

# Request #21-159

**CLOSED**

As of July 24, 2021, 1:23pm

Request Visibility: Unpublished

## Details

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In reviewing the staff report for the Grocery Outlet appeal, I noticed several documents or sources cited in the staff analysis that are not included in the agenda packet and that I have not seen before. The IS/MND also doesn't have a references list as is sometimes included and/or required in CEQA documents. Does the City have the source material referenced in the staff report and does the City have a references list for this project? If so, how would I go about reviewing the list or source documents? Do I need to submit a PRA request or can I come in tomorrow, Friday, or Monday to review what might be available in the City Clerk's office or CDD?

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### Received

**July 21, 2021** via email

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### Departments

**None Assigned**

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### Requester

**Jacob Patterson**

✉ jacob.patterson.esq@gmail.com

📍 PO Box 2814, Fort Bragg, CA 95437

📞 707-964-2417

## Documents

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Public (pending) ⓘ

(none)

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### Requester

**[Water Production Table.pdf](#)**

**[WTR-Billing Chart.pdf](#)**

**[Blue Heron Data.pdf](#)**

<http://www.capcoa.org/caleemod/>  
<http://www.caleemod.com/>  
[https://nepis.epa.gov/Exe/ZyNET.exe/P100EVXV.TXT?  
ZyActionD=ZyDocument&Client=EPA&Index=2006+Thru+...](https://nepis.epa.gov/Exe/ZyNET.exe/P100EVXV.TXT?ZyActionD=ZyDocument&Client=EPA&Index=2006+Thru+...)  
[Phase 1 Water Facilities Study, Sections 1-3.pdf](#)  
[Data Base Hydrant ISO Current 2-19-2015.xls](#)

## Staff

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*Point of Contact*

**June Lemos**

## Timeline

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### **Request Closed**

Public

We have provided all records responsive to your request.

*July 23, 2021, 11:04am*

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### **Document(s) Released to Requester**

Public

Data Base Hydrant ISO Current 2-19-2015.xls

*July 23, 2021, 11:04am*

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### **Document(s) Released to Requester**

Public

Phase 1 Water Facilities Study, Sections 1-3.pdf

*July 23, 2021, 11:03am*

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### **Document(s) Released to Requester**

Public

<http://www.capcoa.org/caleemod/>

*July 21, 2021, 5:17pm*

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### **Document(s) Released to Requester**

Public

<http://www.caleemod.com/>

*July 21, 2021, 5:17pm*

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### **Document(s) Released to Requester**

Public

*July 21, 2021, 5:16pm*

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**Document(s) Released to Requester**

Public

Blue Heron Data.pdf

*July 21, 2021, 5:16pm*

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**Document(s) Released to Requester**

Public

WTR-Billing Chart.pdf

*July 21, 2021, 5:16pm*

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**Document(s) Released to Requester**

Public

Water Production Table.pdf

*July 21, 2021, 5:16pm*

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**External Message**

Requester + Staff

Attached please find a portion of records that are responsive to your Public Records Act request. Please note that we are still in the process of reviewing other potentially responsive documents. Assuming other responsive documents exist, we will get them to you as soon they are available. We reserve the right to withhold and/or redact any records or information that may be exempt from disclosure under the Public Records Act, and/or other applicable legal privileges including, but not limited to, attorney work product and attorney client privileges.

*July 21, 2021, 5:16pm by June Lemos (Staff)*

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**External Message**

Requester + Staff

Please be advised that City staff have received your CPRA request. Within the next 10 days, we will determine whether your request seeks copies of disclosable records in the City's possession or whether the City will require an extension.

*July 21, 2021, 2:36pm*

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**Request Opened**

Public

Request received via email

*July 21, 2021, 2:36pm*

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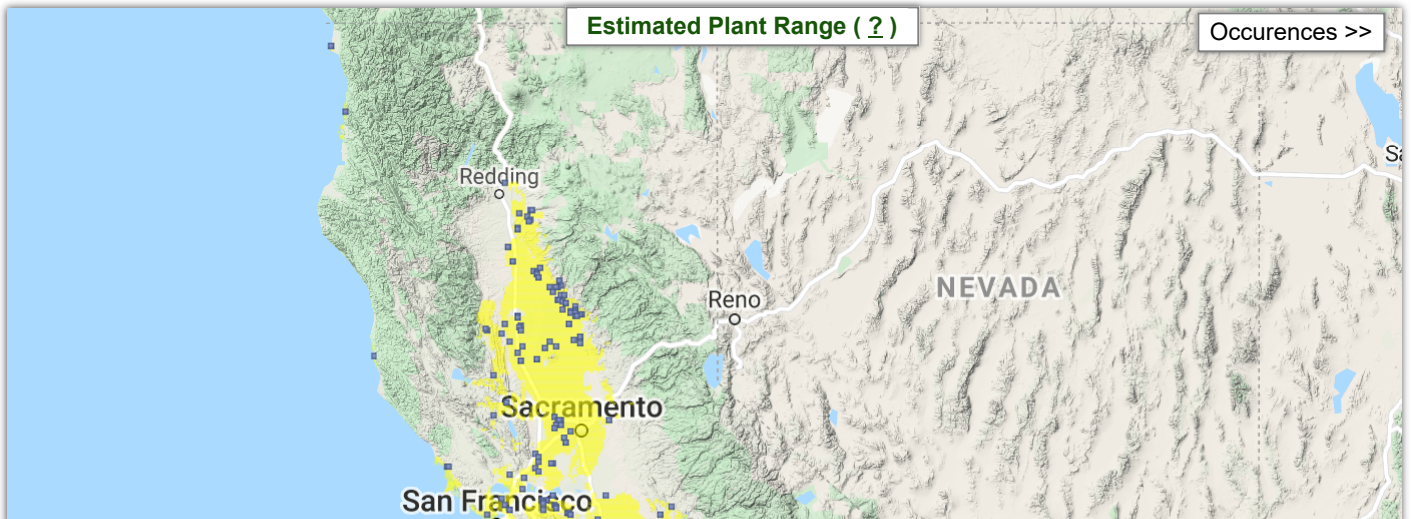
## Coast Plantain

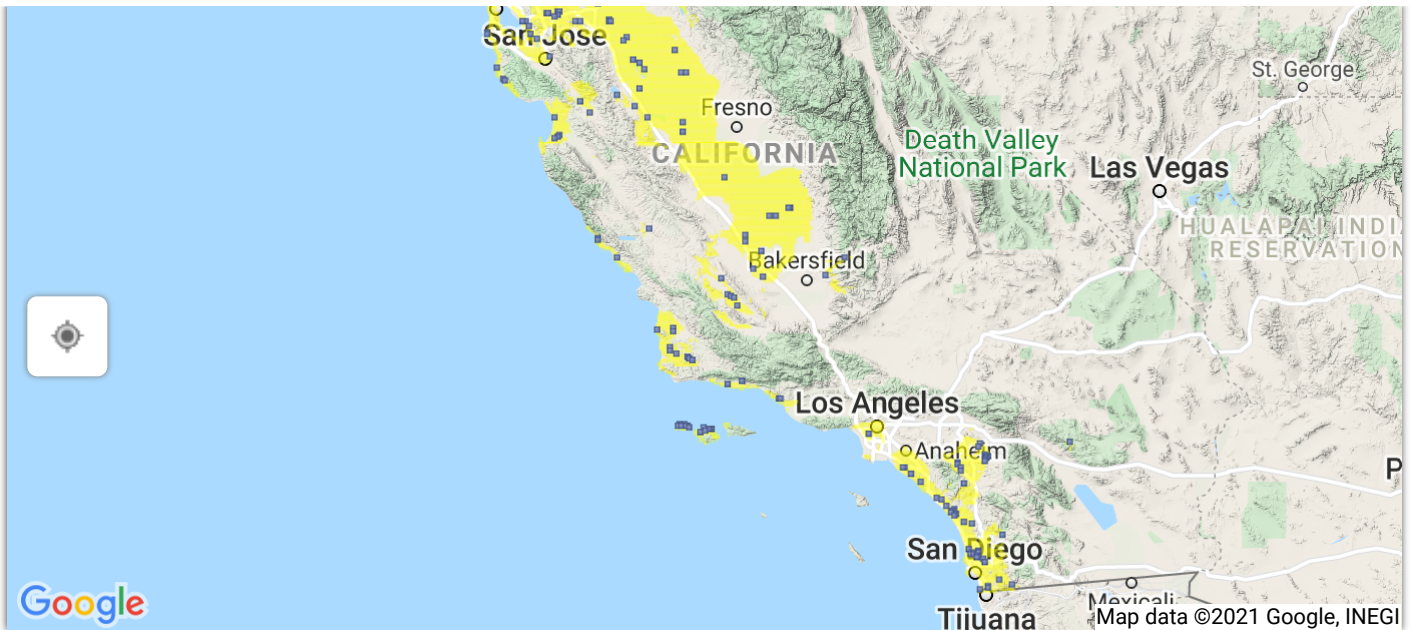
*Plantago elongata*



© 2010 Gary A. Monroe

[Show All Photos](#)





0 Nurseries Carry This Plant

### About Coast Plantain (*Plantago elongata*)

*Plantago elongata* is a species of plantain known by the common names prairie plantain and slender plantain. It is native to much of western North America, from British Columbia to California and as far east as Minnesota. It grows in wet habitat, such as vernal pools and wet meadows, including areas with saline and alkali soils, such as beaches. *Plantago elongata* is a petite annual herb producing a few narrow linear or threadlike basal leaves up to 10 centimeters long. The stemlike inflorescences grow erect to a maximum height around 18 centimeters. Atop the peduncle of the inflorescence is a spike of several tiny flowers each with a rounded or oval calyx of sepals covered with thick, fleshy green bracts.

### Plant Description



**Plant Type**  
Annual herb



**Size**  
7.1 in tall

### Wildlife Supported



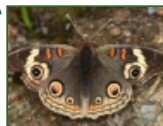
Butterflies & moths hosted ( 26 likely. \* ) [SHOW ALL](#)

\*



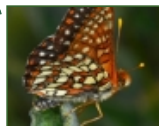
**Painted Lady**  
Vanessa cardui

\*



**Common Buckeye**  
Junonia coenia

\*



**Variable Checkerspot**  
Euphydryas chalcedona

### Landscaping Information



**Sun**  
Full Sun

### Natural Setting



**Site Type**  
Wet places



### Climate

Annual Precipitation: 6.4" - 61.0", Summer Precipitation: 0.14" - 1.89", Coldest Month: 43.0" - 55.7", Hottest Month: 58.9" - 80.9", Humidity: 0.12" - 29.19", Elevation: 0" - 4211"

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## Alternative Names



**Botanical Names:** *Plantago bigelovii*, *Plantago elongata* ssp. *pentasperma*  
**Common Names:** Longleaf Plantain, Prairie Plantain, Slender Plantain

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Sources include: Wikipedia. All text shown in the "About" section of these pages is available under the Creative Commons Attribution-ShareAlike License. Plant observation data provided by the participants of the California Consortia of Herbaria, Sunset information provided by Jepson Flora Project. Propagation from seed information provided by the Santa Barbara Botanical Garden from "Seed Propagation of Native California Plants" by Dara E. Emery. Sources of plant photos include CalPhotos, Wikimedia Commons, and independent plant photographers who have agreed to share their images with Calscape. Other general sources of information include Calflora, CNPS Manual of Vegetation Online, Jepson Flora Project, Las Pilitas, Theodore Payne, Tree of Life, The Xerces Society, and information provided by CNPS volunteer editors, with special thanks to Don Rideout. Climate data used in creation of plant range maps is from PRISM Climate Group, Oregon State University, using 30 year (1981-2010) annual "normals" at an 800 meter spatial resolution.

Links: [Jepson eFlora Taxon Page](#) [CalPhotos](#) [Wikipedia](#) [Calflora](#)

## **RESOLUTION NO. 4297-2020**

### **RESOLUTION OF THE FORT BRAGG CITY COUNCIL RECOMMENDING AND ENCOURAGING VOLUNTARY IMPLEMENTATION OF STAGE 1 WATER CONSERVATION MEASURES**

**WHEREAS**, the City of Fort Bragg has experienced significantly less rainfall in the last twelve months than would be considered normal; and

**WHEREAS**, the water flows in the Noyo River have declined more quickly this summer than prior years and is currently at 2.0 cubic feet per second (csf) and are nearing 1.0 csf; and

**WHEREAS**, historically, it is in the months of August, September and October that the Noyo River experiences King Tides, where the gravitational pull between the sun and the moon increase tide levels to a foot or two higher than high tide levels. High tides such as the King Tides during periods of low flow levels on the Noyo River increases salinity content impairing the City's ability to replenish water supply from the Noyo River; and

**WHEREAS**, the weather forecasts continue to show no significant rainfall in the area in the coming weeks; and

**WHEREAS**, the City's water supply and ability to replenish its supply have not dropped to the levels established in the Fort Bragg Municipal Code section 14.06.020 which would require that the City declare a water emergency. However, implementing conservation measures now will reduce future impacts on the City's water supply and water storage levels and potentially avoid a greater level of water emergency; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. It is in the best interest of the City of Fort Bragg to encourage voluntary compliance with Stage 1 water conservation measures.
2. Waiting to implement water conservation measures until the established triggers set forth in Fort Bragg Municipal Code section 14.06.020 may be too late avoid or reduce future water shortages.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Fort Bragg does hereby recommend and encourage voluntary implementation of water conservation measures consistent with a Stage 1 Water Emergency with a goal of reducing City-wide water usage by 10%, as set forth in Fort Bragg Municipal Code section 14.06.050 A. and below:

1. All users of potable water shall reduce their potable water consumption by 10% as compared to the same month of the base year.
2. Consistent with state requirements to prevent the waste and unreasonable use of potable water and to promote water conservation, each of the following actions is prohibited:

- a. The use of potable water on outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, nonirrigated areas, private and public walkways, roadways, parking lots, or structures.
  - b. The use of a hose that dispenses potable water to wash a motor vehicle, or to irrigate landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
  - c. The use of potable water to wash driveways, sidewalks, and similar hardscapes.
  - d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
  - e. The irrigation of outdoor landscapes during and within 48 hours after measurable rainfall.
  - f. The irrigation of residential and commercial landscapes, at any time other than before 10:00 a.m. and after 6:00 p.m.
  - g. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
  - h. The irrigation with potable water of ornamental turf on public street medians.
  - i. The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
3. In addition, each of the following uses of potable water is prohibited:
- a. The use of any hose or similar device, irrespective of whether a nozzle, valve, or other shut-off mechanism is attached thereto, for washing or cleaning the exterior surface of any dwelling, garage, commercial or industrial building. Persons painting building exteriors shall be exempted from this provision when potable water is used to clean or prepare a surface for painting.
  - b. The use of potable water for filling or refilling any existing or new swimming pool. Replenishing existing pools which have lost water due to evaporation shall be permitted.



- c. The use of potable water in construction projects for backfill consolidation or compaction, or for dust control purposes; provided, however, that the City Manager may permit the use of potable water upon a determination by the City Manager that no other source of water for the purpose is available, or that no other method of compaction, consolidation, or dust control is reasonably available. The reuse of water system flush water is permitted.
  - d. The use of water through, with or by any plumbing, sprinkler, watering or irrigation system, or other device, equipment, or appliance which is broken or defective, or which, for any reason, fails to use water in the ordinary and customary manner or quantity for which it was designed, constructed, or manufactured.
4. To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. Each hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.
  5. To prevent waste and unreasonable use of potable water and to promote water conservation, lawn watering and landscape irrigation with potable water shall be limited to no more than 2 days per week for all water users.
  6. Tampering with any part of the water system to circumvent the provisions contained within this section, include tampering with hydrants or water meters, is prohibited.
  7. Residents and business owners shall repair all water leaks as soon as feasibly possible, but no later than 5 days after notification by the City, unless other arrangements are made with the Public Works Director.

**The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Norvell, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 10th day of August, 2020, by the following vote:**

**AYES: Councilmembers Albin-Smith, Morsell-Haye, Norvell, Peters and Mayor Lee.**  
**NOES: None.**  
**ABSENT: None.**  
**ABSTAIN: None.**  
**RECUSED: None.**

*William V. Lee*

WILLIAM V. LEE  
Mayor

ATTEST:

*June Lemos*

June Lemos, CMC City Clerk

## **RESOLUTION NO. 4302-2020**

### **RESOLUTION OF THE FORT BRAGG CITY COUNCIL DECLARING A STAGE 2 WATER EMERGENCY AND IMPLEMENTING STAGE 2 WATER CONSERVATION MEASURES**

**WHEREAS**, the City of Fort Bragg has experienced significantly less rainfall in the last twelve months than would be considered normal; and

**WHEREAS**, the water flow in the Noyo River has declined more quickly this summer than in prior years and is currently at 0.90 cubic feet per second (cfs); and

**WHEREAS**, historically, in the months of August, September and October, the Noyo River experiences King Tides, where the gravitational pull between the sun and the moon increase tide levels to a foot or two higher than high tide levels. High tides such as the King Tides during periods of low flow levels on the Noyo River increase salinity content and shorten pump run times, impairing the City's ability to replenish water supply from the Noyo River; and

**WHEREAS**, the weather forecasts continue to show no significant rainfall in the area in the coming weeks; and

**WHEREAS**, the City's water supply and ability to replenish its supply have dropped to the levels established in Fort Bragg Municipal Code section 14.06.020 which requires that the City declare a water emergency; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. Fort Bragg Municipal Code section 14.06.020 mandates that the City declare a water emergency when one or more of four conditions are met.
2. The first of those conditions is that the City is unable to maintain a ten percent (10%) buffer between its ability to replenish water in its storage tanks and the total daily demand for water.
3. As set forth in Exhibit A, attached hereto and incorporated herein, on August 12, 2020, total daily demand for water exceeded the City's three raw water sources (Noyo River, Newman Gulch and Waterfall Gulch) by eleven percent (11%) and the seven-day average dropped to an eight percent (8%) buffer between the City's ability to replenish water in its storage tanks and the total daily demand for water.
4. Since August 12, 2020, water available from the Noyo River (set forth in Exhibit A) has continued to drop and the City has been unable to maintain a ten percent (10%) buffer between its ability to replenish water in its storage tanks and the total daily demand for water.
5. As of August 26, 2020, the seven-day average of total city water demand versus the City's available sources was a deficit of twenty-one percent (21%).
6. Implementation of the Stage 2 water conservation measures set forth in Fort Bragg Municipal Code section 14.06.020 are essential at this time.


**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Fort Bragg does hereby declare a Stage 2 Water Emergency pursuant to Chapter 14.06 of the Fort Bragg Municipal Code and requires implementation of Stage 2 Water Conservation Measures, as set forth in Fort Bragg Municipal Code section 14.06.050 B.

The above and foregoing Resolution was introduced by Councilmember Norvell, seconded by Councilmember Morsell-Haye, and passed and adopted at a special meeting of the City Council of the City of Fort Bragg held on the 31st day of August, 2020, by the following vote:

**AYES:** Councilmembers Albin-Smith, Morsell-Haye, Norvell, Peters and Mayor Lee.  
**NOES:** None.  
**ABSENT:** None.  
**ABSTAIN:** None.  
**RECUSED:** None.

  
\_\_\_\_\_  
**WILLIAM V. LEE**  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
June Lemos, CMC City Clerk

## RESOLUTION NO. 4389-2021

### RESOLUTION OF THE FORT BRAGG CITY COUNCIL RECOMMENDING AND ENCOURAGING VOLUNTARY IMPLEMENTATION OF STAGE 1 WATER CONSERVATION MEASURES

**WHEREAS**, the City of Fort Bragg has experienced significantly less rainfall over the past two years placing the City in an extreme drought condition; and

**WHEREAS**, the water flows from the City's three raw water sources continue on a downward trend; and

**WHEREAS**, the Noyo River flow is nearing 10.0 cubic feet per second (csf) and continues to decline at a rate of 0.5 cfs per day; and

**WHEREAS**, the high tides during periods of low flow levels on the Noyo River increases salinity content impairing the City's ability to replenish water supply from the Noyo River; and

**WHEREAS**, the weather forecasts continue to show no significant rainfall in the area in the coming weeks; and

**WHEREAS**, on April 21, 2021, Governor Newsom declared a state of emergency in Mendocino County due to drought conditions; and

**WHEREAS**, on March 5, 2021, the USDA declared that 50 counties in California, including Mendocino County were designated as a primary natural disasters area due to recent drought; and

**WHEREAS**, the City's water supply and ability to replenish its supply have not dropped to the levels established in the Fort Bragg Municipal Code section 14.06.020 which would require that the City declare a water emergency. However, implementing conservation measures now will reduce future impacts on the City's water supply and water storage levels and potentially avoid a greater level of water emergency; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. It is in the best interests of the City of Fort Bragg to encourage voluntary compliance with Stage 1 water conservation measures.
2. Waiting to implement water conservation measures until the established triggers set forth in Fort Bragg Municipal Code section 14.06.020 may be too late to avoid or reduce future water shortages.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby recommend and encourage voluntary implementation of water conservation measures consistent with a Stage 1 Water Emergency (Fort Bragg Municipal Code section 14.06.050 A) with a goal of reducing citywide water usage by 10%, as outlined below:

1. All users of potable water are strongly encouraged to reduce their potable water consumption by 10% as compared to the same month of the base year.
2. Consistent with state requirements to prevent the waste and unreasonable use of potable water and to promote water conservation, each of the following actions is strongly discouraged:

- a. The use of potable water on outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, nonirrigated areas, private and public walkways, roadways, parking lots, or structures.
  - b. The use of a hose that dispenses potable water to wash a motor vehicle, or to irrigate landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
  - c. The use of potable water to wash driveways, sidewalks, and similar hardscapes.
  - d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
  - e. The irrigation of outdoor landscapes during and within 48 hours after measurable rainfall.
  - f. The irrigation of residential and commercial landscapes, at any time other than before 10:00 a.m. and after 6:00 p.m.
  - g. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
  - h. The irrigation with potable water of ornamental turf on public street medians.
  - i. The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
3. In addition, each of the following uses of potable water is strongly discouraged:
- a. The use of any hose or similar device, irrespective of whether a nozzle, valve, or other shut-off mechanism is attached thereto, for washing or cleaning the exterior surface of any dwelling, garage, commercial or industrial building. Persons painting building exteriors shall be exempted from this provision when potable water is used to clean or prepare a surface for painting.
  - b. The use of potable water for filling or refilling any existing or new swimming pool. Replenishing existing pools which have lost water due to evaporation shall be permitted.
  - c. The use of potable water in construction projects for backfill consolidation or compaction, or for dust control purposes; provided, however, that the City Manager may permit the use of potable water upon a determination by the City Manager that no other source of water for the purpose is available, or that no other method of

compaction, consolidation, or dust control is reasonably available. The reuse of water system flush water is permitted.

d. The use of water through, with or by any plumbing, sprinkler, watering or irrigation system, or other device, equipment, or appliance which is broken or defective, or which, for any reason, fails to use water in the ordinary and customary manner or quantity for which it was designed, constructed, or manufactured.


4. To promote water conservation, operators of hotels and motels should provide guests with the option of choosing not to have towels and linens laundered daily. Each hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

5. To prevent waste and unreasonable use of potable water and to promote water conservation, lawn watering and landscape irrigation with potable water should be limited to no more than 2 days per week for all water users.

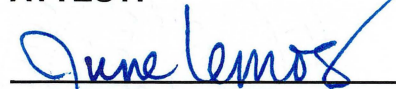
6. Residents and business owners should repair all water leaks as soon as feasibly possible, but no later than 5 days after notification by the City, unless other arrangements are made with the Public Works Director.

**The above and foregoing Resolution was introduced by Councilmember Morsell-Haye, seconded by Councilmember Peters, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 10th day of May, 2021, by the following vote:**

**AYES: Councilmembers Morsell-Haye, Rafanan, Peters and Mayor Norvell**  
**NOES: None.**  
**ABSENT: Councilmember Albin-Smith.**  
**ABSTAIN: None.**  
**RECUSED: None.**

  
**BERNIE NORVELL**  
**Mayor**

**ATTEST:**

  
**June Lemos, CMC City Clerk**

## RESOLUTION NO. 4412-2021

### RESOLUTION OF THE FORT BRAGG CITY COUNCIL RECOMMENDING AND ENCOURAGING VOLUNTARY IMPLEMENTATION OF STAGE 2 WATER CONSERVATION MEASURES

**WHEREAS**, the City of Fort Bragg has experienced significantly less rainfall over the past two years, placing the City in an extreme drought condition; and

**WHEREAS**, the water flows from the City's three raw water sources continue on a downward trend; and

**WHEREAS**, as of June 18, 2021, the Noyo River flow was 3.85 cubic feet per second (csf) and had declined 83% since April 12, 2021 as compared to 1977 for the same time period when flows declined 78%; and

**WHEREAS**, as of June 24, 2021, the Noyo River flow was nearing 2.57 cubic feet per second; and

**WHEREAS**, as of June 18, 2021, total stream flow in Waterfall Gulch had declined by 12.5% since April 12, 2021; and

**WHEREAS**, as of June 18, 2021, total stream flow in Newman Gulch had declined by 8% since April 12, 2021; and

**WHEREAS**, the high tides during periods of low flow levels on the Noyo River increases salinity content impairing the City's ability to replenish water supply from the Noyo River; and

**WHEREAS**, the weather forecasts continue to show no significant rainfall in the area in the coming weeks; and

**WHEREAS**, on April 21, 2021, Governor Newsom declared a state of emergency in Mendocino County due to drought conditions; and

**WHEREAS**, the City's water supply and ability to replenish its supply have not dropped to the levels established in the Fort Bragg Municipal Code section 14.06.020 which would require that the City declare a water emergency. However, implementing further conservation measures now will reduce future impacts on the City's water supply and water storage levels and potentially avoid a greater level of water emergency; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. It is in the best interests of the City of Fort Bragg to encourage voluntary compliance with Stage 2 water conservation measures.
2. Waiting to implement water conservation measures until the established triggers set forth in Fort Bragg Municipal Code section 14.06.020 may be too late to avoid or reduce future water shortages.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby recommend and encourage voluntary implementation of water conservation



measures consistent with a Stage 2 Water Warning (Fort Bragg Proposed Ordinance 969-2021) with a goal of reducing citywide water usage by 10-20%, as outlined below:

1. Water will only be used for “beneficial uses” as that term is defined in Subarticle 2 of Article 2 of Chapter 2 of Division 3 of Title 23 of the California Code of Regulations, [14 CCR § 659 et seq]. Beneficial uses include, but are not limited to, domestic use and irrigation use. All wasteful use of water that constitutes water misuse as defined in 23 CCR § 4000(c) is prohibited. Wasteful uses include, but are not limited to, any unreasonable water use or unreasonable method of water use.
  2. During water use, water shall be confined to the customer’s property and shall not be allowed to run off to adjoining property private or public walkways and sidewalks, roadways, parking lots or other structures. Care shall be taken not to water past the point of saturation.
  3. Landscape irrigation, including public and private streetscape landscaping (medians and frontage), shall be limited to a maximum of three days per week, with the exception of drip irrigation, which may be conducted on any day.
    - a. Customers may only irrigate on Tuesdays, Thursdays and Saturdays from 12am to 9am and 6pm to 11:59pm.
    - b. No irrigation is permitted on Mondays, Wednesdays, Fridays, or Sundays.
  4. Free flowing hoses are prohibited for all uses including landscape watering, vehicle and equipment washing, ponds, and evaporative coolers. Automatic shut-off devices shall be installed on any hose or filling apparatus while in use.
  5. All pools, spas and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak proof. Pool draining and refilling shall be allowed only to the extent required for health, maintenance, or structural considerations, and must otherwise comply with all applicable federal, state and local stormwater management requirements, including but not limited to Chapter 12.14, Drainage Facility Improvements and Drainage Fees.
  6. Residents and business owners shall repair all water leaks as soon as feasibly possible, but no later than 5 days after notification by the City or discovery by the owner.
- B. During a Stage 2 (Water Warning) conservation stage, the following restrictions shall apply:
1. All Stage 1 (basic stage) restrictions shall continue to apply, except to the extent they are replaced by more restrictive requirements imposed by this subsection.
  2. Landscape irrigation, including public and private streetscape landscaping (medians and frontage), shall be limited to a maximum of two days per week, with the exception of drip irrigation, which may be conducted on any day.

- a. Customers may irrigate only on Tuesdays and Saturdays from 12am to 9am and 6pm to 11:59pm.
  - b. No irrigation is permitted on Mondays, Wednesdays, Thursdays, Fridays and Sundays.
3. Water use for the washing of streets, parking lots, driveways, sidewalks, buildings or other hardscape surfaces is prohibited, except as necessary for health, sanitation or fire protection purposes.
  4. Restaurants shall serve water only upon specific request.
  5. Hotels, motels and other commercial lodging establishments shall offer patrons the option to forego the daily laundering of towels, sheets and linens. Each lodging establishment shall prominently display notice of this option in each guestroom using clear and easily understood language.
  6. Residents and business owners shall repair all water leaks as soon as feasibly possible, but no later than 3 days after notification by the City or discovery by the owner.

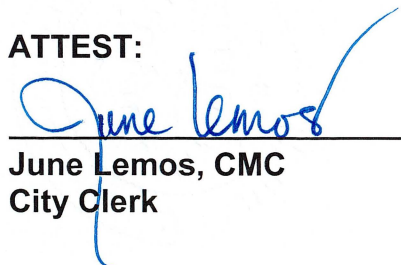
**The above and foregoing Resolution was introduced by Councilmember Morsell-Haye, seconded by Councilmember Peters, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 28th day of June, 2021, by the following vote:**

**AYES: Councilmembers Albin-Smith, Morsell-Haye, Rafanan, Peters and Mayor Norvell.**  
**NOES: None.**  
**ABSENT: None.**  
**ABSTAIN: None.**  
**RECUSED: None.**



**BERNIE NORVELL**  
**Mayor**

**ATTEST:**




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**June Lemos, CMC**  
**City Clerk**

## RESOLUTION NO. 4420-2021

### RESOLUTION OF THE FORT BRAGG CITY COUNCIL CONFIRMING CITY MANAGER'S DECLARATION OF A STAGE 2 WATER WARNING AND IMPLEMENTING MANDATORY STAGE 2 WATER CONSERVATION MEASURES

**WHEREAS**, the City of Fort Bragg has experienced significantly less rainfall over the past two years, placing the City in an extreme drought condition; and

**WHEREAS**, the water flows from the City's three raw water sources continue on a downward trend; and

**WHEREAS**, as of June 18, 2021, the Noyo River flow was 3.85 cubic feet per second (csf) and had declined 83% since April 12, 2021 as compared to 1977 for the same time period when flows declined 78%; and

**WHEREAS**, as of June 24, 2021, the Noyo River flow was nearing 2.57 cubic feet per second; and

**WHEREAS**, as of July 2, 2021, the Noyo River flow fell from 2.27 cubic feet per second to 1.47 cubic feet per second; and

**WHEREAS**, as of July 4, 2021, the Noyo River flow fluctuated between 1.23 cubic feet per second and 1.01 cubic feet per second; and

**WHEREAS**, as of July 5, 2021, the Noyo River flow fluctuated between 1.01 cubic feet per second and .80 cubic feet per second; and

**WHEREAS**, as of July 6, 2021, the Noyo River flow fluctuated between .80 cubic feet per second and .59 cubic feet per second; and

**WHEREAS**, as of June 18, 2021, total stream flow in Waterfall Gulch had declined by 12.5% since April 12, 2021; and

**WHEREAS**, as of June 18, 2021, total stream flow in Newman Gulch had declined by 8% since April 12, 2021; and

**WHEREAS**, the high tides during periods of low flow levels on the Noyo River increase salinity content impairing the City's ability to replenish water supply from the Noyo River; and

**WHEREAS**, the weather forecasts continue to show no significant rainfall in the area in the coming weeks; and

**WHEREAS**, on April 21, 2021, Governor Newsom declared a state of emergency in Mendocino County due to drought conditions; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. Fort Bragg Municipal Code Section 14.06.020 sets forth the five water conservation stages for the City of Fort Bragg and provides the City Manager with the authority to determine the appropriate water conservation stage and mandatory water restrictions.

2. The City Manager has considered the record low current water flows in the City's three surface water sources; the short-term and long-term weather forecasts with no measurable rainfall; the lack of other available potable and nonpotable water sources; drought conditions in the surrounding counties and states; and the need to ensure continued reduction of seasonal water demand by 10-20%.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby declare a Stage 2 Water Warning pursuant to Chapter 14.06 of the Fort Bragg Municipal Code and requires implementation of Stage 2 Water Conservation Measures, as set forth in Fort Bragg Municipal Code section 14.06.050 B.

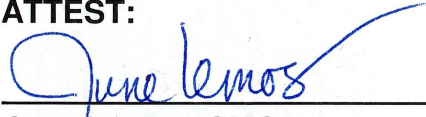
**The above and foregoing Resolution was introduced by Councilmember Morsell-Haye, seconded by Councilmember Peters, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 12th day of July, 2021, by the following vote:**

**AYES:** Councilmembers Albin-Smith, Morsell-Haye, Rafanan, Peters and Mayor Norvell.  
**NOES:** None.  
**ABSENT:** None.  
**ABSTAIN:** None.  
**RECUSED:** None.



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**BERNIE NORVELL**  
Mayor

**ATTEST:**  


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**June Lemos, CMC**  
City Clerk