



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, November 27, 2017

6:00 PM

Town Hall, 363 N. Main Street

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

Mayor Peters announced that the public hearing on Item 6A would be continued to the next regular City Council meeting due to questions received from a member of the public just hours before this meeting.

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

Mayor Peters noted that Noyo Harbor District Commissioner Dusty Dillon recently passed away and remarked on his love for the harbor and the Fort Bragg area. A moment of silence was observed.

2A. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS (30 Minutes)

(1) Non-Agenda Items:

- Ann Rennacker reported on the public library expansion project.
- Robert Rahlf requested an extension of time for imposing late fees on delinquent water and sewer bills.

(2) Consent Calendar Items: None.

(3) Closed Session Items: None.

3. STAFF COMMENTS

Chief Lizarraga announced an upcoming Neighborhood Watch meeting, reported on the recent PAL bicycle sale; and gave an update on a Thanksgiving afternoon stabbing incident resulting in an arrest.

4. MATTERS FROM COUNCILMEMBERS

Mayor Peters stated that no reportable action took place at today's closed session. He gave an update on the Glass Beach staircase, the Extreme Weather Shelter, and the Coastal Trail

connection project. He said that recognition of community volunteers who helped evacuees from the recent fires will be held next meeting. The Mayor spoke about Bainbridge Park improvements, a recent swim meet at the CV Starr Community Center, and the tree lighting ceremony. Vice Mayor Lee asked about noticing requirements for continuing a public hearing.

5. CONSENT CALENDAR

Councilmember Norvell requested that Item 5D be removed from the Consent Calendar for further discussion.

Approval of the Consent Calendar

A motion was made by Vice Mayor Lee, seconded by Councilmember Cimolino, to approve the Consent Calendar with the exception of Item 5D. The motion carried by the following vote:

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

- 5A. [17-604](#)** Adopt City Council Resolution Approving Professional Services Agreement With Coleman Engineering, Inc. for a Brackish Water Desalination Feasibility Study and Authorizing City Manager To Execute Same (Amount Not To Exceed \$35,000; Account No. 610-4612-0319)

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4048-2017

- 5B. [17-601](#)** Adopt City Council Resolution Establishing a City of Fort Bragg Master Salary Rate Compensation Plan Confirming the Pay Rates/Ranges for All City of Fort Bragg Established Classifications

This Resolution was adopted on the Consent Calendar.

Enactment No: RES 4049-2017

- 5C. [17-597](#)** Accept Certificate of Completion for Influent Flow Meter Manhole Installation Project, City Project No. 2017-02, and Direct District Clerk to File Notice of Completion

This Certificate of Completion was accepted on the Consent Calendar.

- 5E. [17-593](#)** Receive and File Minutes of the September 26, 2017 Community Development Committee Meeting

These Committee Minutes were received and filed on the Consent Calendar.

- 5F. [17-592](#)** Receive and File Minutes of the October 11, 2017 Public Works and Facilities Committee Meeting

These Committee Minutes were received and filed on the Consent Calendar.

- 5G. [17-607](#)** Approve Minutes of November 13, 2017

These Minutes were approved on the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR

- 5D. [17-599](#)** Accept Certificate of Completion for C. V. Starr Floor Drain Project, City Project No. 2017-01, and Direct City Clerk to File Notice of Completion

Councilmember Norvell requested an update on the project, and asked if the liability problem had been resolved. Public Works Director Varga said that the issue has been completely fixed.

A motion was made by Vice Mayor Lee, seconded by Councilmember Cimolino, that this Certificate of Completion be accepted. The motion carried by the following vote:

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

6. PUBLIC HEARING

- 6A. [17-598](#)** Receive Report, Conduct Public Hearing, and Consider Adoption of the Following: (1) City Council Resolution Adopting Updated Fees For Various Planning and Development Services; (2) Joint City Council/Improvement District Resolution Adopting Updated Fees For Miscellaneous City/District Services

Mayor Peters said the staff report on this item will be deferred to December 11 in light of last minute questions received from a member of the public.

Mayor Peters opened the public hearing at 6:29 PM.

- Jacob Patterson expressed concern about the fee structure and how it has been adopted in the past.

A motion was made by Councilmember Turner, seconded by Councilmember Cimolino, that the public hearing be continued to the next regular City Council meeting. The motion carried by the following vote, and at 6:30 PM, Mayor Peters continued the public hearing to December 11, 2017:

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

- 6B. [17-594](#)** Receive Recommendation of the Planning Commission, Conduct Public Hearing, and Consider Adoption of City Council Resolution to Submit a Local Coastal Program Amendment (LCP 3-17) to Revise Policies Requiring Specific Plan(s) for Zoning Changes to Properties Located in the Timber Resources Industrial Zoning District

Community Development Director Jones presented the staff report on this item, noting that this mini-amendment potentially changes two policies, LU-7.1 and LU-7.2. Jones summarized all the proposed revisions to the Coastal General Plan and Coastal Land Use and Development Code. She responded to questions from Councilmembers regarding the Specific Plan, road building, the sharing of studies with developers, and CEQA environmental reviews.

Mayor Peters opened the public hearing at 6:55 PM.

- Rex Gressett is opposed to Georgia-Pacific selling off the mill site in pieces before all the toxicity problems have been addressed.

- Ann Rennacker referred to a Department of Toxic Substances Control (DTSC) letter; would like to keep the area zoned Timber Industrial; and wants a small lumber mill on the site for historical purposes.
- Eric Dwyer urged the Council to get moving on the LCP amendment and to get it done.
- Scott Deitz spoke about the loss of jobs and the resulting loss of people on the coast. He said the mill site property needs to be available to bring in good paying jobs and make Fort Bragg a real town again.
- Gabriel Quinn Maroney talked about embracing opposites, upholding a vision, developing infrastructure, moving forward, and having a big plan.
- John Fletcher said the most successful communities are made with people in mind, and he recommends keeping the small town character.
- Thais Mazur is concerned about sustainability and local economy. She advised patience and taking a good look at things before acting so that Fort Bragg can be a global representative to show what can happen to a former mill town.
- Sheila Dawn Tracey is concerned that Georgia Pacific does not want to fully clean up the land. She would like to see Fort Bragg be a real college town, but thinks there should be more public input.

Mayor Peters closed the public hearing at 7:12 PM.

Discussion: Councilmembers discussed the cleanup of the mill site, the history of the Coastal Commission involvement, the process for making LCP changes, and how to encourage development while still being cognizant of quality of life enjoyed here on the coast. All agreed that adoption of this resolution amending the LCP would move the mill site zoning process forward.

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

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

Enactment No: RES 4050-2017

- 6C. [17-569](#)** Receive Recommendation from Planning Commission, Conduct Public Hearing, and Consider Adoption of Resolution Designating Dry Shed 4 as a Historic Landmark or Resolution Declaring that Dry Shed 4 is not a Historic Landmark

Community Development Director Jones summarized the staff report on this agenda item.

Discussion: The following items were noted during discussion of this item:

- The Councilmembers tried to arrange a site visit, but Georgia Pacific would not allow it because of safety considerations.
- The designation of a historic landmark does not give the City any rights to use or access it.
- Although much of the roof and walls need repairs and improvements, the City would need to undertake code enforcement efforts to require Georgia-Pacific to replace the damaged building materials.
- If Dry Shed 4 were to become a location where artists could showcase their work, a nonprofit would need to operate it, as that is not a role appropriate for the City.

Mayor Peters recessed the meeting at 8:00 PM; the meeting reconvened at 8:08 PM. Mayor Peters opened the public hearing at 8:08 PM.

- Thais Mazur spoke in favor of keeping the building as a historic site.
- John Fletcher is in favor of keeping Dry Shed 4 and gave examples of retained buildings that

vitalized other communities.

- Gabriel Quinn Maroney said Dry Shed 4 is a valuable resource to the community and the City needs warehouse space.
- Ann Rennacker said the Skunk Train and artists are interested in the building. She suggested fundraisers to get the town behind saving it.
- George Reinhardt noted that wetlands restoration must be considered and urged the Council to think creatively about how to protect that space.
- Scott Deitz thinks it is a financial decision for Georgia-Pacific to demolish this structure, but he would like the building saved.
- Eric Dwyer believes this is politically motivated manipulation, and the Council should not take over private property for the good of the people. He thinks the City taking ownership of Dry Shed 4 would be too big, cost too much, and would be a money pit. He wants the Skunk Train to buy it.
- Robert Pinoli, representing the Skunk Train, said the Skunk is still actively talking to Georgia-Pacific about acquiring land, including Dry Shed 4, which they would like to use to store cars. He noted that they would support whatever decision is made.

Mayor Peters closed the public hearing at 8:28 PM.

The subject of missing infrastructure was discussed, including the fact that the shed does not have water, sewer or power, and any use of the building would need to have all three installed which could become quite costly. The Council was divided on whether or not to designate Dry Shed 4 as a historic landmark, with two in favor of designation and three opposed.

A motion was made by Councilmember Norvell, seconded by Vice Mayor Lee, that the Resolution declaring that Dry Shed 4 not be designated a local historic landmark be adopted. The motion carried by the following vote:

Aye: 3 - Vice Mayor Lee, Councilmember Cimolino and Councilmember Norvell

No: 2 - Mayor Peters and Councilmember Turner

Enactment No: RES 4051-2017

7. CONDUCT OF BUSINESS

- 7A. [17-595](#)** Receive Recommendation from the Community Development Committee and Consider Adoption of Fort Bragg City Council Resolution for the Benefit of the Citizens of the North Coast, the Environment, and our Economic Future

Community Development Director Jones gave the staff report on this item. She clarified that either a letter to DTSC or a resolution could be used to convey the City Council's and the community's wishes.

Public Comment was received from:

- Susan Nutter wants a more thorough definition of pond cleanup and recommends pursuing a 100% cleanup of the mill pond.
- Thais Mazur said dioxins change DNA and life forms, not just cause cancer. She supports the resolution as written.
- Sarah Bodner urged the Council to vote yes on a cleanup resolution as a step forward to a strong standard for future development.
- Mike Thomas read from his letter to DTSC. He wants a healthy coastal town that has converted a polluted industrial site to a fully remediated land that has removed deadly and hazardous materials.
- Ann Rennacker wants a cleanup goal that is clean enough for unrestricted use to the highest level

of human health.

- Sheila Semans said this community wants total cleanup, and when DTSC receives a statement that the community wants a total site cleanup, it means something.
- David Jensen spoke of his concerns about the November 16 letter from Georgia-Pacific to Mayor Peters and requested clarification of the agreement spoken of in the letter.
- George Reinhardt urged the Council to be deliberative in decision-making and approve the resolution. He would like the pretrial discovery in the Georgia-Pacific lawsuit to be unsealed.
- Gabriel Quinn Maroney supports the resolution.
- Susan Kelly urged the Council to do what the community wants them to do.

Discussion: In response to a question from a Councilmember regarding how effective a resolution would be with DTSC or Georgia-Pacific, City Attorney Hildebrand said that having a resolution that allows them to clearly understand the community's preferences does have weight. The general consensus was to approve the resolution in the form attached to the staff report as Attachment 3.

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

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

Enactment No: RES 4052-2017

7B. [17-606](#)

Receive Report and Provide Direction to Staff Regarding Administrative Review of Limited Term Permit 27-17 (LTP 27-17) for Operation of an Extreme Weather Shelter

Community Development Director Jones reported on this item. City Attorney Hildebrand stated that although Community Development Director has the authority to make the decision on this limited term permit, it is good to get public input and have the Council make their thoughts known and to give direction. Jones responded to questions from Councilmembers regarding police presence at the staging area and other extreme weather shelters offered by various other faith communities outside Fort Bragg.

Public Comment was received from:

- Andrea Luna talked about temperature criteria and drop-off points.
- Ann Rennacker spoke about how her church shelters and feeds people.
- Joe Christie gave his history of working with extreme weather shelters and offered to help with administration of the one in Fort Bragg.
- Carole White spoke in favor of making the EWS as easy as possible for stakeholders and urged the Council to approve the limited term permit.
- Richard Mack told about how it is to be homeless in the rain.
- Lynelle Johnson expressed thanks on behalf of the Mendocino Coast Hospitality Center and staff for those in the community who made the EWS happen this year.
- Eric Dwyer would like Fort Bragg to have a year-round location other than the Hospitality House for warming and washing.

The Council agreed with the recommendations of Community Development Director as noted in the staff report.

2B. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS (30 Minutes, If Necessary)

8. CLOSED SESSION

ADJOURNMENT

Mayor Peters adjourned the meeting at 10:05 PM.

LINDY PETERS, MAYOR

June Lemos, CMC, City Clerk

IMAGED (_____)