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Sent: Wednesday, January 19, 2022 11:19 AM

To: Laura Godinez <lgodinez@fortbragg.com>

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Subject: Public Comment -- 1/19/22 PSC Mtg., Item No. 3A

Committee Members,

I reviewed the petition and noticed the City updated the agenda materials to show the City limits. I think the City Council and this committee should consider the needs of all members of our Fort Bragg community, including those who technically live outside the city limits like the residents of Todd's Point. Many such neighborhoods are an integral part of our community and it is beyond time to consider moving forward and annexing them into the City limits so those residents can participate in City Council elections.

That being said, this petition should probably be directed or forwarded to 4th District Supervisor Dan Gjerde because the streets in question are under the jurisdiction of Mendocino County Department of Transportation, not the City of Fort Bragg, and traffic calming measures would need to be approved and installed by the County. The request for the gate and after-hours closure of Pomo Bluff's Park and its parking area is within the jurisdiction of the City of Fort Bragg. I support the requests of these Todd's Point residents and recommend that the committee look into a mechanism to accept donations from the residents and petitioners to cover the cost of the installation of the requested gate or use of some of the TOT funds generally allocated in accordance to Measure AB. Our City staff already closes gates to other City parks at night and should be able to include this stop in their circuit since the restrooms and trash cans at Pomo Bluff's Park are monitored already.

That being said, there is the possibility that installation of a new gate may require a CDP if the prior CDP for the creation of the park did not contemplate such an action and/or implicate conditions or requirements that may be contained in the original dedication or funding documents from Caltrans when the park was created as a mitigation measure for Caltrans replacement of the former, narrower, Noyo Bridge. Those documents should be consulted to verify if any restrictions apply to a potential gate at the park entrance. I also recommend consultation with Coastal Commission staff to determine if such a CDP may be necessary.

It is also possible that the installation of a minor improvement like a gate may be eligible for an exemption from a CDP ("CDPE") under CLUDC section 17.71.040, although that appears questionable because the location of the potential gate may be within 50 feet of the face of the bluff and operating hours impact public access. A gate otherwise appears to qualify for a CDPE because it, along with an extension of the fence, could be attached to the fence that exists on both sides of the parking lot entrance (i.e., a gate could be determined to be an improvement to an existing structure since a fence qualifies as a structure. The Coastal

Commission may consider a locked gate to be a restriction on public access to this important coastal resource, which further justifies consultation with Coastal Commission staff.

That said, I am somewhat concerned with a locked gate creating an issue because there will be no vehicle turn-around area and that could lead to environmental damage to the unfenced areas adjacent to the park entrance next to the paved surface of Cliff Way or vehicles parking in a location that interferes with ADA access through the pedestrian bollards on the west side of Cliff Way. In any case, this request is more complex than it may first appear to be because of the jurisdictional and environmental concerns that relate to this particular location.

Regards,

--Jacob