

Fort Bragg, California
January 24, 2005
Town Hall

The Agency Members of the Fort Bragg Redevelopment Agency met in regular session on the above date at the hour of 8:54 p.m., in Town Hall, southwest corner of North Main and Laurel Streets (363 North Main Street), Fort Bragg, with Chair Dave Turner presiding.

ROLL CALL as acknowledged by Chair Turner

Present: Agency members Dan Gjerde, Brian Baltierra, Doug Hammerstrom, Jere Melo, and Dave Turner.

AGENDA REVIEW

CHAIR'S RECOGNITION AND ANNOUNCEMENTS

1. PUBLIC HEARING

2. CONDUCT OF BUSINESS

A. Receive Report and Adopt Resolution Authorizing Submittal of a Bicycle Transportation Account Grant Application Requesting up to \$568,800 in Funds for Construction of Phase 1 of the North Fort Bragg Bikeway, a Class I Bike Trail Located on City Right-of-Way on the West Side of Glass Beach Drive

Mayor/Chair Turner convened the Fort Bragg Redevelopment Agency in joint session with the Fort Bragg City Council at 8:54 p.m.

Community Development Director Ruffing reviewed the Agenda Item Summary Report prepared for this item with the City Council.

Public comment on this agenda item was received from: Ron White supported the project.

Moved by Gjerde, seconded by Baltierra, to adopt Resolution (2840-2005/R113-2005) authorizing submittal of a Bicycle Transportation Account grant application requesting up to \$568,800 in funds for construction of Phase 1 of the North Fort Bragg Bikeway, a Class I bike trail located on City right-of-way on the west side of Glass Beach Drive.

VOTE: Ayes: Council/Agency members Gjerde, Baltierra, Hammerstrom, Melo and Mayor/Chair Turner.

Discussion: Mayor Pro Tempore/Vice Chair Gjerde stated that the application is written and he is getting letters of support; anyone interested in writing a letter should get it to him by Friday.

Mayor/Chair Turner recessed the Fort Bragg Redevelopment Agency at 8:59 p.m., reconvening at 9:59 p.m.

B. Receive Report and Provide Direction to Staff Regarding Resolution Authorizing Use of Polanco Redevelopment Act in the Fort Bragg Redevelopment Project Area and Establishing Procurement Procedures for Actions Taken Under the Polanco Redevelopment Act

R304-04

Mayor Turner noted that Loie Rosenkrantz will be presenting some information this evening and will be allowed to break the 5-minute rule. The Agenda Item Summary Report prepared for this item was reviewed with the Agency Board by Community Development Director Ruffing including background information, what's next, the City/Agency's primary objections, the Polanco process, Georgia-Pacific's concerns, the significance of the Agency's decision to use Polanco, and staff's conclusion regarding use of the Polanco Act.

Discussion: City Attorney Gogna noted that the staff report includes a comparison of how the Polanco Act compares to AB 389, prospective purchaser agreements, insurance, and lead agency designation process. He noted that a National Contingency Plan, which includes a health risk assessment and public participation, will be required under Polanco.

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Public comment on this agenda item was received from:

1. Loie Rosenkrantz reviewed a map showing areas of contamination. She noted that these sites were located from information received from former employees who wish to remain anonymous. Rosenkrantz stated that North Coast Action is very dubious about using the Polanco Act. She provided the map, a letter and newspaper articles for the record.

Discussion: Agency Member Melo requested that staff be directed to provide this information, along with a copy of the MCCET tape, to the regulatory agencies addressing the clean up. Rosenkrantz stated that she has provided a copy of the map to the Regional Water Quality Control Board.

2. Jim Tarbell read a statement from Jody Sparks of Toxic Assessment Group that recommended against using the Polanco Act.

3. Wallace Clark cautioned the Agency to be concerned enough to warrant a full clean-up of the site

4. Frieda Feen stated that nothing short of a full site characterization and independent toxicologist review would be acceptable. She recommended the Agency move with great caution.

5. Mary Walsh, representing Mendocino County Sierra Club, stated that the Club is in favor of full site evaluation and not in favor of Polanco because of the immunities it offers landowners.

6. Deborah Scott supported the Agency hiring a private toxicologist.

7. Margaret Paul stated that she was concerned about the 5:30 meeting where the City/Agency began negotiations with Georgia-Pacific. She felt that the Agency should know the toxicity levels before negotiating for the property.

Discussion: Chair Turner stated that the Council/Agency appointed three people to be the City/Agency negotiators but no negotiations were started.

8. Bruce Davis felt that the Phase I and II reports are lacking on good faith on someone's part and the City should require them to start the process over.

9. Fanshen Faber, presenting her comments in writing to the Chair, requested the highest standard possible for clean-up of toxic waste be employed on the mill site.

Discussion: The following was noted by the Council during discussion of this item:

- A toxic consultant needs to be hired to evaluate these processes for the Agency in order for the Agency members to perform their due diligence on property that may be acquired for open space
- It was suggested that this item be referred to the Community Development Committee to get additional public input. Committee Members requested that written items be submitted to staff the week before the meeting so the Members have time to review them.
- It appears that a large number of people want the Agency to get involved in the site remediation process; in order to do this and be reimbursed, the Agency needs to operate under the Polanco Act.
- It was noted that there are two very different interpretations on how the Polanco Act works (from City Staff and Jody Sparks).
- Chair Turner requested the list of questions from Jody Sparks be presented for review by the City's Polanco Act expert before the Community Development Committee meeting. City Attorney Gogna suggested that direction be given to the City Attorney's office that they respond to items that can be responded to in a factual manner but that they don't respond to subjective items.
- Gogna noted that some of the things the citizens are asking the Agency to do are not authorized; if the Agency goes beyond what they are authorized to do statutorily, then they are putting the Agency and City at risk.

3. COMMENTS ON NON-AGENDA ITEMS

A. Staff Comments

B. Public Comments

1. Carter Irwin noted that the homeless issue needs to be addressed quickly. He stated that he heard about a voucher program for the State Parks and asked about it at a meeting the other night but no

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one knew anything about it. Mayor Turner told Irwin to go to the Community Center to get the vouchers.

- 2. Frieda Feen noted that the agreement when the "mono-pole" was installed behind Safeway was that the existing whip on the telephone pole would be removed but it hasn't been at this point.

4. CONSENT CALENDAR

Moved by Melo, seconded by Baltierra, to accept the Consent Calendar, as received, with the actions noted, namely:

A. Matters from Committees

B. Approval of Minutes

(1) Minutes of January 10, 2005.

VOTE: Ayes: Councilmembers Gjerde, Baltierra, Hammerstrom, Melo, and Mayor Turner.

5. MATTERS FROM AGENCY MEMBERS

6. CLOSED SESSION

Chair Turner adjourned the meeting at 11:13 p.m.

DAVE TURNER, Chair

ATTEST:

Cynthia M. VanWormer, CMC
Secretary

INDEXED: _____(____)

IMAGED: _____(____)