



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, January 23, 2017

6:00 PM

Town Hall, 363 N. Main Street

AMENDED

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

- 1A. [17-043](#)** Recognition of Derek Hoyle for his Service on the Fort Bragg Planning Commission, August 9, 2010 to January 9, 2017

Community Development Director Jones presented a plaque to Derek Hoyle and thanked him for his years of service on the Fort Bragg Planning Commission. Former Councilmember Doug Hammerstrom who appointed Derek Hoyle, also made comments thanking him for serving as Planning Commission Chair.

- 1B. [17-044](#)** Recognition of Heidi Kraut for her Service on the Fort Bragg Planning Commission, June 12, 2015 to January 9, 2017

Community Development Director Jones presented a plaque to Heidi Kraut and thanked her for her service on the Fort Bragg Planning Commission. Former Councilmember Scott Deitz who appointed Heidi Kraut, also made comments thanking her for serving as Planning Commissioner.

- 1C. [17-018](#)** Proclamation in Appreciation of Local, State and Federal Agencies for their Assistance and Response to the December 31, 2016 Boating Accident in Noyo Bay

Following a moment of silence for Richard Mottlow who lost his life in a boating accident on December 31, 2016, Mayor Peters recognized the emergency workers and first responders who assisted in the rescue of two others involved in the incident. The Mayor read a Proclamation and presented copies to representatives from the Fort Bragg Police Department, Fort Bragg Volunteer Fire Department, Mendocino County Sheriff's Office, and US Coast Guard.

1D. [17-054](#) Brief Update on Mendocino Coast Botanical Gardens by Molly Barker, Executive Director

Molly Barker, executive director of the Mendocino Coast Botanical Gardens, gave a presentation to the Council on the history, mission, and conservation efforts of the Gardens, noting that they have received national acclaim for their propagation work and research.

1E. [17-040](#) Receive Report from Councilmember Turner on his December 2016 Visit to Fort Bragg's "Sister City," Otsuchi, Japan

Councilmember Turner showed photographs of his recent trip to Fort Bragg's sister city, Otsuchi, Japan. He presented gifts from Otsuchi's Mayor to the Council, including a baseball for Mayor Peters. Councilmember Turner gave an update on Otsuchi's rebuilding efforts following the 2011 earthquake and tsunami that devastated the town. Doug Hammerstrom, Treasurer of the Fort Bragg-Otsuchi Cultural Exchange Association, reported that a monument will be placed on the Coastal Trail at Otsuchi Point as a memorial to the relationship between the two cities.

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

- BB Grace expressed her concerns over safety issues at the Guest House Museum.
- Ruth Sparks thanked the City Council for declaring the grounds of the Guest House Museum a public park.
- Annemarie Weibel commented on the Hare Creek Center project.
- Veronica Bazor, president of the Timberwolf Boosters, acknowledged the Consent Calendar resolution that would give \$20,000 in funding from asset forfeiture funds to the Timberwolf Boosters.
- Carol White expressed gratitude to first responders for saving her life, and gratitude to the community for the Women's March on Saturday in support of civil rights.
- Sue Boecker requested that safety issues at the Guest House be made an agenda item.
- Ann Rennacker talked about her concerns for the environment, water, and salmon.
- Gabriel Quinn Moroni spoke in support of all free speech, including hate speech.
- Mark Mertle said he supports the Hare Creek Center project and views it as people trying to invest in the community.
- Barbara Moller spoke in opposition to Hare Creek Center because of its location.
- Jinx Bridges said she opposed the Hare Creek project.

3. STAFF COMMENTS

City Manager Ruffing noted that City Clerk Lemos received her Certified Municipal Clerk designation from the International Institute of Municipal Clerks this week. She reported on the recent full-day emergency preparedness tabletop exercise and training last Tuesday. Ruffing announced upcoming meeting dates and agenda items and reported on her attendance at the New Mayors and Councilmembers Academy in Sacramento last week. Chief Lizarraga presented an overview of the Latino Coalition meeting last Thursday regarding immigration. Public Works Director Varga provided an update on public street and alley rehabilitation project.

4. MATTERS FROM COUNCILMEMBERS

Mayor Peters reported on his attendance at the League of California Cities (LOCC) conference and the recent Women's March. He noted that the Monday Morning Meetings with the Mayor are

well attended. Vice Mayor Lee also reported on the LOCC conference and Women's March. He thanked staff for their hard work and noted that he attended a swearing-in ceremony at the Police Department. Councilmember Norvell commented on shoplifting problems experienced by a local business owner. He said this issue and other matters concerning homelessness will be discussed on a future Public Safety Committee agenda. Councilmember Turner thanked the Public Works crew for a quick response to water main problems. He also commented on the Women's March and thanked Vice Mayor Lee for speaking at the march.

5. CONSENT CALENDAR

Approval of the Consent Calendar

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

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

- 5A. [17-020](#)** Adopt City Council Resolution Approving Police Department Donation to the Timberwolf Boosters in the Amount of \$20,000 from Law Enforcement Administrators Association (LEAA) Asset Forfeiture Education Funds

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 3974-2017

- 5B. [17-053](#)** Readopt Master Traffic Resolution

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 1271-2017A

- 5C. [17-045](#)** Adopt City Council Resolution Authorizing Submittal of Application to California State Department of Housing and Community Development for an Amount Not to Exceed \$500,000 Under the HOME Investment Partnerships Program for Owner-Occupied Housing Rehabilitation Loan Program

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 3975-2017

- 5D. [17-047](#)** Adopt City Council Resolution Accepting the 2017 Fort Bragg Police Department Salary Survey Results as Required by Ordinance 672

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 3976-2017

- 5E. [17-035](#)** Approve City Council Letters of Support for AB 1 (Frazier) and SB 1 (Beall) Regarding Transportation Funding

These Council Letters were approved on the Consent Calendar.

- 5F. [17-058](#) Adopt City Council Resolution Authorizing the City Clerk to Sign the Offer to Dedicate Associated with Major Division 4-02/14
This Resolution was adopted on the Consent Calendar.
Enactment No: RES 3977-2017
- 5G. [17-050](#) Receive and File Minutes of the August 24, 2016 Public Works and Facilities Committee
These Committee Minutes were received and filed on the Consent Calendar.
- 5H. [17-052](#) Receive and File Minutes of the October 5, 2016 Finance and Administration Committee Meeting
These Committee Minutes were received and filed on the Consent Calendar.
- 5I. [17-051](#) Receive and File Minutes of the November 9, 2016 Public Works and Facilities Committee
These Committee Minutes were received and filed on the Consent Calendar.
- 5J. [17-038](#) Receive and File Minutes from the January 29, 2016 Special Oversight Board to the Fort Bragg Redevelopment Successor Agency Meeting
These Committee Minutes were received and filed on the Consent Calendar.
- 5K. [17-042](#) Approve Minutes of Special Meeting of January 9, 2017
These Minutes were approved on the Consent Calendar.
- 5L. [17-041](#) Approve Minutes of January 9, 2017
These Minutes were approved on the Consent Calendar.

6. PUBLIC HEARING

7. CONDUCT OF BUSINESS

- 7A. [17-019](#) Receive Report and Provide Direction Regarding Coastal Trail Phase II Project: (1) Design, Bidding and Timing; and (2) Acceptance of a "Comfort Letter" from Department of Toxic Substances Control (DTSC) In Lieu of "No Further Action Letter" for Transfer of Trail Corridor

Community Development Director Jones summarized the staff report on this agenda item and answered questions from Council regarding rising sea levels, the path over the berm, toxins, mill dam, culverts and stormwater runoff. City Attorney Zutler provided an explanation regarding the difference between a comfort letter and no further action letter.

Mayor Peters recessed the meeting at 8:10 PM; the meeting reconvened at 8:21 PM.

Public Comment was received from:

- Sue Boecker spoke about the seriousness of toxins in the mill pond.
- Barbara Moller wants the mill pond cleaned up.
- Ann Rennacker spoke in favor of cleanup.

- Sheila Semans supports taking down the berm and cautioned that because of climate change, sea level rise and storm surge, a trail should not be put on the berm.
 - Teri Barber expressed her concern that the opportunity to daylight the creeks will be lost if the passive recreational activities level is accepted.
 - Mary Rose Kaczorowski said there would be problems if this matter is fast-tracked.
 - Annemarie Weibel recommended researching a waiver to use the grant money later rather than by the deadline.
 - Derek Hoyle is concerned about toxins in the pond in the case of a seismic event.
 - Jinx Bridges questioned where toxics from the pond will go during the cleanup process.
- Discussion: After much discussion, a majority of Councilmembers were in favor of accepting a comfort letter from DTSC and moving forward with plans to connect the north and south trails.

Council directed staff to proceed with the design to connect the north and south segments of the Coastal Trail and to pursue acceptance of the comfort letter from DTSC.

- 7B. [17-036](#)** Receive Presentation from JJACPA, Inc. and Finance Director Victor Damiani on the Comprehensive Annual Financial Report (CAFR) for the Year Ended June 30, 2016 for the City of Fort Bragg and Consider Accepting the CAFR as Presented

Finance Director Damiani presented the CAFR for year ended June 30, 2016. Joe Arch of JJACPA presented the auditor's report. No significant issues with internal controls were found. No differences from previous years were noted, except for the pension plan. The City is solvent, but careful budgeting is recommended.

Public Comment on this agenda item was received from:

- Ray Alarcon asked questions about how much the City contributes annually to the pension funding.

A motion was made and seconded to approve the CAFR for Year Ended June 30, 2016. The motion was approved unanimously.

- 7C. [17-034](#)** Receive Report Regarding Ordinance Amendments for Cannabis Retail Uses and Provide Direction to Staff

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

A motion was made and seconded to continue the meeting past 10:00 PM. The motion passed unanimously.

Public Comment was received from:

- Warner Bates encouraged the Council not to allow recreational use of cannabis within city limits.
- Derek Hoyle spoke in support of recreational cannabis sales in Fort Bragg.
- Simon Smith urged the Council to set a regulatory framework for sales of recreational cannabis.
- Ray Alarcon noted that state law allows for on-site use when permitted and cities have the opportunity to regulate this.

Discussion: The Council was in agreement that they would like to take a look at allowing retail dispensaries for recreational use in certain zoning districts, with a use permit, limiting the quantity of permits and regulating signage, odor, etc. They concurred that this matter should be sent to the Public Safety Committee for fleshing out.

This matter was referred to the Public Safety Committee.

- 7D. [17-046](#)** Receive Report Regarding Oversight Process for Measure AA

Revenues and Provide Direction to Staff

City Manager Ruffing gave the staff report on Measure AA oversight.

Public Comment was received from:

- Sharon Davis stated she looks forward to discussing the changed contract with the Chamber of Commerce so their funding isn't impacted and the work is kept local.
- Deborah Degraw said she wants to be sure Visit Fort Bragg is included in discussions.

Discussion: The Council accepted the report.

This report was accepted.

2B. PUBLIC COMMENTS ON NON-AGENDA, CONSENT CALENDAR & CLOSED SESSION ITEMS (30 Minutes, If Necessary)

8. CLOSED SESSION

ADJOURNMENT

Mayor Peters adjourned the meeting at 10:44 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)