



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, September 9, 2021

3:00 PM

Via Video Conference

AMENDED

MEETING CALLED TO ORDER

ROLL CALL

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-08-21 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. 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 Sandy Arellano at sarellano@fortbragg.com.

ZOOM WEBINAR INVITATION

You are invited to a Zoom webinar.

When: Sep 9, 2021 03:00 PM Pacific Time (US and Canada)

Topic: Public Works and Facilities Committee Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85857174418>

Or One tap mobile :

US: +17207072699,,85857174418# or +12532158782,,85857174418#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

*US: +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592
or +1 312 626 6799*

Webinar ID: 858 5717 4418

International numbers available: <https://us06web.zoom.us/j/kdXqKMR0tc>

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. [21-468](#) Approve Minutes of August 12, 2021

Attachments: [08122021 Meeting Minutes](#)

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

3. CONDUCT OF BUSINESS

- 3A. [21-476](#) Review Procedural Updates Regarding Expanding Sewer Services to the East Side of Fort Bragg

Attachments: [Reso 230-2003](#)
[Sewer Ext- Annex Map](#)
[LAFCO Application Justification Form](#)
[LAFCO Fee Agreement and Voluntary Indemnification](#)
[LAFCO Application for Extension of Services](#)
[3A Public Comment](#)

- 3B. [21-475](#) Consider Establishing an Underground Utility District to Secure Rule 20 Work Credits and Avoid Becoming an In-Active District

Attachments: [Rule 20 Report](#)
[ATT 1 – Electric Rule No. 20 Information Sheet](#)
[ATT 2 – Sample PG&E Provided Template Resolution](#)
[Rule 20 District Ideas](#)
[3B Public Comment](#)

- 3C. [21-474](#) Provide Oral Report to Committee on Public Works Departmental Updates and Items of Interest

Attachments: [3C Public Comment](#)

4. MATTERS FROM COMMITTEE / STAFF

ADJOURNMENT

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 September 6, 2021.

Sandy Arellano, Public Works Administrative 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).



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Text File

File Number: 21-468

Agenda Date: 9/9/2021

Version: 1

Status: Minutes to be Approved

In Control: Public Works and Facilities Committee

File Type: Committee Minutes

Agenda Number: 1A.

Approve Minutes of August 12, 2021



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Meeting Minutes Public Works and Facilities Committee

Thursday, August 12, 2021

3:00 PM

Town Hall, 363 N. Main Street

MEETING CALLED TO ORDER

Committee chair Lindy Peters called meeting to order at 3:00 pm.

ROLL CALL

Staff in attendance included, Public Works Director John Smith and Sandy Arellano.

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

1A. [21-431](#) Approve Minutes of June 10, 2021

Meeting minutes approved as presented by committee members.

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Two comments on non agenda items were received from:

- 1) Nathan Orsi
- 2) Paul Clark

3. CONDUCT OF BUSINESS

3A. [21-430](#)

Provide Oral Report to Committee on Public Works Departmental Updates and Activities on Items of Interest

Director John Smith provided an updated oral report to committee members regarding departmental activities related to; currently no reservoir water is being used. Current additional water emergency projects and available funding from state, updates, timelines and costs. Other updates regarding free water conservation devices, new water meter change outs, Pudding Creek Water Line, Water Treatment Plant Rehab, Tank #2 Rehab. Mendocino County to assist with additional water storage project grant writing.

Maintenance crew responding to water leaks in a timely matter. Water customers are to contact Public Works if they are experiencing a leak, PD dispatch phone number to be called for after office hour call outs.

New garbage cans installed in the Downtown District. Much needed new hires in Public Works field staff; interviews are scheduled. Status of the Biosolids Dryer was provided. New Public Works equipment to be purchased using subsidized funding from USDA grants.

4. MATTERS FROM COMMITTEE / STAFF

Committee member Albin-Smith requested a status on the shallow groundwater project at Redwood Elementary, street repair at Bush Street and Mc Pherson Street, and Camp Noyo river diversion. Director Smith responded.

Chair Lindy Peters inquired on a Water Enterprise Fund, reserve funds for emergencies and Pudding Creek Water Main Projects' water line size. Director Smith responded.

Chair Lindy Peters also requested to add Cedar Street sewer and water connections to the next Public Works and Facilities meeting agenda.

ADJOURNMENT

Meeting adjourned at 3:38 pm.



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Text File

File Number: 21-476

Agenda Date: 9/9/2021

Version: 1

Status: Business

In Control: Public Works and Facilities Committee

File Type: Staff Report

Agenda Number: 3A.

Review Procedural Updates Regarding Expanding Sewer Services to the East Side of Fort Bragg

RESOLUTION No. ID 230-2003

RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT BOARD MODIFYING POLICY REGARDING EXTENSION OF SEWER SERVICE OUTSIDE OF THE MUNICIPAL IMPROVEMENT DISTRICT BOUNDARIES

WHEREAS, on February 12, 2001, the Municipal Improvement District adopted a policy which prohibits new connections to the sewer collection system for properties outside the District boundaries; and

WHEREAS, on December 2, 2002, the City adopted an updated General Plan which includes a policy requiring annexation approval prior to permitting new connections to the sanitary sewer system for properties within the City's Sphere of Influence; and

WHEREAS, the City has received correspondence from the Mendocino County Local Agency Formation Commission (LAFCO) which indicates that the City may approve out-of-area service agreements for new sewer connections in the Sphere of Influence on properties which are adjacent to existing sewer facilities if the City agrees to annex the property at the time of the 5-Year Municipal Service Review and Sphere of Influence update; and

WHEREAS, the Community Development Committee has considered this matter at meetings on June 18, 2003, July 23, 2003, October 29, 2003 and November 19, 2003 and developed a recommendation for consideration by the District Board; and

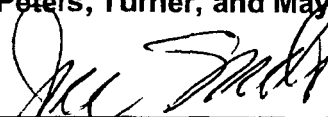
WHEREAS, the Community Development Committee recommends that the existing policy which prohibits new connections to the sewer system for properties outside of the District boundaries but within the Sphere of Influence, be modified to allow for new connections in circumstances where a property owner agrees to the following:

1. Establish at least one unit of affordable housing and a minimum of 25% of the total number of units on the property to be served by the new connection(s).
2. Submit in-lieu fee for sewer inflow and infiltration repairs which would offset the increased flow from development on the property.
3. Pay for all of the costs associated with preparation and processing of an out-of-area service agreement and environmental review.
4. Pay for all costs associated with extending the sewer to serve the property.
5. Agree to annex in the future and to pay for the costs of an annexation application.
6. Agree to enter into a benefit assessment district for necessary road improvements at the time of annexation to bring the County roads adjoining the property up to City standards and to cover the costs of on-going road maintenance.
7. Pay for City Attorney costs for drafting of a development agreement which would be entered into prior to execution of the out-of-area service agreement which requires establishment of affordable housing unit(s) within specified timeframe and for specified term; payment of fees for sewer inflow and infiltration repairs; payment for sewer extension to serve property; payment for costs of annexation; and participation in benefit assessment district for road improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED that the District Board of the Fort Bragg Municipal Improvement District No. 1 does hereby recommend that the City modify the General Plan to allow for a revised District policy regarding out-of-area service agreements for sewer service as recommended by the Community Development Committee.


The above and foregoing Resolution was introduced by Board member Baltierra, seconded by Board member Peters, and passed and adopted at a regular meeting of the Fort Bragg Municipal Improvement District Board held on the 8th day of December 2003, by the following vote:

AYES: Board members Gjerde, Baltierra, Peters, Turner, and Mayor Melo.
NOES: None.
ABSENT: None.

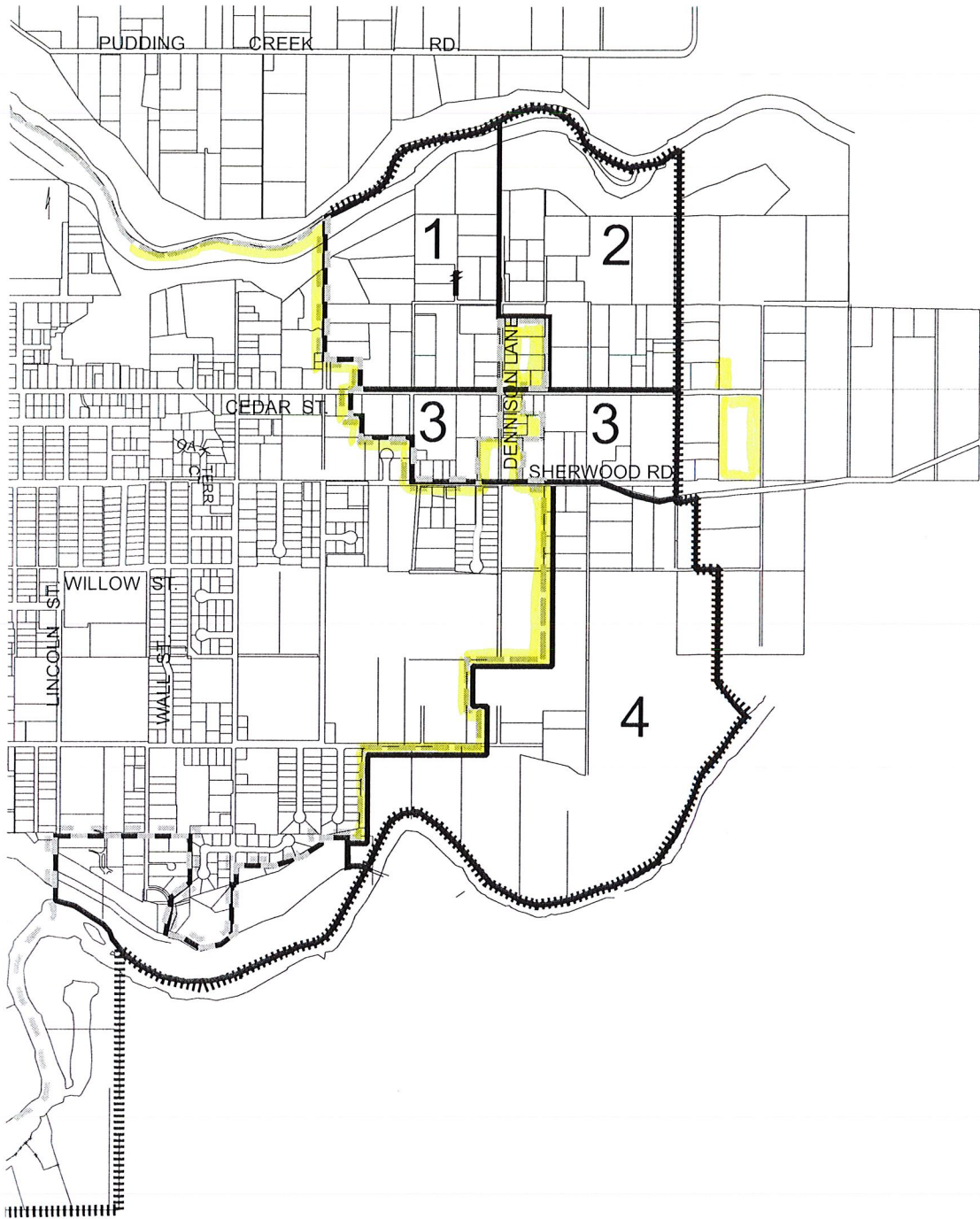


JERE MELO,
Chair

ATTEST:



Cynthia M. VanWormer,
District Clerk



Map LU-3 ANNEXATION AREA Inland General Plan



City Boundary



Sphere of Influence



Annexation Areas

7.20

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: www.mendolafco.org

JUSTIFICATION OF PROPOSAL

Please complete the following information to process an application under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (indicate N/A if Not Applicable).

SHORT TITLE OF THE PROPOSAL: _____

TYPE OF PROPOSAL

- | | | |
|---|---|---|
| <input type="checkbox"/> City Incorporation | <input type="checkbox"/> Sphere of Influence Amendment | <input type="checkbox"/> District Formation |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Sphere of Influence Update | <input type="checkbox"/> District Dissolution |
| <input type="checkbox"/> Detachment | <input type="checkbox"/> Out-of-Agency Service | <input type="checkbox"/> Consolidation |
| <input type="checkbox"/> Add Latent Power | <input type="checkbox"/> Reorganization (involving an Annexation and Detachment(s)) | |

AGENCY CHANGES RESULTING FROM THIS PROPOSAL

Agency or Agencies gaining territory: _____

Agency or Agencies losing territory: _____

NOTIFICATION

Please indicate the names, addresses and telephone numbers of all Applicants, Applicant's Agents, and all affected Agencies who are to receive the hearing notice and the Executive Officer's Report:

Name	Mailing Address	Telephone/Email Address

(Attach a separate sheet if necessary.)

PROJECT INFORMATION

Please provide project-related information for the following questions:

- 1. Do the proposed boundaries create an island of non-agency territory? Yes No
- 2. Do the proposed boundaries split lines of assessment or ownership? Yes No
- 3. Does the proposal involve public rights-of-way or easements? Yes No
- 4. Does the proposal involve public land or land assessed by the State? Yes No
- 5. Does any part of the proposal involve land under a Williamson Act Contract or Farmland Security Zone? Yes No
- 6. Does any part of the proposal involve land with a Wildlife/Habitat Easement or Agricultural Land Conservation Easement? Yes No

List the affected Assessor Parcel Numbers, Owners of Record and Parcel Sizes (attach separate sheet if necessary):

Assessor's Parcel Number (APN)	Owner of Record	Parcel Size (Acres)

- 7. Physical Location of Proposal: _____
(Street/Road, distance from and name of Cross Street, quadrant of City)
- 8. Has an application been filed for an underlying project (such as Development Plan, Conditional Use Permit, or Tentative Subdivision Map)? Yes No
If Yes, please attach a Project Site Plan or Tentative Subdivision Map.
If No, please provide an estimate of when development will occur: _____.
- 9. List those public services or facilities which will be provided to the affected territory as a result of the proposed action:
- 10. Indicate which of these services or facilities will require main line extensions or facility up-grades in order to serve the affected territory:
- 11. Has the affected agency negotiated a tax share agreement or made a determination that the proposal is revenue neutral (§99 of the California Revenue & Taxation Code)? Please include documentation or explanation.
- 12. Provide any other justification that will assist the Commission in reviewing the merits of this request. (Attach separate sheets as necessary)

SUBMITTALS

In order for this application to be processed, the following information needs to be provided:

- Two copies of this Justification of Proposal, completed and signed with original signature(s)
- Agreement to Pay form, completed and signed with original signature(s)
- Five prints of a full-scale proposal map showing the affected territory and its relationship to the affected jurisdiction (and prepared to State Board of Equalization specifications) – include an electronic version if available
- Five copies of an 8.5" x 11" or 11" x 17" reduction of the proposal map, include an electronic version if available
- Three copies of a metes and bounds description of the affected territory, include an electronic version if available
- One certified copy of the City Council and/or Special District Board of Directors Resolution of Application; or a petition making application to LAFCo (as appropriate)
- Written permission from each affected property owner (or signature form)
- One copy of the project environmental document (One Compact Disc if more than 25 pages)
- One copy of the project Notice of Determination
- Three 8.5" x 11" copies of the Vicinity Map (if not included on the proposal map);
- One copy of the plan for providing services along with a schematic diagram of water, sewer and storm drainage systems (refer to Government Code (GC) §56653);
- One copy of the Tax Share Agreement (Revenue & Tax Code §99), if completed;
- One copy of the Pre-Zoning map or description (as required by GC §56375);
- One copy of the Statement of Open Space (Ag) Land Conversion (refer to GC §56377);
- One Copy of the Statement of Timely Availability of Water Supplies (refer to GC §56668(l));
- One copy of the Statement of Fair Share Housing Needs (if residential land uses are included in the proposal) (refer to GC §56668(m));
- One copy of the project design (site plan, development plan, or subdivision map);
- One copy of the Residential Entitlement matrix form (if residential land uses are included in the proposal); and
- Filing and processing fees in accordance with the LAFCo Fee Schedule and the State Board of Equalization Fee Schedule.

Note: Additional information may be required during staff review of the proposal.

CERTIFICATION

The undersigned hereby certifies that all LAFCo filing requirements will be met and that the statements made in this application are complete and accurate to the best of my knowledge.

(Signature)

(Date)

Print or Type Name: _____

Daytime Telephone: _____

Email: _____

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Local Agency Formation Commission

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Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: <http://mendolafco.org>

FEE AGREEMENT and VOLUNTARY INDEMNIFICATION

(Updated May 2021)

1. DEPOSIT

Applicant agrees to pay the following deposit with execution of this agreement: \$_____. LAFCo charges are based upon actual staff time and other expenses incidental to processing applications including CEQA compliance as a Responsible Agency, reviewing project proposals (Pre-Application Requests), and researching matters as requested. Such charges may be incurred prior to or without the filing of an application with LAFCo. Individuals and agencies who request services, research, or review must provide a deposit toward project expenses, as listed on the current [fee schedule](#) along with a signed copy of this agreement. All deposits are subject to increase, should the Executive Officer determine that the magnitude of the project justifies the increase. The staff time necessary to process an application or request for service cannot be easily predicted in advance. Therefore, applicants should be aware that LAFCo charges may exceed the applicable initial deposit.

The deposit will be placed in LAFCo's general account and application expenses incurred by LAFCo will be tracked separately from other LAFCo expenses. No interest will accrue on the deposit. LAFCo will keep an accounting of amounts charged against the deposit. In the event any balance of the deposit remains after subtraction of all LAFCo charges, the balance will be refunded to Applicant upon completion of application services. When the deposit is exhausted, LAFCo will request an additional deposit.

2. BILLING PROCEDURE

LAFCo invoices will detail tasks, hours, staff charge-out rates, staff members responsible for work, and/or costs of contracted services. Invoices will also reflect the remaining balance of the initial deposit. Should the deposit be depleted, all staff work will cease until the deposit on file has been replenished. Projects with delinquent balances will not be scheduled for hearing, and the Commission will consider applicants to have waived any and all statutory deadlines.

This form must be signed by the Applicant as the person responsible for payment. Where an agency has filed a Resolution of Application, an authorized staff member must sign the application and bind the agency as the entity responsible for payment. The application must be filed with LAFCo along with the applicable deposit. Questions regarding specific billing procedures should be directed to the LAFCo Executive Officer at (707) 463-4470.

3. OBJECTIONS TO BILL

Applicant agrees that any questions or disagreements Applicant may have concerning the bill or amount due shall be communicated to LAFCo prior to the end of the payment period, along with payment of any undisputed portion of the bill. If Applicant fails to communicate to LAFCo any objection to the bill prior to the end of the payment period, Applicant is agreeing that the amount stated is correct and is giving up any right to later deny payment to LAFCo.

4. PAYMENT NOT DEPENDENT ON FUTURE ACTIONS

Applicant understands and agrees that the LAFCo charges are payable regardless of whether the application is ultimately filed, withdrawn, denied or otherwise terminated prior to completion. In the event of withdrawal, Applicant shall be responsible for all charges incurred prior to the time of receipt of written notice of application withdrawal, plus LAFCo's reasonable charges for file closure.

5. STAFF ASSIGNMENTS; CONFLICTS OF INTEREST

The Executive Officer shall assign LAFCo staff members to projects as appropriate. Should the scope of a project require that outside consulting or other needed services be obtained, applicants will be responsible for the entire cost of recruitment, source selection, and payment for such outside services. Applicants are responsible for paying actual costs for any services obtained through contract, even if such costs exceed the charge-out rate of a regular staff member providing similar services.

6. VOLUNTARY INDEMNIFICATION AGREEMENT

As part of the application, applicant shall be asked to sign and submit a [voluntary indemnification agreement](#) (attached) for all reasonable expenses and attorney fees incurred from proceedings brought by a third party in connection with the application. While LAFCo retains the discretion in all cases to decide whether to defend an action, the Applicant's voluntary agreement to indemnify LAFCo will have a significant bearing on LAFCo's decision whether to defend its decision.

7. WAIVER

LAFCo's failure to enforce any term hereof shall not be deemed to be a waiver. No delay or omission in the exercise of any remedy of LAFCo on default shall impair such right or remedy or be construed as a waiver thereof, unless waiver is set forth clearly in writing and signed by the waiving party. Such written waiver shall not be construed as a waiver of any other default concerning the same or any other agreement provision, charge, or payment of principal amount owing to LAFCo.

8. COMPLIANCE WITH POLITICAL EXPENDITURE AND CONTRIBUTION DISCLOSURE REQUIREMENTS

Pursuant to Government Code Sections 56700.1 and 57009 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and 82015 and 82025 of the Political Reform Act applicants for LAFCo approvals and those opposing such proposals are required to report to LAFCo all political contributions and expenditures with respect to the proposal that exceed \$250. LAFCo has adopted policies to implement the law (Mendocino LAFCo Policy 6.2. By your signature to this application or request for service, you are binding the applicant to abide by these disclosure requirements. You are further agreeing that should LAFCo be required to enforce these requirements against you (or if the agency is the formal applicant, the real party in interest) that you will reimburse LAFCo for all staff cost and legal fees, and litigation expenses incurred in that enforcement process.

9. AUTHORITY TO SIGN

The party executing this agreement on behalf of Applicant personally warrants that they have full authority to enter into this agreement on behalf of the Applicant for which they are signing, and that said entity will be legally bound to the agreement by their signature hereto. In the event that such authority does not exist, the individual who has signed this agreement agrees that he or she shall be personally liable for the charges.

10. AGREEMENT

I certify that I have reviewed the above information, the current LAFCo fee schedule, the State Board of Equalization fee schedule, and the State Department of Fish and Wildlife related to CEQA filing fees. I agree, as project applicant or authorized representative, to pay Mendocino LAFCo for all staff services, materials, and other charges attributable to my application or request for services, including the obligation of indemnification should the Voluntary Indemnification Agreement (attached) be signed. I understand that services may be required before LAFCo receives a formal application, and I agree to pay for such services whenever incurred and regardless of whether a formal application is submitted to LAFCo. I also understand and agree that LAFCo's charges are payable regardless of whether the application is ultimately filed, withdrawn, denied, or otherwise terminated prior to completion.

I understand that if the cost of services exceeds the deposit on file, staff work on my project will cease, and my project will not be scheduled for hearing until the requested additional funds are provided. I agree to remit the applicable State Board of Equalization filing fee, and State Department of Fish and Wildlife CEQA filing fee if applicable, when required. I agree to pay all charges within 30 days of receipt of invoice or in any case prior to the filing of the Certificate of Completion for the project.

Executed at _____, California, on _____, 20__.

APPLICANT (Agency Name if Agency
Submitted Resolution of Application)

REAL PARTY IN INTEREST
(If different from Applicant)

Signature: _____

Signature: _____

Title: _____

Title: _____

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Voluntary Indemnification Agreement

LAFCo may not condition acceptance of an application upon requiring the Applicant to indemnify LAFCo. However, LAFCo has complete discretion whether to defend any lawsuit that is filed to challenge its decisions. With its limited budget, LAFCo will usually be reluctant to allocate resources to defend challenged decisions. If the Applicant desires to assure that LAFCo will consult with Applicant before determining how to proceed on a legal challenge and increase the likelihood that LAFCo will defend its decision on Applicant's proposal, Applicant may enter into the following voluntary contractual agreement to indemnify LAFCo in the event of legal challenge:

1. FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged. The Applicant shall defend, indemnify and hold harmless, LAFCo, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought by a third party, the purpose of which is to attack, set aside, void, or annul LAFCo's decision with respect to Applicant's proposal or any required findings or determinations under CEQA made as part of that decision. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity other than the applicant, arising out of or in connection with LAFCo's approval of the Applicant's proposal, whether or not there is concurrent, passive, or active negligence on the part of LAFCo, its agents, officers, attorneys, employees and contractors.
2. Applicant agrees that LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest subject to the provisions of this agreement, and that such actions shall not relieve or limit Applicant's obligations to indemnify and reimburse defense costs.
3. In exchange for such indemnity, LAFCo agrees to the following:
 - a. To immediately notify the Applicant of any litigation or administrative proceeding with respect to the Applicant's application in which LAFCo is named as a party.
 - b. In the event that the Applicant is not joined in the action or proceeding, LAFCo agrees to support a motion by the Applicant to intervene in the action or proceeding.
 - c. To consult with Applicant before making any decision whether to defend the legal challenge. If Applicant desires to defend the case and confirms in writing its commitment to reimburse LAFCo for its defense costs and provides a deposit for such costs as LAFCo shall reasonably determine, LAFCo will proceed to defend unless it has reasonable cause not to do so. If a determination is made to defend the action, LAFCo counsel will consult and reasonably cooperate with Applicant's counsel in the defense of the action. LAFCo shall not enter into any settlement of all or a part of the action without consulting with Applicant.

APPLICANT:

- I/We have reviewed the Voluntary Indemnification Agreement and choose not to sign.
- I/We have reviewed and agree to the Voluntary Indemnification Agreement as presented above.

Date: _____

By: _____
Authorized Officer

MENDOCINO LAFCO:

Date: _____

By: _____
Executive Officer

MENDOCINO

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Application Outside Agency Service Agreement

Please complete the following information to process an application under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (indicate N/A if Not Applicable). Out of Agency Services are subject to Government Code Section 56133.

A. Applicant Information

1) Agency Name: _____

2) Contact Person and Title: _____

3) Contact Information: _____
Telephone E-Mail

4) Mailing Address: _____
Address City, State, Zip Code

B. Type of Outside Agency Services Agreement

1) New Extended

2) Water Sewer Other: _____

3) Provide a copy of the agreement between the agency and affected parties to be served.

4) Is the request to extend services in response to an existing and urgent health or safety emergency as identified in writing from the public health officer?

Yes No

If yes, please provide documentation of the emergency.

C. Location of Territory to be Served (Attach additional sheets if necessary)

Proposed Area to be Served (Assessor Parcel Number/Geographic Area)	Size	Current Use

D. Service Information

- 1) Describe how the agency would provide the proposed new or extended service to the subject territory. Please identify any necessary infrastructure or facility improvements and associated funding requirements necessary to provide service to the subject territory.

- 2) If the proposed new or extended service involves water or sewer, identify the anticipated demand in terms of use (i.e., gallons, acre-feet) and frequency of delivery (per day/month/etc.) associated with serving the subject territory. For extended service, please estimate the difference in comparison to existing demand.

- 3) Describe compensation for the proposed service (i.e., fee/household, fee/truck/tank, etc.).

- 4) Does the agency have sufficient capacities to provide the proposed new or extended service to the subject territory without adversely effecting existing service levels?

- 5) What services, if any, are currently provided to the subject territory?

E. Additional Information

- 1) Identify the subject territory's land use designation and zoning standard along with the minimum parcel density requirements.

- 2) Are there any proposed or approved, but not yet built, development projects involving the subject territory?

Yes No

If yes, describe the proposed projects or the approved permits/land use entitlements.

- 3) The Commission’s action regarding this request by the agency to provide new or extended services outside its jurisdictional boundary is subject to the requirements of the California Environmental Quality Act (CEQA). Has the agency conducted any CEQA reviews for any projects associated with this application?

Yes No

If yes, please provide copies of the environmental documentation, including the Notice of Exemption or Notice of Determination as well as proof of payment of applicable California Department of Fish & Game fees.

- 4) Is the subject territory located within the agency’s sphere of influence?

Yes No

If no, please identify whether there is an existing or future threat to public health and safety or to the residents in support of the application.

FEE AGREEMENT AND VOLUNTARY INDEMNIFICATION AGREEMENT

All applications must include signed [Fee Agreement and Voluntary Indemnification Agreement](#) forms, which are located at www.mendolafco.org/application-materials.

FEES

Per the Mendocino LAFCo [Fee Schedule](#), deposits toward the actual cost of processing proposals must be paid at the time an application is submitted. All deposits are initial payments toward the actual costs of processing proposals, including staff time and materials (e.g., noticing, postage, copying). In signing the Fee Agreement and Voluntary Indemnification, the applicant consents to reimburse LAFCo for all costs incurred in processing, including pre-application assistance.

CERTIFICATION

The undersigned hereby certifies that all LAFCo filing requirements will be met and that the statements made in this application are complete and accurate to the best of my knowledge.

(Signature)

(Date)

Print or Type Name: _____

Daytime Telephone: _____

Email: _____

From: [Paul Clark](#)
To: [Arellano Sandy](#); [Peters, Lindy \(Personal\)](#)
Cc: [Paul Clark](#); [CMAR \(CMAR@MCN.ORG\)](mailto:CMAR@MCN.ORG)
Subject: Public Works 09092021 Item 3A 21-476
Date: Thursday, September 9, 2021 7:37:32 AM

I am disappointed that the city has chosen to approach the out of area sewer and water hook ups in such a small manner. Anything is better than the general plan has created since 2000 to limit the ability for the City Council to approve annexations, as well as sewer and water connections.

What would be far better, would be to expand all the districts and boundaries to the proposed annexation areas as before. And allow the city council to be the approval body for any water, and especially sewer hookups. I assure you the County Health Department will approve this with LAFCO if needed. The Health department asked for sewer hook ups about the time this no growth plan was adopted, and in this aspect yet to be changed. As they planned it.

Finally, the plan should be amended to delete the “revenue neutral” portion for annexations. This area needs housing everyone says, well the plan back before this general plan was to annex all the way to Monson Lane, the physical structures for water and sewer are mostly in, think how many homes and rentals could have been built if this plan was not in place? Hundreds I would suspect. If the City really wants to help the housing situation, this is one of the biggest areas. Almost all the homes have plenty of water, high water table, its sewer that is mostly needed.

I hope this email is paid attention too. Lindy for one will attest I have been after the City to correct this before and since this terrible plan was approved. This will help some, which I support, but the big picture takes

about the same effort to do a general plan amendment.

Lindy will recall the lot coverage as well, but for mandated ADU laws, NOTHING has been done to increase lot coverage. You cant build a triplex on a 50x150 lot with the current code.

Paul Clark
DRE 00640014
809 North Main Street
Fort Bragg, CA 95437
707-964-0811
pclark@fortbraggrealty.co



City of Fort Bragg

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

Text File

File Number: 21-475

Agenda Date: 9/9/2021

Version: 1

Status: Business

In Control: Public Works and Facilities Committee

File Type: Staff Report

Agenda Number: 3B.

Consider Establishing an Underground Utility District to Secure Rule 20 Work Credits and Avoid Becoming an In-Active District



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: SEPTEMBER 9, 2021
TO: PUBLIC WORKS AND FACILITIES COMMITTEE
FROM: CHANTELL O'NEAL
AGENDA ITEM TITLE: CONSIDER ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO SECURE RULE 20 WORK CREDITS AND AVOID BECOMING AN IN-ACTIVE DISTRICT

BACKGROUND AND OVERVIEW:

The City has received notification from Pacific Gas and Electric Company Rule 20 Program Liaison that we have become an inactive Community under the Rule 20 Tariff regulations and that if we remain inactive, we are subject to reallocation of work credits to active communities. The City currently has approximately \$1.3 million in eligible credits that are only accessible if we become an active community by; Selecting a Qualifying Project Location; Holding a Public Hearing, and Adopting a Resolution to allocate the use of those work credits. Alternately, if we choose to remain inactive, we will be subject to partial work credit loss in approximately 90 days.

Information to Consider:

- On June 3, 2021, California Public Utilities Commission (CPUC) of the State of California passed their *Phase 1 Decision Revising Electric Rule 20 And Enhancing Program Oversight*. This Decision described in the Public Utilities Commission (CPUC) rulemaking accessible by browsing: <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M387/K099/387099230.PDF>. Rulemaking 17-05-010; describes an overhaul to the PUCs program including a potential loss of all work credits for communities who are not actively in a project phase which should be considered when determine if moving forward with a district identification is appropriate at this time.
- PG&E and the CPUC are currently preparing a Guide Book that outlines the process to underground electric distribution infrastructure. The Guide Book is expected to be available after October 1, 2021.

- A project could be programmed in correlation to a City project or PG&E can be the Lead on a projects design and implementation facilitated by City Staff.

CONSISTENCY:

General Plan Land Use Element 2, Policy LU-6.4 Establishes a requirement for Underground districts.

Policy LU-6.4: Electrical and telecommunications transmission rights-of-way and pipelines shall be routed to minimize impacts to scenic resources and to Environmentally Sensitive Habitat Areas according to the following standards:

- a) Require underground installation of electrical and telecommunication lines where technically and economically feasible, unless it can be shown that other options are less environmentally damaging.
- b) Scarring, grading, or other vegetative removal shall be minimized and construction areas shall be revegetated with plants native to the area.
- c) Where above-ground electrical or telecommunications transmission lines are necessary, the design and color of the support towers shall be compatible with the surroundings to the extent feasible. Avoid locating above-ground

City Council Passed by Ordinance 382 in 1969, establishing Fort Bragg Municipal Code (FBMC) Chapter 12.08 Underground Utility Districts which would be use to establish proceeding should Committee direct staff to bring forward a District location to the full Council for consideration. Chapter 12.08 of the FBMC is located at <https://www.codepublishing.com/CA/FortBragg/#!/html/FortBragg12/FortBragg1208.html#12.08.030>

RECOMMENDATION:

Provide direction to staff regarding the potential establishment of an underground district by: Recommending a Preferred Undergrounding District and Scheduling a Public Hearing of the full Council to Consider Approving a Resolution Authorizing establishment of District to Secure RULE 20 Work Credits for a Future Project.

OR

Direct staff to allow expiration of Rule 20 Work Credits.

ATTACHMENTS:

ATT 1 – Electric Rule No. 20 Information Sheet

ATT 2 – Sample PG&E Provided Template Resolution

ATT 3 – Potential Underground Utility Districts



ELECTRIC RULE NO. 20 Sheet 1
REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

A. PG&E will, at its expense, replace its existing overhead electric facilities with underground electric facilities along public streets and roads, and on public lands and private property across which rights-of-ways satisfactory to PG&E have been obtained by PG&E, provided that:

1. The governing body of the city or county in which such electric facilities are and will be located has:

a. Determined, after consultation with PG&E and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

- 1) Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;
- 2) The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;
- 3) The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public; and
- 4) The street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines.

b. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located requiring, among other things, (1) that all existing overhead communication and electric distribution facilities in such district shall be removed, (2) that each property served from such electric overhead facilities shall have installed in accordance with PG&E's rules for underground service, all electrical facility changes on the premises necessary to receive service from the underground facilities of PG&E as soon as it is available, and (3) authorizing PG&E to discontinue its overhead service.

c. Acknowledged that wheelchair access is in the public interest and will be considered as a basis for defining the boundaries of projects that otherwise qualify for Rule 20A under the existing criteria set forth in Section A(1)(a) above.

(N)
|
|
(N)

(Continued)



ELECTRIC RULE NO. 20 Sheet 2
REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

A. (Cont'd.)

- 2. PG&E's total annual amount of work credits for undergrounding, as authorized by the California Public Utilities Commission, shall be allocated to cities or the unincorporated area of any county as follows: (T)
 - a. Fifty percent of the total authorized amount shall be allocated in the same ratio that the number of overhead meters in any city or unincorporated area of any county bears to the total system overhead meters; and (T)
 - b. Fifty percent of the total authorized amount shall be allocated in the same ratio that the total number of meters in any city or unincorporated area of any county bears to the total system meters. (T)/(N)
 - c. Upon request by a city or county, the amounts allocated may be exceeded for each city or county by an amount up to a maximum of five years' allocation at then-current levels where PG&E establishes additional participation on a project is warranted and resources are available. Such allocated amounts may be carried over for a reasonable period of time in communities with active undergrounding programs. In order to qualify as a community with an active undergrounding program the governing body must have adopted an ordinance or ordinances creating an underground district and/or districts as set forth in Section A.1.b. of this Rule. Where there is a carry-over or additional requested participation, as discussed above, PG&E has the right to set, as determined by its capability, reasonable limits on the rate of performance of the work to be financed by the funds carried over. When amounts are not expended or carried over for the community to which they are initially allocated they shall be assigned when additional participation on a project is warranted or be reallocated to communities with active undergrounding programs. (D)

(D)

(D)

(T)/(L)
(L)

(Continued)



ELECTRIC RULE NO. 20 Sheet 3
REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

- A. (Cont'd.) (L)
- 3. The undergrounding extends for a minimum distance of one block or 600 feet, whichever is the lesser. (L)
- Upon request of the governing body, PG&E will pay from the existing allocation of that entity for: (L)
- The installation of no more than 100 feet of each customer's underground electric service lateral occasioned by the undergrounding. (L)
- The conversion of electric service panels to accept underground service, up to \$1,500 per service entrance, excluding permit fees. (L)
- The governing body may establish a smaller footage allowance, or may limit the amount of money to be expended on a single customer's electric service, or the total amount to be expended on all electric service installations in a particular project. (L)

(Continued)

Advice Decision 5085-E-A
11-05-018, 14-08-032 and 17-05-013

Issued by
Robert S. Kenney
Vice President, Regulatory Affairs

Date Filed October 11, 2017
Effective November 13, 2017
Resolution



ELECTRIC RULE NO. 20 Sheet 4
REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

- B. In circumstances other than those covered by A above, PG&E will replace its existing overhead electric facilities with underground electric facilities along public streets and roads or other locations mutually agreed upon when requested by an applicant or applicants when all of the following conditions are met: (L)
 - 1. a. All property owners served from the overhead facilities to be removed first agree in writing to have the wiring changes made on their premises so that service may be furnished from the underground distribution system in accordance with PG&E's rules and that PG&E may discontinue its overhead service upon completion of the underground facilities; or
 - b. Suitable legislation is in effect requiring such necessary wiring changes to be made and authorizing PG&E to discontinue its overhead service.
 - 2. The applicant has:
 - a. Furnished and installed the pads and vaults for transformers and associated equipment, conduits, ducts, boxes, pole bases and performed other work related to structures and substructures including breaking of pavement, trenching, backfilling, and repaving required in connection with the installation of the underground system, all in accordance with PG&E's specifications, or, in lieu thereof, paid PG&E to do so;
 - b. Transferred ownership of such facilities, in good condition, to PG&E; and
 - c. Paid a nonrefundable sum equal to the excess, if any, of the estimated costs, of completing the underground system and building a new equivalent overhead system.
 - 3. The area to be undergrounded includes both sides of a street for at least one block or 600 feet, whichever is the lesser, and all existing overhead communication and electric distribution facilities within the area will be removed. (L)

(Continued)

Advice 5085-E-A
Decision 11-05-018, 14-08-032 and 17-05-013

Issued by
Robert S. Kenney
Vice President, Regulatory Affairs

Date Filed October 11, 2017
Effective November 13, 2017
Resolution



ELECTRIC RULE NO. 20 Sheet 5
REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

- B. (Cont'd) (L)

 - 4. PG&E may, when requested by the city or county and mutually agreed upon by such government entity and PG&E, initially fund any required engineering/design costs for conversion projects under this section. In the event such a project proceeds, the requesting city or county shall reimburse PG&E for such engineering/design costs before PG&E shall be required to commence further work on the project. In the event the project is not approved to proceed within two and one-half years of PG&E's delivery of such engineering/design study, the requesting city or county shall reimburse PG&E for its costs of such engineering/design study within 90 days of a demand by PG&E. In the event payment is not received PG&E shall expense such costs as an operational cost and shall reduce the city or county's allocations provided under Section A of this Schedule by the amount.
 - 5. The costs of removal of the overhead poles, lines, and facilities are the responsibility of PG&E and will be paid by PG&E. Such payments shall not operate to reduce Rule 20-A allocations.

- C. In circumstances other than those covered by A or B above, when mutually agreed upon by PG&E and an applicant, overhead electric facilities may be replaced with underground electric facilities, provided the applicant requesting the change pays, in advance, a nonrefundable sum equal to the estimated cost of the underground facilities less the estimated net salvage value and depreciation of the replaced overhead facilities. Underground services will be installed and maintained as provided in PG&E's rules applicable thereto.
- D. The term "underground electric system" means an electric system with all wires installed underground, except those wires in surface mounted equipment enclosures. (L)

Resolution No. _____

WHEREAS, the California Public Utilities Commission (CPUC) has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground pursuant to Electric Rule 20 and Telecommunication Rule 32, and

WHEREAS, pursuant to certain criteria, CPUC rules allow participating cities and counties to establish legislation authorizing the creation of underground utility districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground, and

WHEREAS, the City of NAME, has adopted an ordinance authorizing the City Council to designate areas within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

WHEREAS, the Director of Public Works for the City of NAME has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the NAME Underground Utility District and more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC, to wit,

[that such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities, AND/OR]

[that the street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic, AND/OR]

[that the street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public, AND/OR]

[that the street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines,] and

WHEREAS, each year the City of NAME is notified by PG&E regarding the allocation of work credits for conversion of overhead electric distribution lines and facilities to underground, known as Rule 20A allocations, and

WHEREAS, the Director of Public Works for City of NAME has consulted with PG&E and determined that the City has accumulated Rule 20A work credits or PG&E has agreed that the City may borrow against future credits sufficient to complete the proposed overhead to underground conversion project, and

WHEREAS, the City of NAME and the affected utilities have agreed by letter that each utility shall complete the engineering of their respective portion of the NAME Overhead to Underground Utility Conversion Project, and

WHEREAS, the City of NAME and the affected utilities have agreed by letter that PARTY shall be responsible for preparation of the trench profile and composite drawings and that PARTY shall be designated as “trench lead” to manage trenching, installation of substructures, and pavement restoration and such other work, and

WHEREAS the Director of Public Works of the City of NAME and the affected utilities have agreed on a work schedule which meets their respective capabilities and further agreed to waive any administrative fees, costs or special street restoration requirements for purposes of this project, and

WHEREAS, to the extent required, the City of NAME has agreed to provide easements or rights of way on private property as may be necessary for installation of utility facilities in a form satisfactory to the affected utilities, and

WHEREAS, the City Council of the City of NAME has now received the report from the Director of Public Works recommending that the area identified in Exhibit 1 should be designated as an underground utility district within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

WHEREAS, upon the recommendation of the Director of Public Works, the City Council of the City of NAME has determined that the proposed NAME Underground Utility District is categorically exempt from environmental review pursuant to the California Environmental Quality Act, and

WHEREAS, the City of NAME has notified all affected property owners within the proposed NAME Underground Utility District and inviting same to attend a public hearing to discuss formation of the proposed district, and

WHEREAS, the City Council of the City of NAME held public hearings at which time the Council did receive and consider the recommendation of the City Engineer and did hear any and all objections or protests that were raised by the owners of property within the above described district pertaining to designating this area an underground utility district;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the CITYof NAME that:

Section 1. The public interest requires the removal of all existing utility poles [excepting those poles supporting streetlights, traffic signals or trolley lines], overhead wires and associated overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the areas as shown in Exhibit 1, attached hereto, with such area being designated as the NAME Underground Utility District, and

Section 2, That the utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in NAME Underground Utility District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities, all fronting property owners shall be notified by first class letter, postage pre-paid, of the schedule for conversion of all utility service lines, and

Section 3, The electric utility shall [USE/NOT USE] the underground conversion allowance computed pursuant to decisions of the California Public Utilities Commission for the purpose of providing to each premises requiring it in NAME Underground Utility District a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required) and each other serving utility shall provide service trenching and conductor in accordance with its rules and tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the City of NAME, and

Section 4. The electric utility shall [USE/NOT USE] said underground conversion allowance allocation, up to a maximum amount of \$1500 per service entrance excluding permit fees, for the conversion of electric service panels to accept underground service in the NAME Underground Utility District, and [EACH PROPERTY OWNER/THE CITY OF NAME] shall be financially responsible for any and all costs not covered by the electric utility for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served, and

Section 5. That upon notification as specified in Section 2, all property owners in NAME Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the City of NAME Electrical Code within sixty (60) days and that should any property owner fail to install satisfactory underground electrical entrance facilities by the date specified in the notice, the electric utility shall notify the Director of Public Works who shall, within thirty (30) days direct the electric utility in writing to discontinue electrical service to the property, without recourse, pursuant to Rule 11 until electrical entrance facilities are ready to accept underground electrical conductors and have passed the necessary inspection requirements, and

Section 6. That once all services have been converted from overhead to underground, the utility companies, cable television services and other affected services shall remove all poles (except as specified above) and associated overhead facilities in NAME Underground Utility District, by _(DATE)

The foregoing resolution was adopted by the City Council of the City of NAME on the DATE by the following votes:

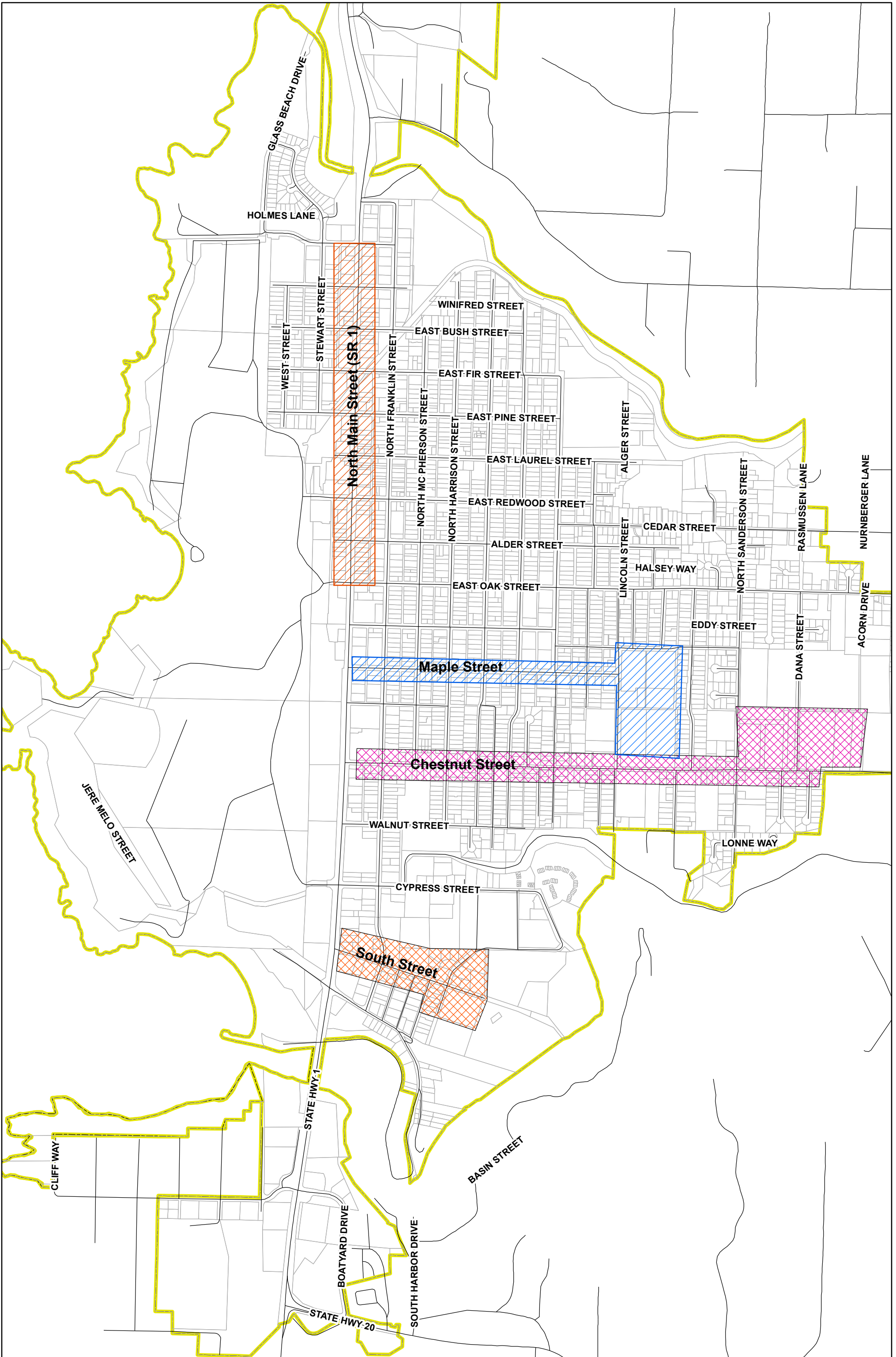
AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:



Feature and boundary locations depicted are approximate only.

08-27-2021

0 200 Feet

Potential Underground Districts



From: [Jacob Patterson](#)
To: [Arellano Sandy](#)
Cc: [O'Neal, Chantell](#)
Subject: Public Comment on Undergrounding Districts
Date: Tuesday, September 7, 2021 1:21:23 PM

Public Works & Facilities Committee,

I noticed the map of potential areas included in the agenda materials left off the most obvious locations for a new or expanded district, which is certain portions of the City that are in the Coastal Zone west of Highway One/Main Street. IMO, the first project that should be undergrounded is the utility line that serves the City's WWTF that runs westward across the Mill Site. However, the easiest and most flexible option would be to create a City-wide undergrounding district. That way, any project would qualify for the Rule 20 funds. All new projects should be undergrounding the utilities anyway, and most of them do, so a City-wide district is the best option because we can use the Rule 20 funds (or other similar funding sources) to underground any existing above-ground infrastructure, not just what is in one of the districts, and all new projects would continue to underground new infrastructure or pay an in-lieu fee into a local undergrounding fund. The City already has several undergrounding districts, and the other obvious option would be to expand a couple of these districts (e.g., the one in the CBD).

Regards,

--Jacob



City of Fort Bragg

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

Text File

File Number: 21-474

Agenda Date: 9/9/2021

Version: 1

Status: Business

In Control: Public Works and Facilities Committee

File Type: Staff Report

Agenda Number: 3C.

Provide Oral Report to Committee on Public Works Departmental Updates and Items of Interest

Topics of discussion to include:

- Water Emergency Projects Update

From: K Silva
To: Peters, Lindy; Albin-Smith, Tess
Cc: Arellano Sandy
Subject: Fwd: All Around Bainbridge Park
Date: Thursday, September 9, 2021 10:44:17 AM

Please include this in the record for the 9 September 2021 Public Works Committee meeting. Thank you.
Dear Public Works Committee members Peters and Albin-Smith~

I sent the attached email on July 25 but have not received a reply and the problem has worsened with trash becoming entangled in the weeds. To keep this message from being too large to send, I am not forwarding the photos that were attached to my original email but I am including some photos I took yesterday, 8th of September, so you can see some of the objects. If you would also like the other photos just let me know.

With the plethora of weeds and the neglected trees, the park does not look welcoming or like a place that is well-maintained. The dandelions send their seeds all along both sides of the street creating more work for nearby homeowners as they grow in new spots. The trees have more dead branches. And most importantly, the tall dry grass behind the shed is a fire hazard. At least the furniture has been removed. I don't know if the Public Works Department is understaffed or why things have been allowed to come to such a state but we need to be able to take care of what we already have before expanding responsibilities to more areas. The Bainbridge Park surroundings look badly neglected and that leads to visitors not caring about the state in which they leave it either, compounding the problem. The clean-up job keeps getting bigger as time goes on.

I would love to be able to take "before and after" photos that look markedly different. Here is my request:

Will you be kind enough to address the problem and make a commitment that the City will set the standards for the requests that it makes of its residents, in this case to keep the sidewalks, curbs and gutters weed-free? Along with showing that the City cares about our public spaces, practicing what one preaches is the right thing to do. Thank you.

~Kathy Silva









From: K Silva <hiksilva@mcn.org>
Date: July 25, 2021 at 1:04:10 PM PDT
To: coneal@fortbragg.com, jsmith@fortbragg.com
Subject: All Around Bainbridge Park

Dear John Smith and Chantel O'Neal~

I'm not sure to whom this request should go and hope that it will be forwarded to the person/persons who can make it happen. We live on Whipple Street across from Bainbridge Park. Cheerful yellow dandelions, along with other weeds, have completely filled the gutter along the east side of the park. The bright yellow flowers may give off a happy glow, but when seed heads develop it's not happiness felt here as those seeds blow across the street and take up root in front of our homes. The weeds are natural collection spots for the trash that tumbles along the street, too. I am combatting more and more dandelions in our sidewalk and gutter, removing them by hand. I have not seen the gutter along the park allowed to look this bad in the past.

If it was physically possible, I would "adopt" your side of the street and remove those weeds but I can't so I am asking for you to do your part in keeping the area weeded. I have attached some photos I took this morning. You might want to consult with the Botanical Gardens about more permanent weed

removal methods. I hope that the City of Fort Bragg wants to set a good example since your flyer asks citizens to weed their sidewalks, curbs and gutters. Will someone be kind enough to please remove the weeds from the sidewalks and gutters around the park and clean out the storm drain openings at the corners (it will, hopefully, rain again)? As the flyer says, "Your neighbors and community appreciate it." And we neighbors will certainly and sincerely appreciate it.

Also looking woefully neglected are the young trees on the west side of the park. You can see the dead branches and distorted shapes of the arbutus due to lack of maintenance needed in their windy location. The ginkgo trees are unhealthy and lichens are taking over them because they're not thriving as they should. They have old brown leaves and young/new leaves turning brown. Will someone please try to save these trees? If the the browning is from bacterial leaf scorch it might be too late but if it's from lack of water perhaps you can find a source of water for their survival. The trees would be lovely if cared for but they just look sad and neglected and that detracts from the ambiance of the park. The dead branches on the trees in Wiggly Giggly need to be removed, too. Maybe you could start an "adopt a tree" program. Visitors to the park will take better care of it if it looks like the City is caring for it, too.

I sent a photo of the piece of furniture to the police department today so it might be taken care of before you read this. The weeds by the utility shed also need to be removed. The person sleeping there might be a smoker and the shed is a popular spot to lean against while puffing away. It will be nice if the park looks respected and well-maintained for the residents who stop by for the National Night Out event on August 3rd.

Thank you for reading my email and I hope that I will soon be saying a great big Thank You for taking care of the weeds and the trees at Bainbridge Park.

Sincerely~
Kathy Silva