

Mayor Jeffrey Farley called the Regular City Council Meeting to order at 7:00 p.m. Present were Councilmen Stuart Titus and Niels Lorenzen as well as City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum, City Engineer Praj White, Project Manager Kent Hanford and Police Chief Bret Smith. Councilmen Ken Mierzwa and John Maxwell were absent. Those present pledged allegiance to the flag.

Ceremonial: the City Clerk read the "Fernbridge Centennial Celebration Proclamation" and Mayor Farley presented it to Karen Pingitore, Chamber of Commerce president. Ms. Pingitore invited all to come to the celebration on Sunday, and to come to Ferndale afterwards for cake and icecream.

Modifications to the Agenda: Move item 11d to first position under business, item 11f in second position, item 11d in third position.

Under public comment, Nancy Trujillo of 277 Ocean had two points (1) has the City purchased property at the corner of Ocean & the Wildcat? City Workers were seen mowing it. (2) She knows that there is a moratorium on sign infractions, but she noticed that Button Willow Studio, a home occupation business in a residential section was putting a sign on Main Street every weekend, directing people to her home studio, which is not zoned for retail. The Mayor directed staff to look into this and get back to Ms. Trujillo.

Consent Calendar: Councilman Lorezen had a question regarding \$654 charged by Manhard, city engineers. Praj White was there to speculate on the answer to his question, since he didn't have the invoice in front of him. The City Clerk corrected the July 7, 2011 minutes, first page, 2nd to the last line should read MOTION: (Farley/Maxwell) Approve Resolution 2011-29 instead of 2011-30. MOTION: (Titus/Farley) Accept Accounts Payable, Approve the minutes for July 7, 2011 as corrected and July 27, 2011. Two ayes with one nay from Lorenzen. Councilman Titus suggested that if a councilmember has a question about the consent calendar he or she should contact city staff so that they would be able to research and have the answer during the council meeting.

Wind Turbine Update: City Manager Jay Parrish noted available copies of the Letter to the Editor from the President of Shell WindEnergy, Inc. Parrish reported that they will give a presentation to the Council before they make a decision on the project. Richard Harris spoke, asking that any future meetings to update the council be held during a council meeting for full transparency. Roger from Grizzly Bluff asked if the council wanted public comment tonight. He presented an article from The New York Times Business dated 8/27/10 entitled "On the Radar, And That's the Problem – Military Argues Turbines Disrupt Its Exercises." Roger had three points: (1) Is there radar in the large antenna on Bunker Hill? The government doesn't allow wind turbines near radar installations. (2) Royal Dutch Petroleum, associated with Shell Oil, as of last fall was purchasing oil from Iran. He feels it is important to know who's involved. (3) This environmental energy project is heavily subsidized by State and Federal Governments. \$6,000,000 to \$7,000,000 has been spent over the last several years (since 2009). This is a heavy, expensive, intrusive project – we need to know who is involved. Duane Martin said we need a public forum – this project will have great impact on our community. It is intrusive to our water supply. Andrei Hedstrom asked if between now and when there is a public meeting anything is being done. The Mayor replied that he was told that now their engineers will look at how the material will get to the project site. Nancy Trujillo noted that her house is slated for demolition if one of the routes goes through. She wants to be noticed on any meetings. Shell WindEnergy has been collecting data. Their EIR comment period was due in 2009. They have managed to come up with three possible routes through Ferndale. The power will go to the grid and not come back to the people of Ferndale or Rio Dell. Trujillo thinks the city will sell the city down the road for promise of road repairs. If a truck route is created on Fifth Street, it would be an eight month to a year project that will affect tourism and residents with road closures, thousand pound loads. We don't have to take it. We can say no. Windows will break, houses will be torn down. Homes have been devalued. Her house is not worth anything. Everything should be done in public. City Manager Parrish noted that the project had come before the council

more than a year ago, and that he'd written a letter with points that have not yet been addressed. Trujillo feels they are trading clean air credits. Dick Hooley feels that as long as we procrastinate in answering to Shell or the County we are degrading property values. The City has to take a firm position. Councilman Titus noted that we have learned some information from Shell, and the County may have information that we do not yet have. Maybe we should go to the County to get all the information they have on this. Now that we are aware, we need to talk with County Planning. Although I understand that transportation is part of the proposed project, the idea of removing homes or businesses would violate the core values in this community. What is the protocol on this preliminary project? Any comments and meetings need to be in public. He asked the council to direct staff to gather all information from the County and make a presentation to the City. Because of the critical nature of this project we need to set the standard instead of ShellEnergy being in charge.

Angelina Wellness Center: The Mayor related that although this project is in the County it may affect the city. This is the opportunity for the public to make comments. Mr. Bill Thorington, Chairman of the Board of Directors and President / CEO spoke to the public about the project. He said they had just purchased the building; there have been years of deferred maintenance. They propose a Medical Marijuana Dispensary (MMD), a restaurant and bar as well as an outdoor commercial nursery. There will be no indoor marijuana growing operation. He relayed how organic small farmers will be contracted to grow a specific amount of marijuana; they will be inspected by the County; they will be paid by check and will be issued 1099's. Mayor Farley asked how this proposed MMD will be different from others. Mr. Thorington answered that their product would be certified. Councilman Titus noted that Mendocino County has taken action on MMD's with the approval of the Sheriff's Department. The County will have to adopt an ordinance to allow this type of establishment: legal grows and transporting the project. Thorington talked about a transport manifest from the farmer to the dispensary. Humboldt County has not yet determined how they will deal with the ordinance. Thorington would like all MMD's to be 100% medically tested. Regarding transportation, growers register with the Sheriff's Department, and the Sheriff's Department inspects and knows the water and fuel sources. Each plant is registered, and the grower must sell only to the dispensary. He noted that there are 81 growers registered in Mendocino County, which brought in \$680,000 in fees to the county. In answer to a question from the audience of how many acres would be in production, he replied that there would be square feet of garden, not acres. Richard Hooley said he is against it all. How are you going to control use of the product 50' from the premises?

Update on Navy Housing and set date for special meeting relating to conveyance issues: Conveyance will happen in September. The Navy has completed their study as well as remediation of one building. MOTION: (Titus/Farley) Authorize the City Manager to canvass the Council to set up a meeting. All in favor.

Resolution 2011-31 for 12th Progress Pay Request for Management and Construction Related Costs for the WWTP: Kent Hanford gave an update. The construction is 84% complete. Port Kenyon road will be open during the Fair. MOTION: (Titus/Farley) Approve Resolution 2011-31 for 12th Progress Pay Request for Management and Construction Related Costs for the WWTP. All in favor.

Resolution 2011-32 Awarding the Sewer Rehabilitation Contract to DCI Builders. Within the sewer system, there are runs of 1200+' of sewer line that have only one access point. The Chief Plant Operator can only camera 250'. Awarding this contract will provide access for the future via manholes and once this is done, we will be able to look at the entire system. The Request for Proposals came back in with a spread of \$49,000 to \$130,000. Work will commence no sooner than 8/22 and be complete by 10/15. DCI is the lowest bidder. The areas affected are Fern & Main Streets, Lewis and Main Streets and Harrison. MOTION: (Farley/Titus) Approve Resolution 2011-32 Awarding the Sewer Rehabilitation Contract to DCI Builders. All in favor.

Art Exhibit on the City Green: Mr. Joe Koches presented photographs of Claudio Bottero's sculpture, which he proposes be placed on the City Green. It will only be there for 6 months. It is 16' tall. There is a publicity opportunity for Ferndale. MOTION: (Titus/Farley) Authorize the City Manager to negotiate with the California Blacksmithing Association to work out the details. All in favor.

Under City Manager Report, Jay Parrish reported that the Salt River Watershed Council had just interviewed a person who will be helping with the council.

Under Council Reports, Mayor Farley reported that there may be some money for Ferndale from HCAOG – about \$4500. City Engineer Praj White reported that we would soon be starting on the Pedestrian Project on Herbert from Dewey to Rose. The area would be paved and a sidewalk installed. We will be requesting bids on 8/15 or 8/16.

The meeting was adjourned at 9:00 pm. The next regular meeting will be September 1, 2011.

Respectfully Submitted:

Nancy Kaytis-Slocum

City Clerk