 3946-2016

- 7C. [16-426](#)** Adopt City Council Resolution Amending the Schedule for Standing Committee Meetings

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

Enactment No: RES 3947-2016

- 7D. [16-429](#)** Adopt City Council Resolution Declaring Surplus Property (Road Grader)

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

Enactment No: RES 3948-2016

- 7E. [16-428](#)** Approve Minutes of Special Joint City Council/Board of Supervisors Meeting of September 19, 2016

These Minutes were approved on the Consent Calendar.

7F. [16-422](#) Approve Minutes of October 11, 2016

These Minutes were approved on the Consent Calendar.

## **8. CLOSED SESSION**

### **ADJOURNMENT**

Mayor Turner adjourned the meeting at 7:13 PM.

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DAVE TURNER, MAYOR

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June Lemos, City Clerk

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