



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Meeting Agenda Public Works and Facilities Committee

Thursday, July 14, 2022

3:00 PM

Via Video Conference

MEETING CALLED TO ORDER

Chair Lindy Peters called meeting to order at 3:01 pm.

ROLL CALL

Committee members Lindy Peters and Tess Albin-Smith present. City staff Director John Smith, Assistant Director of Engineering Chantell O'Neal and Acting Committee Clerk Sarah Peters also present.

PLEASE TAKE NOTICE

Due to state and county health orders and to minimize the spread of COVID-19, Committee Members and staff will be participating in this meeting via video conference. The Governor's executive Orders N-25-20, N-29-20, and N-15-21 suspend certain requirements of the Brown Act and allow the meeting to be held virtually.

The meeting will be live-streamed on the City's website at <https://city.fortbragg.com/> and on Channel 3. Public Comment regarding matters on the agenda may be made by joining the Zoom video conference and using the Raise Hand feature when the Chair calls for public comment. Any written public comments received after agenda publication will be forwarded to the Committee Members as soon as possible after receipt and will be available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, California, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except those written comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be submitted to Committee Interim Clerk, Sarah Peters at speters@fortbragg.com.

ZOOM WEBINAR INVITATION

You are invited to a Zoom webinar.

When: Jul 14, 2022 03:00 PM Pacific Time (US and Canada)

Topic: Public Works and Facilities Committee Monthly Meeting- July 14, 2022

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/82162294813>

*Or Telephone: +1 669 444 9171 or +1 720 707 2699 (*6 mute/unmute; *9 raise hand feature)*

Webinar ID: 821 6229 4813

TO SPEAK DURING PUBLIC COMMENT PORTIONS OF THE AGENDA VIA ZOOM, PLEASE JOIN THE MEETING AND USE THE RAISE HAND FEATURE WHEN THE CHAIR OR ACTING CHAIR CALLS FOR PUBLIC COMMENT ON THE ITEM YOU WISH TO ADDRESS.

1. APPROVAL OF MINUTES

1A. [22-327](#) Approve Minutes of June 8, 2022

Attachments: [06082022 PWF Meeting Minutes](#)

Both committee members approved minutes as presented.

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Six public comments on non-agenda items received from:

- Jenny Shatuck
- Jacob Patterson
- Alis Valencia
- Debra Wagner
- Lauralee Brown
- Joel T

3. CONDUCT OF BUSINESS

3A. [22-328](#) Public Works Director Oral Report on Departmental Updates and Items of Interest

Attachments: PWF 07142022 3A. Public Comment

Director Smith presented oral report on department updates and items of interest:

- Drought
- Biosolids dryer/odor
- Raw Water Line Project
- Water Treatment Plant Project
- Water Meter Project Timeline
- Fire Station Rehab Project
- Wiggly Giggly Playground
- Streets Rehab Design and Bollards
- Pudding Creek Bridge Widening/Water line relocation

3B. [22-322](#) Discuss Potential Formation of a Tree Advisory Committee and Tree Preservation Ordinance and Make Recommendation of City Council Directing Staff to Prepare Regulatory Framework

Attachments: [Tree Ordinance Committee Report](#)
[Att 1 - Sample Tree Advisory Committee Summary](#)
[Att 2 - Sample Tree Preservation Ordinance](#)
[Att 3 - Urban Tree Canopy Map-USDA](#)

Assistant Director of Engineering Chantell O'Neal presented the prepared report. Committee member Albin-Smith contributed.

Two public comments from J. Shatuck and J Patterson on this matter.

4. MATTERS FROM COMMITTEE / STAFF

Chair Peters requested to add pickle ball item for next meeting agenda and suggested inviting tennis players as well.

C O'Neal shared free compost give away event, provided details and dates, press release to come soon.

ADJOURNMENT

Meeting adjourned at 4:03 pm.

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on July 11, 2022.

Sandy Arellano, Public Works Analyst

NOTICE TO THE PUBLIC

DISTRIBUTION OF ADDITIONAL INFORMATION FOLLOWING AGENDA PACKET DISTRIBUTION:

- *Materials related to an item on this Agenda submitted to the Council/District/Agency after distribution of the agenda packet are available for public inspection in the lobby of City Hall at 416 N. Franklin Street during normal business hours.*
- *Such documents are also available on the City of Fort Bragg’s website at <http://city.fortbragg.com> subject to staff’s ability to post the documents before the meeting*

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).



City of Fort Bragg

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Text File

File Number: 22-327

Agenda Date: 7/14/2022

Version: 1

Status: Reported from
Committee

In Control: Public Works and Facilities Committee

File Type: Committee Minutes

Agenda Number: 1A.

Approve Minutes of June 8, 2022



City of Fort Bragg

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Meeting Minutes Public Works and Facilities Committee

Wednesday, June 8, 2022

3:00 PM

Via Video Conference

Special Meeting

MEETING CALLED TO ORDER

Committee Chair Lindy Peters called special meeting to order at 3:02 pm.

ROLL CALL

Both committee members Lindy Peters and Tess Albin-Smith as well as Public Works Director John Smith, City Manager David Spaur, and Committee Clerk Sandy Arellano were present.

Present: 2 - Lindy Peters and Tess Albin-Smith

PLEASE TAKE NOTICE

Committee Clerk Sandy Arellano read the "Please Take Notice" clause.

1. APPROVAL OF MINUTES

This was approved

1A. [22-275](#) Approve Minutes of April 14, 2022

Committee members Peters and Albin-Smith approved meeting minutes as presented.

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Two non-agenda comments were submitted from:

- K Silva
- J Patterson

3. CONDUCT OF BUSINESS

3A. [22-276](#) Public Works Director Oral Report on Departmental Updates and Items of Discussion

Director John Smith provided updates on significant projects such as:

- Biosolids Dryer
- Bainbridge Park Playground Upgrade/Funding
- Bainbridge Park Soccer Fields/Notice Inviting Bid
- Fire Station Rehab
- Town Hall Improvement

- Streets Rehab Project
- School Zone Traffic Signs
- Water Distribution Project Rehab/Funding
- North Water Sewer Extension
- Water Meter Replacement Project
- WWTP Discharge Generator Project

Committee member Peters asked Director Smith to follow up with member of the public Kathy Silva regarding Bainbridge Parks' maintenance. Director Smith provided additional updates on playground rehab funding and maintenance staff shortage and current rain that is causing park maintenance set backs.

Committee member Albin-Smith questioned the possibility of establishing a vegetation/weed abatement program or group. Director Smith mentioned intentions and plans to eventually establish a parks department for maintenance focus and priorities, and reported progress in other maintenance areas such as water/sewer and Coastal Trail priorities.

4. MATTERS FROM COMMITTEE / STAFF

City Manager David Spaur requested to program a special meeting to discuss the deferral of fees or fee waiver for businesses within the Central Business District. Both committee members agreed to a special meeting to be scheduled before June 27.

Director Smith provided an update on new garbage pick up providers, Redwood Waste Solutions. Transition is on schedule, new cans to be delivered as planned for residential and commercial accounts.

Safety and dangers of electric bikes/devices on Coastal Trail was discussed. Installing speed limit signs and municipal codes to enforce motorized motors recommended. Director Smith responded electric motors on the trail are prohibited and enforceable with the exception of motorized wheel chairs. PD Chief notified and will attempt to provide additional watch on the trail. **Committee member Peters requested continuing this item on the next meeting.**

Chair Peters requested a status on the "No Vending" signs at Bainbridge Park. No status on sign delivery was available.

Committee member Albin-Smith reported she prepared a draft "Tree Protection Ordinance". Also requested a status on the well to be dug at CV Starr Centers' premises. Director Smith reported to committee members this would be a final course of action, a back-up for additional water resources.

ADJOURNMENT

Meeting adjourned at 3:51 pm.



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Text File

File Number: 22-328

Agenda Date: 7/14/2022

Version: 1

Status: Draft

In Control: Public Works and Facilities Committee

File Type: Staff Report

Agenda Number: 3A.

Public Works Director Oral Report on Departmental Updates and Items of Interest
- Electrical Motorized Devices/Bicycles on Coastal Trail

From: [Paul Clark](#)
To: [Peters, Sarah](#); [CMAR \(CMAR@MCN.ORG\)](mailto:CMAR@MCN.ORG)
Cc: [Paul Clark](#); [C21 List](#)
Subject: Public Works Thursday 07/14/2022 3:00 PM items 3A 3B SB9
Date: Tuesday, July 12, 2022 7:58:52 AM

3A while the oral report is great, I would suggest some particular information be listed. I have asked about these items :

Shiny Tank on Cedar Street when will it be un shiny and does it leak or is it at full capacity 1.5 Million gallons

Out of area sewer or water hook up changes. Was in the works for several years now for adjacent parcels to the city. Have not heard much about this.

Does PG&E have generators in FB for outages? I don't see any.

3B. this is just about as misguided a plan as I can imagine. This was attempted in the 2004 general plan and squashed then. This would be just one more no growth aspect of our code now. Which is terrible at best in my opinion, having worked with it since created. One more obstacle, time and money to have a person remove a tree, subject to who knows who's opinion. I think the concept of private property rights have been totally misplaced. This is still a timber and fishing community, or it is when you want to restrict development to " reflect" the same. The city has a no growth message to developers, this will make it worse, if that is possible.

I own a few properties in town, I will survey them and if there are any trees that I feel should go away, for whatever reason, dead, dying, then they will be gone shortly. This is yet another reason why most people would NEVER want to be annexed into town. Which as I have often mentioned could be the fastest solution to housing shortages, by annexing out to Monson Lane, as once planned, but no action has been discussed that I have heard to do any of that. Only thing is subsidized

housing. Get out of the way, help the private developer if there are any left in the State to do what the economy can do. Provide jobs and housing.

There was a proposal on the GP site to make them keep the trees on Main Street, I was there and spoke against it, the suggestion did not allow for dead and dying trees, which they mostly are now after 20 some years.

SB9 I have asked but have not heard what can be done to split a city lot under SB9 perhaps someone can reach out to the interested parties, as specified in the still adopted Economic Strategy Plan. Realtors, builder types and others.

Thank you. I hope the meeting is recorded for folks that cannot attend can get some answers.

Please let me know you got this.

Paul Clark



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Text File

File Number: 22-322

Agenda Date: 7/14/2022

Version: 1

Status: Business

In Control: Public Works and Facilities Committee

File Type: Staff Report

Agenda Number: 3B.

Discuss Potential Formation of a Tree Advisory Committee and Tree Preservation Ordinance and Make Recommendation of City Council Directing Staff to Prepare Regulatory Framework



CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2823 FAX 707/961-2802

COUNCIL COMMITTEE ITEM SUMMARY REPORT

MEETING DATE: July 14, 2022
TO: Public Works and Facilities
FROM: C. O’Neal; Assistant Director
AGENDA ITEM TITLE: Discuss Potential Formation of a Tree Advisory Committee and Tree Preservation Ordinance and Make Recommendation of City Council Directing Staff to Prepare Regulatory Framework

BACKGROUND AND OVERVIEW:

Council Member Albin-Smith approached staff regarding the creation of a Tree Advisory Committee and Tree Preservation Ordinance, requesting this item come forward. Albin-Smith provided some sample documents including a summary document of an Advisory Committee and a sample Tree Preservation Ordinance (attachment 1 & 2).

While the City does not currently have a tree preservation ordinance, there are several policies within the General Plan intended to protect, preserve, and plant native tree and plant species. Many communities have tree preservation ordinances with policies ranging from protection of public trees and encouraging new plantings, some mainly focus of safety and hazard mitigation inspections, while others restrict removal of any tree on public or private property without a tree removal permit. A tree ordinance in the City of Fort Bragg would ideally fall somewhere in-between these two models with the goal of controlling the removal of trees to preserve the beneficial impacts that trees provide including preventing erosion, maintaining property values, and for their aesthetic, natural, and historic value. Within the context of our existing codes, do we have the tools necessary to achieve this goal? In addition to the General Plan Policies, other existing City codes, which regulate vegetation protection, planting, and removal, include; Model Water Efficiency Landscaping Ordinance (MWELo), Weed Abatement, Fire Mitigation, and land use Landscaping codes.

Process and Timeline

Study Session and formation of Tree Advisory Committee
Define Goals, policies, and programs

Planning Commission Meeting(s) to prepare Ordinance
Attorney review
Approval by Council prior to Codification
Citywide tree evaluation, mapping, and planning
Permit processing protocol for tree removal
Calculate permitting fees and additional timeline to process permits
Maintenance of protected trees
Notification and appeal process for protected tree removal
Enforcement

Implementation and Enforcement

The resultant ordinance would ultimately determine how much staff time and resources would be necessary to prepare and implement such a ruling. Estimates from other Cities necessitated up to three (3) additional full time staff members for creation and implementation of a tree ordinance. Most Cities with tree ordinances have a full Parks and Recreation Department, a staff Arborists, and/or a Forestry Management Team. The proposed ordinance will add additional duties and responsibilities to the City's Planning, Code Enforcement, Engineering, and Maintenance Crew staff to review and inspect various types of planning applications, development permits, and maintain the program.

In an effort to further understand and quantify the potential impact of creating an ordinance and tree preservation database, staff reviewed publicly available tree canopy mapping tool provided by the U.S. Department of Agriculture (USDA) https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd645759.html. According to the 2018 Urban Tree Canopy mapping dataset, census tracts within the City of Fort Bragg average 22%-24% tree canopy with approximately 1,700 acres of canopy. Evaluating, cataloging, and determining the "heritage" value of existing trees alone (as proposed by the tree advisory committee memo) is a significant undertaking.

Where does this ordinance fall within the scope of City priorities? From what fund, should costs be covered? What subject matter experts should be brought in to consult?

RECOMMENDATION:

Make recommendation to City Council if the Committee recommends staff pursue preparation of regulatory framework for tree ordinance.

ATTACHMENTS:

1. Sample Tree Advisory Committee Summary
2. Sample Tree Preservation Ordinance
3. Urban Tree Canopy Map

TREE ADVISORY COMMITTEE

Section ____ . Creation and Establishment of a CITY Tree Advisory Committee

There is hereby created and established a City Tree Advisory Committee (CTAC), which shall consist of at least 5 members as follows: three (3) members who are citizens and residents of Fort Bragg; and two (2) or more professional arborists or persons with backgrounds in forestry or similar fields, not limited to residents of Fort Bragg. More members may be added from residents living in the 95437 zipcode. Members of the CTAC shall be appointed by the _____ [city council or mayor].

Section ____ . Term of Office

The CTAC term to be appointed by _____ [city council or mayor] shall be three years. In the event that a vacancy shall occur during the term of any member, a successor shall be appointed for the unexpired portion of the term.

Section ____ . Compensation

Members of the board shall serve without compensation.

Section ____ . Duties and Responsibilities

1. The CTAC will evaluate street trees or groups of trees within the Fort Bragg city limits, record their approximate age and condition, list their potential value as "Heritage Trees" defined in _____ and make recommendations for follow-up remedies, studies, investigations, removal, replanting, or special maintenance.
2. The CTAC shall create an official comprehensive tree plan for the City of Fort Bragg for consideration by the City Council, to be updated annually.
3. The CTAC will all review proposals for tree planting or removal submitted by or to the City of Fort Bragg and recommend approval, changes, or denial. Recommendations to the by the CTAC to the City are non-binding.

Section ____ . Operation

The Tree Advisory Committee shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

CHAPTER ____ TREE PRESERVATION

Sec. ____ . DEFINITIONS:

For the purposes of this Chapter, the following words and phrases shall have the meaning respectively ascribed to them in this Section:

CITY: The "City" shall be defined as City of Fort Bragg planning staff, public works, planning commission, a consulting professional arborist, or a City-appointed Tree Advisory Committee serving at the discretion of the city council (or mayor).

TREE: The word "tree" shall be defined, unless otherwise indicated in this Chapter, as:

- A. Any woody plant characterized by having a single trunk of a circumference of thirty-eight inches (38") or more, measured at any point between six inches (6") and thirty-six inches (36") above ground level; or
- B. Any woody plant characterized by having a single trunk which has been found by the City of Fort Bragg to have special significance to the community, which plant shall be designated a "heritage tree."

(Ord. No. ____)

Sec. ____ . DESIGNATION OF TREE AS "HERITAGE TREE":

The City of Fort Bragg may declare any tree, regardless of size, to be a heritage tree under this Chapter if said tree is healthy and has adapted well to the climatic conditions of the area, if said tree is visually accessible from a public right-of-way and if the City finds that at least one of the following conditions exist:

- A. Said tree had special aesthetic, botanical, ecological, or historical value.
- B. Said tree is indigenous to the area;
- C. Said tree is of an age, rarity, or size;
- D. Said tree is one of a group of trees that provide a windbreak for a public area or neighborhood, or that is protecting other trees from exposure to ocean wind-related salt damage.
- E. Said tree is one of a group of trees that each is dependent on the other tree for survival.
- F. (Ord. No. ____)

Sec. ____ . PERMIT REQUIRED FOR CUTTING, REMOVAL OF TREES:

It is hereby declared unlawful for any person to cut, move, or remove or cause to be cut, moved or removed any tree, unless such person first obtains a permit from the City of Fort Bragg to do so in a manner prescribed by him for such removal.

(Ord. No. ____)

Sec. ____ . APPLICATION FOR PERMIT; INVESTIGATION; FACTORS CONSIDERED IN ISSUING PERMIT:

- A. A permit to remove a tree or trees shall only be issued by the City of Fort Bragg Planning Dept. upon application therefore, and after an investigation is made. Said application shall contain the number, location

and species of the trees to be removed, a brief statement of the reason for removal, a plot plan, as well as such other pertinent information the City deems necessary in this investigation. In making a determination in regard to the merits of the application, the City shall base its determination on the following factors:

1. Condition of the trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;
 2. Necessity to remove trees in order to construct proposed improvements to allow reasonable economic enjoyment of the property upon which trees are located;
 3. Topography of land and the effect of tree removal on erosion, soil retention and the diversion or increased flow of surface waters;
 4. Number of trees existing in the neighborhood on improved property and the effect of said tree removal on said neighborhood;
 5. Good forestry practices, including, but not necessarily limited to, the number of healthy trees that a given parcel of land will support.
- B. The City shall make an investigation of the site where a tree or trees is or are proposed to be removed within ten (10) days after submittal of the application by the applicant.
- C. In making investigations and in making a determination as to the merits of an application, the City shall give priority to those applications which are based on trees that are hazardous or diseased.

(Ord. No. ____)

Sec. _____. SUBDIVISIONS; DESIGNATION OF TREES TO BE REMOVED; RETAINED:

All subdivision maps or divisions of land filed for tentative approval shall clearly designate all trees upon the property proposed for subdivision or division. Those trees proposed to be removed and those trees proposed to be retained shall be shown by size and species on said map. The developer shall also mark with paint those trees proposed to be retained in the field and shall protect those trees by fencing or some similar means in order to clearly identify the area where no work is to take place. The City shall only approve trees to be planted from the approved tree list after consultation with a professional arborist or tree advisory committee.

The City shall review trees proposed for removal with respect to their current listing as heritage, legacy, or trees of special value or concern. Any proposed changes of trees to be planted or removed already designated on a tentative subdivision map or other map for the division of property, as filed and approved, shall require an application for a new permit under the provisions of Section _____. Accompanying said map shall be a statement by the developer that it is their intent to maintain those trees proposed to be retained and what procedures he proposes to effectuate such intention.

(Ord. No. ____)

Sec. _____. RESTORATION, REPLACEMENT OF DAMAGED TREES OR TREES NOT APPROVED FOR REMOVAL:

Any person who damages or destroys a tree that has not been approved for removal under the provisions of Section ____, shall, if said tree has been damaged, restore said tree to its former condition under the direction of, and to the approval of, the City, or shall, if said tree is not able to be restored to its former condition, or has been destroyed, replace said tree within one year after a determination by the City that said tree is not able to be restored to its former condition, or within one year after the destruction of said tree, with a tree that has been approved by the City.

The City shall base its approval upon the similarity of size and species of the replacement tree to the tree which was destroyed unless such a replacement would create great hardship to such person subject to the requirements of this Section.

(Ord. No. _____)

Sec. ____ . DISAPPROVAL OF APPLICATION; APPEALS:

Any person aggrieved by the action of the City of Fort Bragg shall have the right of appeal to the City Council. Such appeal shall be filed, processed and heard in accordance with the provisions of Chapter __ of this Municipal Code.

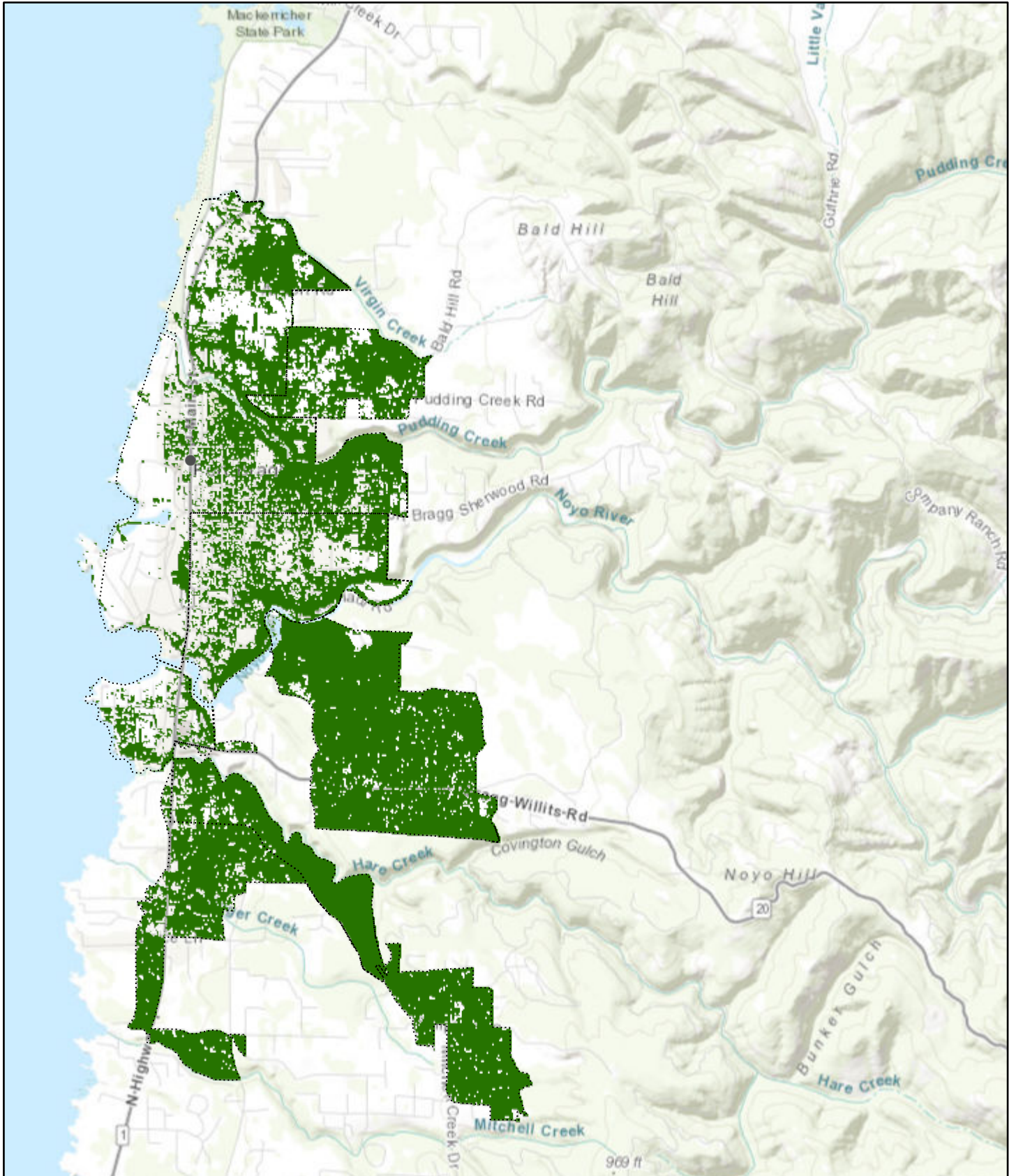
(Ord. No. ____)

Sec. _____ AUTHORITY TO EXCLUDE SUBDIVISIONS FROM OPERATION OF CHAPTER:



The City Council may, on motion, exclude any subdivision from the operation of this Chapter which is subject to site or architectural control sufficient to accomplish the purpose of this Chapter.

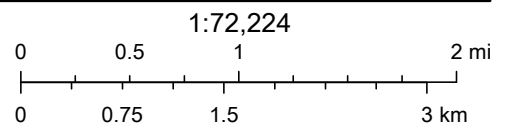
(Ord. No. _____)

Urban Tree Canopy Map



7/8/2022, 10:37:50 AM

-  Canopy cover 2018
-  CA census tracts



Bureau of Land Management, Esri, HERE, Garmin, USGS, METI/NASA, NGA, EPA, USDA, EarthDefine, USDA Forest Service, California Department of Forestry and Fire Protection