



# City of Fort Bragg

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

## Meeting Agenda City Council

**THE FORT BRAGG CITY COUNCIL MEETS CONCURRENTLY AS  
THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT NO. 1  
AND THE FORT BRAGG REDEVELOPMENT SUCCESSOR  
AGENCY**

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Monday, March 8, 2021

6:00 PM

Via Video Conference

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PLEASE TAKE NOTICE

*DUE TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20 WHICH SUSPEND CERTAIN REQUIREMENTS OF THE BROWN ACT, AND THE ORDER OF THE HEALTH OFFICER OF THE COUNTY OF MENDOCINO TO SHELTER IN PLACE TO MINIMIZE THE SPREAD OF COVID-19, CITY COUNCIL MEMBERS AND STAFF WILL BE PARTICIPATING BY VIDEO CONFERENCE IN THE CITY COUNCIL MEETING OF MONDAY, MARCH 8, 2021.*

*In compliance with the Shelter-in-Place Orders of the County and State, the Town Hall Council Chamber will be closed to the public. 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 in any of the following ways: (1) By joining the Zoom video conference and using the Raise Hand feature during Public Comment, (2) Through the City's online eComment agenda feature, (3) By emailing comments to City Clerk June Lemos, [jlemos@fortbragg.com](mailto:jlemos@fortbragg.com), (4) By delivering written comments through the drop-box for utility payments to the right of the front door at City Hall, 416 N. Franklin Street, or (5) By leaving a voice mail comment at (707) 961-1694 by 5:00 PM on the day of the meeting.*

*The Clerk will read aloud all eComments or emails received before or during the meeting that have not been published with the agenda packet. Public comments are restricted to three minutes. Written comments on agenda items and those exceeding three minutes will be included in the public record as part of the agenda packet the next business day after the meeting.*

*We appreciate your patience and willingness to protect the health and wellness of our community and staff. If you have any questions regarding this meeting, please contact the City Clerk at (707) 961-1694 or [jlemos@fortbragg.com](mailto:jlemos@fortbragg.com).*

### ZOOM WEBINAR INVITATION

*You are invited to a Zoom webinar.  
When: Mar 8, 2021 06:00 PM Pacific Time (US and Canada)  
Topic: City Council Meeting*

*Please click the link below to join the webinar:*

<https://zoom.us/j/97533477871>

Or iPhone one-tap :

US: +16699009128,,97533477871# or +13462487799,,97533477871#

Or Telephone:

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

US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 646 558 8656 or +1 301 715 8592  
or +1 312 626 6799

Webinar ID: 975 3347 7871

International numbers available: <https://zoom.us/u/aebo3CX0MP>

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

## **AGENDA REVIEW**

### **1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS**

- 1A. [21-096](#) Receive Presentation by Lia Wilson with the Alleyway Art Project on Possible Collaboration with the City of Fort Bragg for Downtown Art Projects

*Attachments:* [Alleyway Art pp](#)

### **2. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS**

*MANNER OF ADDRESSING THE CITY COUNCIL: All remarks and questions shall be addressed to the City Council; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Mayor or Acting Mayor.*

*TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Mayor or Acting Mayor may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Mayor or Acting Mayor, may speak on any topic that may be a proper subject for discussion before the City Council for such period of time as the Mayor or Acting Mayor may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.*

*BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Council's response to questions and requests made during this comment period.*

### **3. STAFF COMMENTS**

### **4. MATTERS FROM COUNCILMEMBERS**

### **5. CONSENT CALENDAR**

*All items under the Consent Calendar will be acted upon in one motion unless a Councilmember requests that an individual item be taken up under Conduct of Business.*

- 5A. [21-025](#) Adopt City Council Resolution Approving Program Guidelines for the Business Assistance Loan Program Funded by Community Development Block Grant #20-CDBG-12080
- Attachments:** [Att 1- RESO Adopting BALP Program Guidelines](#)  
[Att 2 - BALP Program Guidelines](#)
- 5B. [21-081](#) Adopt City Council Resolution Approving Professional Services Agreement with Regional Government Services (RGS) for the Preparation of an Economic Development Feasibility Study Focused on the Mill Site and Authorizing the City Manager to Execute Contract (Amount Not to Exceed \$124,780.00; Account No.330-6125-0731)
- Attachments:** [RESO RGS Contract](#)  
[Att 1 - Contract](#)
- 5C. [21-082](#) Adopt City Council Resolution Granting the Cities of Point Arena and Crescent City Permission to Utilize Construction Plans Designed and Engineered by SHN Consulting for Fort Bragg's Pre-Approved Accessory Dwelling Unit (ADU) Program
- Attachments:** [RESO Share ADU Plans](#)
- 5D. [21-084](#) Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg
- Attachments:** [RESO Declaring Continuing Local Emergency](#)
- 5E. [21-090](#) Approve City Council Letter in Support of COVID-19 Federal Relief Plan
- Attachments:** [Att 1 - Cal Cities Update on COVID-19 Federal Relief Plan & Action Alert](#)  
[Att 2 - State and Local Allocation Output 02.25.21](#)  
[Att 3 - COVID-19 Relief Letter-Senate Vote](#)
- 5F. [21-086](#) Receive and File Minutes of the December 3, 2020 Finance and Administration Committee Meeting
- Attachments:** [FACM20201203](#)
- 5G. [21-083](#) Approve Minutes of February 22, 2021
- Attachments:** [CCM2021-02-22](#)

## **6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS**

## **7. PUBLIC HEARING**

*When a Public Hearing has been underway for a period of 60 minutes, the Council must vote on whether to continue with the hearing or to continue the hearing to another meeting.*

## **8. CONDUCT OF BUSINESS**

- 8A. [21-089](#) Receive Report and Provide Direction to Staff Regarding Community Development Block Grant Coronavirus Response Round 2 and 3 (CDBG-CV2&3) Program Applications  
**Attachments:** [03082021 CDBG-CV2&3 Application Direction](#)
- 8B. [21-056](#) Receive the City of Fort Bragg's General Plan Annual Progress Report (2020) and Housing Element Annual Progress Report (2020)  
**Attachments:** [DRAFT General Plan Report 2020](#)  
[Appendix A - General Plan Policy Implementation](#)  
[Appendix B - Annual Housing Element Report](#)  
[Appendix C - City Council Goals and Priorities](#)  
[Public Comment 8B](#)
- 8C. [21-088](#) Receive Report and Consider Adoption of City Council Resolution Recommending and Consenting to an Extension of the Term in the Operating Agreement and Lease for the Caspar Transfer Station Between Mendocino County and Solid Waste of Willits, Inc.  
**Attachments:** [03082021 Caspar Xfer Station Lease Extension](#)  
[RESO Caspar Transfer Station Lease Extension](#)

## **9. CLOSED SESSION**

- 9A. [21-093](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR POSSIBLE ACQUISITION OF REAL PROPERTY, Pursuant to Government Code Section § 54956.8: Real Property: APN 020-550-02-00, APN 020-550-09-00; City Negotiators: Tabatha Miller, City Manager; Negotiating Party: Dave Massengill, Environmental Affairs, Georgia Pacific Corporation; Under Negotiation: Terms of Acquisition

## **ADJOURNMENT**

*The adjournment time for all Council meetings is no later than 10:00 p.m. If the Council is still in session at 10:00 p.m., the Council may continue the meeting upon majority vote.*

**NEXT REGULAR CITY COUNCIL MEETING:  
6:00 P.M., MONDAY, MARCH 22, 2021**



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 amended agenda to be posted in the City Hall notice case on March 5, 2021.

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June Lemos, CMC  
City Clerk

**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 upon making reasonable arrangements with the City Clerk for viewing same during normal business hours.*
- *Such documents are also available on the City of Fort Bragg’s website at <https://city.fortbragg.com> subject to staff’s ability to post the documents before the meeting.*

**ADA NOTICE AND HEARING IMPAIRED PROVISIONS:**

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

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

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



# City of Fort Bragg

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## Text File

File Number: 21-096

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Mayor's Office

**In Control:** City Council

**File Type:**  
Recognition/Announcements

**Agenda Number:** 1A.

Receive Presentation by Lia Wilson with the Alleyway Art Project on Possible Collaboration with the City of Fort Bragg for Downtown Art Projects

2021 and Beyond

# The Alleyway Art Project



# What have we done so far?

- 5 murals installed
- 3 murals TBC by September
- 3 murals awaiting matching funds
  
- Two grant applications pending (awards announced in April)





IF we get these two grants and  
install all 11 murals...

**\$60,000**

---

Of public art in Fort Bragg from  
the Alleyway Art Project



# Benefits of a Mural Walk



Character and Place



Bring foot traffic to  
CBD



Increase local  
property values



# \$18,000 Challenge Grant

- Anonymous group of locals
- Just for AAP murals
- One year runway

# Goals

- Between 8 and 12 murals
- Mix of sizes
- Strong artistic voice
- Locally relevant
- Entice foot traffic



# City Involvement

- Match funds
- Identify locations
- Boost call for entries
- Point person with decision making power
- Continue to waive fees
- Installation logistics

# Arts and Culture District



- More murals
- Lighting
- Banners and signage
- Sidewalk culture
- Walking tours
- Sculpture
- Local craft fairs
- Alleyway festivals
- Street music
- Logical boundaries
- Clear benefits of inclusion





# Creative California Communities Grant

Creative California Communities (CCC) supports meaningful, collaborative, creative placemaking projects that animate, activate, and celebrate communities. Projects support community goals and encourage increased engagement in arts and cultural activities with community members. Will be offered in the next 1-2 years.



# Creative California Communities Grant

Creative placemaking projects use local artists, cultural resources, and/or the creative sector as central components in strategically shaping the physical and social character of a neighborhood, town, tribe, city, or region. Partnerships between public, private, not-for-profit, and community sectors are essential to this program.

Up to \$150,000

Requires a 1:1 match, but allows for 50% in kind contributions from 3rd parties.

Cash match can also come from corporate or private sources.

A proposal to expand a pre-existing project will make us a strong applicant.

This is absolutely within our grasp.



# Details



# Why invest now?

- Double your impact
- Get more murals
- The money goes back into the local economy

● Establish a project we can expand with grant funds

● Show a pre-existing partnership between our organizations

● Lay the groundwork now, so we can execute the plan within the two year grant timeline

# Questions?





# City of Fort Bragg

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## Text File

File Number: 21-025

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Passed

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 5A.

Adopt City Council Resolution Approving Program Guidelines for the Business Assistance Loan Program Funded by Community Development Block Grant #20-CDBG-12080

On February 16, 2021 the City received notification of award for the City's 2020 Community Development Block Grant (CDBG) Business Assistance Loan Program (BALP) application. Funding from #20-CDBG-12080 will provide funding for new or operating businesses. Pursuant to CDBG regulations, Program Guidelines must be adopted before any program funding will be released by CDBG. Program Guidelines for BALP activities were adopted in prior years, but existing guidelines do not conform to current CDBG formats. Staff was provided with templates for Program Guidelines from CDBG. The templates have been thoroughly reviewed and edited by staff to reflect local practice as well as CDBG and federal regulations.



**RESOLUTION NO. \_\_\_\_-2021**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUSINESS  
ASSISTANCE LOAN PROGRAM GUIDELINES**

**WHEREAS**, the City of Fort Bragg periodically receives funding from the Community Development Block Grant (CDBG) Program to fund a Business Assistance Loan Program, and the City is currently funded by 2020 CDBG grant #20-CDBG-12080 for a Business Assistance Loan Program; and

**WHEREAS**, CDBG requires that the Business Assistance Loan Program must be administered by approved Program Guidelines that are compliant with CDBG and State Department of Housing and Community Development (HCD) regulations, and CDBG will not approve the release of CDBG funding until such guidelines are approved; and

**WHEREAS**, the City of Fort Bragg last updated its Business Assistance Loan Program Guidelines in 2017, and the guidelines require updating and conformity with current CDBG guidelines; and

**WHEREAS**, the Business Assistance Loan Program Guidelines include the following elements as recommended by CDBG: program overview; program requirements; application process; loan terms and security; loan underwriting standards, and loan collection and servicing; and attachments including Authorizing Resolution, Sample Application Form, City Business Loan Servicing Policies and Procedures; and CDBG Business Assistance Loan Certification Form; and

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

1. Elements recommended by CDBG have been incorporated into the Program Guidelines such that they are compliant with current CDBG formats and regulations and also reflect local program particulars.
2. Through #20-CDBG-12080 the City has funds available to implement a Business Assistance Loan Program using approved Program Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby approve the Community Development Block Grant (CDBG) Business Assistance Loan Program Guidelines.

**The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 8th day of March, 2021, by the following vote:**

**AYES:  
NOES:  
ABSENT:**

**ABSTAIN:  
RECUSED:**

---

**BERNIE NORVELL**  
Mayor

**ATTEST:**

---

**June Lemos, CMC**  
City Clerk

*DRAFT*  
Guidelines

For

Business Assistance  
Loan Program

Operated By

City of Fort Bragg

With

Community Development Block Grant  
(CDBG) Funding

**Adopted:**

## TABLE OF CONTENTS

1.	INTRODUCTION.....	1
2.	BUSINESS ASSISTANCE LOAN PROGRAM OVERVIEW	
	1. Program Administrator .....	1
	2. Program Service Area .....	1
	3. Source of Program Funds .....	2
3.	CDBG PROGRAM REQUIREMENTS	
	1. Eligible Loan Applicants .....	2
	2. Eligible Project Costs .....	3
	3. Ineligible Project Costs .....	3
	4. Meeting National Objective Standards .....	4
	5. Meeting Public Benefit Standards .....	5
	6. Meeting Six Underwriting Standards .....	6
	7. Meeting Other Federal Regulatory Requirements .....	6
4.	LOAN PROCESSING AND APPROVAL	
	1. Fair Lending Compliance .....	8
	2. Loan Application Review Process .....	8
	3. Loan Approval Process .....	9
	4. Loan Applicant Confidentiality .....	10
	5. Dispute Resolution/Appeals Procedure .....	10
	6. Exceptions / Special Circumstances.....	10
	7. Loan Closing Process .....	10
5.	DESCRIPTION OF LOANS	
	1. Determination of Loan Amount .....	10
	2. Determination of Loan Terms .....	11
	3. Determination of Loan Interest Rate .....	11
	4. Loan Processing Fees .....	11
6.	LOAN UNDERWRITING STANDARDS	
	1. Initial Loan Evaluation .....	11
	2. Personal and Business Credit Requirements .....	12
	3. Personal and Business Financial Information .....	13
	4. Collateral Requirements .....	13
	5. Business Experience and Management Capacity .....	14
7.	LOAN SERVICING	
	1. Loan Servicing Responsibilities .....	14
	2. Loan Servicing Policies.....	15
8.	PROGRAM OVERSIGHT BY LENDER	
	1. Oversight of Program Administrator .....	15

## **List of Attachments with Support Documents**

ATTACHMENT A: Grantee's Executed Resolution Adopting Guidelines

ATTACHMENT B: Sample Business Assistance Loan Application

ATTACHMENT C: Lender Required Forms:

- 1) Jobs Tracking Form
- 2) Self Certification of Income Form
- 3) Loan Disbursement Schedule
- 4) Certification of No Conflict of Interest
- 5) Certification of No Job Pirating
- 6) Certification of Federal Regulatory Compliance.

ATTACHMENT D: Lender Adopted Business Loan Servicing Policies

ATTACHMENT E: CDBG Business Assistance Loan Certification Form

DRAFT

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
BUSINESS ASSISTANCE (BA) LOAN PROGRAM GUIDELINES**

**1.0 INTRODUCTION**

The City of Fort Bragg, here after called “Lender”, has established a Business Assistance Loan Program, here after called “the Program”. The Program is designed to use public tax payer dollars to stimulate economic growth and improve living conditions of low / moderate income residents in Lender’s community. The Program provides low cost loans to eligible for-profit businesses. In return, businesses are required to provide documentation of public benefit (normally creating new job positions) and meeting a national objective (normally filling most of the new job positions with persons qualified as low -moderate income and living in the jurisdiction). These Program Guidelines describe policies and procedures required for award of loan funds to eligible borrowers. The Guidelines have been adopted via resolution by the Lender and conform to guidelines established by the California Department of Housing and Community Development, here after called “Department”.

**2.0 BUSINESS ASSISTANCE PROGRAM OVERVIEW**

**2.1 PROGRAM ADMINISTRATOR AND PROGRAM OPERATOR**

The Lender provides administrative services for the Program and is the liaison between the Program Operator and the loan applicant. These services are provided by Community Development Department staff. Current contact information is as follows:

Staff contact name: Natalie McLaughlin  
Agency: City of Fort Bragg  
Address: 416 N. Franklin Street, Fort Bragg, CA 95437  
Phone Number: (707) 961-2823  
Email Address: [nmclaughlin@fortbragg.com](mailto:nmclaughlin@fortbragg.com)

In addition, Lender has secured the services of a qualified Program Operator here after called “Program Operator”. The Program Operator will be charged with originating business assistance loans and documenting compliance with CDBG regulations and these Program Guidelines. Current contact information for the Program Operator is:

Name: Jeff Lucas, Principal  
Agency: Community Development Services  
Address: 3895 Main St., Kelseyville, CA 95451  
Phone Number: 707-279-1540  
E: Mail Address: [jefflucas@mchsi.com](mailto:jefflucas@mchsi.com)

**2.2 PROGRAM SERVICE AREA**

Financing under this Program is available to all eligible businesses physically located within the jurisdictional limits of the Lender. These funds may not be used in jurisdictions that receive CDBG funds from the federal Department of Housing and Urban Development

(HUD) entitlement program. This Program is subject to CDBG service area requirement of substantially benefiting residents in the service area.

### **2.3 SOURCE OF PROGRAM FUNDS**

The Program is capitalized with CDBG federal funds provided by the federal Department of Housing and Urban Development (HUD) to the Department, who in turn provides the CDBG funds to the Lender. As such, CDBG funds are federal money administered by the Department, so both federal and state laws and regulatory requirements must be followed.

CDBG funds come to the Lender from two sources: 1) active grant contract agreement between the Department and Lender originating from the Department's competitive application process; and 2) CDBG program income administered under a Program Income (PI) Reuse Agreement between Department and Lender.

### **3.0 CDBG PROGRAM REQUIREMENTS**

#### **3.1 ELIGIBLE LOAN APPLICANTS**

CDBG funds under this Program can only be expended on the eligible activity authorized under Title I of the Housing and Community Development Act of 1974 (hereafter called "Act"), section 105(a)(17): special economic development providing direct financial assistance to private for-profit businesses.

An eligible applicant is:

- an existing business legally operating, with any required local business license, insurance, permits per local, state and federal requirements;
- an applicant with a non-operating start-up business may not have all required licenses or insurance, so these items will be made a condition of loan closing;
- a person or persons wishing to buy an existing business;
- a business leasing tenant space or owner occupied business in the service area.

The loan applicant must provide documentation that the proposed project will meet CDBG eligibility criteria of national objective and public benefit per Sections 3.4 and 3.5. The loan applicant must provide documentation of meeting standard commercial underwriting criteria outlined in Section 6 of these guidelines as well as HUD CDBG mandated six underwriting standards described in Section 3.6. An eligible loan applicant must document compliance with all CDBG regulations listed in Section 3.7.

Specific ineligible loan applicants include:

- a business with an existing CDBG Business Assistance loan that has not been closed-out with the Department;
- a business operating a private "exclusive" recreational facility;
- non-profit businesses are not eligible under this program;
- a businesses or person(s) with unresolved state / federal tax liens;

- a business or person in bankruptcy process is not eligible until bankruptcy process is complete.

### **3.2 ELIGIBLE PROJECT COSTS**

CDBG funds are non-discretionary and restricted to certain eligible costs. These eligible costs cover most costs associated with successful Business Assistance projects.

Specifically, CDBG BA activity eligible costs are:

- operating capital and inventory;
- furniture fixtures and equipment (FF&E), with or without installation costs;
- project site improvements, new construction or rehabilitation of leased space or owned building;
- engineering and architectural plans and required permits or fees;
- purchase of manufacturing equipment (with or without installation costs);
- refinancing of existing business debt when done in conjunction with restructuring of other existing private financing debt(s);
- purchase of real property, when it provides positive cash flow for new jobs;
- relocation grants for persons displaced due to funding of the project;
- purchase of an existing business, including documented value of good will.

These eligible costs must be connected to the business's ability to meet an eligible CDBG national objective per section 3.4 of these guidelines. Lender will only use CDBG loan funds to reimburse borrower for actual eligible / approved project costs.

### **3.3 INELIGIBLE PROJECT COSTS**

CDBG funds are non-discretionary, limited to certain eligible costs described in Section 3.2 above, and there are also a number of ineligible costs. Some ineligible costs are:

- costs incurred prior to submittal of BA loan application and environmental review completion;
- costs associated with residential housing development, i.e. on mixed use project;
- costs associated with supporting "other" businesses the applicant owns;
- costs on a funded project NOT meeting a national objective;
- personal expenses such as cars, home repairs, not directly associated with the business;
- costs of paying off credit cards (personal);
- costs of paying off any personal debt not directly associated with business;
- providing CDBG loan as a revolving line of credit (LOC) is not eligible;
- cash payments of any kind made directly to the assisted business owner(s) (wages or draws) from loan proceeds;
- costs associated with a funded project when the owner(s) or business is found to be on federal debarred list;
- public infrastructure in support of the business;
- research and development costs for future production (speculative).



Once approved, loan funds cannot be shifted from one approved type of cost to another without formal written approval of Lender. If there is a substantial change in the project scope of work or underwriting, then the loan must be re-evaluated and re-approved by Lender, per state and federal regulations, prior to loan closing or disbursement of CDBG funds.

### **3.4 MEETING NATIONAL OBJECTIVE STANDARDS**

All eligible activities funded under this program must meet a CDBG “National Objective” as described in the Act, Section 104(b)(3), and federal regulations 24 CFR Part 570.483. Detail on documenting the meeting of national objective standard for a project is contained in Department’s guidance on BA Activities, Chapter 21 of the CDBG Grant Management Manual (GMM), available at the HCD website. Projects not documented as meeting a national objective are an ineligible activity. Below is a general description of documenting how a BA project meets the national objective of benefit to low - moderate income (LMI) persons. The Lender will use Department-specific guidance for ensuring each eligible project funded is documented as meeting a national objective.

BA projects normally meet a national objective standard when they create jobs and provide over half, that is, at least fifty one percent (51%), of the new job positions to LMI qualified persons. BA projects proposing to provide most of newly created jobs to LMI persons must agree to allow the Lender or Lender’s designated representative, to meet with each job applicant prior to hiring and complete a Department Self Certification of Income Form, see **Attachment C**. After all new hires are made, payrolls must be collected by the Lender and compared to the job applicant Income Certification forms to prove over half of all newly created job positions were provided to low-moderate income persons. This will prove the project’s job creation met the national objective of principally benefiting LMI persons and allow the Lender to close out the project with the Department and HUD. All documentation of national objective for jobs falls under Section 4.5 on confidentiality.

Some BA projects may require CDBG funding to retain jobs. In this case, CDBG loan funds will assist in keeping the business from closing or to avoid terminating some staff. This type of project must document that at the time of application, over half of existing employee positions to be eliminated are held by LMI persons. As such, the business must agree to allow the Lender or their designated representative to interview existing employees and help them complete the Department’s Self Certification of Income Form. The business must also provide financial documentation that if not for CDBG funding, the job positions will be lost and staff laid off. The business must also document that with the investment of CDBG funds, the business will continue operations and jobs can be retained. If approved and funded, the business employees must have Self-Certification of Income completed again, prior to Lender closing out the project. By verifying that, at the time of loan application and after loan disbursements, over half of the retained positions were LMI, then the project will have LMI national objective met and it can be closed out with the Department and HUD. All documentation of national objective for jobs falls under Section 4.5 on confidentiality.

A few BA projects may meet the LMI national objective by documenting that the BA loan applicant provides goods or services to the local community, and the business service area is primarily within the Lender's jurisdiction, and the service area is primarily residential, and the area is primarily occupied by low – moderate income persons. Thus the BA loan applicant must provide documentation of the business's service area. The Lender will use zoning maps to document the business's service area as primarily residential and located within the Program service area. The Lender will confirm the LMI status of the BA loan applicant's service area from American Communities Survey data, in accordance with HUD low - moderate area (LMA) benefit standard. Lender will require business to provide documentation of the goods or services they provide and justify the need for CDBG funds as part of providing goods and services. This documentation must be provided prior to loan approval. After expenditure of CDBG loan funds and documentation that the business continues to provide goods and services, then the project can be closed out with the Department and HUD. LMA national objective standard guidance is provided on Department's BA Activities Grant Management Manual Chapter 21 webpages.

### **3.5 MEETING PUBLIC BENEFIT STANDARDS**

All eligible project activities funded under this program must meet a minimum CDBG "Public Benefit Standard" as described in the Act, section 104(b)(17) and federal regulations; 24 CFR Part 570.483(f)(g). Public Benefit is provided by the BA loan recipient in return for use of subsidized federal funds, and provides a funding limit or "cap". Meeting Public Benefit Standard is very different than meeting National Objective Standard and should not be confused. Lender will use detailed guidance on meeting Public Benefit Standards provided in Department's BA Activities Grant Management Manual Chapter 21 webpages.

For BA projects meeting national objective via jobs provided to LMI persons, the Public Benefit standard is jobs, and the maximum CDBG loan funding available is limited to \$35,000 per job. The Lender will require BA loan applicants to provide an estimate of public benefit generated by investment of CDBG funds into the project via the Job Tracking Form, see **Attachment C**. This proposed level of public benefit will be verified after investment of CDBG funding. The actual level of public benefit (loan funds per job) may be greater than or less than the level proposed at the BA application stage. All public benefit data falls under the confidentiality requirements described in Section 4.5 .

For BA projects meeting LMA national objective, based on benefit (goods or services), the Public Benefit Standard is goods or services to LMI persons. In this case, the maximum CDBG funding available is limited to \$350 per LMI person in the business service area. For this public benefit standard, Lender will document compliance at the BA loan application stage prior to loan approval or closing.

CDBG public benefit requirements of the program will be disclosed by the Lender at the start of the application process. Lender will use financial underwriting to identify the need for BA loan subsidies and determine reasonable public benefit that will be generated from the project, i.e. the number of jobs created from proposed project. Projects with small amounts

of public benefit may be required to bring in other sources of funding because of CDBG funding limits imposed by this standard.

### **3.6 MEETING SIX UNDERWRITING STANDARDS**

In addition to documenting that the project meets CDBG public benefit standard, the project must also be documented as meeting six HUD underwriting standards, per federal regulation 24 CFR Part 570.483(e). These underwriting standards are required to document a minimum “due diligence” of the Lender and ensure projects are financially sound enough to meet public benefit and national objective standards, i.e. create new or retain existing job positions. The six HUD underwriting standards are general, qualitative, and are supported by commercial underwriting standards in Section 6 of these guidelines. See Department BA Activities, Grant Management Manual Chapter 21, webpages for detailed guidance on compliance with each of the six HUD underwriting standards.

The six HUD Underwriting Standards are:

- project costs are documented as reasonable (typically, third party cost estimates);
- all sources of funding for the project are documented with final commitments;
- to the extent practicable, CDBG funds are not substituted for private (non-federal) funds;
- documentation that project is financially feasible (based on cash flow projections to support jobs and debt service, etc.);
- to the extent practicable, the return of the owner’s equity investment is not unreasonable (based on level of equity and proposed CDBG loan terms);
- to the extent practicable, CDBG funds are disbursed on a pro-rata basis with other financing provided for the project.

### **3.7 MEETING OTHER FEDERAL REGULATORY REQUIREMENTS**

Since these CDBG BA loans are from a federal funding source, there are a number of federal laws and requirements which are triggered by their use. The Lender and Administrator will require BA loan applicants to provide project information which allows them to make a determination of required project compliance. BA applicants are required to sign loan disclosures and work with Lender to ensure each project is in compliance with any of the triggered applicable regulations listed below.

National Environmental Policy Act (NEPA): Every project funded under the Program must be reviewed under HUD NEPA regulations 24 CFR Part 58, and the Lender must sign and certify an Environmental Review Record (ERR) for each project prior to approval or disbursement of loan funds. The Lender is required to sign and certify the correct NEPA ERR, per current Environmental Review Requirements Chapter of Department’s Grant Management Manual (GMM), along with any state review under California’s Environmental Quality Act (CEQA).

The ERR level of review is based on the project’s “aggregated” scope of work, which includes all proposed project funding. Any construction or equipment installation proposed will require more review work on the ERR. The ERR will be done early in application

process, as soon as the project is deemed eligible and scope of work is finalized. No costs will be charged to the Borrower for this process. Applicants must sign Department certification form that no “choice limiting action” under NEPA regulations has or will take place. The form is included in **Attachment C**.

Prevailing Wage Compliance: If a project proposes to use CDBG funds to pay costs for any construction, then federal and state labor standards compliance must be documented. Davis-Bacon Act (40 USC 276a - 276a-5) and related laws are “triggered” when any CDBG funding is used to pay for any project construction costs. Lender will follow Department guidance in current Labor Standards Chapter of the GMM for prevailing wage compliance on funded projects.

Due to prevailing wage requirements, additional labor costs will be added to projects proposing to use CDBG to pay for new construction, rehabilitation, or equipment installation. The Administrator and Lender will work with loan applicants to ensure project compliance. The additional time and work required by prevailing wage regulations will be disclosed to the borrower as soon as possible. Any additional costs resulting from this regulation will be incorporated into the CDBG loan approval.

Acquisition and Relocation Laws: All BA applicants proposing to use CDBG funds for purchase of real property must comply with 49 CFR Part 24 Acquisition laws. Lender will provide required Seller Disclosure for execution as part of meeting this requirement.

All BA applicants proposing projects which trigger relocation compliance i.e. result in displacement of persons per Uniform Relocation Act (URA), must work with Lender to ensure compliance with this law. Additional costs associated with relocation compliance will be disclosed to the applicant prior to CDBG loan approval and included in project loan approval.

Required Prohibition of Job Pirating Certification: All BA applicants must sign a Certification of No Job Pirating. Job pirating is prohibited per CDBG federal regulation 24CFR 570.482 (h). Job pirating is defined as using CDBG public funds to facilitate the moving of a business and associated jobs from one jurisdiction to another (business attraction). As such, CDBG federal funds cannot be used to attract / subsidize a business to move from one labor market area to another or keep a business from moving out of a labor market by making a retention argument. Lender will require all applicants to sign a non- job pirating certification form (see **Attachment C**). Any questions regarding possible job pirating will be submitted to the Department for final determination.

Conflict of Interest Certification: BA loan applicants will sign a Certification of No Conflict of Interest. In accordance state and federal regulations, no member of the governing body and no official, employee, or agent of the local government, nor any other person who exercises policy or decision-making responsibilities (including members of the loan committee and officers, employees, and agents of the loan committee, the administrative agent, contractors and similar agencies) in connection with the planning and implementation of the CDBG BA

program shall directly or indirectly be eligible for this program. Lender will require all applicants to sign a non- conflict of interest certification, **Attachment C**. Any questions regarding possible federal conflict of interest will be submitted to the Department for final determination. Any questions about state conflict of interest laws will be referred to Lender's legal council for final determination.

Required DUNS number, federal debarred verification and demographic data: All BA program applicants must obtain a DUNS (Data Universal Numbering System) number if they do not already have one. The DUNS number is free and can be obtained on line. In addition, prior to loan approval, the Lender will document that the business being assisted and all owners and affiliated businesses are verified as NOT on the federal debarred contractors list. HUD also requires that the Department and the Lender collect certain income and demographic data from the business and any beneficiaries of CDBG funds.

Required Benefit to Citizens of the Jurisdiction: Applicant must work with Lender to documentation substantial benefit to residents in the Program service area is obtained. This requirement does not apply to job retention. For projects proposing to document providing goods or services, the service area of the business must be within the jurisdictional limits.

#### **4.0 LOAN PROCESSING AND APPROVAL**

##### **4.1 FAIR LENDING COMPLIANCE**

The Program will be implemented in ways consistent with the Lender's commitment to fair lending laws. No person or business shall be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity funded in whole or in part with Program funds on the basis of his or her religion or religious affiliation, age, race, color, ancestry, national origin, sex, marital status, familial status (number or ages of children), physical or mental disability, sexual orientation, or other arbitrary cause. All personal information of loan applicants will be kept confidential, per Section 4.4.

##### **4.2 LOAN APPLICATION PROCESSING**

Loan applications will be processed on a first come, first served basis. The Program Operator will accept loan applications and review them for initial eligibility per Section 6.1. Applicants that do not meet basic CDBG requirements of the program will be sent a letter of explanation. All BA applications received will be kept on file to document fair lending standards. Applicants that meet basic eligibility requirements will be contacted for a site visit and collection of additional information.

Loan files will be set up as applications are received and compliance information gathered. The business will be required to provide accurate financials for past, current and future projection of the business operations. All owners will have credit checks conducted as part of loan underwriting per Section 6.0. The Program Operator may provide sample financial Excel forms (balance / cash flow sheets, profit and loss, personal financial statements, and proforma) but in no instance will the Program Operator's or Lender's staff generate financial numbers for an applicant. The applicant may be referred to local business support



organizations to assist applicants in producing proper financial statements, developing a business plan, conducting a market study or developing industry accounting practices.

Loan applicants are responsible for providing accurate and timely information to the Program Operator as part of the loan process. Applicants may be required to:

- disclose all business owners with twenty percent or more ownership;
- disclose all other businesses the owners have an ownership interest of twenty percent (20%) or more;
- provide current personal financial statements for each owner;
- provide duplication of benefits information;
- disclose sources of collateral and security;
- provide business historic financial information, including year to date;
- disclose sources of cash for any equity investment proposed;
- provide third party documentation of eligible project costs;
- provide market study or document basis of future sales projections;
- provide management capacity documentation for ability to execute;
- provide necessary information to clear federal overlays in Section 3.7.

If the loan applicant does not provide required information and documentation to the Program Operator in a timely fashion, then there will be delays in the loan approval process.

Once the Program Operator has compiled a complete loan file with all the credit, financial, and underwriting information needed to show loan is eligible under these guidelines, then a loan approval memo will be drafted by the Program Operator. The memo will be submitted to Lender for approval. Once approved, the Program Operator and Lender will submit a Project Set-Up report to Department and craft loan documents for signing at closing with the Borrower.

#### **4.3 PROGRAM LOAN APPROVAL PROCESS**

Program loans are presented by the Program Operator to Lender's Loan Advisory Committee (LAC) for review and recommendations for approval or rejection. The LAC's recommendations are forwarded to the City of Fort Bragg City Manager for final approval or rejection.

The LAC will include the City of Fort Bragg Finance Director or designee; the City of Fort Bragg Community Development Director or designee, and up to three members of the community to be appointed by Lender staff.

LAC meetings will be scheduled by Lender staff in conjunction with Program Operator once a loan has been underwritten and is ready for review and approval. Committee members may request additional information and or attach contingencies on closing or funding of the loan. If the loan is approved by the City Manager, then the project can move forward with loan closing.

If Lender approval is not obtained, then the BA loan applicant can take dispute resolution actions, per Section 4.5 of these guidelines.

#### **4.4 LOAN APPLICANT CONFIDENTIALITY**

Program Operator or Lender or any persons involved in the loan process for this Program will not disclose any of applicant's business or personal confidential information as part of loan review and approval process. All confidential information of businesses will only be disclosed to persons required to view the information as part of loan review and approval. All personal and business confidential information of loan applicants will be kept in a locked secured storage facility and is not available to persons outside of the program. If the Lender or Program Operator or Department receives a formal public records request for a loan applicant file, then only non-confidential information as verified by legal counsel will be provided.

#### **4.5 APPLICANT DISPUTE RESOLUTION/APPEALS PROCEDURE**

Any business applying for assistance through this CDBG program has the right to appeal, if their application is denied. The appeal must be made in writing to the Program Operator or the Lender. The Lender will schedule a meeting for the appeal to be heard by the City Manager. If the application is denied a second time then the applicant may ask to have their appeal presented to the Lender's governing body for a final decision.

#### **4.6 EXCEPTIONS / SPECIAL CIRCUMSTANCES**

Exceptions are defined as any action which would depart from policy and procedures stated in the guidelines. The Lender or Program Operator staff may initiate consideration of an exceptional/special circumstance to the policies in these guidelines as long as it does not violate CDBG federal / state requirements. A written analysis of the exception will be prepared and submitted with loan approval request. This analysis shall contain a narrative, including the Program Operator's recommended course of action and any written or verbal information supplied by the applicant. The loan approval shall be made after review and acceptance of the exceptional/special circumstances request.

#### **4.7 LOAN CLOSING PROCESS**

After Lender approval and submittal of BA Loan Certification and Project Set Up Report to Department, the Program Operator and Lender will prepare for the loan closing with Escrow Company. The Program Operator will prepare the loan closing documents, title and lien searches, and UCC-1 filings, if appropriate. Lender legal counsel will review all agreements and documents, as necessary.

The Borrower will sign all the necessary documents and agreements. The Lender will request reimbursement of eligible costs from the Department after Borrower has submitted documentation of eligible expenditures and Lender has paid for those costs.

### **5.0 DESCRIPTION OF LOANS**

#### **5.1 DETERMINATION OF LOAN AMOUNT**

The Program has no minimum loan amount. The maximum loan amount is \$300,000.

Actual loan amounts will be based on the business's need for capital to conduct the proposed project's scope of work and meet public benefit standards. Most often the amount of CDBG funding is limited based on "gap" in project financing or ability of business to support new debt or pay for required jobs from business future cash flow projections or by the amount of collateral that the business can provide as security for the CDBG debt. If there are not sufficient CDBG funds for the project, then the Lender or Program Operator may assist in finding other project funding.

## **5.2 DETERMINATION OF LOAN TERM**

The BA loan term is tied directly to what project costs CDBG funds and what security is being pledged for the loan. If a business only wants operating capital then the term of the loan is normally five years. If a business wants to pay for equipment and supplies, then the term of the loan can be extended out to 10 years. If the loan is for real property improvements and can be secured on real property, then the terms can be extended out to 20 or 30 years. A loan amortization term can be longer than the loan term, so an equipment loan may have a term of ten years but an amortization term of fifteen years, which will create a lump sum payment at year ten. If the BA loan is a forgivable loan, the term will be no less than three (3) months. Program Operator will confirm that the proper term is given based on the use of the CDBG funds and loan security / collateral being provided.

## **5.3 DETERMINATION OF LOAN INTEREST RATE**

Loan interest rates will start with two percent (2%). This rate will be increased if the investment of CDBG funds at the two percent level causes the business to have an excessive profit or return on investment (ROI). See HUD underwriting standards discussion of undue enrichment on Department's BA Activities GMM Chapter 21 webpage for direction on how the interest rate should be calculated to comply with this standard. By allowing the interest rate to move and not be fixed, the Lender can best tailor the loans under this program to meet the cash flow needs of different businesses in the community and ensure public benefit and national objective standards are met.

## **5.4 LOAN PROCESSING FEES**

The CDBG program provides administration funds to pay for all loan processing and servicing costs. No direct loan fees will be charged to the borrower. Also, there is no pre-payment penalty on the loans under this Program.

## **6.0 LOAN UNDERWRITING STANDARDS**

### **6.1 INITIAL LOAN EVALUATION**

Each project / business will be evaluated based on the how it has performed in the past and on its future financial forecasts. Specifically, the following questions will be asked upon receipt of a loan application:

- Is business an eligible applicant, per Section 3.1?
- Are the proposed project costs eligible, per Section 3.2 & 3.3?
- Will project meet a CDBG national objective, per Section 3.4?



- Will business meet public benefit jobs required in Section 3.5?
- Does project appear to meet the six HUD underwriting standards, per Section 3.6?
- Are federal overlays triggered that will adversely impact project development?
- Are the business and all owners credit worthy?
- Does the business and owner(s) pay bills on time, collect on time?
- Does owner have a detailed “business plan”?
- Does owner have documented market demand for projected sales?
- Does owner have management capacity to operate the business?
- Does owner have financial accounting capacity to operate the business?
- Is the owner contributing a reasonable amount of equity?
- Is the owner able to get conventional bank financing, if not, why not?
- Was the business financially viable in the past (net income covers debt)?
- Are there reasonable financial assumptions for future viability/success?
- Is there enough collateral available to secure the proposed loan?
- Is the owner’s personal financial status stable?

By collecting enough initial application information to answer the above list of questions, the Program Operator will have a good sense of how strong a borrower is, and how successful they will be, if assisted with a CDBG loan. Most of this information is collected on the loan application form and verified verbally at the initial site visit with the owner. By meeting the borrower and asking these questions the Program Operator will know what additional information/documentation needs to be collected to provide a clear picture of how CDBG funds can be used to assist the BA loan applicant. These questions demonstrate the need for CDBG funds and business eligibility.

After the initial review, the Program Operator will collect the proper information required for loan underwriting. The required documentation is listed in the CDBG underwriting guidance document provided in Department’s BA Activities GMM Chapter 21 webpages. At this same time, Program Operator and Lender will begin regulatory compliance documentation, per Section 3.5. The amount of documentation and detailed underwriting is based on size of the loan and type of business (existing or start up) and what LMI national objective is used. Additional documentation may be required for a business with special circumstances.

## **6.2 PERSONAL AND BUSINESS CREDIT REQUIREMENTS**

Each applicant will have third party credit reports obtained showing credit scores and payment history. Credit reports will be reviewed for all owners and their spouses with twenty percent (20%) or more interest in the business. If a personal credit reporting service provides low credit scores or shows poor credit history, applicants must provide a written explanation and justification for allowing the loan to go forward.

A Dunn and Bradstreet report, if available, will also be reviewed for the primary applicant business and all associated businesses of the owners (20% or more ownership). If it is not available, the Program Operator will call vendors or suppliers of the business to inquire as to the business payment history. This same narrative process will be used for the business

credit reports to demonstrate the good standing or poor standing of the business being evaluated, when no third party business credit report is available.

### **6.3 PERSONAL AND BUSINESS FINANCIAL INFORMATION**

Personal financial statements will be required for each person who owns 20% or more of the business. Financial statements need to show all assets and liabilities of the person. In addition to these statements, federal tax returns for owners and the business for the past three years are needed to give a historic perspective of income.

For the business fiscal year, historic as well as current year-to-date financial statements will be required. Historic financials will consist of past three year's balance sheets, income statements, and cash flow statements. In addition, full current year to date financial statements will be required. These statements should be put together by the person responsible for doing the bookkeeping and financial management for the business. The past three years tax returns must also be provided to support the financial statements provided. Based on the financial statements, the Lender / Program Operator can develop ratios for debt service and payment history, etc.

The business will also need to provide future projected financials. These will consist of pro formas showing projected revenue and costs for the business on a monthly basis for each fiscal year for a minimum of three years from application date. Start-ups may need to provide up to five years of projection statements to show "break even" point of business. Two sets of pro formas need to be completed: one showing the business projections with CDBG financing; and a second set showing the business with conventional financing. This will provide evidence of the benefit / increased profit the business is receiving by using the more affordable CDBG loan. These pro formas must also show the increased costs to the business from adding the new job positions and the CDBG debt service.

A project sources and uses form must be provided to show all funding required for completing all project activities. This form will show the owner's equity as well as private bank financing and any other investments from other sources. The sources and uses form gives a clear idea of what costs the CDBG loan will cover and its information must be reflected in the pro formas as described above.

Using the information in these financial documents, along with any back up documentation required, will allow the Program Operator to do the project's underwriting analysis. This analysis will include both the conventional lending underwriting and HUD required underwriting. This analysis will be provided to the Loan Advisory Committee and City Manager for use in the loan approval process.

### **6.4 COLLATERAL REQUIREMENTS**

All loans under this program will be collateralized using normal commercial lending standards. Collateral coverage will be assessed based on assets available as security and the level at which they are already liened. CDBG funding is typically in a subordinate position to banks and other lenders.

It is the goal of the Program to get the best lien position possible to ensure loan repayments. Types of collateral may include:

- Secured liens on real property,
- UCC liens on machinery, equipment, or other fixtures,
- Lease assignments, as appropriate,
- Personal and corporate guarantees, as appropriate, and
- Life insurance assignment and other collateral, as appropriate.

Appraisal of assets may be required as part of determining how to obtain the best lien positions for the CDBG loan. Combined loan to value ratio on collateral for the typical CDBG loan should not exceed ninety percent (90%). Equipment and inventory secured should be properly discounted to reflect actual resale value when doing loan to value calculations.

## **6.5 BUSINESS EXPERIENCE AND MANAGEMENT CAPACITY**

The BA loan applicant will provide resumes and management histories to show the experience of business owners and their management staff in successful operation of the existing business or something comparable. Existing businesses proposing to use CDBG BA funds to create jobs must have at least an updated business plan if not a new plan.

For BA loan applicants proposing to use CDBG funds for a non-operational start-up businesses; or for applicants that wish to use CDBG funds to purchase an existing business; or for applicants that wish to use CDBG funds for job retention (to keep the business from closing), a comprehensive business plan will be required. The comprehensive business plan will include a detailed analysis of what management capacity is need for the business to be successful and identify resources that the business will utilize to meet the identified capacity needs.

## **7.0 LOAN SERVICING**

### **7.1 LOAN SERVICING RESPONSIBILITIES**

Borrower will be provided loan servicing information from the Lender. The Lender will retain all original project files within locked storage. Original legal documents will be kept in locked fire proof filing system for future loan servicing. Lender will provide annual income tax interest statements to the borrower for their tax purposes.

BA loan repayments will be collected by Lender's loan servicing department:

Name: Finance Department  
Agency: City of Fort Bragg  
Address: 416 N Franklin Street  
Phone Number: (707) 961-2825

All loan payment will be made directly to the Lender and deposited into current CDBG Program Income accounts. If payments are collected by a third party, all gross collected CDBG BA loan payments will be provided to the Lender on a monthly basis for deposit into the proper CDBG program income account.

The borrower may be required to provide the Lender / loan servicing agent with periodic financial statements of the business and proof of insurance annually. Upon reviewing the borrower's financial statements, the Lender may require the business to take actions that improve the business cash flows. Borrower may be required to meet with business development staff to assist in stabilizing or building capacity.

Borrower must disclose any sale of equipment or assets that are used as loan security by the Lender. The borrower may submit a written request to the Lender to change the CDBG loan terms, if the business is not able to fully service CDBG debt repayments or if they wish to pre-pay the loan by making one or more larger payments.

## **7.2 LOAN SERVICING POLICIES**

The Lender has adopted a set of loan servicing policies that outline how the Lender or loan servicing agent will proceed if payments are late or no payments are received. The policies also outline how loan files will be set up and protected. A copy of these adopted loan servicing policies will be provided to each BA loan recipient at loan closing.

## **8.0 PROGRAM OVERSIGHT BY LENDER**

### **8.1 OVERSIGHT OF PROGRAM ADMINISTRATOR**

The Lender is ultimately the responsible entity for the CDBG BA loan program. Lender will oversee the Program Operator and communicate with the loan applicants and borrowers as needed to explain CDBG compliance.

The Program Operator is responsible to the Lender and loan applicants to assure that the Program is implemented in compliance with these program guidelines and state and federal regulations. In addition, Program Operator will ensure loan applicant projects are underwritten in a timely and responsible manner. This includes working closely with BA loan applicants to ensure they provide accurate financial statements through documenting BA project compliance for project close-out with Department and HUD. Program Operator will review all loan documents with borrowers prior to loan closing.

**ATTACHMENT A**  
**GRANTEE'S EXECUTED RESOLUTION ADOPTING GUIDELINES**

DRAFT

**ATTACHMENT B**  
**SAMPLE BUSINESS ASSISTANCE LOAN PROGRAM APPLICATION FORMS**

**City of Fort Bragg**  
**SAMPLE BUSINESS LOAN APPLICATION**

**1. Applicant Name:** \_\_\_\_\_  
**Name of Business:** \_\_\_\_\_  
Sole Proprietorship: \_\_\_\_\_ S Corporation: \_\_\_\_\_  
Partnership: \_\_\_\_\_ C Corporation: \_\_\_\_\_  
LLC/LLP: \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**Street Address:** \_\_\_\_\_  
**Business Telephone:** \_\_\_\_\_ **Email:** \_\_\_\_\_  
**Home Telephone:** \_\_\_\_\_  
**Cell Phone:** \_\_\_\_\_  
**Fax:** \_\_\_\_\_

**Project Address:** \_\_\_\_\_

**Federal Employer Identification Number:** \_\_\_\_\_

**Assessor's Parcel Number for Business and/or Project Site:** \_\_\_\_\_  
(Needed for ALL businesses no matter if renting or owning)

**DUNS #** \_\_\_\_\_ (see last page of application for instructions)

**2. Loan Amount Requested:** \$ \_\_\_\_\_

**Uses of Funds:**

Purchase of Real Estate	\$ _____
Purchase of Existing Business	_____
Furniture, Fixtures & Equipment	_____
Inventory	_____
Advertising & Promotion	_____
Operating Capital	_____
Other (specify)	_____

**Construction Uses**

Renovation/New Construction	_____
Leasehold Improvements	_____
Infrastructure (curbs, gutter, sidewalks, etc.)	_____

**TOTAL** \$ \_\_\_\_\_

**3. Ownership**

All owners of 20% or more of the applicant business are listed below:

Name \_\_\_\_\_  
 Home Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Social Security # \_\_\_\_\_  
 % of Ownership \_\_\_\_\_  
 U.S. Citizen Yes \_\_\_\_\_ No \_\_\_\_\_

Name \_\_\_\_\_  
 Home Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Social Security # \_\_\_\_\_  
 % of Ownership \_\_\_\_\_  
 U.S. Citizen Yes \_\_\_\_\_ No \_\_\_\_\_

For corporations, please list corporate officers, titles and who will be signing loan documents.

Name	Corporate Title	Signing Loan Documents (Yes or No)

(If additional space is needed, please use reverse side of this page.)

**4.** Have any of the persons listed above ever been charged with, or convicted of any criminal offenses, other than a minor motor vehicle violation?

Yes                       No

If yes, please explain:

\_\_\_\_\_

\_\_\_\_\_

**5.** Has the applicant or any person listed above been in receivership or filed bankruptcy?

Yes                       No

If yes, please explain:

\_\_\_\_\_

\_\_\_\_\_







\_\_\_ 4. Current personal financial statements of principals. These must be dated no more than 90 days prior to the application. **(Attachment “C”)**

\_\_\_ 5. Three (3) years of personal tax returns for the proprietor, partners, and stockholders with 20% or more ownership in the business.

\_\_\_ 6. Start-up businesses must provide three (3) years of monthly income and expense projections. Existing businesses must provide two (2) years of monthly income and expense projections. Also, a detailed description of how the projections were determined is required. **(Attachment “D”)**

\_\_\_ 7. All start-up businesses must provide a Business Plan.

\_\_\_ 8. Business tax returns for the three (3) most recent years.

\_\_\_ 9. Business financial statements for the applicant's three (3) most recent fiscal years, where applicable, and a current financial statement dated no more than 90 days prior to the application.

\_\_\_ 10. Current Aging of Accounts Receivable and Accounts Payable.

\_\_\_ 11. Copy of Business License, if applicable.

\_\_\_ 12. Copy of all Corporate Filings or Partnership Agreements (in the case of Corporations – copies of Corporate Resolution authorizing the borrowing request).

\_\_\_ 13. Breakdown of proposed cost with written estimates from contractors or suppliers. Purchase agreements, when applicable.

\_\_\_ 14. Such non-financial information or supporting information necessary to substantiate the application, including, but not limited to: estimates, quotations, receipts, contracts, orders, invoices, leases, sales agreements, documentation from architects, engineers, contractors, suppliers, or others involved in the sale, lease, or construction of fixed assets, if any, for applicant's project including schedules of implementation.

## Duplication of Benefits Affidavit

I/We, \_\_\_\_\_ affirm the following:

1. I/We is/are executing this Affidavit in connection with assistance that we are receiving to help us prevent, prepare for, or respond to the coronavirus by providing us with a small business assistance loan (“BALP”) for the purpose of avoiding job loss caused by business closures related to social distancing (“Need”) in the amount of \_\_\_\_\_ (“Amount of Assistance or Total Need”) from the City of Fort Bragg (“Organization”) through a program administered by the City of Fort Bragg with funding from the U.S. Department of Housing and Urban Development (the “Program”).
2. The Organization and I/We believe the **Amount of Assistance/Total Need** is \_\_\_\_\_
3. In addition, I/We have received or will receive the following amounts and types of assistance from the sources listed below (“Duplicative Assistance”):

**(a) Source of Funds #1**

<b>Lender/Grant Provider Name</b>		
<b>Purpose</b>		
<b>Amount</b>		
<input type="checkbox"/> Government Loan	<input type="checkbox"/> Government Grant	<input type="checkbox"/> Government Forgivable Loan
<input type="checkbox"/> Nonprofit Grant	<input type="checkbox"/> Nonprofit Loan	<input type="checkbox"/> Nonprofit Forgivable Loan
<input type="checkbox"/> Private Loan	<input type="checkbox"/> Other: _____	

**(b) Source of Funds #2**

<b>Lender/Grant Provider Name</b>		
<b>Purpose</b>		
<b>Amount</b>		
<input type="checkbox"/> Government Loan	<input type="checkbox"/> Government Grant	<input type="checkbox"/> Government Forgivable Loan
<input type="checkbox"/> Nonprofit Grant	<input type="checkbox"/> Nonprofit Loan	<input type="checkbox"/> Nonprofit Forgivable Loan
<input type="checkbox"/> Private Loan	<input type="checkbox"/> Other: _____	

**(c) Source of Funds #3**

<b>Lender/Grant Provider Name</b>		
<b>Purpose</b>		
<b>Amount</b>		
<input type="checkbox"/> Government Loan	<input type="checkbox"/> Government Grant	<input type="checkbox"/> Government Forgivable Loan
<input type="checkbox"/> Nonprofit Grant	<input type="checkbox"/> Nonprofit Loan	<input type="checkbox"/> Nonprofit Forgivable Loan
<input type="checkbox"/> Private Loan	<input type="checkbox"/> Other: _____	

**(d) Source of Funds #4**

<b>Lender/Grant Provider Name</b>		
<b>Purpose</b>		
<b>Amount</b>		
<input type="checkbox"/> Government Loan	<input type="checkbox"/> Government Grant	<input type="checkbox"/> Government Forgivable Loan
<input type="checkbox"/> Nonprofit Grant	<input type="checkbox"/> Nonprofit Loan	<input type="checkbox"/> Nonprofit Forgivable Loan
<input type="checkbox"/> Private Loan	<input type="checkbox"/> Other: _____	

**(e) Source of Funds #5**

<b>Lender/Grant Provider Name</b>		
<b>Purpose</b>		
<b>Amount</b>		

<input type="checkbox"/> Government Loan	<input type="checkbox"/> Government Grant	<input type="checkbox"/> Government Forgivable Loan
<input type="checkbox"/> Nonprofit Grant	<input type="checkbox"/> Nonprofit Loan	<input type="checkbox"/> Nonprofit Forgivable Loan
<input type="checkbox"/> Private Loan	<input type="checkbox"/> Other: _____	

4. Total Unmet Need (2- (3(a) + 3(b) + 3(c) + 3(d) + 3(e)) ) \$ \_\_\_\_\_.
5. I/We have received no other assistance funds for the Need listed in Paragraph 1 other than that set forth above in paragraph 3.
6. Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), as amended by section 1210 of the Disaster Recovery Reform Act of 2018 (division D of Public Law 115–2 254; 132 Stat. 3442). prohibits federal agencies from providing assistance to any person for “any part of such loss” as to which he has received financial assistance under any other program or from insurance or any other source (such as, FEMA, SBA, the Red Cross, the City, business owner’s Insurance, etc.).
7. I/We understand that the amount of assistance received by I/We from City of Fort Bragg must be reduced by the amount of Duplicative Assistance received or that will be received for the Need, from other sources (such as, FEMA, SBA, the Red Cross, the City homeowner’s insurance, etc.) for the same purpose.
8. Therefore, I/We understand that if I/We receive assistance from a source other than the City of Fort Bragg (such as, FEMA, SBA, the Red Cross, the City, homeowner’s insurance, etc.) for the Need for the same purpose, I/We must repay the assistance received from the City of Fort Bragg.
9. I/We certify under State and Federal penalties for perjury and fraud that the information provided above is true and accurate and acknowledge that repayment of all assistance received by Me/Us from the City of Fort Bragg, payment of fines and/or imprisonment may be required in the event that I/We provide false, incomplete or misleading information in this Affidavit or during the rest of this process. **By executing this Affidavit, Applicant(s) acknowledge and understand that Title 18 United States Code Section 1001: (1) makes it a violation of federal law for a person to knowingly and willfully (a) falsify, conceal, or cover up a material fact; (b) make any materially false, fictitious, or fraudulent statement or representation; OR (c) make or use any false writing or document knowing it contains a materially false, fictitious, or fraudulent statement or representation, to any branch of the United States Government; and (2) requires a fine, imprisonment for not more than five (5) years, or both, which may be ruled a felony, for any violation of such Section.**

Participant \_\_\_\_\_

Signature of Participant \_\_\_\_\_ Date \_\_\_\_\_

Participant \_\_\_\_\_

Signature of Participant \_\_\_\_\_ Date \_\_\_\_\_

**APPLICANT'S CERTIFICATION/AUTHORIZATION**

I/We certify that all information in this application and all information furnished in support of this application are true and complete to the best of my/our knowledge and belief.

I/We authorize the lending agency to verify all information furnished in connection with the loan application. The information that may be verified includes, but is not limited to, the following: employment, pensions, mortgages, deposits, and any other income; personal or business loans; insurance; and further, to obtain a credit report.

I/We also authorize the lending agency to disclose any financial information on income tax returns or on my personal or business financial statements, for the purpose of obtaining a loan on my behalf. I understand the information would be made available to loan committee members and other lenders that may be involved in the funding of my loan request.

I/We also acknowledge that this is an application for public funds and, therefore, the information provided may be made available for review.

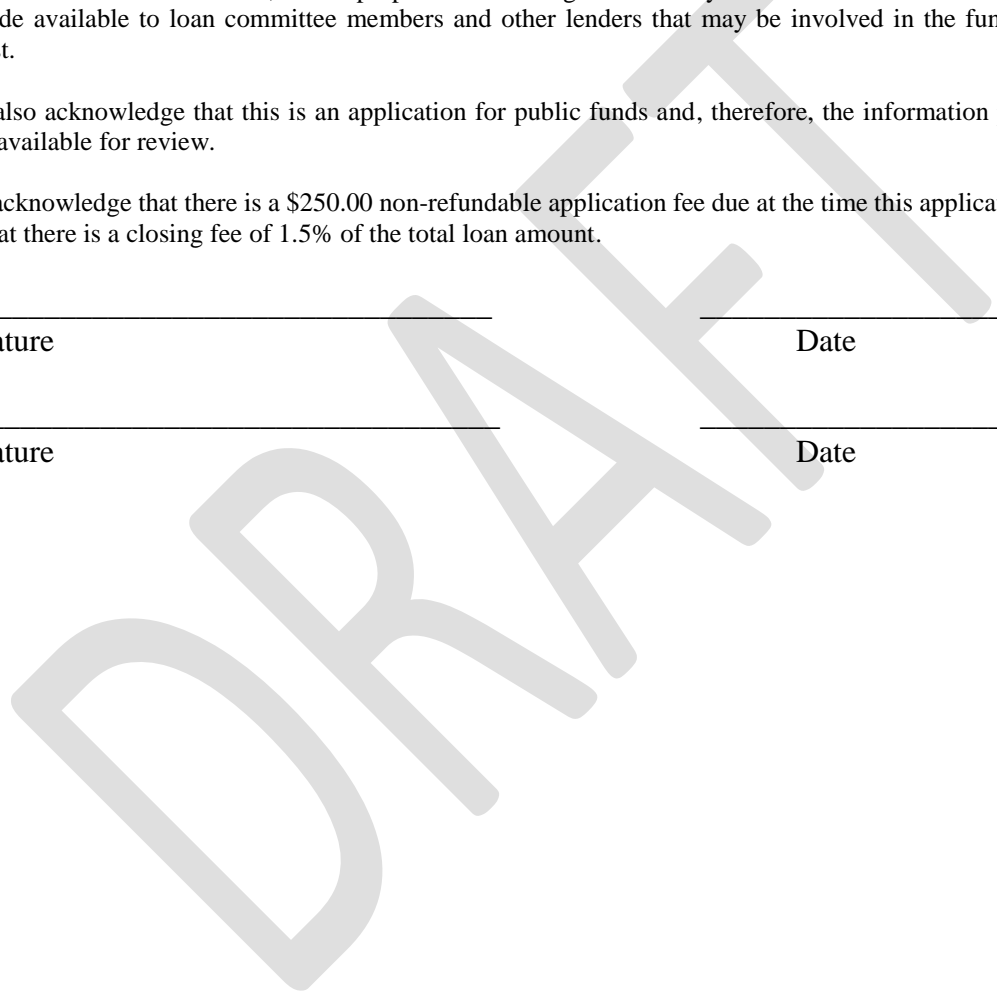
I/We acknowledge that there is a \$250.00 non-refundable application fee due at the time this application is submitted, and that there is a closing fee of 1.5% of the total loan amount.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**ATTACHMENT "A"**

**RESUME OF**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: This form is not required if another format is provided in its place.

**EMPLOYMENT HISTORY (most recent first):**

Dates Employed - From: \_\_\_\_\_ To: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Address: \_\_\_\_\_

Position and Responsibilities: \_\_\_\_\_

\_\_\_\_\_

Dates Employed - From: \_\_\_\_\_ To: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Address: \_\_\_\_\_

Position and Responsibilities: \_\_\_\_\_

\_\_\_\_\_

**EDUCATION:**

Dates Enrolled: From: \_\_\_\_\_ To: \_\_\_\_\_

Name of School: \_\_\_\_\_

Address: \_\_\_\_\_

Degree Received: \_\_\_\_\_ Date Graduated: \_\_\_\_\_

Dates Enrolled: From: \_\_\_\_\_ To: \_\_\_\_\_

Name of School: \_\_\_\_\_

Address: \_\_\_\_\_

Degree Received: \_\_\_\_\_ Date Graduated: \_\_\_\_\_

**OTHER RELATED TRAINING OR EXPERIENCE:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

References will be furnished upon request.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ATTACHMENT "B"**

**BUSINESS INDEBTEDNESS:** Furnish the following information on **all** business debts owed -- **vendors, credit cards, payroll taxes, income taxes, sales tax, contracts, notes, and mortgages.** (Current balances should agree with the latest balance sheet submitted.) Use reverse side or another sheet to list additional information.

<b>To Whom Payable</b>	<b>Original Amount</b>	<b>Original Date</b>	<b>Present Balance</b>	<b>Rate of Interest</b>	<b>Maturity Date</b>	<b>Monthly Payment</b>	<b>Security</b>	<b>Current = C Past Due = P</b>

**AFFIDAVIT OF CURRENT TAX STATUS**

I hereby certify that any and all of the applicable real property taxes, personal property taxes, Federal & State income taxes, Federal and State payroll withholding taxes, State Sales Tax, insurance premiums, and any other assessment or public charges are current.

\_\_\_\_\_  
Business Owner / Applicant

\_\_\_\_\_  
Date





**ATTACHMENT "C"**  
**PERSONAL FINANCIAL STATEMENT**

OMB APPROVAL NO. 3245-0188  
EXPIRATION DATE:11/30/2004

**U.S. SMALL BUSINESS ADMINISTRATION**

As of \_\_\_\_\_, \_\_\_\_\_

Complete this form for: (1) each proprietor, or (2) each limited partner who owns 20% or more interest and each general partner, or (3) each stockholder owning 20% or more of voting stock, or (4) any person or entity providing a guaranty on the loan.

Name Business Phone \_\_\_\_\_

Residence Address Residence Phone \_\_\_\_\_

City, State, & Zip Code \_\_\_\_\_

Business Name of Applicant/Borrower \_\_\_\_\_

ASSETS	(Omit Cents)	LIABILITIES	(Omit Cents)
Cash on hand & in Banks .....	\$ _____	Accounts Payable.....	\$ _____
Savings Accounts.....	\$ _____	Notes Payable to Banks and Others .....	\$ _____
IRA or Other Retirement Account .....	\$ _____	(Describe in Section 2)	
Accounts & Notes Receivable .....	\$ _____	Installment Account (Auto) .....	\$ _____
Life Insurance-Cash Surrender Value Only .....	\$ _____	Mo. Payments _____	
(Complete Section 8)		Installment Account (Other).....	\$ _____
Stocks and Bonds .....	\$ _____	Mo. Payments _____	
(Describe in Section 3)		Loan on Life Insurance.....	\$ _____
Real Estate .....	\$ _____	Mortgages on Real Estate .....	\$ _____
(Describe in Section 4)		(Describe in Section 4)	
Automobile-Present Value .....	\$ _____	Unpaid Taxes .....	\$ _____
Other Personal Property .....	\$ _____	(Describe in Section 6)	
(Describe in Section 5)		Other Liabilities .....	\$ _____
Other Assets .....	\$ _____	(Describe in Section 7)	
(Describe in Section 5)		Total Liabilities .....	\$ _____
<b>Total</b> \$ _____		Net Worth .....	\$ _____
		<b>Total</b> \$ _____	

Section 1. Source of Income		Contingent Liabilities	
Salary .....	\$ _____	As Endorser or Co-Maker .....	\$ _____
Net Investment Income .....	\$ _____	Legal Claims & Judgments .....	\$ _____
Real Estate Income .....	\$ _____	Provision for Federal Income Tax .....	\$ _____
Other Income (Describe below)* .....	\$ _____	Other Special Debt .....	\$ _____

Description of Other Income in Section 1.

\_\_\_\_\_

\_\_\_\_\_

\*Alimony or child support payments need not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.

Section 2. Notes Payable to Banks and Others. (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed.)

Name and Address of Noteholder(s)	Original Balance	Current Balance	Payment Amount	Frequency (monthly,etc.)	How Secured or Endorsed Type of Collateral

<b>Section 3. Stocks and Bonds. (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed).</b>					
Number of Shares	Name of Securities	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value
<b>Section 4. Real Estate Owned.</b> (List each parcel separately. Use attachment if necessary. Each attachment must be identified as a part of this statement and signed.)					
	Property A	Property B	Property C		
Type of Property					
Address					
Assessor Parcel Number (APN)					
Date Purchased					
Original Cost					
Present Market Value					
Name & Address of Mortgage Holder					
Mortgage Account Number					
Mortgage Balance					
Amount of Payment per Month/Year					
Status of Mortgage					
<b>Section 5. Other Personal Property and Other Assets.</b> (Describe, and if any is pledged as security, state name and address of lien holder, amount of lien, terms of payment and if delinquent, describe delinquency)					
<b>Section 6. Unpaid Taxes.</b> (Describe in detail, as to type, to whom payable, when due, amount, and to what property, if any, a tax lien attaches.)					
<b>Section 7. Other Liabilities.</b> (Describe in detail.)					
<b>Section 8. Life Insurance Held.</b> (Give face amount and cash surrender value of policies - name of insurance company and beneficiaries)					
I authorize SBA/Lender to make inquiries as necessary to verify the accuracy of the statements made and to determine my creditworthiness. I certify the above and the statements contained in the attachments are true and accurate as of the stated date(s). These statements are made for the purpose of either obtaining a loan or guaranteeing a loan. I understand FALSE statements may result in forfeiture of benefits and possible prosecution by the U.S. Attorney General (Reference 18 U.S.C. 1001).					
Signature:		Date:	Social Security Number:		
Signature:		Date:	Social Security Number:		
PLEASE NOTE: The estimated average burden hours for the completion of this form is 1.5 hours per response. If you have questions or comments concerning this estimate or any other aspect of this information, please contact Chief, Administrative Branch, U.S. Small Business Administration, Washington, D.C. 20416, and Clearance Officer, Paper Reduction Project (3245-0188), Office of Management and Budget, Washington, D.C. 20503. <b>PLEASE DO NOT SEND FORMS TO OMB.</b>					

This form was electronically produced by Elite Federal Forms, Inc.

## ATTACHMENT "D" INCOME AND EXPENSE PROJECTIONS

### Instructions

This is a worksheet designed to help determine monthly projected business income and expenses for a twelve month period. This will also help assess the feasibility of a project by determining if the projected income will cover the projected expenses, including owners draw and loan payments. This is just a worksheet, so fill it out in pencil. You will be making a lot of changes to it.

**MONTHS:** Fill in the month you anticipate opening your business, or start with "Month #1".

**TOTAL SALES:** All income from the sale of products or services for the month.

**COST OF GOODS SOLD:** Direct cost of the products sold. (Example: for a restaurant, the cost of goods sold is the food; for a clothing store, the clothing; for the manufacturing of tables, the cost of the wood, metal, varnish.) Service businesses do not have a cost of goods sold.

**GROSS PROFIT:** Subtract the **Cost of Goods Sold** from the **Total Sales** to determine the **Gross Profit**.

**OPERATING EXPENSES:** Listed here are some examples of monthly expenses. You may have some additional or different expenses that are specific to your business, just write them in.

**TOTAL OPERATING EXPENSES:** Add up all **Operating Expenses** for the month.

**NET PROFIT:** Subtract the **Total Operating Expenses** from the **Gross Profit**.

**OWNER'S DRAW:** This is the money the business owner will draw from the business for personal living expenses. When there is another monthly source of income, owner's draw may not apply. If the business owner will be paying personal living expenses from the business sales, owners draw will need to be determined. There is no owners draw under a corporate legal structure; all wages should be shown in the wages and payroll line items.

**AVAILABLE FOR LOAN PAYMENT:** Subtract **Owner's Draw** from **Net Profit**.

**LOAN PAYMENT:** This is the monthly payment of principal and interest based on the amount of the loan needed. This amount can be obtained from the Financial Consultant.

**MARGIN:** Subtract the **Loan Payment** from the **Available for Loan Payment**. This is the projected amount left after all expenses have been paid. If the **Loan Payment** amount is larger than the **Available for Loan Payment**, you are losing money at the end of the month.

**ATTACHMENT “D” INCOME AND EXPENSE PROJECTIONS WORKSHEET**

MONTHS													TOTAL
Total Sales													
Less Cost of Goods Sold													
Gross Profit													
<b>OPERATING EXPENSES</b>													
Accounting													
Advertising													
Auto & Vehicles													
Freight/Postage													
Insurance													
Leases (Equipment)													
Office Expenses													
Rent													
Repairs & Maintenance													
Supplies													
Taxes (Sales)													
Travel and Entertainment													
Utilities/Telephone													
Wages & Payroll Taxes													
Other													
<b>TOTAL OPERATING EXPENSES</b>													
Net Profit													
Owner's Draw (not for corps)													
Available for Loan Payment													
Loan Payments													
<b>MARGIN</b>													

# AUTHORIZATION AND RELEASE FOR CREDIT REPORT

Dear Requestor:

Prior to a credit report request, you must understand the following:

- 1) Access to your credit file is limited to yourself and your agents acting on your behalf.
- 2) Your consent in writing is required before a report may be provided.
- 3) You are entitled to a copy of the credit report and a copy of the FTC's "Consumer Rights Notice".

Based on the above information, I hereby authorize (**Consultant**) to obtain my credit report for the purposes of **applying for a business loan**.

## PLEASE PRINT THE BELOW INFORMATION NEATLY

### Applicant

Name: \_\_\_\_\_  
(Full name including Jr., Sr., etc.)

SSN#: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Previous Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

\_\_\_\_\_  
Signature

### Spouse/Partner

Name: \_\_\_\_\_  
(Full name including Jr., Sr., etc.)

SSN#: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Previous Address: \_\_\_\_\_


City, State, Zip: \_\_\_\_\_

\_\_\_\_\_  
Signature

## How to Get a DUNS #

Please follow the below steps and read the attached document to assist you with your new D-U-N-S Number request:

1. Click or copy the following link to your browser <http://fedgov.dnb.com/webform>
2. Click on “Begin D-U-N-S Search / Request Process” at the top of the left hand tool bar
3. In the “Search” screen select “United States of America” (It will be at the top of the list) from the drop down list and click “Continue”
4. In the “iUpdate – Webform Page” click on “Continue to iUpdate” arrow at the bottom of the screen
5. In iUpdate, locate the center box titled “Find DUNS or Request new DUNS” and click on the “Start Now” button
6. Read the attachment “Step-by-Step Process for Customers” document. This will assist you in the process.
7. You must first make sure we do not already have your company on file. In the “Company Look-up” screen, please enter your Business Name, City and State and click the “Search” button.
  - A. Utilize the attached “Step-by-Step Process for Customers” document to assist you through the process
8. If you do not locate your company, click on the “Request a D-U-N-S Number” arrow at the bottom of the screen
9. You will now be in the New D-U-N-S Registration Process. Two **IMPORTANT NOTES**
  - A. This **PERSONAL** information is required at this step to validate your **PERSONAL** identity and eliminate fraudulent activity. **Do not** enter your **company address** as your registration will **fail**.
  - B. Please ensure you see the ReCaptcha box at the bottom of the screen (see below screen shot) If you do not have the ReCaptcha box, you will need to return to Step 8. When you get the box “Do you want to view only the webpage content that was delivered securely?” Click the “No” button.


10. Now complete the process.
11. Once you have completed the entire process, you will receive a confirmation email. It will take **24 to 48 hours to receive your D-U-N-S Number**, which you will receive via email for your records.

ATTACHMENT C  
CDBG AND LENDER REQUIRED DOCUMENTS

# ATTACHMENT C-1 Jobs Tracking Form

CDBG Jobs Tracking Form for Proposed Project							
Company Name: _____							
List all current employee positions on payroll as of the CDBG loan approval and all proposed new job positions.							
Project is Proposing	<input type="checkbox"/> JOB CREATION Or <input type="checkbox"/> JOB RETENTION		Annual Hours	Annual Wages	Full/Part Time	LMI	Date of Hire
Job Position Title	New, Existing, or Retained Job						
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
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31							
32							
33							
34							

<b>EXISTING JOB POSITIONS</b>	<b>PROPOSED NEW HIRE OR RETAINED JOB POSITIONS</b>	<b>LMI</b>	<b>% LMI</b>
Total Full Time	Total Full Time		
Total Part Time	Total Part Time		
<b>Grand Total Full Time</b>	<b>Grand Total Full Time</b>		<b>#DIV/0!</b>

I hereby certify under the penalty of perjury that all the information contained in this request for funds (including all supportive documentation) is true and correct. I understand and acknowledge that making false statement on this certification, including any documents submitted in support of it, may result in denial of application for funding.

Signature of Business Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Jurisdiction Staff: \_\_\_\_\_ Date: \_\_\_\_\_

Note: Multiple forms may be required for businesses with lots of employees.



## ATTACHMENT C-1 Jobs Tracking Form

CDBG Jobs Tracking Form for Completed Project							
Company Name:							
List all employee positions on payroll, both existing and new hires as a result of CDBG loan.							
Date of Project Approval:				Date of Project Completion:			
#	Job Position Title	New or Existing Job	Annual Hours	Annual Wages	Full/Part Time	LMI	Income Self Cert. Date
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
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31							
32							
33							
34							

<b>EXISTING JOB POSITIONS</b>	<b>ACTUAL NEW HIRE OR RETAINED JOB POSITIONS</b>	<b>LMI</b>	<b>%LMI</b>
Total Full Time	Total Full Time		
Total Part Time	Total Part Time		
<b>Grand Total Full Time</b>	<b>Grand Total Full Time</b>		<b>#DIV/0!</b>

I hereby certify under the penalty of perjury that all the information contained in this form (including all supportive documentation) is true and correct. I understand and acknowledge that making false statement on this certification, including any documents submitted in support of it, may result in repayment of loan funds.

Signature of Jurisdiction Staff: \_\_\_\_\_ Date: \_\_\_\_\_

ATTACHMENT C-2  
Self Certification of Income Form

<b>Business Assistance Project SELF-CERTIFICATION of Income for</b> <input type="checkbox"/> City of / <input type="checkbox"/> Town of / <input type="checkbox"/> County of _____ CDBG Funded Activity
--

*Page 1 to be filled out by Applicant/Employee*

Status:     Job Applicant (Creation)         Current Employee (Retention)

Business Name: \_\_\_\_\_

Business Physical Address: \_\_\_\_\_ (City)

<b>Part I: Confidential Job Applicant / Employee HUD Demographic Data</b> <small>(This section is voluntary.)</small>
--

Ethnicity (Select One)		<input type="checkbox"/> Not Hispanic	<input type="checkbox"/> Hispanic
Race (Select One)			
<input type="checkbox"/> White	<input type="checkbox"/> Am. Indian/Alaskan Nat. & White		
<input type="checkbox"/> Black/African American	<input type="checkbox"/> Asian & White		
<input type="checkbox"/> Asian	<input type="checkbox"/> Black/African American & White		
<input type="checkbox"/> American Indian/Alaskan Native	<input type="checkbox"/> Am. Indian/Alaskan & Black/African		
<input type="checkbox"/> Nat. Hawaiian/Other Pacific Isl.	<input type="checkbox"/> Other Multi-Racial		
Other Demographic Data (Select each that Applies)			
<input type="checkbox"/> Female Head of Household	<input type="checkbox"/> Single / Non Elderly		
<input type="checkbox"/> Participant Disable	<input type="checkbox"/> Related/Single Parent		
<input type="checkbox"/> Veteran	<input type="checkbox"/> Related/Two Parent		
<input type="checkbox"/> Elderly	<input type="checkbox"/> Other ( _____ )		
<input type="checkbox"/> Unemployed prior to Employment			

<b>Part II: Confidential Job Applicant / Employee Income Certification</b> <small>(Certification process may not be administered by business receiving CDBG funds.)</small>
--

My total family size consists of \_\_\_\_\_ members, and the total gross annual income\* for all adult members is \$\_\_\_\_\_.

\*Gross annual income must include all sources of income (wages, child support, SSI, unemployment, pension, income from assets, etc., but does not include the income of live-in aids, per 24 CFR 5.403).

I certify that the information given on this form is true and accurate to the best of my knowledge. I am aware that there are penalties for willfully and knowingly giving false information on an application for Federal or State funds, which may include immediate repayment of all Federal or State funds received and/or prosecution under the law. I understand that the information on this form is subject to verification by state or federal personnel as part of compliance monitoring.

Job Applicant / Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant / Employee Name (print): \_\_\_\_\_

Job Applicant / Employee Physical Home Address: \_\_\_\_\_ (City)

ATTACHMENT C-2  
Self Certification of Income Form

<b>CDBG Business Assistance Project Verification by</b> <input type="checkbox"/> City of / <input type="checkbox"/> Town of / <input type="checkbox"/> County of _____ for CDBG Funded Activity
--

Page 2 to be filled out by Program Operator

**Project Information:**

Business Name: \_\_\_\_\_

Job Applicant / Employee Name: \_\_\_\_\_

Public Benefit Type:     Job Creation             Job Retention

Project funded by:  Grant #: \_\_\_\_\_ - Or -  PI Fiscal Year: \_\_\_\_\_

**Business and Job Applicant / Employee Location Verification:**

Business Physical Address: \_\_\_\_\_  In Jurisdiction Limits

Job Applicant / Employee Physical Home Address: \_\_\_\_\_  In Jurisdiction Limits

**NOTE:** Business must be located in Jurisdiction. Significant number of Job Applicants should reside in Jurisdiction (does not apply to retention).

**Job Applicant / Employee Income Verification:**

Effective Date of the Income Limit Chart being used: \_\_\_\_\_

- Family is:  30% or less (Extremely Low Income)  
 31%-50% (Low Income)  
 51%- 80% (Moderate Income)  
 Over 80% of median income: **NOT ELIGIBLE AS LOW /MOD JOB**

**Program Operator must:**

- 1) Must complete confidential demographic data on cert. form if applicant / employee leaves blank.
- 2) Must complete business project information and business & applicant / employee location verification.
- 3) Must complete the applicant/employee income verification by:  
Print the current HCD Income limits from the HCD website (NOT HUD's), and  
Circle the applicable family size and annual income on HCD limit printout, and  
Include the copy of the circled printout with these certification forms.

**Program Operator Certification:** I certify that Applicant / Employee demographic data provided is true and correct, to the best of my knowledge. I certify that, using the current HCD annual income publication compared to stated family size and gross income, the income level indicated above is true and correct. I certify that residency of the Applicant / Employee and the business address is true and correct per the requirements of 24 CFR 570.480(b) and/or (c) as applicable.

**Note:** This completed certification, whether Job Applicant / Employee benefited (was hired) or not, must be maintained in the Confidential Project file for review at time of monitoring. Certification of Job Creation cannot be done prior to CDBG funding approval.

\_\_\_\_\_  
Program Operator Name (print)

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date:

HCD Revised: August, 2015

Page 2 of 2





ATTACHMENT C-4  
Certification of No Conflict of Interest Form

**BORROWER CERTIFICATION OF NO CONFLICT OF INTEREST  
IN RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

The City of Fort Bragg, hereafter called Grantee, will use federal CDBG funds to provide financial assistance to eligible program participants, hereafter called Participants. These CDBG funds are administered by the State Department of Housing and Community Development hereafter called Department. As part of receiving CDBG funds from the Department, the Grantee is required to ensure there is no conflict of interest created when using these funds on eligible CDBG activities. As such, all Participants must certify that no conflict of interest has been created.

**State Conflict of Interest:** Pursuant to California Government Code 87100, et seq. CDBG financial assistance is not available if there is a conflict of interest. Any person / business loan participant that is an employee of the Grantee, an elected official, or consultant involved in administering a business assistance activity would not be eligible to receive CDBG funds due to a conflict of interest. If there is a real or perceived conflict of interest, the Grantee must have a legal determination that will be placed in the Participant's file.

**Federal Conflict of Interest:** Pursuant to the Code of Federal Regulations, Section 24 CFR 570.489 (h) a conflict of interest is not allowed when using CDBG funds as follows:

*Conflicts prohibited.* Except for eligible administrative or personnel costs, the general rule is that no persons described in paragraph (h)(3) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this subpart or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

*Persons covered.* The conflict of interest provisions for paragraph (h)(2) of this section apply to any person who is an employee, agent, consultant, officer, elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving CDBG funds.

If there is a real or perceived conflict of interest relative to the federal language above, the Grantee must submit a request to the Department for an exception to the Conflict of Interest determination. The Department will render a written decision that will be placed in the Participant's file.

**By signing below, I certify that no conflict of interest, as prohibited by California Government Code Section 87100 et seq. and/or by the Code of Federal Regulations Section 24 CFR 489 (h), is created.**

\_\_\_\_\_  
Signature of Borrower

\_\_\_\_\_  
Print Name and Title

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT C-5  
Borrower Certification of No Job Pirating Form**

**BORROWER'S CERTIFICATION CONCERNING NO JOB PIRATING  
IN CONNECTION WITH COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ECONOMIC  
DEVELOPMENT (ED) FINANCING**

The City of Fort Bragg will use federal CDBG economic development (ED) funds to make loans to eligible projects. These federal funds are available from local program income funds or from grant contracts issued by the State Department of Housing and Community Development. These CDBG ED loans cannot be used if their use supports job pirating. Job pirating is not allowed under 24 CFR 570.482(f) of federal regulations. CDBG ED activities trigger this prohibition of funds as follows, and responses must be provided to document non-pirating:

1. Statement of Job Pirating Provisions:

Use of CDBG funds to directly assist the relocation of any industrial or commercial plant, facility or operations, from one labor market area to another labor market area.

Yes                       No

If yes, what is the total number of jobs to be relocated: \_\_\_\_\_.

2. Certification of no Job Pirating:

Will a significant loss of jobs take place due to the relocation of the business operations (Definition of significant is 25 or more full time positions.).

Yes                       No

If yes, CDBG assistance is prohibited.

If no, business must certify that neither it nor any of its subsidiaries has plans to relocate jobs, as of the date of the CDBG loan agreement.

3. Consequences of Job Pirating Violation:

Use of CDBG funds to directly assist the relocation of any industrial or commercial plant, facility or operations, from one labor market area to another labor market area will result in the required repayment of all CDBG funding invested in the project.

I hereby certify under the penalty of perjury that all the information contained in my CDBG request for funding (including all supporting documentation) is true and correct. I understand and acknowledge that making false statement on this certification, including any documents submitted in support of it, is a crime under federal and California state laws, which may result in criminal prosecution.

\_\_\_\_\_  
Signature of Borrower

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Date

**ATTACHMENT C-6**  
**Certification of Federal Regulatory Compliance Form**

**BORROWER'S CERTIFICATION OF COMPLIANCE WITH FEDERAL OVERLAYS RELATED  
TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
ECONOMIC DEVELOPMENT (ED) FINANCING**

The City of Fort Bragg, here after referred to as Responsible Entity (RE), is being requested to use federal CDBG ED funds for a project located at: \_\_\_\_\_, CA \_\_\_\_\_. The RE received a CDBG application for funding from the Business Assistance (BA) loan applicant on: \_\_\_\_\_ date.

There are three (3) significant federal overlay laws that must be adhered to as part of receiving CDBG ED BA funding: 1) federal environmental regulations; 2) federal relocation and real property acquisition laws; and 3) federal prevailing wage laws. All projects proposing to use CDBG federal funding must be documented as being in compliance with these laws.

**ENVIRONMENTAL REVIEW:** To be in compliance with federal environmental review law, National Environmental Policy Act (NEPA), an Environmental Review Record (ERR) must be completed and executed by the RE prior to awarding the project any CDBG funds. The ERR must also be completed prior to any additional work being done on the project after the date of application submittal, as shown above.

Any site work or legal agreements associated with the project, after the date of the CDBG application, could trigger a "choice limiting" action under NEPA regulations. Such an action will prohibit the RE from awarding CDBG funds to the project. Specific choice limiting actions to be avoided by the applicant after BA application date are: 1) signing any contracts for any work on the project; 2) signing any real property purchase agreements or leases; 3) conducting any construction / maintenance work at the site.

Loan applicant does hereby acknowledge and certify that there is and will be no choice limiting actions taking place at the site until the RE has completed an ERR for the project. Applicant agrees to disclose the existing conditions of the project and will not proceed with any development work until such time as the RE has provided written permission to do so.

4. Statement of Project's Site Control.

Full site control, i.e. fee simple interest ownership of the property **or** executed lease agreement, was in place prior to BA loan application submittal date.

Yes                       No

If no, what is proposed date will site control to be in place: \_\_\_\_\_.

5. Statement of Project's Construction Status.

Construction was started on the project prior to BA loan application submittal date stated above.

Yes                       No

If yes, construction must stop at the date of application, or CDBG is prohibited.

If no, business certifies NO construction contracts will be executed and no work at the site will start until RE provides written approval.



6. Consequences of Choice Limiting Action.

Any changes which trigger NEPA violation will force the RE to cancel the application.

**RELOCATION AND ACQUISITION REVIEW:** To be in compliance with federal acquisition and relocation law, the RE must verify that no “persons” have been displaced because of the use of CDBG funding AND that if CDBG funds are being used, in whole or in part to acquire real property, that federal laws are being complied with prior to award of funds.

Projects using CDBG funding for acquisition of real property are required to provide the seller with a proper disclosure of no use of eminent domain as part of the transaction.

Projects using CDBG funding that cause a person (resident of a housing unit, business or non-profit) to move as a direct result of the project’s activity must follow federal relocation process and provide those affected persons with permanent relocation benefits.

1. Statement of Project’s Use of Funds for Acquisition.

CDBG funds are being used to assist in purchase of real property.

Yes                       No

If yes, what date was seller provided Acquisition Notice? \_\_\_\_\_.

2. Statement of Project’s Relocation Compliance.

Persons were or will be displaced because of the proposed CDBG funding project activity / scope of work.

Yes                       No

If yes, RE must evaluate relocation benefits required for the project to move forward and disclose the costs of the relocation to the BA applicant.

If no, business certifies NO persons are displaced by the project.

3. Consequences of Non-Compliance with Relocation or Acquisition Laws.

Any miss-representations that result in these federal laws being triggered will force the RE to cancel the application.

Loan applicant does hereby acknowledge and certify that there will be no relocation of persons taking place at the site until the RE has completed its review and analysis of any required relocation benefits. Applicant agrees to disclose the existing conditions of the project and will not proceed with any property purchase or development work until such time as the RE has provided written permission to do so.

**FEDERAL PREVAILING WAGE REVIEW:** To be in compliance with federal prevailing wage laws (Davis Bacon and associated legislation), the RE must verify that no CDBG funds are being utilized for project construction costs. If any CDBG funds are used for construction, then RE must ensure federal prevailing wage rates will be paid by contractors. These wages will increase the project’s costs.

1. Statement of Project's Use of Funds for Construction.

CDBG funds will pay for project construction costs.

Yes                       No

If yes, what date was RE labor standards monitoring certification submitted to the Department? \_\_\_\_\_.

If no, federal prevailing wage compliance is not required.

2. Consequences of Non-Compliance with Davis Bacon and Related Acts.

Any miss-representations that result in these federal laws being triggered can require the RE to pay wage compensation to workers doing the construction.

Loan applicant does hereby acknowledge and certify that there will be no signing of construction contracts for any work taking place at the project site until the RE has completed its review and analysis of required labor standards compliance. Applicant agrees to disclose the existing conditions of the project and will not proceed with any property development work until such time as the RE has provided written permission to do so.

I hereby certify under the penalty of perjury that all the information contained in the CDBG request for funding (including all supporting documentation) is true and correct. I understand and acknowledge that making false statement on this certification, including any documents submitted in support of it, is a crime under federal and California state laws, which may result in criminal prosecution.

\_\_\_\_\_  
Signature of Borrower(s)

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Date

**ATTACHMENT D**  
**Business Loan Servicing Policies**  
**City of Fort Bragg**  
**CDBG Business Loan Programs**

**LOAN SERVICING POLICIES AND PROCEDURES**

The City of Fort Bragg, here after called “Lender”, has adopted these policies and procedures in order to preserve its financial interest in properties whose “Borrowers” have been assisted with public funds. The Lender will, to the greatest extent possible, follow these policies and procedures, but each loan will be evaluated and handled on a case-by-case basis. The Lender has formulated this document to comply with state and federal regulations regarding the use of these public funds and any property restrictions that are associated with them.

The policies and procedures are broken down into the follow areas 1) loan repayments; 2) required payment of taxes, assessments, liens and insurance; 3) required Request for Notice of Default; 4) required noticing and limitations on any changes in title, occupancy, use, or location of property; 5) requests for subordination; 6) process for loan foreclosure in case of default on the loan.

1. Loan Repayments

The Lender will collect monthly payments from those borrowers who are obligated to do so under Installment Notes that are amortized promissory notes, or Lender may use a designated loan collection company to collect payments. Late fees will be charged for payments received after the assigned monthly date as described in loan documents. Borrower may pay without penalty all or a portion of the amount owed earlier than it is due. Early payments will not, unless agreed to by Lender in writing, relieve Borrower of Borrower’s obligation to continue to make payments under the payment schedule. Rather, early payments will reduce the principal balance due and may result in Borrower’s making fewer payments.

For Notes that are deferred payment loans, the Lender may accept voluntary payments on the loan. Loan payments will be credited to interest first and then to principal. The borrower may repay the loan balance at any time with no penalty.

2. Payment of Taxes, Assessments, Liens and Insurance

In general, as part of keeping a CDBG loan from going into default, borrower must maintain all-risks insurance coverage with respect to collateral or other property as designated in the loan documents and related commercial security agreements, naming the Lender as loss payee in first position or as additional insured if the loan is a junior lien. Lender may file a UCC financing statement to perfect Lender’s security interest. If borrower fails to maintain the necessary insurance, the Lender may take out forced place insurance to cover the property while the Borrower puts a new insurance policy in place. All costs for installing the necessary insurance will be added to the loan balance at time of installation of Borrower’s new insurance.

When real property is located in a 100 year flood plain, the Borrower will be required to carry flood insurance. A certificate of insurance for flood insurance, if applicable, and for any other insurance required per terms of the loan will be required at close of escrow. The Lender will request verification of insurance coverage on an annual basis as long as the debt is outstanding.

Property taxes must be kept current during the term of the loan for property acquired with loan proceeds or for property designated as security for the CDBG loan or other activity debt, as

described in the loan documents. If the Borrower fails to maintain payment of property taxes, then the Lender may pay the taxes and add the balance of the tax payment plus any penalties to the balance of the loan.

### 3. Request for Notice of Default

When the Borrower's CDBG loan is in second position behind an existing first mortgage, it is the Lender's policy to prepare and record a "Request for Notice of Default" for each senior lien in front of Lender's loan. This document requires any senior lien holder listed in the notice to notify the Lender of initiation of a foreclosure action. The Lender will then have time to contact the Borrower and assist the Borrower in bringing the first loan current. The Lender can also monitor the foreclosure process and go through the necessary analysis to determine if the loan can be made whole or preserved. When the Lender is in a third position and receives notification of foreclosure from only one senior lien holder, Lender may contact any other senior lien holders regarding the status of loans.

### 4. Required Noticing and Restrictions on Any Changes of Title, Occupancy, Use, or Location of Collateralized or Secured Property

In all cases where there is a change in title or occupancy or use or location of property that directly or indirectly relates to any agreements between Lender and Borrower, the Borrower must notify the Lender in writing of any change. No change in Borrower's name or principal residence will take effect until after Lender has received notice. All such changes are subject to the review and approval of the Lender's Loan Committee and may also require City Manager approval.

### 5. Requests for Subordination

When a Borrower wishes to refinance property financed in whole or in part with CDBG funds, Borrower must make a subordination request to the Lender. The Lender may consider subordination of the loan when there is no "cash out" as part of the refinance. Cash out means there are no additional charges on the transaction above loan and escrow closing fees. There can be no third-party debt pay-offs or additional encumbrance on the property above traditional refinance transaction costs. Furthermore, the refinance should lower the debt costs of the business with a lower interest rate, and the total indebtedness on the property should not exceed the current market value.

Upon receiving the proper documentation from the refinance lender, the request will be considered by the Loan Committee for review and approval. Upon approval, the escrow company will provide the proper subordination document for execution and recordation by the Lender.

### 6. Process for Loan Foreclosure

Upon any condition of loan default, including: 1) non-payment; 2) failure to comply with or perform other terms, obligations, covenants or conditions contained in the Note or related documents; 3) false statements; 4) death or insolvency of borrower; 5) creditor or forfeiture proceedings; or 6) any other event of default as described in the promissory note, Lender may declare the entire unpaid principal and interest balance immediately due. Upon loan default, Lender will send a letter to Borrower notify Borrower of the default situation.

When a senior lien holder starts a foreclosure process and the Lender is notified via a Request for Notice of Default, the Lender as the junior lien holder may cancel the foreclosure proceedings by "reinstating" the senior lien holder. The reinstatement amount or payoff amount must be obtained by contacting the senior lien holder. This amount will include all delinquent payments,

late charges and fees to date. Lender must confer with Borrower to determine if, upon paying the senior lien holder current, Borrower can provide future payments. If this is the case, then the Lender may cure the foreclosure and add the costs to the balance of the loan with a Notice of Additional Advance on the existing note.

If the Lender determines, based on information on the reinstatement amount and status of Borrower, that bringing the loan current will not preserve the loan, then Lender must determine if it is cost effective to protect the Lender's position by paying off the senior lien holder in total and restructuring the debt. If the Lender does not have sufficient funds to pay the senior lien holder in full, then the Lender may choose to cure the senior lien holder and foreclose on the property. As long as there is sufficient value in the property, the Lender may be able to pay for the foreclosure process and pay off the senior lien holder and retain some or all of the Lender's investment.

If the Lender decides to reinstate, the senior lien holder will accept the amount to reinstate the loan up until five days prior to the set "foreclosure sale date." This "foreclosure sale date" usually occurs about four to six months from the date of recording of the "Notice of Default." If the Lender fails to reinstate the senior lien holder before five days prior to the foreclosure sale date, the senior lien holder would then require a full pay off of the balance, plus costs, to cancel foreclosure. If the Lender determines the reinstatement and maintenance of the property not to be cost effective and allows the senior lien holder to complete foreclosure, the Lender's lien may be eliminated due to insufficient sales proceeds.

**ATTACHMENT D**  
**CDBG Business Assistance Loan Certification Form**

**STATE OF CALIFORNIA  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN CERTIFICATION  
FOR BUSINESS ASSISTANCE (BA) PROJECT**

**DATE OF JURISDICTION'S LOAN APPROVAL:**

JURISDICTION AND CDBG REPRESENTATIVES		
JURISDICTION:	NAME OF JURISDICTION STAFF REVIEWING THE LOAN:	
JURISDICTION STAFF TITLE:	PHONE:	EMAIL:
HCD CONTRACT REP. NAME:	PHONE:	EMAIL:

UNDERWRITER / BA PROGRAM ADMINISTRATOR		
ORGANIZATION NAME:	NAME OF UNDERWRITER PROCESSING THE LOAN:	
CONTACT NAME:	PHONE:	EMAIL:

BUSINESS AND BUSINESS OWNER	
BUSINESS NAME with DBA:	BUSINESS PHYSIAL ADDRESS:
NATURE OF BUSINESS ( <i>restaurant, manufacturing, service provider</i> ):	
NAMES OF BUSINESS OWNER(S) / BORROWER(S):	

BUSINESS LEGAL STRUCTURE	PURPOSE OF LOAN
SOLE PROPRIETORSHIP: <input type="checkbox"/> Yes <input type="checkbox"/> No	START UP: <input type="checkbox"/> Yes <input type="checkbox"/> No
PARTNERSHIP: <input type="checkbox"/> Yes <input type="checkbox"/> No	EXPANSION: <input type="checkbox"/> Yes <input type="checkbox"/> No
COMPANY: <input type="checkbox"/> Yes <input type="checkbox"/> No	RETENSION: <input type="checkbox"/> Yes <input type="checkbox"/> No
CORPORATION: <input type="checkbox"/> Yes <input type="checkbox"/> No	TOTAL PROJECT COSTS: \$

PROJECT SOURCES AND USES INFORMATION	
FUNDING SOURCE	USE OF FUNDING
Equity <input type="checkbox"/> CDBG <input type="checkbox"/> Private / Bank <input type="checkbox"/>	PURCHASE OF REAL PROPERTY
Equity <input type="checkbox"/> CDBG <input type="checkbox"/> Private / Bank <input type="checkbox"/>	FURNITURE FIXTURES & EQUIPMENT
Equity <input type="checkbox"/> CDBG <input type="checkbox"/> Private / Bank <input type="checkbox"/>	CONSTRUCTION / TENANT IMPROVEMENTS
Equity <input type="checkbox"/> CDBG <input type="checkbox"/> Private / Bank <input type="checkbox"/>	OPERATONS COSTS (MONTHLY)
Equity <input type="checkbox"/> CDBG <input type="checkbox"/> Private / Bank <input type="checkbox"/>	INVENTORY / SUPPLIES
Equity <input type="checkbox"/> CDBG <input type="checkbox"/> Private / Bank <input type="checkbox"/>	DEBT REFINANCE
Equity <input type="checkbox"/> CDBG <input type="checkbox"/> Private / Bank <input type="checkbox"/>	OTHER: _____

Revised 9/16/15

1 | Page

**STATE OF CALIFORNIA  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN CERTIFICATION  
FOR BUSINESS ASSISTANCE (BA) PROJECT**

CDBG LOAN INFORMATION	
LOAN AMOUNT:	LOAN TERM:      YEARS
LOAN INTEREST RATE:      %	MONTHLY PAYMENT: \$
UNIQUE LOAN STRUCTURE PROVIDED? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, provide brief narrative below.	
CDBG NATIONAL OBJECTIVE (Only Complete A or B)	
<b>A. PROJECT WILL USE CDBG NATIONAL OBJECTIVE OF LOW-MODERATE JOB (LMJ) BENEFIT BY PROVIDING DIRECT ASSISTANCE TO A BUSINESS THAT CREATES / RETAINS JOBS PRIMARILY (OVER 51%) FOR HUD ELIGIBLE LOW-MOD PERSONS.</b>  If no, then project must use LMA below, so move onto section B.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Loan documents have language requiring Borrower to allow Jurisdiction Staff or Third party to obtain copy of payrolls and use Department Self- Certification of Income forms for all job applicants on new jobs created <u>OR</u> to existing job positions retained?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Borrower has signed Job Tracking Form, listing the total jobs <u>PROPOSED</u> to be created <u>OR</u> retained and lists the 51% low mod job positions being created <u>OR</u> retained?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Underwriter has included all costs of new / retained jobs in future financial spreadsheets, to clearly document that all jobs, including low-mod jobs, will be created within the term of the grant contract or as stipulated in the CDBG loan agreement for program income?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For job retention, project file contains documentation of business public notice or employment notice of failure / layoffs and over 51% of lost job positions are LMI person?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>or</u> Underwriter has documentation of "but for" CDBG the business will fail and jobs will be lost and over 51% of those lost job positions are held by LMI persons?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>B. PROJECT WILL USE LOW MODERATE AREA (LMA) NATIONAL OBJECTIVE?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Jurisdiction has documentation of business service area and has HUD data to prove low moderate income area benefit (LMA) status of area? LMA =      %	<input type="checkbox"/> Yes <input type="checkbox"/> No
Jurisdiction has documentation that service area of business is primarily residential?	<input type="checkbox"/> Yes <input type="checkbox"/> No
CDBG PUBLIC BENEFIT STANDARD FOR JOBS (When Using LMJ)	
<b>A. VERIFICATION OF JOB POSITIONS CREATED / RETAINED:</b>	
Borrower provided payroll documentation of existing jobs and documents are in project file to verify the number of permanent FTE existing jobs in place prior to investment of CDBG funds?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Revised 9/16/15

2 | Page



**STATE OF CALIFORNIA  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN CERTIFICATION  
FOR BUSINESS ASSISTANCE (BA) PROJECT**

Borrower signed Job Tracking Form, which will be an attachment to executed loan agreement, listing all new jobs created <u>or</u> existing jobs retained from use of CDBG funds and listing dates when job positions will be added / retained on payroll?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Borrower signed Job Tracking Form lists out part time and full time job positions? Note: per state regulations (part time equivalent (PTE) positions must work at least 875 hours and full time equivalent (FTE) must work at least 1,750 hour annually)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
COST PER JOB CREATED / RETAINED IS EQUAL TO OR LESS THAN \$35,000, AGGREGATE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
COST PER JOB: CDBG PROJECT FUNDING: \$ _____ ÷ TOTAL NUMBER OF PROPOSED FTE JOBS: ____ = COST PER PROPOSED CREATED OR RETAINED FTE JOB \$	
PROJECT FILE VERIFIES THAT NONE OF THE PROPOSED JOBS TO BE CREATED HAVE BEEN HIRED PRIOR TO LOAN APPROVAL?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>CDBG PUBLIC BENEFIT STANDARD FOR GOODS OR SERVICES (When Using LMA)</b>	
<b>B. VERIFICATION OF SERVICE AREA AND GOODS OR SERVICES:</b>	
Project file has documentation of service area for Good OR Services, documentation that business is open to all, and that goods or services are needed / available to LMI persons, prior to loan approval?	<input type="checkbox"/> Yes <input type="checkbox"/> No
AMOUNT OF CDBG PER LMI PERSON FOR GOODS OR SERVICES IS EQUAL TO OR LESS THAN \$350 ANNUAL AGGREGATE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
COST PER PERSON: CDBG PROJECT FUNDING: \$ _____ ÷ TOTAL NUMBER OF LMI PERSONS IN SERVICE AREA: ____ = COST PER LMI PERSON \$	
<b>CDBG ELIGIBLE ACTIVITY</b>	
PROJECT COMPLIES WITH LOCAL BA PROGRAM GUIDELINES?  If, NO, project file contains a written special exception justification, per guidelines?	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT FILE VERIFIES BUSINESS IS PHYSICALLY LOCATED WITHIN JURISDICTIONAL BOUNDARY?  If not in county jurisdiction, then county has written approval from non-entitlement city for doing a CDBG BA project within city limits?	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
ALL CDBG PROJECT COSTS ARE ELIGIBLE PER BA CHAPTER AND GUIDELINES?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**STATE OF CALIFORNIA  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN CERTIFICATION  
FOR BUSINESS ASSISTANCE (BA) PROJECT**

<b>CDBG FEDERAL OVERLAY REQUIREMENTS</b>	
<p><b>HAS A CORRECT CDBG NEPA REVIEW BEEN COMPLETED ON FULL SCOPE OF PROJECT?</b></p> <p>Is Original signed Environmental Review Record (ERR) in the project file?</p> <p>Was Department Authorization to use grant funds required for ERR?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>DOES THE PROJECT TRIGGER FEDERAL LABOR STANDARDS MONITORING?</b></p> <p><i>If YES, Jurisdiction has designated staff as a labor standard compliance officer, who will submit request for federal wage determination to the Department?</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>DOES THE PROJECT TRIGGER FEDERAL RELOCATION REQUIREMENTS?</b></p> <p><i>If YES, did Jurisdiction hire Relocation Specialist and submit draft relocation plan to Department?</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>DOES THE PROJECT TRIGGER FEDERAL ACQUISITION REQUIREMENTS?</b></p> <p><i>If YES, has the proper seller acquisition disclosure been executed for project file?</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>PROJECT FILE CONTAINS DOCUMENTATION OF COMPLIANCE WITH FEDERAL DEBARRED REQUIREMENTS?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>PROJECT FILE CONTAINS BUSINESS OWNER CERTIFY THAT THERE IS NO CONFLICT OF INTEREST?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>DOES THE BUSINESS' PROPOSED PROJECT INCLUDE ANY JOB PRIATING?</b></p> <p><i>Is Signed Certification of No Job Pirating in Project file?</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

<b>CDBG / HUD SIX UNDERWRITING STANDARDS</b>	
<p><i>CDBG business assistance loans must document that they meet the six CDBG HUD underwriting standards below. See BA Chapter in Department's Current On-Line Grant Management Manual for further guidance or contact HCD Rep.</i></p>	
<p><b>1) PROJECT FILE HAS VERIFICATIONS OF THE REASONABLENESS OF ALL PROJECT COSTS?</b></p> <p><i>If NO, a special condition must be in loan approval to not allow CDBG loan closing until all costs are verified as reasonable.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>2) PROJECT FILE HAS VERIFICATION OF ALL PROJECT FUNDING COMMITTED?</b></p> <p><i>If NO, a special condition must be in loan approval to not allow CDBG loan closing until full funding is in place.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>3) PROJECT FILE HAS VERIFICATION THAT, TO THE EXTENT PRACTICABLE, THERE IS NO SUBSTITUTION OF PUBLIC FUNDING?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

**STATE OF CALIFORNIA  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN CERTIFICATION  
FOR BUSINESS ASSISTANCE (BA) PROJECT**

4) PROJECT FILE HAS VERIFICATION OF UNIVERSAL CASH FLOWS EXPECTED AFTER INVESTMENT OF CDBG FUNDS SHOWING FINANCIAL FEASIBILITY?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5) PROJECT FILE HAS VERIFICATION THAT, TO THE EXTENT PRACTICABLE, THE CDBG LOAN FUNDS DO NOT PROVIDE UNDUE ENRICHMENT TO THE BUSINESS OWNER(S)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6) PROJECT FILE HAS VERIFICATION THAT, TO THE EXTENT PRACTICABLE, DISBURSEMENT OF CDBG FUNDS WILL BE ON A PRO-RATA BASIS WITH OTHER PROJECT FUNDS?	<input type="checkbox"/> Yes <input type="checkbox"/> No
LOAN DISBURSMENT SCHEDULE IS IN PROJECT FILE?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>BUSINESS OWNER UNDERWRITING AND PROJECT COLLATERAL ANALYSIS</b>	
IS A PERSONAL FINANCIAL ANALYSIS DONE FOR EACH OF THE BUSINESS OWNERS, WITH 20% OR MORE INTEREST IN THE BUSINESS OR WITH MATERIAL CONTROL OF BUSINESS?	<input type="checkbox"/> Yes <input type="checkbox"/> No
DOCUMENTATION OF CDBG LOAN COLLATERAL IS IN PROJECT FILE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
LOAN DOCUMENTS SECURITIZE COLLATERAL, NATIONAL OBJECTIVE AND OTHER CDBG REQUIRED COMPLIANCE?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>SIGNATURE OF JURISDICTION AUTHORIZED REPRESENTATIVE</b>	
Authorized Representative has read and certifies all information in this loan memo is true and correct, to the best of their ability.	
<p>I hereby certify under the penalty of perjury that all the information contained in this request for funds (including all supporting documentation) is true and correct. I understand and acknowledge that making false statement on this certification, including any documents submitted in support of it, is a crime under federal and California state laws, which may result in criminal prosecution.</p> <p>PRINT NAME OF AUTHORIZED REPRESENTATIVE: _____</p> <p>TITLE: _____</p> <p>SIGNATURE: _____</p>	<p>DATE: _____</p>



# City of Fort Bragg

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

## Text File

File Number: 21-081

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Passed

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 5B.

Adopt City Council Resolution Approving Professional Services Agreement with Regional Government Services (RGS) for the Preparation of an Economic Development Feasibility Study Focused on the Mill Site and Authorizing the City Manager to Execute Contract (Amount Not to Exceed \$124,780.00; Account No.330-6125-0731)

The City applied for and was approved to receive grant funds from the US Department of Commerce's Economic Development Association (EDA) to produce an economic development feasibility study focused on the former Mill Site. The City has become increasingly dependent on tourist-based economy and the purpose of the study is to better understand how to diversify our local economy. Nine proposals were received from qualified firms interested in assisting the City with the project. The City selected Regional Government Services (RGS) as the most suitable firm through a competitive process. The attached Resolution and Contract are provided for Council review and approval.

**RESOLUTION NO. \_\_\_\_\_-2021**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING PROFESSIONAL SERVICES AGREEMENT WITH REGIONAL GOVERNMENT SERVICES (RGS) FOR THE PREPARATION OF AN ECONOMIC DEVELOPMENT FEASIBILITY STUDY FOCUSED ON THE MILL SITE AND AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT (AMOUNT NOT TO EXCEED \$124,780.00; ACCOUNT NO. 330-6125-0731)**

**WHEREAS**, the COVID-19 pandemic and subsequent health orders designed to slow its transmission created financial uncertainty and hardships for many local businesses; and

**WHEREAS**, the City's General Fund, which pays for most of our basic City services relies heavily on sales tax and Transient Occupancy Tax (TOT) was negatively impacted by financial hardships of COVID-19 pandemic; and

**WHEREAS**, the City has become increasingly dependent on a tourist-based economy and acknowledges that the City's economic health would benefit from diversification, rather than being tied to a single industry or market sector; and

**WHEREAS**, the City was eligible for CARES Act Recovery Assistance, applied for, and was awarded \$137,500 in grant funds through the United States Department of Commerce's Economic Development Administration (EDA) under EDA's economic distress criteria; and

**WHEREAS**, the City intends to use these grant funds to develop an economic development feasibility study, focused on diversifying our local economy through development on the Mill Site; and

**WHEREAS**, the City circulated a Request for Proposals from qualified firms interested in contracting with the City on this important project; and

**WHEREAS**, on February 1, 2021, the City timely received nine (9) proposals from qualified firms, selected two exceptional proposals, interviewed the respective firms and contacted references; and

**WHEREAS**, Regional Government Services (RGS) was selected as the most suitable firm to assist the City and a Professional Service Agreement ("Contract") between the City and RGS was drafted and is attached, including the scope of work as Exhibit A; and

**WHEREAS**, per the Fort Bragg Municipal Code Section 3.20.040, decisions to award contracts in an amount greater than \$25,000 shall be made by Council resolution;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby approve a Professional Services Agreement with Regional Government Services for the preparation of an Economic Development Feasibility Study, focused on the Mill Site and authorizes the City Manager to execute contract (amount not to exceed \$124,780.00; Account No. 330-6125-0731).

**The above and foregoing Resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 8<sup>th</sup> day of March, 2021, by the following vote:**

**AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
RECUSED:**

---

**BERNIE NORVELL**  
Mayor

**ATTEST:**

---

**June Lemos, CMC**  
City Clerk

**CITY OF FORT BRAGG  
PROFESSIONAL SERVICES AGREEMENT  
WITH  
REGIONAL GOVERNMENT SERVICES**

THIS AGREEMENT is made and entered into this \_\_\_ day of March, 2021 (“Effective Date”), by and between the CITY OF FORT BRAGG, a municipal corporation, 416 N. Franklin Street, Fort Bragg, California 95437 (“City”), and REGIONAL GOVERNMENT SERVICES, a California Joint Powers Authority, Post Office Box 1350, Carmel Valley, California 93924 (“Consultant”).

**WITNESSETH:**

A. WHEREAS, City proposes to utilize the services of Consultant as an independent contractor to conduct an Economic Development Feasibility Study focused on the Former Georgia-Pacific Mill Site, as more fully described herein; and

B. WHEREAS, City and Consultant desire to contract for the specific services described in **Exhibit A** (the “Project”) and desire to set forth their rights, duties and liabilities in connection with the services to be performed; and

C. WHEREAS, no official or employee of City has a financial interest, within the provisions of Sections 1090-1092 of the California Government Code, in the subject matter of this Agreement.

D. WHEREAS, the legislative body of the City on \_\_\_\_\_, by Resolution No. \_\_\_\_\_ authorized execution of this Agreement on behalf of the City in accordance with Chapter 3.20 of the City Municipal Code and/or other applicable law;

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the parties hereby agree as follows:

**1.0. SERVICES PROVIDED BY CONSULTANT**

1.1. Scope of Work. Consultant shall provide the professional services described in the Consultant’s Proposal (“Proposal”), attached hereto as **Exhibit A** and incorporated herein by this reference.

1.2. Professional Practices. All professional services to be provided by Consultant pursuant to this Agreement shall be provided by personnel experienced in their respective fields and in a manner consistent with the standards of care, diligence and skill ordinarily exercised by professional consultants in similar fields and circumstances in accordance with sound professional practices. Consultant also warrants that it is familiar with all laws that may affect its performance of this Agreement and shall advise City of any changes in any laws that may affect Consultant’s performance of this Agreement. Consultant shall keep itself informed of State and Federal laws and regulations which in any manner affect those employed by it or in any way affect the performance of its service pursuant to this Agreement. The Consultant shall at all times observe and comply with all such laws and regulations. City officers and employees shall not be liable at law or in equity occasioned by failure of the Consultant to comply with this section.

1.3. Performance to Satisfaction of City. Consultant agrees to perform all the work to the complete satisfaction of the City as hereinafter specified. Evaluations of the work will be done

by the City Manager or his or her designee. If the quality of work is not satisfactory, City in its discretion has the right to:

- (a) Meet with Consultant to review the quality of the work and resolve the matters of concern;
- (b) Require Consultant to repeat the work at no additional fee until it is satisfactory; and/or
- (c) Terminate the Agreement as hereinafter set forth.

1.4. Warranty. Consultant warrants that it shall perform the services required by this Agreement in compliance with all applicable Federal and California employment laws, including, but not limited to, those laws related to minimum hours and wages; occupational health and safety; fair employment and employment practices; workers' compensation insurance and safety in employment; and all other Federal, State and local laws and ordinances applicable to the services required under this Agreement. Consultant shall indemnify and hold harmless City from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description including attorneys' fees and costs, presented, brought, or recovered against City for or on account of any liability under any of the above-mentioned laws, which may be incurred by reason of Consultant's performance under this Agreement. To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

1.5. Non-discrimination. In performing this Agreement, Consultant shall not engage in, nor permit its agents to engage in, discrimination in employment of persons because of their race, religion, color, national origin, ancestry, age, physical handicap, medical condition, marital status, sexual gender, sexual orientation, or disability except as permitted pursuant to Section 12940 of the Government Code. Such actions shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, a notice setting forth provisions of this non-discrimination clause.

Consultant shall, in all solicitations and advertisements for employees placed by, or on behalf of Consultant, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, ancestry, age, physical handicap, medical condition, marital status, sexual gender, sexual orientation, or disability. Consultant shall cause the paragraphs contained in this Section to be inserted in all subcontracts for any work covered by the Agreement, provided that the foregoing provisions shall not apply to subcontracts for standard commercial supplies or raw materials.

1.6. Non-Exclusive Agreement. Consultant acknowledges that City may enter into agreements with other consultants for services similar to the services that are subject to this Agreement or may have its own employees perform services similar to those services contemplated by this Agreement.

1.7. Delegation and Assignment. This is a personal service contract, and the duties set forth herein shall not be delegated or assigned to any person or entity without the prior written consent of City. Consultant may engage a subcontractor(s) as permitted by law and may employ other personnel to perform services contemplated by this Agreement at Consultant's sole cost and expense. All insurance requirements contained in this Agreement are independently



applicable to any and all subcontractors that Consultant may engage during the term of this Agreement.

1.8. Confidentiality. Employees of Consultant in the course of their duties may have access to financial, accounting, statistical, and personnel data of private individuals and employees of City. Consultant covenants that all data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without written authorization by City. City shall grant such authorization if disclosure is required by law. All City data shall be returned to City upon the termination of this Agreement. Consultant's covenant under this Section shall survive the termination of this Agreement.

## 2.0. COMPENSATION AND BILLING

2.1. Compensation. Consultant's total compensation shall not exceed **One Hundred Twenty-four Thousand Seven Hundred Eighty Dollars (\$124,780.00)**.

2.2. Additional Services. Consultant shall not receive compensation for any services provided outside the scope of work specified in the Consultant's Proposal or which is inconsistent with or in violation of the provisions of this Agreement unless the City or the Project Manager for this Project, prior to Consultant performing the additional services, approves such additional services in writing. It is specifically understood that oral requests and/or approvals of such additional services or additional compensation shall be barred and are unenforceable. Should the City request in writing additional services that increase the hereinabove described "Scope of Work," an additional fee based upon the Consultant's standard hourly rates shall be paid to the Consultant for such additional services. The City Manager may approve contract change orders not exceeding a total of 10% of the approved contract or up to the contingency amount whichever amount is less for any one project.

2.3. Method of Billing. Consultant may submit invoices to the City for approval on a progress basis, but not more often than monthly. Said invoice shall be based on the total of all Consultant's services which have been completed to City's sole satisfaction. City shall pay Consultant's invoice within forty-five (45) days from the date City receives said invoice. Each invoice shall describe in detail, the services performed, the date of performance, and the associated time for completion. Any additional services approved and performed pursuant to this Agreement shall be designated as "Additional Services" and shall identify the number of the authorized change order, where applicable, on all invoices.

2.4. Records and Audits. Records of Consultant's services relating to this Agreement shall be maintained in accordance with generally recognized accounting principles and shall be made available to City or its Project Manager for inspection and/or audit at mutually convenient times for a period of three (3) years from the date of final payment.

## 3.0. TIME OF PERFORMANCE

3.1. Commencement and Completion of Work. The professional services to be performed pursuant to this Agreement shall commence within five (5) days from the issuance of Notice to Proceed. Said services shall be performed in strict compliance with the schedule set forth in the Scope of Work attached hereto as **Exhibit A**. Consultant will complete the services in accordance with this Agreement by **October 1, 2021**. The Time of Completion may only be modified by a written amendment of the Agreement signed by both the City and the Consultant and in accordance with its terms.

3.2. Excusable Delays. Neither party shall be responsible for delays or lack of performance resulting from acts beyond the reasonable control of the party or parties. Such acts shall include, but not be limited to, acts of God, fire, strikes, material shortages, compliance with laws or regulations, riots, acts of war, or any other conditions beyond the reasonable control of a party. If a delay beyond the control of the Consultant is encountered, a time extension may be mutually agreed upon in writing by the City and the Consultant. The Consultant shall present documentation satisfactory to the City to substantiate any request for a time extension.

#### 4.0. TERM AND TERMINATION

4.1. Term. This Agreement shall commence on the Effective Date and expire on **January 1, 2022** unless previously terminated as provided herein or as otherwise agreed to in writing by the parties.

4.2. Notice of Termination. The City reserves and has the right and privilege of canceling, suspending or abandoning the execution of all or any part of the work contemplated by this Agreement, with or without cause, at any time, and City or Consultant may terminate the Agreement by providing at least ten (10) days prior written notice to the other. The termination of this Agreement shall be deemed effective upon receipt of the notice of termination. In the event of such termination, Consultant shall immediately stop rendering services under this Agreement unless directed otherwise by the City. If the City suspends, terminates or abandons a portion of this Agreement, such suspension, termination or abandonment shall not make void or invalidate the remainder of this Agreement.

If the Consultant defaults in the performance of any of the terms or conditions of this Agreement, it shall have ten (10) days after service upon it of written notice of such default in which to cure the default by rendering a satisfactory performance. In the event that the Consultant fails to cure its default within such period of time, the City shall have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement.

The City shall have the right, notwithstanding any other provisions of this Agreement, to terminate this Agreement, at its option and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement, immediately upon service of written notice of termination on the Consultant, if the latter should:

- a. Be adjudged a bankrupt;
- b. Become insolvent or have a receiver of its assets or property appointed because of insolvency;
- c. Make a general assignment for the benefit of creditors;
- d. Default in the performance of any obligation or payment of any indebtedness under this Agreement;
- e. Suffer any judgment against it to remain unsatisfied or unbonded of record for thirty (30) days or longer; or
- f. Institute or suffer to be instituted any procedures for reorganization or rearrangement of its affairs.

4.3. Compensation. In the event of termination, City shall pay Consultant for reasonable costs incurred and professional services satisfactorily performed up to and including the date of City's written notice of termination within thirty-five (35) days after service of the notice of termination. Compensation for work in progress shall be prorated based on the percentage of work completed as of the effective date of termination in accordance with the fees set forth herein. In ascertaining the professional services actually rendered hereunder up to the effective date of termination of this Agreement, consideration shall be given to both completed work and work in progress, to complete and incomplete drawings, and to other documents pertaining to the services contemplated herein whether delivered to the City or in the possession of the Consultant. City shall not be liable for any claim of lost profits.

4.4. Documents. In the event of termination of this Agreement, all documents prepared by Consultant in its performance of this Agreement including, but not limited to, finished or unfinished design, development and construction documents, data studies, drawings, maps and reports, shall be delivered to the City within ten (10) days of delivery of termination notice to Consultant, at no cost to City. Any use of uncompleted documents without specific written authorization from Consultant shall be at City's sole risk and without liability or legal expense to Consultant.

## **5.0. INSURANCE**

5.1. Minimum Scope and Limits of Insurance. Consultant shall obtain, maintain, and keep in full force and effect during the life of this Agreement all of the following minimum scope of insurance coverages. City acknowledges that as a public agency Consultant can, pursuant to California Government Code Section 990, satisfy the insurance requirements set forth herein with a combination of self-insurance and self-insured pool insurance.

- (a) Broad-form commercial general liability, in a form at least as broad as ISO form #CG 20 01 04 13, including premises-operations, products/ completed operations, broad form property damage, blanket contractual liability, independent contractors, personal injury or bodily injury with a policy limit of not less than One Million Dollars (\$1,000,000.00) per occurrence, Two Million Dollars (\$2,000,000.00) aggregate, combined single limits. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement or shall be twice the required occurrence limit. If Consultant maintains higher limits than the specified minimum limits, City requires and shall be entitled to coverage for the high limits maintained by the Consultant.
- (b) Business automobile liability for owned vehicles, hired, and non-owned vehicles, with a policy limit of not less than One Million Dollars (\$1,000,000.00), combined single limits, each incident for bodily injury and property damage.
- (c) Workers' compensation insurance as required by the State of California and Employers Liability Insurance with a minimum limit of \$1,000,000 per accident for any employee or employees of Consultant. Consultant agrees to waive, and to obtain endorsements from its workers' compensation insurer waiving subrogation rights under its workers' compensation insurance policy against the City, its officials, officers, agents, employees, and volunteers for losses arising from work performed by Consultant for the City and to require each of its subcontractors, if any, to do likewise under their workers' compensation insurance policies.

Before execution of this Agreement by the City, the Consultant shall file with the City Clerk the following signed certification:

I am aware of, and will comply with, Section 3700 of the Labor Code, requiring every employer to be insured against liability of Workers' Compensation or to undertake self-insurance before commencing any of the work.

The Consultant shall also comply with Section 3800 of the Labor Code by securing, paying for and maintaining in full force and effect for the duration of this Agreement, complete Workers' Compensation Insurance, and shall furnish a Certificate of Insurance to the City Clerk before execution of this Agreement by the City. The City, its officers and employees shall not be responsible for any claims in law or equity occasioned by failure of the consultant to comply with this section.

- (d) Professional errors and omissions ("E&O") liability insurance with policy limits of not less than Two Million Dollars (\$2,000,000.00), combined single limits, per occurrence and aggregate. Architects' and engineers' coverage shall be endorsed to include contractual liability. If the policy is written as a "claims made" policy, the retro date shall be prior to the start of the contract work. Consultant shall obtain and maintain said E&O liability insurance during the life of this Agreement and for three years after completion of the work hereunder.

Neither the City nor any of its elected or appointed officials, officers, agents, employees, or volunteers makes any representation that the types of insurance and the limits specified to be carried by Consultant under this Agreement are adequate to protect Consultant. If Consultant believes that any such insurance coverage is insufficient, Consultant shall provide, at its own expense, such additional insurance as Consultant deems adequate.

5.2. Endorsements. The commercial general liability insurance policy and business automobile liability policy shall contain or be endorsed to contain the following provisions:

- (a) Additional insureds: "The City of Fort Bragg and its elected and appointed boards, officers, officials, agents, employees, and volunteers are additional insureds with respect to: liability arising out of activities performed by or on behalf of the Consultant pursuant to its contract with the City; products and completed operations of the Consultant; premises owned, occupied or used by the Consultant; automobiles owned, leased, hired, or borrowed by the Consultant."
- (b) Notice: "Consultant shall provide immediate written notice if (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased. In the event of any cancellation or reduction in coverage or limits of any insurance, Consultant shall forthwith obtain and submit proof of substitute insurance. Should Consultant fail to immediately procure other insurance, as specified, to substitute for any canceled policy, the City may procure such insurance at Consultant's sole cost and expense."
- (c) Other insurance: "The Consultant's insurance coverage shall be primary

insurance as respects the City of Fort Bragg, its officers, officials, agents, employees, and volunteers. Any other insurance maintained by the City of Fort Bragg shall be excess and not contributing with the insurance provided by this policy."

- (d) Any failure to comply with the reporting provisions of the policies shall not affect coverage provided to the City of Fort Bragg, its officers, officials, agents, employees, and volunteers.
- (e) The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

5.3. Deductible or Self-Insured Retention. If any of such policies provide for a deductible or self-insured retention to provide such coverage, the amount of such deductible or self-insured retention shall be disclosed in advance to City. No policy of insurance issued as to which the City is an additional insured shall contain a provision which requires that no insured except the named insured can satisfy any such deductible or self-insured retention.

5.4. Certificates of Insurance. Consultant shall provide to City certificates of insurance showing the insurance coverages and required endorsements described above, in a form and content approved by City, prior to performing any services under this Agreement. The certificates of insurance and endorsements shall be attached hereto as **Exhibit B** and incorporated herein by this reference.

5.5. Non-limiting. Nothing in this Section shall be construed as limiting in any way, the indemnification provision contained in this Agreement, or the extent to which Consultant may be held responsible for payments of damages to persons or property.

## 6.0. GENERAL PROVISIONS

6.1. Entire Agreement. This Agreement constitutes the entire agreement between the parties with respect to any matter referenced herein and supersedes any and all other prior writings and oral negotiations. This Agreement may be modified only in writing, and signed by the parties in interest at the time of such modification. The terms of this Agreement shall prevail over any inconsistent provision in any other contract document appurtenant hereto, including exhibits to this Agreement.

6.2. Representatives. The City Manager or his or her designee shall be the representative of City for purposes of this Agreement and may issue all consents, approvals, directives and agreements on behalf of the City, called for by this Agreement, except as otherwise expressly provided in this Agreement.

Consultant shall designate a representative for purposes of this Agreement who shall be authorized to issue all consents, approvals, directives and agreements on behalf of Consultant called for by this Agreement, except as otherwise expressly provided in this Agreement.

6.3. Project Managers. The Project Manager designated to work directly with Consultant in the performance of this Agreement will be **Sarah McCormick**, Housing and Community Development Coordinator. It shall be the Consultant's responsibility to assure that the Project Manager is kept informed of the progress of the performance of the services and the Consultant shall refer any decision, which must be made by City, to the Project Manager. Unless

otherwise specified herein, any approval of City required hereunder shall mean the approval of the Project Manager.

Consultant designates **Joshua Metz**, Senior Advisor, as its Project Manager, who shall represent it and be its agent in all consultations with City during the term of this Agreement and who shall not be changed by Consultant without the express written approval by the City. Consultant or its Project Manager shall attend and assist in all coordination meetings called by City.

6.4. Notices. Any notices, documents, correspondence or other communications concerning this Agreement or the work hereunder may be provided by personal delivery, facsimile or if mailed, shall be addressed as set forth below and placed in a sealed envelope, postage prepaid, and deposited in the United States Postal Service. Such communication shall be deemed served or delivered: a) at the time of delivery if such communication is sent by personal delivery; b) at the time of transmission if such communication is sent by facsimile; and c) 72 hours after deposit in the U.S. Mail as reflected by the official U.S. postmark if such communication is sent through regular United States mail.

IF TO CONSULTANT:  
Joshua Metz, Senior Advisor  
Regional Government Services  
PO Box 1350  
Carmel Valley, CA 93924  
Tel: 844-587-7300

IF TO CITY:  
City Clerk  
City of Fort Bragg  
416 N. Franklin St.  
Fort Bragg, CA 95437  
Tel: 707-961-2823  
Fax: 707-961-2802

6.5. Attorneys' Fees. In the event that litigation is brought by any party in connection with this Agreement, the prevailing party shall be entitled to recover from the opposing party all costs and expenses, including reasonable attorneys' fees, incurred by the prevailing party in the exercise of any of its rights or remedies hereunder or the enforcement of any of the terms, conditions, or provisions hereof.

6.6. Governing Law. This Agreement shall be governed by and construed under the laws of the State of California without giving effect to that body of laws pertaining to conflict of laws. In the event of any legal action to enforce or interpret this Agreement, the parties hereto agree that the sole and exclusive venue shall be a court of competent jurisdiction located in Mendocino County, California. Consultant agrees to submit to the personal jurisdiction of such court in the event of such action.

6.7. Assignment. Consultant shall not voluntarily or by operation of law assign, transfer, sublet or encumber all or any part of Consultant's interest in this Agreement without City's prior written consent. Any attempted assignment, transfer, subletting or encumbrance shall be void and shall constitute a breach of this Agreement and cause for termination of this Agreement. Regardless of City's consent, no subletting or assignment shall release Consultant of Consultant's obligation to perform all other obligations to be performed by Consultant hereunder for the term of this Agreement.

6.8. Indemnification and Hold Harmless. If Consultant is not a design professional performing "design professional" services under this Agreement, as that term is defined in Civil Code Section 2782.8, Consultant agrees to defend, indemnify, hold free and harmless the City, its elected and appointed officials, officers, agents and employees, at Consultant's sole expense, from and against any and all claims, demands, actions, suits or other legal proceedings brought



against the City, its elected and appointed officials, officers, agents and employees to the extent arising out of the performance of the Consultant, its employees, and/or authorized subcontractors, of the work undertaken pursuant to this Agreement. The defense obligation provided for hereunder shall apply whenever, to the extent any claim, action, complaint or suit asserts liability against the City, its elected and appointed officials, officers, agents and employees based upon the work performed by the Consultant, its employees, and/or authorized subcontractors under this Agreement, whether or not the Consultant, its employees, and/or authorized subcontractors are specifically named or otherwise asserted to be liable. Notwithstanding the foregoing, the Consultant shall not be liable for the defense or indemnification of the City for claims, actions, complaints or suits arising out of the negligence or willful misconduct of the City. This provision shall supersede and replace all other indemnity provisions contained either in the City's specifications or Consultant's Proposal, which shall be of no force and effect.

6.9. Independent Contractor. Consultant is and shall be acting at all times as an independent contractor and not as an employee of City. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not, at any time, or in any manner, represent that it or any of its or employees are in any manner agents or employees of City. Consultant shall secure, at its sole expense, and be responsible for any and all payment of Income Tax, Social Security, State Disability Insurance Compensation, Unemployment Compensation, and other payroll deductions for Consultant and its officers, agents, and employees, and all business licenses, if any are required, in connection with the services to be performed hereunder. Consultant shall indemnify and hold City harmless from any and all taxes, assessments, penalties, and interest asserted against City by reason of the independent contractor relationship created by this Agreement. Consultant further agrees to indemnify and hold City harmless from any failure of Consultant to comply with the applicable worker's compensation laws. City shall have the right to offset against the amount of any fees due to Consultant under this Agreement any amount due to City from Consultant as a result of Consultant's failure to promptly pay to City any reimbursement or indemnification arising under this paragraph.

6.10. PERS Eligibility Indemnification. In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of the City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contribution and/or employee contributions for PERS benefits.

6.11. Cooperation. In the event any claim or action is brought against City relating to Consultant's performance or services rendered under this Agreement, Consultant shall render any reasonable assistance and cooperation which City might require.

6.12. Ownership of Documents. All findings, reports, documents, information and data including, but not limited to, computer tapes or discs, preliminary notes, working documents, files and tapes furnished or prepared by Consultant or any of its subcontractors in the course of performance of this Agreement, shall be and remain the sole property of City. Consultant agrees that any such documents or information shall not be made available to any individual or organization without the prior consent of City, but shall be made available to the City within ten (10) days of request or within ten (10) days of termination. Any use of such documents for other projects not contemplated by this Agreement, and any use of incomplete documents, shall be at the sole risk of City and without liability or legal exposure to Consultant. City shall indemnify and hold harmless Consultant from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from City's use of such documents for other projects not contemplated by this Agreement or use of incomplete documents furnished by Consultant. Consultant shall deliver to City any findings, reports, documents, information, data, preliminary notes and working documents, in any form, including but not limited to, computer tapes, discs, files audio tapes or any other Project related items as requested by City or its authorized representative, at no additional cost to the City. Consultant or Consultant's agents shall execute such documents as may be necessary from time to time to confirm City's ownership of the copyright in such documents.

6.13. Public Records Act Disclosure. Consultant has been advised and is aware that this Agreement and all reports, documents, information and data, including, but not limited to, computer tapes, discs or files furnished or prepared by Consultant, or any of its subcontractors, pursuant to this Agreement and provided to City may be subject to public disclosure as required by the California Public Records Act (California Government Code Section 6250 *et seq.*). Exceptions to public disclosure may be those documents or information that qualify as trade secrets, as that term is defined in the California Government Code Section 6254.7, and of which Consultant informs City of such trade secret. The City will endeavor to maintain as confidential all information obtained by it that is designated as a trade secret. The City shall not, in any way, be liable or responsible for the disclosure of any trade secret including, without limitation, those records so marked if disclosure is deemed to be required by law or by order of the Court.

6.14. Conflict of Interest. Consultant and its officers, employees, associates and subconsultants, if any, will comply with all conflict of interest statutes of the State of California applicable to Consultant's services under this agreement, including, but not limited to, the Political Reform Act (Government Code Sections 81000, *et seq.*) and Government Code Section 1090. During the term of this Agreement, Consultant and its officers, employees, associates and subconsultants shall not, without the prior written approval of the City Representative, perform work for another person or entity for whom Consultant is not currently performing work that would require Consultant or one of its officers, employees, associates or subconsultants to abstain from a decision under this Agreement pursuant to a conflict of interest statute.

6.15. Responsibility for Errors. Consultant shall be responsible for its work and results under this Agreement. Consultant, when requested, shall furnish clarification and/or explanation as may be required by the City's representative, regarding any services rendered under this Agreement at no additional cost to City. In the event that an error or omission attributable to Consultant occurs, then Consultant shall, at no cost to City, provide all necessary design drawings, estimates and other Consultant professional services necessary to rectify and correct the matter to the sole satisfaction of City and to participate in any meeting required with regard to the correction.

6.16. Prohibited Employment. Consultant will not employ any regular employee of City while this Agreement is in effect.



6.17. Order of Precedence. In the event of an inconsistency in this Agreement and any of the attached Exhibits, the terms set forth in this Agreement shall prevail. If, and to the extent this Agreement incorporates by reference any provision of any document, such provision shall be deemed a part of this Agreement. Nevertheless, if there is any conflict among the terms and conditions of this Agreement and those of any such provision or provisions so incorporated by reference, the conflict shall be resolved by giving precedence in the following order, if applicable: This Agreement, the City's Request for Proposals, the Consultant's Proposal.

6.18. Costs. Each party shall bear its own costs and fees incurred in the preparation and negotiation of this Agreement and in the performance of its obligations hereunder except as expressly provided herein.

6.19. No Third Party Beneficiary Rights. This Agreement is entered into for the sole benefit of City and Consultant and no other parties are intended to be direct or incidental beneficiaries of this Agreement and no third party shall have any right in, under or to this Agreement.

6.20. Headings. Paragraph and subparagraph headings contained in this Agreement are included solely for convenience and are not intended to modify, explain or to be a full or accurate description of the content thereof and shall not in any way affect the meaning or interpretation of this Agreement.

6.21. Construction. The parties have participated jointly in the negotiation and drafting of this Agreement. In the event an ambiguity or question of intent or interpretation arises with respect to this Agreement, this Agreement shall be construed as if drafted jointly by the parties and in accordance with its fair meaning. There shall be no presumption or burden of proof favoring or disfavoring any party by virtue of the authorship of any of the provisions of this Agreement.

6.22. Amendments. Only a writing executed by the parties hereto or their respective successors and assigns may amend this Agreement.

6.23. Waiver. The delay or failure of either party at any time to require performance or compliance by the other of any of its obligations or agreements shall in no way be deemed a waiver of those rights to require such performance or compliance. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought. The waiver of any right or remedy in respect to any occurrence or event shall not be deemed a waiver of any right or remedy in respect to any other occurrence or event, nor shall any waiver constitute a continuing waiver.

6.24. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable in any circumstance, such determination shall not affect the validity or enforceability of the remaining terms and provisions hereof or of the offending provision in any other circumstance. Notwithstanding the foregoing, if the value of this Agreement, based upon the substantial benefit of the bargain for any party, is materially impaired, which determination made by the presiding court or arbitrator of competent jurisdiction shall be binding, then both parties agree to substitute such provision(s) through good faith negotiations.

6.25. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement.

6.26. Corporate Authority. The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said

parties and that by doing so the parties hereto are formally bound to the provisions of this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed by and through their respective authorized officers, as of the date first above written.

CITY

CONSULTANT

By: \_\_\_\_\_  
Tabatha Miller  
Its: City Manager

By: Richard Averett 3/1/2021  
Richard H. Averett  
Its: Executive Director

ATTEST:

APPROVED AS TO FORM:

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

By: Jordyn Bishop 3/1/2021  
Counsel for Consultant RGS

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Keith F. Collins  
City Attorney

Our proposed work plan to complete the City of Fort Bragg Economic Development Feasibility Study is outlined below:

**CURRENT CONDITIONS**

The RGS team would engage with City staff and leadership to gather relevant inputs from past city actions, committees, and planning efforts. Our team would also conduct independent research to gather relevant information from other sources. A summary of Actions and Target Dates follow:



Actions	Target Dates
<p><b>Project Launch:</b> This critical step would establish common understanding between the RGS team and city staff involved in supporting the project. Goals of this step include:</p> <ul style="list-style-type: none"> <li>• Adjustments or refinements to project scope and deliverables;</li> <li>• Project timeline and tolerance for variations;</li> <li>• City staff, elected officials, and community stakeholders to interview and formats for those interviews (i.e., one-on-one vs. groups);</li> <li>• Timing and mechanism for initial interview communications;</li> <li>• Identify City of Fort Bragg liaison to assist RGS team with acquiring relevant city-controlled information and supporting stakeholder communications.</li> </ul>	<p>March 15, 2021</p>
<p><b>City Staff Engagements:</b> Scheduled interviews with key city staff to ensure RGS team has best available information, and efforts are in alignment with staff directions and city priorities.</p>	<p>Week of March 22</p>
<p><b>Council Interviews:</b> Subject to staff agreement, the RGS would interview city council members regarding their understanding of the project and relevant economic development goals. Pending availability this process might occur over a 2-week period or as needed to accommodate scheduling.</p>	<p>Weeks of March 29 &amp; April 5</p>
<p><b>Stakeholder Meetings:</b> This task would build from outcomes of earlier steps. The RGS team would seek to interview key stakeholders involved in the Mill Site reuse effort and working towards community economic resiliency generally. Potential groups might include: Chambers of Commerce, Community Groups, Property Owners, Tourism Leaders, other key stakeholders identified in collaboration with the city.</p>	<p>Weeks of April 12 &amp; April 19</p>
<p><b>Synthesis:</b> The RGS team would compile information gathered during the city, leadership and stakeholder interviews into a Current Conditions Assessment. This material would inform subsequent project phases and become incorporated into the final Feasibility Study Report.</p>	<p>Week of April 21</p>

# SCOPE OF WORK

## ASSETS



The RGS team would use information compiled during the Current Conditions Assessment to develop a matrix of potential economic development assets and opportunities. The team would also evaluate existing and potential infrastructure requirements and potential fit for the available Mill Site parcels. The matrix will be expanded to include projected job generation and economic outcomes, as well as eligibility for future EDA project funding. The Asset matrix will be reviewed and refined with city and stakeholder input.

Actions	Target Dates
<b>Preliminary Asset Matrix:</b> Information compiled during Current Conditions Assessment will inform preliminary Asset Matrix. Assets will be evaluated for potential fit at Mill Site, infrastructure requirements, job generation and projected economic benefits.	Week of April 26
<b>Staff Engagement:</b> Preliminary Asset Matrix will be presented to city staff for review of consistency with city programs and community objectives.	Week of April 26
<b>Matrix Refinement:</b> The RGS team will incorporate city staff and stakeholder input to refine asset matrix.	Week of May 3
<b>Staff Review:</b> RGS will present refined Asset Matrix for a final city review. Once complete the matrix will serve a critical role informing the subsequent project identification and feasibility analysis.	Week of May 3

## OBSTACLES

RGS will take a similar approach as taken with the Asset evaluation phase to understanding and characterizing potential economic development Obstacles. Action items and strategies for their resolution would be built into an Obstacles Matrix and refined with city staff and stakeholders.

Actions	Target Dates
<b>Preliminary Obstacles Matrix:</b> Information compiled during Current Conditions Assessment will inform preliminary Obstacles Matrix. Obstacles will be identified and strategies for their resolution will be developed and presented in the matrix.	Week of May 10
<b>Staff Engagement:</b> Preliminary Obstacles Matrix will be presented to city staff for review and identification of any gaps. Solutions presented in the matrix will be evaluated and further information needs identified.	Week of May 10
<b>Matrix Refinement:</b> The RGS team will incorporate city staff and stakeholder input to refine Obstacles Matrix.	Week of May 17
<b>Staff Review:</b> RGS will present refined Obstacles Matrix for a final city review. Once complete the matrix will serve a critical role informing the subsequent project identification and feasibility analysis.	Week of May 17

## NEXT STEPS

Subsequent to completing the steps above, the RGS team would produce a detailed strategy for economic reuse of the former Mill Site, consistent with city leadership and community priorities. The strategy would include target industries and key actions for increasing the probability of successfully attracting and growing desired economic activity. Key Actions and Target Dates leading to a final Feasibility Study deliverable are described below:



Actions	Target Dates
<p><b>Project Alternatives.</b> Inputs from Current Conditions Assessment and the Assets and Obstacles Matrices will be used to inform a set of Draft Project Alternatives for review and consideration by city staff and stakeholders. Following review and agreement, these Alternatives will be the subjects of detailed feasibility analysis.</p>	<p>Weeks of June 1 &amp; June 7</p>
<p><b>Feasibility Analysis.</b> Industry standard development cost data will be used to inform a detailed feasibility analysis. The analysis will incorporate data inputs from prior project phases. The primary aim of his set of actions will be to yield a set of feasible project alternatives for future public (EDA) and potential private sector funding. Outcomes of the analysis will be reviewed with staff and stakeholders and recommendations for refinement will be incorporated.</p>	<p>Weeks of June 14 thru July 5</p>
<p><b>Feasibility Study Report.</b> Following acceptance of Feasibility Analysis outcomes, Current Conditions Assessment, Assets and Obstacles Matrices, and the Feasibility Analysis outcomes will be incorporated into a City of Fort Bragg, Mill Site, Economic Development Feasibility Study report. Draft versions of the report will be reviewed with city staff and stakeholders prior to finalization. First draft report target date is week of July 23. Final report target date is August 27.</p>	<p>Week of July 23 &amp; August 23</p>



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/2/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement.

PRODUCER License # 0C36861 Newport Beach-Alliant Insurance Services, Inc. CONTACT NAME: Anne Krueger PHONE (A/C, No, Ext): (949) 260-5087 FAX (A/C, No): E-MAIL ADDRESS: AKrueger@alliant.com

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSD, SUBR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include Commercial General Liability, Automobile Liability, Umbrella Liab, Workers Compensation, and Public Officials E&O.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Additional Insured endorsement attached. Policy form does not contain a General Liability Aggregate.

AS RESPECTS SERVICE CONTRACT. THE CITY OF FORT BRAGG AND ITS ELECTED AND APPOINTED BOARDS, OFFICERS, OFFICIALS, AGENTS, EMPLOYEES AND VOLUNTEERS ARE NAMED ADDITIONAL INSURED FOR GENERAL LIABILITY ONLY AS RESPECTS TO LIABILITY ARISING OUT OF ACTIVITIES PERFORMED.

SEE ATTACHED ACORD 101

CERTIFICATE HOLDER: City of Fort Bragg, Attn: June Lemos, CMC City Clerk, 416 N Franklin St., Fort Bragg, CA 95437. CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: [Signature]



**ADDITIONAL REMARKS SCHEDULE**

AGENCY <b>Newport Beach-Alliant Insurance Services, Inc.</b>		License # <b>0C36861</b>	NAMED INSURED <b>REGIONAL GOVERNMENT SERVICES AUTHORITY PO BOX 1350 CARMEL VALLEY, CA 93924</b>
POLICY NUMBER <b>SEE PAGE 1</b>			
CARRIER <b>SEE PAGE 1</b>	NAIC CODE <b>SEE P 1</b>	EFFECTIVE DATE: <b>SEE PAGE 1</b>	

**ADDITIONAL REMARKS**

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,  
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

**Description of Operations/Locations/Vehicles:**

The Company may cancel the coverage by mailing to the first Participating Named Insured at the address shown in the participation endorsement written notice stating when, not less than sixty (60) days thereafter, such cancellation shall be effective. Provided that the Participating Named Insured fails to discharge, when due, any of its obligations in connection with the payment of premium for the policy or any installment thereof, the coverage may be canceled by the Company by mailing to the Participating Named Insured at the address shown in the participation endorsement, written notice stating when, not less than ten (10) days thereafter, such cancellation shall be effective.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**Additional Insured - Designated Person or Organization**

This endorsement modifies insurance provided under the following:

**SPECIAL LIABILITY POLICY FOR PUBLIC ENTITIES AND NON-PROFIT CORPORATIONS**

<b>Name of Person or Organization:</b>
Any person or entity that the "Named Insured" has entered into a written agreement, prior to a loss, to provide defense, indemnity or additional insured protection.

The following is added to Section **V. PERSONS OR ENTITIES INSURED:**

Any person(s) or organization(s) listed in the Schedule above is an Additional Insured, but only as respects "Personal Injury" (including "Bodily Injury") and "Property Damage" arising, in whole or in part, out of the operations of the Named Insured. The inclusion of such Additional Insured shall not serve to increase the "Company's" Limit of Liability as specified in the participation endorsement of this Policy:

However, additional insured coverage provided by this insurance will not be broader than coverage required in the written agreement.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **Primary and Non-Contributory Coverage Endorsement**

This endorsement modifies insurance provided under the following:

### **SPECIAL LIABILITY POLICY FOR PUBLIC ENTITIES AND NON-PROFIT CORPORATIONS**

The following is added to Section **VIII. COMMON POLICY CONDITIONS:**

If insurance similar to this insurance is held by a person or organization that is an additional insured on this policy, this insurance is primary to that other insurance. The "Company" shall not seek contribution from that other insurance for amounts payable under this insurance for liability arising out of the "Participating Named Insured's" ongoing operations performed for that person or organization under a written agreement.

However, the provisions of this endorsement do not apply to a person or organization unless the "Participating Named Insured" had a written agreement with that person or organization requiring:

- a.** This insurance be primary insurance;
- b.** They be an additional insured on this Policy; and
- c.** The written agreement was entered into prior to the date the "Participating Named Insured's" operations for that person or organization commenced.





ENDORSEMENT AGREEMENT  
WAIVER OF SUBROGATION  
BLANKET BASIS

**BROKER COPY**

REP 06  
9279232-20  
NEW  
NA

HOME OFFICE  
SAN FRANCISCO

EFFECTIVE JULY 1, 2020 AT 12.01 A.M.  
AND EXPIRING JULY 1, 2021 AT 12.01 A.M.

PAGE 1 OF 1

ALL EFFECTIVE DATES ARE  
AT 12:01 AM PACIFIC  
STANDARD TIME OR THE  
TIME INDICATED AT  
PACIFIC STANDARD TIME

REGIONAL GOVERNMENT SERVICES AUTHO  
PO BOX 1350  
CARMEL VALLEY, CA 93924

WE HAVE THE RIGHT TO RECOVER OUR PAYMENTS FROM ANYONE  
LIABLE FOR AN INJURY COVERED BY THIS POLICY. WE WILL  
NOT ENFORCE OUR RIGHT AGAINST THE PERSON OR  
ORGANIZATION NAMED IN THE SCHEDULE.

THIS AGREEMENT APPLIES ONLY TO THE EXTENT THAT YOU  
PERFORM WORK UNDER A WRITTEN CONTRACT THAT REQUIRES YOU  
TO OBTAIN THIS AGREEMENT FROM US.

THE ADDITIONAL PREMIUM FOR THIS ENDORSEMENT SHALL BE  
2.00% OF THE TOTAL POLICY PREMIUM.

SCHEDULE

<u>PERSON OR ORGANIZATION</u>	<u>JOB DESCRIPTION</u>
ANY PERSON OR ORGANIZATION FOR WHOM THE NAMED INSURED HAS AGREED BY WRITTEN CONTRACT TO FURNISH THIS WAIVER	BLANKET WAIVER OF SUBROGATION

NOTHING IN THIS ENDORSEMENT CONTAINED SHALL BE HELD TO VARY, ALTER, WAIVE  
OR EXTEND ANY OF THE TERMS, CONDITIONS, AGREEMENTS, OR LIMITATIONS OF THIS  
POLICY OTHER THAN AS STATED. NOTHING ELSEWHERE IN THIS POLICY SHALL BE  
HELD TO VARY, ALTER, WAIVE OR LIMIT THE TERMS, CONDITIONS, AGREEMENTS OR  
LIMITATIONS OF THIS ENDORSEMENT.

COUNTERSIGNED AND ISSUED AT SAN FRANCISCO: JULY 9, 2020

AUTHORIZED REPRESENTATIVE

PRESIDENT AND CEO



# City of Fort Bragg

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

## Text File

File Number: 21-082

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Passed

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 5C.

Adopt City Council Resolution Granting the Cities of Point Arena and Crescent City Permission to Utilize Construction Plans Designed and Engineered by SHN Consulting for Fort Bragg's Pre-Approved Accessory Dwelling Unit (ADU) Program

The City of Fort Bragg is actively working with Jason Island, Senior Engineer with SHN Consulting Engineers and Geologists on architectural design and engineering for Fort Bragg's Pre-Approved Accessory Dwelling Unit (ADU) Program: 1) 720 SF one-bedroom unit; and 2) 960 SF two-bedroom unit.

The cities of Point Arena and Crescent City inquired about the possibility of offering Fort Bragg's new ADU plans to residents of their communities. On February 23, 2021, the matter was brought forward to the Community Development Committee and staff was directed to draft a resolution for Council consideration granting permission to Point Arena and Crescent City to utilize the City plans.

**RESOLUTION NO. \_\_\_\_-2021**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL GRANTING THE CITIES OF POINT ARENA AND CRESCENT CITY PERMISSION TO UTILIZE CONSTRUCTION PLANS DESIGNED AND ENGINEERED BY SHN CONSULTING FOR FORT BRAGG'S PRE-APPROVED ACCESSORY DWELLING UNIT (ADU) PROGRAM**

**WHEREAS**, the construction of accessory dwelling units (ADUs) brings much needed housing to our community; and

**WHEREAS**, in order to facilitate the construction of ADUs, the City developed Fort Bragg's Pre-Approved ADU Program in 2007; and

**WHEREAS**, changes to the California Building Code in 2020 caused City plans to become outdated; and

**WHEREAS**, the State of California Department of Housing and Community Development allocated grant funds to the City for the purpose of accelerating housing production; and

**WHEREAS**, the City opted to utilize a portion of these funds to improve existing ADU designs and update engineering in order to comply with the California Building Code; and

**WHEREAS**, SHN Consulting Engineers and Geologists (SHN) was selected for the task through a competitive Request for Proposals process; and

**WHEREAS**, the City of Fort Bragg was recently approached by the cities of Point Arena and Crescent City interested in offering Fort Bragg's new ADU plans to residents of their communities; and

**WHEREAS**, SHN Consulting is willing to offer their services to Point Arena and Crescent City at a minimal cost to ensure liability related to engineering and costs associated with development of site specific building permit submittals is covered; and

**WHEREAS**, on February 23, 2021 this matter was brought forward to the Community Development Committee for discussion and committee members directed staff to draft a resolution for Council consideration granting permission to the cities of Point Arena and Crescent City to utilize construction plans developed by SHN for Fort Bragg's Pre-Approved ADU Program;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby grant the cities of Point Arena and Crescent City permission to utilize construction plans designed and engineered by SHN for Fort Bragg's Pre-Approved ADU Program.

**The above and foregoing Resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 8th day of March, 2021, by the following vote:**

- AYES:**
- NOES:**
- ABSENT:**



**ABSTAIN:  
RECUSED:**

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**BERNIE NORVELL  
Mayor**

**ATTEST:**

---

**June Lemos, CMC  
City Clerk**



# City of Fort Bragg

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

## Text File

File Number: 21-084

**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Passed

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 5D.

Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg

At a special meeting on March 24, 2020, the Fort Bragg City Council ratified the City Manager's Proclamation declaring a local emergency due to COVID-19 in its Resolution No. 4242-2020. Since that date, the Council has adopted the following resolutions reconfirming the existence of a local emergency:

<b>Date</b>	<b>Resolution No.</b>
April 6, 2020	4245-2020
April 20, 2020	4247-2020
May 11, 2020	4250-2020
May 26, 2020	4253-2020
June 8, 2020	4266-2020
June 22, 2020	4270-2020
July 13, 2020	4284-2020
July 27, 2020	4289-2020
August 10, 2020	4294-2020
August 31, 2020	4300-2020
September 21, 2020	4304-2020
October 13, 2020	4317-2020
October 26, 2020	4319-2020
November 9, 2020	4323-2020
November 23, 2020	4329-2020
December 14, 2020	4333-2020
December 22, 2020	4340-2020
January 11, 2021	4343-2021
January 25, 2021	4347-2021
February 22, 2021	4358-2021

The City is required to reconfirm the existence of a local emergency every 21 days pursuant to Fort Bragg Municipal Code Section 2.24.040.

**RESOLUTION NO. \_\_\_\_-2021**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL  
CONFIRMING THE CONTINUED EXISTENCE OF A LOCAL  
EMERGENCY IN THE CITY OF FORT BRAGG**

**WHEREAS**, California Government Code section 8630 empowers the Fort Bragg City Council to proclaim the existence of a local emergency when the City is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City; and

**WHEREAS**, California Government Code section 8558(c) states that a “local emergency” means the duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city; and

**WHEREAS**, COVID-19, a novel coronavirus causing infectious disease, was first detected in China in December 2019 and has spread across the world and to the United States. Symptoms of COVID-19 include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and, in some cases, death. The Center for Disease Control and Prevention (CDC) has indicated the virus is a tremendous public health threat; and

**WHEREAS**, on March 13, 2020, the President of the United States issued a proclamation declaring the COVID-19 outbreak in the United States as a national emergency, beginning March 1, 2020; and

**WHEREAS**, the Governor of the State of California and the Public Health Officer of the County of Mendocino have both issued Shelter-in-Place orders to combat the spread of COVID-19; and

**WHEREAS**, on March 17, 2020 the City Manager, as the City’s Director of Emergency Services, issued Proclamation No. CM-2020-01 declaring a local emergency as authorized by Government Code section 8630 and Fort Bragg Municipal Code section 2.24.040(B); and

**WHEREAS**, at a special meeting on March 24, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4242-2020, ratifying the City Manager’s Proclamation declaring the existence of a local emergency; and

**WHEREAS**, at a special meeting on April 6, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4245-2020 by which it continued the local emergency; and

**WHEREAS**, at a special meeting on April 20, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4247-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on May 11, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4250-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on May 26, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4253-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on June 8, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4266-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on June 22, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4270-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on July 13, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4284-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on July 27, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4289-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on August 10, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4294-2020 by which it continued the local emergency; and

**WHEREAS**, at a special meeting on August 31, 2020, the City Council of the City of Fort Bragg adopted Resolution No. 4300-2020 by which it continued the local emergency; and

**WHEREAS**, at a special meeting on September 21, 2020, the City Council of the City of Fort Bragg adopted Resolution 4304-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on October 13, 2020, the City Council of the City of Fort Bragg adopted Resolution 4317-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on October 26, 2020, the City Council of the City of Fort Bragg adopted Resolution 4319-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on November 9, 2020, the City Council of the City of Fort Bragg adopted Resolution 4323-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on November 23, 2020, the City Council of the City of Fort Bragg adopted Resolution 4329-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on December 14, 2020, the City Council of the City of Fort Bragg adopted Resolution 4333-2020 by which it continued the local emergency; and

**WHEREAS**, at a special meeting on December 22, 2020, the City Council of the City of Fort Bragg adopted Resolution 4340-2020 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on January 11, 2021, the City Council of the City of Fort Bragg adopted Resolution 4343-2021 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on January 25, 2021, the City Council of the City of Fort Bragg adopted Resolution 4347-2021 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on February 8, 2021, the City Council of the City of Fort Bragg adopted Resolution 4351-2021 by which it continued the local emergency; and

**WHEREAS**, at a regular meeting on February 22, 2021, the City Council of the City of Fort Bragg adopted Resolution 4358-2021 by which it continued the local emergency;

**NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED** by the City Council of the City of Fort Bragg that for reasons set forth herein, said local emergency shall be deemed to continue to exist until the City Council of the City of Fort Bragg, State of California, proclaims its termination; and

**BE IT FURTHER RESOLVED** that the City Council of the City of Fort Bragg will review the need for continuing the local emergency at least once every 21 days until the City Council terminates the local emergency; and

**BE IT FURTHER RESOLVED** that this resolution confirming the continued existence of a local emergency shall be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California, as well as the Mendocino County Office of Emergency Services.

**The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 8th day of March, 2021 by the following vote:**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RECUSED:**

---

**BERNIE NORVELL**  
**Mayor**

**ATTEST:**

---

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



# City of Fort Bragg

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

## Text File

File Number: 21-090

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Filed

**In Control:** City Council

**File Type:** Council Letter

**Agenda Number:** 5E.

Approve City Council Letter in Support of COVID-19 Federal Relief Plan

The League of California Cities ("Cal Cities") recommends that cities send letters in support of the COVID-19 federal relief plan being considered by the US Senate. The Action Alert from CalCities is included as Attachment 1; an excerpt from the State and Local Allocations Output spreadsheet showing the City of Fort Bragg is Attachment 2; and the proposed letter from the Fort Bragg City Council is attached as Attachment 3. As shown in Attachment 2, the City has the potential to receive \$1,372,371 in federal relief if the bill is passed. The text of the bill can be read here: <https://www.congress.gov/bill/117th-congress/house-bill/1319>.



**From:** [Sara Sanders](#)  
**To:** [Sara Sanders](#)  
**Subject:** Cal Cities Update on COVID-19 Federal Relief Plan & Action Alert 3-1-21  
**Date:** Monday, March 1, 2021 12:37:59 PM  
**Attachments:** [SAMPLE COVID-19 Relief Letter-Senate Vote 3-1-21.docx](#)  
[State and Local Allocation Output 02.25.21.xlsx](#)  
[Notes on State and Local Allocation Output 02.25.21.pdf](#)

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Mayors, Councilmembers, and City Managers:

On early Saturday morning, the U.S. House of Representatives voted to pass H.R. 1319, [The American Rescue Plan Act of 2021](#). This is good news for California cities because it includes \$350 billion in **direct and flexible** funding for state and local governments. The American Rescue Plan will now be going to the U.S. Senate with an expected Senate Floor vote no later than March 14, 2021. You can find the National League of Cities (NLC) statement [HERE](#).

As Cal Cities begins its advocacy efforts this week in the U.S. Senate, I have included an action alert requesting that all cities send letters of support to Senators Feinstein and Padilla.

Also, attached are the updated estimated city-by-city allocations that the House Committee on Oversight has provided as of 2/25/21. Additionally, we have attached a reference guide associated with these estimates for your review.

I also want to thank you for sending letters and making phone calls to your congressional representatives. Your advocacy efforts ensured that the \$350 billion in state and local emergency relief funds stayed in the American Rescue Plan.

If you have any questions, please do not hesitate to contact me.

-  
-  
-

**ACTION ALERT!!**  
**\$350 Billion COVID-19 Relief Bill**  
**State and Local Fiscal Recovery Funds**  
**SUPPORT**

**BACKGROUND**

On early Saturday morning, the U.S. House of Representatives voted to pass H.R. 1319, The American Rescue Plan Act of 2021. This is good news for California cities because it includes \$350 billion in **direct and flexible** funding for state and local governments. The American Rescue Plan will now be going to the U.S. Senate with an expected Senate Floor vote no later than March 14, 2021.

**As of today, direct and flexible state and local aid is continues to be included** in the legislation that has been transmitted to the U.S. Senate through the reconciliation process. The U.S. Senate is expected to have a Floor vote no later than March 14, 2021.

### **URGENT ACTION:**

Please call U.S. Senators Feinstein and Padilla **THIS WEEK** to let them know that you support the \$350 billion in state and local government funding in the American Rescue Plan that includes \$65 billion direct and flexible funding for cities.

Your city can also submit a letter supporting the \$350 billion Coronavirus State and Local Fiscal Relief Fund (see attached sample letter).

- Senator Dianne Feinstein: 202-224-3841
  - David Grannis, Chief of Staff: [david\\_grannis@feinstein.senate.gov](mailto:david_grannis@feinstein.senate.gov)
  - Jim Lazarus, State Director: [jim\\_lazarus@feinstein.senate.gov](mailto:jim_lazarus@feinstein.senate.gov)
- Senator Alex Padilla: 202-224-3553
  - David Montes, Chief of Staff: [david\\_montes@padilla.senate.gov](mailto:david_montes@padilla.senate.gov)
  - Joshua Esquivel, Legislative Director: [joshua\\_esquivel@padilla.senate.gov](mailto:joshua_esquivel@padilla.senate.gov)

### **TALKING POINTS**

- **Please support the \$350 billion COVID-19 relief bill that includes \$65 billion for cities.**
- **California's cities are facing dual crises: billions in expenses addressing the pandemic in their communities, and devastating declines in tax revenues.**
- **Since the beginning of the pandemic, cities have lost \$5 billion in revenue, and expect to lose another \$1 billion over the next year.**
  - **More than half of the shortfall is attributed to the decline in hotel occupancy taxes and has devastated cities dependent on tourism dollars** (51% loss in transient occupancy tax (TOT) revenue).
  - **Nearly one-third of the shortfall is attributed to the decline in sales tax revenue following the shuttering of businesses and local economies during the pandemic** (28% loss in sales tax revenue).
- Cities have remained on the front lines for months working to protect public health and deliver essential public services that residents and small businesses depend on, distributing personal protective equipment, ensuring the most vulnerable in our communities have access to food and shelter, and helping small businesses survive with local grant programs.
- The actions cities have taken to support and protect their communities and workforce during the pandemic have saved lives but also resulted in significant unplanned expenditures that are depleting city budgets. **(Explain how this relief will help pay for these unplanned expenses)**
- City revenues have been decimated by the shuttering of businesses and local economies during the pandemic, and in order to maintain essential services to residents, protect people from the pandemic, and lead the recovery in our communities, cities need assistance now. **(Explain how this direct and flexible relief will help alleviate these revenue losses)**

El Cerrito city	California	\$4,801,322
Paso Robles (Paso Robles) city	California	\$6,052,098
El Segundo city	California	\$3,126,469
Emeryville city	California	\$2,274,925
Escalon city	California	\$1,425,640
Etna city	California	\$135,148
Eureka city	California	\$5,027,573
Exeter city	California	\$1,973,572
Fairfax town	California	\$1,415,852
Farmersville city	California	\$2,014,605
Ferndale city	California	\$254,484
Fillmore city	California	\$2,987,180
Firebaugh city	California	\$1,561,540
Folsom city	California	\$15,308,215
<b>Fort Bragg city</b>	<b>California</b>	<b>\$1,372,371</b>
Fort Jones city	California	\$130,254
Fortuna city	California	\$2,307,488
Foster City city	California	\$6,381,121
Fowler city	California	\$1,278,069
Galt city	California	\$4,994,821
Gonzales city	California	\$1,563,423
Grand Terrace city	California	\$2,368,662
Grass Valley city	California	\$2,412,520
Greenfield city	California	\$3,297,003
Gridley city	California	\$1,363,901
Grover Beach city	California	\$2,533,362
Guadalupe city	California	\$1,464,979
Gustine city	California	\$1,107,158
Half Moon Bay city	California	\$2,434,166
Hawaiian Gardens city	California	\$2,665,122
Healdsburg city	California	\$2,229,562
Hercules city	California	\$4,945,882
Hermosa Beach city	California	\$3,636,567
Hidden Hills city	California	\$355,751



## CITY OF FORT BRAGG

*Incorporated August 5, 1889*

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

March 8, 2021

The Honorable Dianne Feinstein  
U.S. Senate  
331 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Alex Padilla  
U.S. Senate  
B03 Russell Senate Office Building  
Washington, D.C. 20510

### **RE: Support for Federal Relief Package for Cities**

Dear Senators Feinstein and Padilla:

The City of Fort Bragg writes today to offer our strong endorsement of the budget reconciliation language providing \$350 billion in direct and flexible aid for our states, cities, counties, tribes, and territories. We encourage the U.S. Senate to swiftly pass this urgently needed aid and distribute it to cities immediately.

Our country's economic crisis from the pandemic is not over, and our cities are still waiting to receive meaningful levels of federal aid. By separating, and ultimately dropping, state and local aid from the omnibus appropriations and emergency spending bill in December, Congress has injected significant uncertainty into the capability of local governments to carry out their operations, just as a third wave of COVID-19 infections threatened to spread uncontrollably.

[Based on the most recently available fiscal data and updated survey results from the National League of Cities, municipal governments nationwide are facing a \\$90 billion shortfall to their current year revenues.](#)

For nearly a year, California cities have been on the front lines taking action to protect their residents and maintain the delivery of essential city services, despite the substantial unplanned expenses and revenue shortfalls caused by the pandemic. Cities

are managing resources to support the efforts of first responders, coordinating regionally with other leaders across jurisdictional lines, enacting difficult and fiscally challenging emergency measures to slow the coronavirus epidemic, passing ordinances to limit the worst economic outcomes for residents and small businesses on the margins, and spending as necessary to protect public health and the economy in this extraordinary time.

The City of Fort Bragg's COVID-19 response included:

1. Transient Occupancy Tax (TOT) filings and payment forbearance from March through June 2020.
2. Waiving all Penalties and interest on unpaid water and wastewater bills from March through June 2020. Moratorium on utility shut-offs for non-payment.
3. An eviction moratorium for residential and commercial tenants.
4. Landlord Assistance Fund for no-interest loans.
5. Three-month CDBG Business loan forbearances.
6. Temporary Zoning waiver program at no charge, allowing businesses to adapt in ways that comply with the SIP order and enable them to operate.
7. Advocated for access to Paycheck Protection program and Economic Injury Disaster Loans for local businesses.
8. Created [Smallbiz@fortbragg.com](mailto:Smallbiz@fortbragg.com) to keep businesses informed and to promote local businesses.
9. Created FortBragg2Go to promote takeout and delivery from local restaurants.
10. Transitioned destination marketing campaign to focus on local businesses and restaurants.
11. Converted a HOME grant into tenant-based rental assistance program.
12. Developed a local mask campaign featuring Paul Bunyan, which is the namesake of a 75+ year local timber industry festival held on Labor Day weekend.
13. Translated all COVID-19 outreach materials and communications into Spanish. The City's Latinx community makes up 34% of the population.
14. Assistance with organizing and staffing local COVID-19 surveillance testing and vaccination clinics.

At the same time, the still urgent, unmet need for federal aid has struck at the heart of local capacity to both carry out emergency response and participate in economic recovery. Without support, cities have been forced to cut budgets, services, and jobs.

The City of Fort Bragg approved a COVID-19 Budget Reduction Plan in late April 2020, which was implemented in early May 2020. The Plan targeted a \$1.4 million annual reduction in General Fund expenditures or a 14% decrease in spending. The Plan included lay-offs, furloughs and freezing of both full-time and part-time positions. Overall, staffing levels were reduced by 18%, a significant impact to a small government with 57 full-time-equivalents (FTEs) prior to the pandemic. The City has been able to return the furloughed positions to full-time but still remains at 11% lower staffing than

The Honorable Dianne Feinstein  
The Honorable Alex Padilla  
March 8, 2021  
Page 3

pre-pandemic. Even with the proactive reductions to spending, Fort Bragg's General Fund operated at a \$450k deficit for FY 2019-20 and saw a 14% reduction in Fund Balance.

Without additional emergency funding in appropriate, fair, and equitable allocations for all cities, counties, and states, a preventable setback to response, recovery, and vaccination distribution, will be unavoidable. We urge you to maintain the following provisions in the reconciliation bill to reverse the fiscal shortfalls resulting from the pandemic:

- Emergency funding should be fair and appropriate for each and every local government, with no minimum population threshold for eligibility.
- Aid should be directly allocated through familiar and proven government revenue sharing programs.
- Entanglement of state and local funding should be minimized.

To be clear, our cities are not asking for a "bail-out" of local governments. Rather, we are seeking an emergency lifeline so local governments can delay and ultimately avoid making temporary cuts permanent at a time when our communities need local services most, laying-off furloughed city and county employees who comprise a large share of America's middle class, and indefinitely cancelling capital projects that will further impact economic recovery.

Ultimately, we are seeking emergency federal assistance that will ensure local leaders are part of the solution to our country's economic recovery.

We appreciate the thoughtful work of the U.S. House of Representatives so communities of all sizes can receive the help they need. As the Senate considers this legislation we ask that you maintain the \$350 billion fund that will get aid quickly to all corners of the country including your constituents.

Sincerely,

Bernie Norvell  
Mayor

Jessica Morsell-Haye  
Vice Mayor

Teresa K. Albin-Smith  
Councilmember

Lindy Peters  
Councilmember

Marcia Rafanan  
Councilmember

cc: Sara Sanders, Regional Public Affairs Manager, League of California Cities, [sanders@cacities.org](mailto:sanders@cacities.org)  
League of California Cities, [SupportLocalRecovery@cacities.org](mailto:SupportLocalRecovery@cacities.org)



# City of Fort Bragg

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

## Text File

File Number: 21-086

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Filed

**In Control:** City Council

**File Type:** Committee Minutes

**Agenda Number:** 5F.

Receive and File Minutes of the December 3, 2020 Finance and Administration Committee Meeting





# City of Fort Bragg

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

## Meeting Minutes Finance and Administration Committee

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Thursday, December 3, 2020

3:00 PM

Town Hall, 363 N. Main Street

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### Special Meeting

#### MEETING CALLED TO ORDER

Chair Peters called the meeting to order at 3:03 PM

#### ROLL CALL

Staff Present: Senior Government Accountant Isaac Whippy, City Manager Tabatha Miller and Administrative Assistant Cristal Munoz.

Present: 2 - Lindy Peters and Tess Albin-Smith

#### 1. APPROVAL OF MINUTES

1A. [20-942](#) Approve Minutes of August 12, 2020

1B. [20-943](#) Approve Minutes of October 21, 2020

A motion was made by Committee Member Albin-Smith seconded by Chair Peters, that these Committee Minutes be approved for Council review. The motion carried by an unanimous vote.

#### 2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

\* None

#### 3. CONDUCT OF BUSINESS

3A. [20-939](#) Receive Oral Presentation from CalMuni Advisors Regarding the City of Fort Bragg Pension Liability Assessment

There was an oral presentation from Dmitry Semenov from CalMuni Advisors and Cameron Weist from The Weist Law Firm on the City of Fort Bragg Pension Liability Assessment. Both firms act as fiduciaries for the City. This presentation starts the conversation for the City's long term financial challenges. As we prepare for the upcoming budget cycles and are still trying to understand how Covid-19 has impacted the local economy and the ever increasing cost of expenditures and pensions and with the reserves in decline it is now the time to bring options and solutions to these challenges. Mr. Semenov gave a comprehensive overview of how CalPERS functions and what steps can be done to make this pension liability more manageable and present some recommendations to the committee.

Public Comment:

\* None.

Discussion:

There was discussion about how to diversify strategies when there is a shortfall of revenues without adding a tax increase to local sales tax. In addition, to reach out to similar cities that have prepared a plan similar to the one they are presenting today.

Recommendation:

After lengthy discussion, the Committee agreed to bring this item forward to the full City Council and City Attorney for discussion and direction.

**3B. [20-940](#)** Receive Report on Fiscal Year 2019/20 Year End Results

The Committee reviewed the report prepared for this item. The committee report was presented by Senior Government Accountant II Whippy who reported on the FY 2019-2020 Year end results. In this report he summarized the outcomes of the General Fund and the three Enterprise Funds.

Public Comment:

\* None.

There was discussion about:

- \* The Sales Tax did come back below expected but that was due to the Shelter in Place orders.
- \* The Transient Occupancy Tax (TOT) was reported to be higher than expected which is good news and all sectors were down except for construction.
- \* General Fund Expenditures were also down however, because of the furloughs and reduction in staff, these shortfalls were not as impactful. These proactive measures saved 839,000 in expenditures for the FY 19-20.
- \* Water Treatment Upgrades will come from the Water Capital Reserves.
- \* CV Starr continues to stay close due to the State Health Orders but with the closure there are reserves which will be used to keep up with maintenance of the facility.

**3C. [20-945](#)** Receive Oral Update from Staff on Departmental Activities

Department Update:

Senior Government Accountant II Whippy reported on the following:

- \* Finalizing the State Audit and will be presenting the Comprehensive Annual Financial Report (CAFR) in January.
- \* Business Licenses renewals will be going out before the year and will include a survey.
- \* The City was awarded a CDBG Grant for a Code Enforcement Program and has applied for other awards but still awaiting those to be awarded.
- \* Tenant Base Rental Assistance program will continue through 12/31/2021.
- \* High School Student Abbi May is interning with the Finance Department.

- \* New Associate Planner Heather Gurewitz has started with the City.
- \* Finance Director and Police Capitan recruitment has been delayed to the new year.
- \* Human Resources Analyst Juli Mortensen attended the California Public Employers Labor Relations Association conference virtually.

#### **4. MATTERS FROM COMMITTEE / STAFF**

- \* None

#### **ADJOURNMENT**

**Chair Peters adjourned the meeting at 5:09 PM.**



# City of Fort Bragg

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

## Text File

File Number: 21-083

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Filed

**In Control:** City Council

**File Type:** Minutes

**Agenda Number:** 5G.

Approve Minutes of February 22, 2021



# City of Fort Bragg

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

## Meeting Minutes City Council

*THE FORT BRAGG CITY COUNCIL MEETS CONCURRENTLY AS  
THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT NO. 1  
AND THE FORT BRAGG REDEVELOPMENT SUCCESSOR  
AGENCY*

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Monday, February 22, 2021

6:00 PM

Via Video Conference

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### CALL TO ORDER

Mayor Norvell called the meeting to order at 6:00 PM, all Councilmembers appearing by video conference.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** 5 - Mayor Bernie Norvell, Vice Mayor Jessica Morsell-Haye, Councilmember Tess Albin-Smith, Councilmember Lindy Peters and Councilmember Marcia Rafanan

### AGENDA REVIEW

#### 1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

Mayor Norvell appointed Vice Mayor Morsell-Haye and Councilmember Albin-Smith to an ad hoc committee to review citywide design guidelines; the committee will meet as needed for one year.

**1A.** [21-076](#) Administer Oath of Office to Councilmember Marcia Rafanan Meadlin

The City Clerk administered the oath of office to new Councilmember Marcia Rafanan.

**1B.** [21-059](#) Presentation of Proclamation Recognizing Arbor Week, March 7-14, 2021

Mayor Norvell read a Proclamation recognizing March 7-14 as Arbor Week.

**1C.** [21-071](#) Presentation of Proclamation Recognizing March 2021 as "Women's History Month"

Councilmember Albin-Smith read the Proclamation recognizing Women's History Month; Val Muchowski accepted the proclamation and spoke on behalf of the Mendocino Women's Political Coalition.

**1D.** [21-072](#) Presentation of Proclamation Recognizing The Coast-KOZT FM for 30 Years of Local Programming and Community Service

Councilmember Peters read the Proclamation recognizing KOZT for 30 years of service; Jamie Peters-Connolly of KOZT accepted the proclamation and spoke on behalf of the radio station.

- 1E. [21-077](#) Presentation of Proclamation Recognizing Supermarket Employee Day, February 22, 2021

Mayor Norvell read the Proclamation recognizing Supermarket Employee Day.

## **2. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS**

(1) Comments from Sierra Wooten and Jenny Shattuck were read into the record by the City Clerk. (2) None. (3) N/A.

## **3. STAFF COMMENTS**

City Manager Miller reported on restaurant week (month) this year. She noted that County health officials are now using [myturn.ca.gov](http://myturn.ca.gov) for Covid-19 vaccination tracking. The City received grant award letters from CDBG for \$117k for microenterprise development and \$500k for a business assistance program. Special economic development workshops will be held on March 1st and March 15th at 6pm. Mid-term budget update will be held on March 4th at 9am followed by a joint meeting with Mendocino Coast Recreation and Parks District board regarding the CV Starr Community Center budget. A City Council retreat for setting goals and priorities may take place in April or May.

## **4. MATTERS FROM COUNCILMEMBERS**

Councilmember Albin-Smith reported that the Economic Development Financing Corporation (EDFC) does not currently have an executive officer and EDFC is looking for someone to fill that spot. Councilmember Peters commented on an upcoming Community Development Committee meeting.

## **5. CONSENT CALENDAR**

Vice Mayor Morsell-Haye requested that Item 5A be removed from the Consent Calendar for further discussion.

### **Approval of the Consent Calendar**

**A motion was made by Councilmember Peters, seconded by Councilmember Albin-Smith, to approve the Consent Calendar with the exception of Item 5A. The motion carried by the following vote:**

**Aye:** 5 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

- 5B. [21-070](#) Adopt City Council Resolution Confirming the Continued Existence of a Local Emergency in the City of Fort Bragg

**This Resolution was adopted on the Consent Calendar.**

Enactment No: RES 4358-2021

- 5C. [21-073](#) Approve Minutes of Special Meeting of February 16, 2021

These Minutes were approved on the Consent Calendar.

5D. [21-074](#) Approve Minutes of February 8, 2021

These Minutes were approved on the Consent Calendar.

**MATTERS REMOVED FROM CONSENT CALENDAR**

5A. [21-069](#) Adopt City Council Resolution Supporting the Formation of a Public Benefit Corporation Recognized by the Internal Revenue Service as a 501(c)(3) Under Non-Profit Status - A Community Land Trust to Provide Permanently Affordable Housing and Homeownership Opportunities for Very Low, Low and Moderate Income Households

Vice Mayor Morsell-Haye noted that using the Community Land Trust as a tool has been important to her and staying focused on housing, instead of commercial businesses, makes it stronger, more succinct and competitive, and streamlines the funding. She removed this matter from Consent Calendar as she has heard from many members of the community and wanted to give them the opportunity to speak about it as a business item.

Public Comment was received via Zoom from Mary Rose Kaczorowski.

A motion was made by Vice Mayor Morsell-Haye, seconded by Councilmember Albin-Smith, that this Resolution be adopted. The motion carried by the following vote:

Aye: 5 - Mayor Norvell, Vice Mayor Morsell-Haye, Councilmember Albin-Smith, Councilmember Peters and Councilmember Rafanan

Enactment No: RES 4359-2021

**6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS**

**7. PUBLIC HEARING**

**8. CONDUCT OF BUSINESS**

**9. CLOSED SESSION**

**ADJOURNMENT**

Mayor Norvell adjourned the meeting at 6:47 PM.

\_\_\_\_\_  
BERNIE NORVELL, MAYOR

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

IMAGED (\_\_\_\_\_)





# City of Fort Bragg

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

## Text File

File Number: 21-089

---

**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Business

**In Control:** City Council

**File Type:** Staff Report

**Agenda Number:** 8A.

Receive Report and Provide Direction to Staff Regarding Community Development Block Grant  
Coronavirus Response Round 2 and 3 (CDBG-CV2&3) Program Applications



**AGENCY:** City Council  
**MEETING DATE:** March 8, 2021  
**DEPARTMENT:** Finance Development  
**PRESENTED BY:** N. McLaughlin  
**EMAIL ADDRESS:** nmclaughlin@fortbragg.com

## AGENDA ITEM SUMMARY

### **TITLE:**

**Receive Report and Provide Direction to Staff Regarding Community Development Block Grant Coronavirus Response Round 2&3 (CDBG-CV2&3) Program Applications**

### **ISSUE:**

In response to the federal CARES Act, the California Housing and Community Development Department (HCD) received a combined allocation of approximately \$71.2M from the federal Department of Housing and Urban Development (HUD) for the state Community Development Block Grant Coronavirus Response Round 2 and Round 3 (CDBG-CV2&3) program. HCD has made these funds available through a (CDBG) Notice of Funding Availability (NOFA), which was released on December 18, 2020. The CDBG-CV2&3 applications are due May 7, 2021. The City of Fort Bragg is eligible to apply for three activities during the CDBG-CV2&3 NOFA cycle.

As required by the CDBG program, staff conducted a Design Phase hearing on January 21, 2021, to solicit community input and to assess needs for CDBG-CV applications. Staff also requested and reviewed City priorities for CDBG funding. Based on the Design Phase hearing and activities proposed by City departments, a list has been prepared identifying potential activities for the CDBG-CV NOFA applications. Staff has analyzed the potential grant activities to estimate likelihood of award and to assist City Council in determining the best strategy for applying for funding under this and future NOFAs.

At this time, staff seeks Council's direction on priority activities for the CDBG-CV2&3 grant cycle under the NOFA. Three activities may be applied for in the NOFA for a maximum application amount of \$325,653.

After the applications are prepared and before they are submitted to CDBG, City Council must approve an application resolution.

### **ANALYSIS:**

The State CDBG program will be providing funding through an allocation set by HCD for the CDBG-CV2&3 NOFA for a variety of housing, community development, and economic development activities. State CDBG funding is available for "non-entitlement" cities with fewer than 50,000 residents and counties with fewer than 200,000 residents. The City of Fort Bragg is a non-entitlement city and is eligible to apply for CDBG-CV1 funding under the CDBG-CV1 NOFA.

To award CARES Act funding, HUD requires HCD to release these funds under a Notice of Funding Availability (NOFA) to state the terms under which non-entitlement communities may apply for the funding. The NOFAs describe total available funding, eligible activities,

**AGENDA ITEM NO. 8A**

eligibility requirements, and application procedures. Each eligible jurisdiction may apply for a range of activities depending upon limits imposed by the NOFA. For the CDBG-CV2&3 NOFA, HCD has published that \$71.2 million is available for State CDBG applications.

### **CDBG-CV1 NOFA**

The CDBG-CV2&3 NOFA is different from any previous regular CDBG NOFA as these funds are a direct response to the COVID-19 pandemic. HCD has made significant changes to the application parameters. Major changes in the NOFA include:

- Set allocation for each eligible jurisdiction;
- 24-month expenditure period;
- Ability to apply for four activities (total application including CV1&CV2&3);
- Activities must be a direct response to COVID-19; and
- No duplication of benefits.

### **Application Elements and Agreements**

Each jurisdiction may submit up to four applications with one activity per application. The City is eligible to apply for up to three additional activities, with one application already in process for the City's CV1 (Utility Assistance Program) allocation. Each application will have its own budget, National Objective, scope of work and timeline (not to exceed a 24 months activity term). All CDBG activities must meet one of three National Objectives, including (1) benefit to low-and-moderate income persons; (2) prevention of elimination of slums and blight; or (3) urgent need. The most commonly used National Objective is benefit to low-and-moderate-income persons or households (LMI). The LMI household income thresholds are calculated and published by the U.S. Department of Housing and Urban Development (HUD) annually. Additionally, HUD created a mapping tool using the 2011-2015 American Community Survey data to assist jurisdiction when calculating LMI for application purposes.

For each potential activity the following threshold requirements must be met before application:

1. Non-entitlement City or County;
2. Submission of eligible activity in accordance with the CARES Act;
3. Activity must meet a National Objective;
4. Demonstrate compliance with federal financial management (single audit, etc.);
5. Federal Citizen Participation Requirements;
6. Housing Element Certification;
7. Citizen Participation requirements;
8. Good Standing with the Department of Housing and Community Development; and
9. Resolution approved by Governing Body.

At application, the City will have met all requirements for the outlined potential activities. Each application or activity will have its own award and Standard Agreement (up to four for all CDBG-CV awards).

## Scoring

There is no scoring criteria for this NOFA as each eligible jurisdiction has a set allocation.

## Eligible Activities

The following chart “Appendix E” outlines the eligible activities:

APPENDIX E - CDBG-CV2/3 NOFA						
IDIS Matrix- CDBG Eligibility Activity Codes and National Objectives						
Matrix Code Key - National Objective Codes (N = Not Allowed)						
Code	Eligible Activity	LMA	LMC	LMH	LMJ	URG
01	Acquisition of Property - 570.201(a)					
03A	Senior Centers	N		N	N	
03B	Facility for Persons with Disabilities	N		N		
03C	Homeless Facilities (not operating costs)	N		N		
03D	Youth Centers	N		N	N	
03E	Neighborhood Facilities			N		
03F	Parks and Recreational Facilities			N	N	
03H	Solid Waste Disposal Improvements					
03J	Water/Sewer Improvements					
03M	Child Care Centers	N		N		
03P	Health Facilities			N		
03Q	Abused and Neglected Children Facilities	N		N		
03S	Facilities for AIDS Patients	N		N		
03T	Operating Costs Homeless/AIDS Patients	N		N	N	
03Z	Other Public Facility Improvements					
05A	Senior Services	N		N	N	
05B	Services for Persons with Disabilities	N		N	N	
05C	Legal Services			N	N	
05D	Youth Services	N		N	N	
05E	Transportation Services			N	N	
05F	Substance Abuse Services			N	N	
05G	Services for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking	N		N	N	
05H	Employment Training			N	N	
05J	Fair Housing Activities-Subj to Pub.Serv.Cap			N	N	
05K	Tenant/Landlord Counseling	N		N	N	
05L	Child Care Services	N		N	N	
05M	Health Services			N	N	
05N	Abused and Neglected Children	N		N	N	
05O	Mental Health Services			N	N	
05P	Screening for Lead Based Paint	N		N	N	
05Q	Subsistence Payments	N		N	N	
05S	Rental Housing Subsidies	N	N		N	
05T	Security Deposits	N	N		N	
05U	Housing Counseling Only, under 24 CFR 5.100	N	N		N	N
05W	Food Banks			N	N	
05X	Housing information and referral services	N			N	N
05Z	Other Public Services			N	N	
06	Interim Assistance		N	N	N	
08	Relocation					
09	Rental Income Loss					
14A	Rehab Single Unit Residential					
14B	Rehab; Multi-Unit Residential	N	N		N	
14C	Public Housing Modernization	N	N		N	
14D	Rehab: Other than Public Owned Residential Building	N	N		N	
14E	Rehabilitation: Publicly or Privately Owned Residential Building			N		
14G	Acquisition for Rehabilitation	N	N		N	
14H	Rehabilitation Administration					
14I	Lead-Based Paint Abatement	N	N		N	
15	Code Enforcement		N	N	N	
17B	Commercial/Industrial: Infrastructure Development			N		
17C	Commercial/Industrial Acq. Construction Rehab			N		
17D	Other Commercial/Industrial Improvements			N		
18A	ED Assistance to For-Profits		N	N		
18B	Economic Development: Technical Assistance		N	N		
18C	Micro-Enterprise Assist.			N		
19C	Non-Profit Capacity Building					
21D	Fair Housing Activity (Subject to Admin Cap)	N	N	N	N	N
21H	CDBG Funding of HOME Admin.	N	N	N	N	N
21I	CDBG Funding of Home CHDO Operations	N	N	N	N	N

NOTE: The City’s allocation is \$325,653. The proposed activity budget cannot exceed available funds.

**Potential Application Activities**

On January 21, 2021, staff held a Design Phase public hearing to discuss the CARES Act CDBG funding opportunities. The meeting notice was published in the Fort Bragg Advocate, posted in English and Spanish at various locations, emailed to interested parties listed on City website notifications groups, and emailed to many local non-profit organizations. Three individuals attended the January 21, 2021, Design Phase public hearing that was held via Zoom. At the meeting, staff discussed potential ideas proposed by attendees. None of the COVID-19 specific eligible activity ideas proposed at the Design meeting have identified Program Operators, making the activities ineligible for application at this time.

City staff have identified two potential eligible activities for the CDBG-CV2&3 allocation.

**1. Utility Bill Assistance Program**

On August 10, 2020, Council adopted a Resolution approving an application for the City’s CDBG-CV1 allocation to fund a Utility Assistance Program. The CV1 application will provide \$74,278 of direct utility assistance payments and \$15,214 for program administration. The direct relief provided to residents from the CV1 activity funds could be further extended with the addition of CV2&3 funding.

<b>Activity</b>	<b>Expense</b>
CV1:	\$89,492
CV2&3:	\$88,042
Combined Activity Total:	
Direct Utility Assistance	\$156,230
Program Administration	\$21,304
Utility Program Total	\$177,534

The Utility Assistance Program would provide payment assistance to low-to-moderate income households that live in city limits. With the addition of CV2&3 funds the program could increase the amount of assistance per eligible household from \$500 to \$800 in direct assistance and increase the amount of households assisted from 130 households to 222 households.

Since the COVID-19 pandemic and the Shelter-in-Place Orders the City’s utility billing statements have shown a significant increase in past-due accounts which, for most residents, is likely due to the economic impacts of COVID-19. Additionally, staff have talked to other utility providers that hear from their customers that making payments has been challenging. This program would provide much needed relief to eligible households, meets the CDBG national objective of benefiting Low-Moderate Clientele and would be administered and operated through the City.

## 2. COVID-19 Business Assistance Loan Program (CV-BALP)

Activity	Expense
Direct Loan Funding	178,209
Activity Delivery	35,641
Administration	23,761
CV-BALP Total	\$237,611

Since May 2020, staff has reached out to businesses through surveys, phone calls and email to try to understand the economic impacts that are being experienced due to COVID-19. During this time staff has heard from more than 60 businesses and over \$2M dollars of financial assistance has been requested. A CV-BALP would provide low-interest loans and forgivable loans to businesses within City limits, as well as preserve and/or increase the number of jobs in Fort Bragg.

### **RECOMMENDED ACTION:**

Provide direction to staff regarding City Council's priorities for activities to be included in the CDBG-CV2&3 applications.

### **ALTERNATIVE ACTION(S):**

No action will be taken other than to provide direction to staff, so no alternative actions are needed.

### **FISCAL IMPACT:**

CDBG funds allow the City to conduct activities and complete projects to benefit the community, and in particular the City's low- and moderate-income residents, for which funding would otherwise be unavailable. CDBG activities also create job opportunities in the community. CDBG grant administration requires significant commitment of staff time, but CDBG provides funding for administrative activities (up to 13% of activity funds in CDBG-CV2&3) that is generally adequate to service the program.

### **GREENHOUSE GAS:**

Payment assistance programs, loan programs or other public services are not expected to have any direct impact on greenhouse gas emissions.

### **CONSISTENCY:**

The State CDBG mission is to improve the lives of low- and moderate-income residents through the creation and expansion of community and economic development opportunities, which supports livable communities for all residents. This mission is consistent with City Priority Areas.

### **IMPLEMENTATION/TIMEFRAMES:**

If City Council provides direction to submit CDBG-CV2&3 applications, a Resolution of application must be approved prior to application submittal. The application due date is May 7, 2021.

**ATTACHMENTS:**

None.

**NOTIFICATION:**

1. CDBG Activities Notify Me Subscribers





# City of Fort Bragg

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## Text File

File Number: 21-056

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Business

**In Control:** City Council

**File Type:** Staff Report

**Agenda Number:** 8B.

Receive the City of Fort Bragg's General Plan Annual Progress Report (2020) and Housing Element Annual Progress Report (2020)

Jurisdictions must submit a General Plan Annual Progress Report (APR) and a Housing Element Annual Progress Report to both the Governor's Office of Planning and Research (OPR) and California Department of Housing and Community Development (HCD) by April 1 of each year, per Government Code Sections 65400 and 65700. The purpose of the APR is to inform decision makers and the public of the progress in meeting our community's goals, specifically, how land use decisions relate to the goals, policies and programs of Fort Bragg's General Plan(s).

**City of Fort Bragg**  
**GENERAL PLAN**  
**ANNUAL PROGRESS REPORT**  
**2020**



**March 2021**



**Contents**

Introduction..... 4

Background..... 5

Long Range Planning Activities..... 6

2020 Amendments ..... 9

    Ordinance Amendments ..... 9

Development Activity ..... 10

    Planning Permits ..... 11

    Collaborative Planning and Consultation ..... 11

    Business License ..... 12

    Code Enforcement..... 12

Conclusion ..... 13

Appendix A - Implementation of General Plan Elements.....

Appendix B – Housing Element Report (2020) .....

Appendix C – City Council Goals and Priorities.....

Appendix D – City Council Comments .....

## ***Introduction***

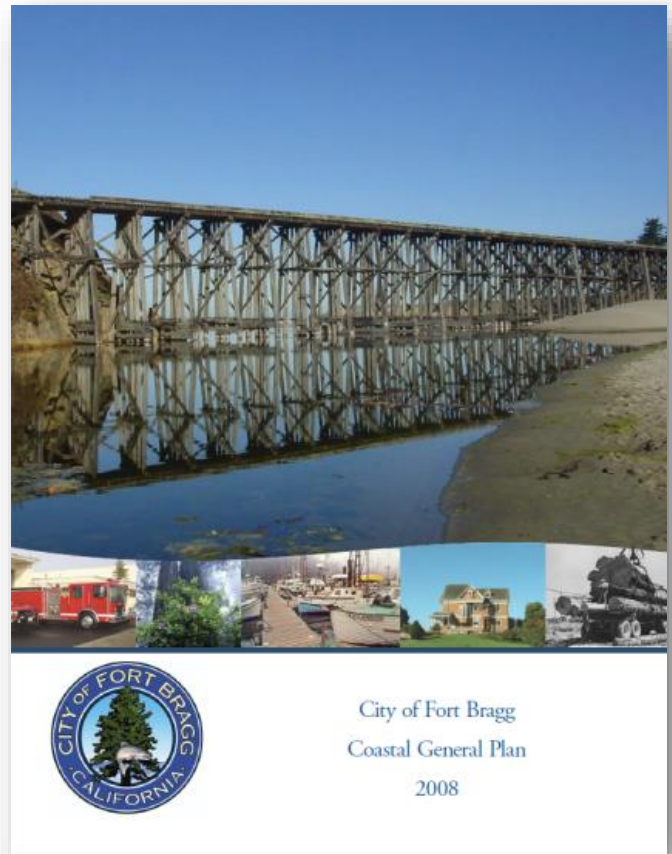
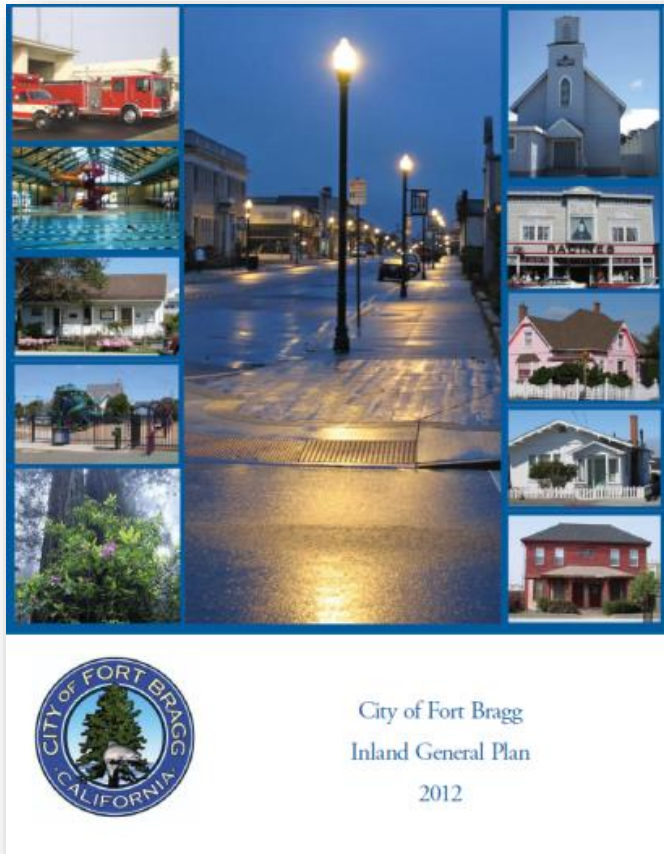
Government Code Section 65400 requires jurisdictions to submit an annual report on the status of the City's General Plan/Coastal General Plan (General Plan) to the Office of Planning and Research (OPR) and to the Department of Housing and Community Development (HCD) prior to April 1<sup>st</sup> each year. The General Plan Annual Report is a reporting document and does not create or alter policy. The content is provided for informational purposes only, and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306.

The City's General Plan is considered the blueprint for the future physical, economic, and social development of the City. The intent of performing an annual review is to assess the level of implementation, as well as the effectiveness of the plan to support orderly growth and development; preservation and conservation of open space and natural resources; and the efficient expenditure of public funds. The General Plan implements California laws that regulate land use planning and development and contains seven State required elements and two additional elements:

- **Land Use Element** - Discusses the location, distribution, and extent of various permitted land uses within the City. This element identifies standards for population density and development intensity for each type of land use.
- **Public Facilities Element** - Establishes the essential public facilities and services to ensure that the existing and future population of Fort Bragg is provided with the highest feasible level of public services.
- **Conservation, Open Space, Energy and Parks Element**- Contains the State-mandated open space and conservation elements. Emphasis is placed on protecting the City's natural resources, protecting and enhancing environmentally sensitive areas, and providing open space and parks to meet the community's recreational needs. This element also includes specific policies and programs to ensure continued public access, preserve and enhance scenic views, protect wetlands, bluff tops, and other natural resources.
- **Circulation Element** - Contains policies and Levels of Service standards for the roadway system, which will be updated to reflect the Vehicle Miles Traveled. This element also contains policies for public transit, bicycle facilities, parking and transportation for the mobility impaired, taking into account the relationship between land use and transportation needs of the community.
- **Community Design Element** - Establishes policies and programs dealing with the appearance of the community. It includes urban design guidelines to ensure that development contributes to the community's identity and unique sense of place, and policies to preserve historic sites and buildings.
- **Safety Element** - Contains policies and programs to reduce the risk of injury, loss of life, and property damage resulting from natural disasters and hazardous conditions and materials.
- **Noise Element** - Contains policies and programs to reduce the community's exposure to

excessive noise.

- **Sustainability Element** - Includes policies and programs to reduce energy use, the production of greenhouse gases, and improve the sustainability of commercial and residential development through policies and programs that encourage green building design, materials and techniques in new construction.
- **Housing Element** - Includes policies and programs to meet the housing needs of all economic segments of the community, emphasizing increased mixed-use housing, effective utilization of infill sites, inclusionary housing, and providing additional housing for special needs groups such as seniors.



## **Background**

Every city and county in California is required by State law to have a General Plan. A General Plan is a legal document that serves as the community's framework for decision-making pertaining to land use, development and conservation. A General Plan must be comprehensive and long term, outlining proposals for the physical development of the City and any land outside its boundaries which in the City's judgment bears relation to its planning. State law requires that General Plans are kept current and internally consistent, but there is no particular timeline imposed, with the exception of the Housing Element, which is required to be updated every eight (8) years. The City Council adopted Fort Bragg's 6<sup>th</sup> Cycle (2019-2027) Housing Element, reviewed and certified by the Department of Housing and Community Development, in 2019.

## ***Long Range Planning Activities***

Long term planning focuses on activities that start now and continue well into the future. It is how Fort Bragg built the Coastal Trail and how the \$20 Million Wastewater Treatment Upgrade Project was just recently completed.

**Housing.** Boosting housing production to meet the needs of our community is a top priority for City Council. Numerous activities were pursued in 2020 to increase the number of housing units, as well as to diversify housing options in order to better serve households.

- **The Plateau Project** – The City actively supported the developer, The Danco Group, to ensure the development of sixty-nine (69) housing units referred to as The Plateau – 20 Permanently Supportive Housing Units; 23 Affordable Senior Cottages; 25 Affordable Workforce Units; and a Manager’s Unit. This effort included participating in weekly meetings with Danco’s team to help secure financing, hiring legal counsel to represent City interests, as well as advocate for HEAP grant funds, and manage the planning and building permit process. This \$27 million project includes a \$250,000 investment from the City’s Housing Trust Fund, \$3 million in City-secured HEAP grant funds, and a \$3,089,000 IIG Grant that the City jointly submitted and endorsed. A building permit was issued in 2020, with the project breaking ground in January 2021. Completion is expected in June 2022.
- **Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU)** – The City updated regulations pertaining to ADUs to comply with State law that became effective on January 1, 2020. The passage of SB 13, AB 881, AB 68, AB 587 and AB 671, obligated the City to revise and relax certain development standards including, but not limited to, allowing JADUs, decreasing setback requirements, removing parking standards in certain circumstances, increasing unit size and removing barriers regarding lot coverage. The new regulations are to incentivize construction of new housing units.
- **Pre-Approved ADU Plans** – With the adoption of the 2020 Building Code, the City’s free ADU plans expired. This year the City contracted services with a local engineer/designer to create two new sets of plans that will be available to the public in early 2021. Reflecting a craftsman aesthetic, the one and two bedroom units are designed to facilitate either a north/south or east/west orientation, providing more options to property owners.
- **Community Land Trust (CLT)** – The City contracted professional services to assist staff in the development of a study to determine the feasibility of creating a community land trust to serve Fort Bragg. CLTs are an economic mechanism to create home ownership opportunities to very low, low and moderate income households in perpetuity.

**Economic Development.** Economic Development involves the concerted effort of the City to influence investment toward opportunities leading to sustained economic growth; it is the creation of wealth, from which community benefits are realized. This year the COVID-19 pandemic created financial uncertainty



for many local households and businesses. The City's response included: 1) adoption of an urgency ordinance granting businesses the flexibility of certain zoning standards/regulations to facilitate operations under health orders; 2) application and receipt of CDBG grant funds to support small businesses; 3) utilizing HOME grant funds to pay past due rent for eligible households; 4) applying for and award of EDA grant funds help diversify our local economy to be more resilient; 5) adoption of an Eviction Moratorium that included both residential and commercial tenants and 6) creating the [smallbiz@fortbragg.com](mailto:smallbiz@fortbragg.com) email account to help keep the local businesses informed about all these activities and much more.

In addition, the City continued to fund the Visit Fort Bragg campaign to attract visitors and encourage support of local businesses, as well as provide continued funding for the Noyo Center for Marine Science.

**Mill Site Reuse Plan and LCP Amendment.** The City responded to preliminary comments received from Coastal Commission staff on the Administrative Draft Coastal General Plan Elements 1-7 on the last day of the year – December 31, 2019. Early in 2020, the City experienced staffing changes and budget cuts, and decided to suspend the Mill Site Reuse Plan and LCP Amendment to concentrate on responding to the COVID-19 pandemic. In August 2020, the City refocused on the Mill Site and contracted services from a consulting firm to evaluate efforts to date and identify potential approaches to move this project forward. City Council provided direction at the first meeting of 2021, which restarted this important long-range planning activity.

**Capital Improvement Program.** The Capital Improvement Program (CIP) provides direction and guidance for the City on carefully planning and managing its capital infrastructure assets. The following CIP projects were completed in 2020:

- Wastewater Treatment Plant Upgrade Project
- Sewer Lift Station Project
- Maple Street Storm Drain and Alley Rehabilitation (Design Phase)

In addition to the completed projects listed above, the City continues to make progress on the Raw Water Line Project, relocating the water line to the Pudding Creek bridge and working with Caltrans and MCOG to install pedestrian and bicycle improvements along Main Street.

**Municipal Separate Storm Water System (MS4).** The City prepared a National Pollutant Discharge Elimination System (NPDES) Annual Report, submitted on October 14, 2020. This report lists the City's activities performed during the previous fiscal year concerning the Storm Water Management Plan. Examples of this effort include: 1) education and outreach to community members and contractors; 2) prevention of industrial pollutants from regulated facilities; 3) various community clean-up events; 4) trash standards; and 5) ensuring storm drains are clear and free of debris; and incorporating new

regulations to ensure industrial facilities are compliant with NPDES.

**Grant Activity.** The City actively pursued or managed the following grant opportunities in 2020:

Grant Source	Project Description	Applied	Denied/ Withdrawn	Approved/ In Progress
CDBG	Business Assistance Loan Program for eligible business affected by the COVID-19 pandemic			X
CDBG	Develop and implement a Code Enforcement Program to strengthen residential neighborhoods			X
CDBG	For the design, permits and construction of a residential care facility for the elderly under the management of Parents & Friends			X
CDBG	To plan and design for the rehabilitation of the Fire Station			X
CDBG	Micro Enterprise Financial Assistance to provide technical and financial support to eligible businesses.			X
CDBG	Funds to develop a Capacity of City Services study to facilitate rezoning of the Mill Site			X
CDBG	Replacement of water meters throughout the City to create a more efficient system	X		
CDBG-CV1	Utility bill assistance to qualified households affected by financial hardship as a result of the COVID-19 pandemic	X		
CalOES	PSPS resiliency to aid our community through times without power			X
HEAP	Implementation of pro-housing policies and programs			X
HSIP/LRSP	A partnership with MCOG to develop a Local Road Safety Plan			X

Grant Source	Project Description	Applied	Denied/ Withdrawn	Approved/ In Progress
HOME	Rental assistance to qualified tenants and landlords for the payment of rent due to financial hardships as a result of the COVID-19 pandemic			X
Local Partnership Program SB-1	Maple Street and Storm Drain and Alley improvements			X
Local Streets and Roads	Various project involving street maintenance.			X
OWP-MCOG	Development of a Traffic Study to facilitate rezoning of the Mill Site			X
PL Bulletproof Vest Partnership	Supply bullet proof vests			X
SB-2	Implementation of pro-housing policies and programs			X
STIP	Pedestrian and bicycle improvements to south Main St			X
USDA	Funds to purchase a prisoner transport van for the Police Department			X
USDA	Funds to purchase a Vac-Truck for the Public Works Department			X
USDA	Funds to upgrade the Waste Water Treatment Facility			X

Table 1: Grant Activity 2020

## 2020 Amendments

### Ordinance Amendments

An ordinance is a law passed by a municipal government. One of the most significant areas of municipal law pertains to zoning and regulation of land use and development, and many are drafted to maintain public safety, health, morals and the general welfare of residents. The table below describes ordinances approved by Council in 2020.

Ordinance	Description
ORDINANCE 956-2019	2019 California Building Code Standards
ORDINANCE 957-2019	Modifications to the 2019 California Fire Code for sprinklers to reflect state updates.
ORDINANCE 958-2020	Update to Municipal Code to reflect California Senate Bill 998 requirements of a written policy on discontinuation of residential water service for nonpayment.
ORDINANCE 959-2020	Updates to ILUDC pertaining to Second Units – Accessory Dwelling Units and Junior Accessory Dwelling Units.
URGENCY ORDINANCE 960-2020	Temporary moratorium on evictions due to non-payment of rent related to financial hardships of the COVID-19 pandemic.  1 <sup>st</sup> amendment – extending expiration to June 30, 2020 2 <sup>nd</sup> amendment – extending expiration to July 31, 2020 3 <sup>rd</sup> amendment – extending expiration to September 30, 2020
URGENCY ORDINANCE 961-2020	Administrative Penalties for Violations of Mendocino County Health Orders designed to slow the transmission of COVID-19.
URGENCY ORDINANCE 962-2020	Waiving of certain zoning requirement/standards to facilitate business operations affected by Mendocino County Health

**Table 2: Approved Ordinances, 2020**

## ***Development Activity***

### **Building Permits**

During 2020, the Community Development Department and Public Works Department collectively reviewed 77 building permits. Of these permits, 3 were for the construction of new housing units: 45 single residential units; 5 duplexes; and 5 triplexes.

## Planning Permits

The City processed thirty-three (33) planning applications in 2020.

Application Type	2016	2017	2018	2019	2020
<b>Total</b>	<b>44</b>	<b>46</b>	<b>53</b>	<b>68</b>	<b>33</b>
Use Permits	7	2	3	4	1
Minor Use Permit	3	5	5	5	7
Coastal Development Permit	7	3	9	14	2
Design Review	4	5	3	2	3
Subdivision	2	0	0	0	2
Lot Line Adjustments	2	2	2	1	0
Limited Term Permit	16	27	29	36	17
Variance	1	0	0	5	1

**Table 4: Planning Applications 2016-2020**

Six planning applications involved public hearings before the Planning Commission:

- Minor Use Permit (MUP 4-19) to establish Artisan Shop in Very High Density Residential zoning district, located at 126 N McPherson Street (Approved)
- Coastal Development Permit (CDP 13-19) and Design Review (DR 2-19) to authorize the removal of six hazardous trees from 100 W Cypress Street (Approved)
- Use Permit (UP 1-20) to establish Multifamily in Central Business District zoning district, located at 127 E Laurel Street (Approved)
- Minor Use Permit (MUP 4-20) and Design Review (DR 1-20) to reconstruct a mortuary that was destroyed by fire and a request of reduction in off-street parking (Approved)
- Minor Subdivision (DIV 1-20) and Mitigated Negative Declaration located at 130 Halsey Way (Approved)
- Minor Use Permit (MUP 4-20) to establish Cannabis Retail, located at N Franklin Street (Failed and Appealed to City Council)

## Collaborative Planning and Consultation

Collaborative planning and consultation is essential for successful projects and policy making. The City prioritizes engagement with the community, local and state agencies, and our local Tribal Council. Depending on the scope of a project this may include consultations with Sherwood Valley Band of Pomo,

California Coastal Commission, Department of Fish and Wildlife, California State Parks, Caltrans, North Coast Regional Water Quality Board, Mendocino County Department of Environmental Health, Mendocino County Department of Planning and Building, Fort Bragg Fire Department, California Native Plant Society, Mendocino Coast Audubon Society and/or Fort Bragg Mendocino Historical Society.

City Council, Planning Commission and Council Committee meetings are open to the public and available to live-stream, as well as archived on the City’s website. A “Notify Me” email/text subscription list is available for a range of topics, such as “Downtown Businesses”, “Mill Site Reuse”, and “Affordable Housing”, which sends email and texts pertaining to topics of interest that will be considered by decision makers. The City values input and recognizes that projects and policies are stronger because of it.

## Business License

It is unlawful for any person to transact and carry on any business, trade or profession without first having procured a license from the City to do so. All business licenses are annual – effective January 1, becoming delinquent March 1, and expire on December 31. Due to COVID-19, the City extended these timeframes in 2020 without penalties.

Business License Activity	2019	2020
New Applications	111	93
Cancelled Licenses (out of business)	32	46
Renewed Licenses	803	838
Delinquent (pending renewal)	140	7

Table 5: Business License Activity (2019-2020)

## Code Enforcement

The City engages in code enforcement activity to remedy nuisances and illegal activities. The most common complaints are overgrown vegetation, animal keeping, and unpermitted construction. Code Enforcement Inquiry Forms are available on the City’s website and at the Community Development counter in City Hall. When an inquiry is received, the code enforcement officer conducts an investigation to determine the scope of violation and the type of fee to assess. An initial letter is mailed to the property owner’s address on file with County Assessor’s office, clearly stating the violation and abatement actions necessary. Generally, the City does not collect fees if the nuisance is abated in a timely fashion.

## ***Conclusion***

On March 8, 2021 the Fort Bragg City Council reviewed and accepted the General Plan Progress Report for 2020. Additional City Council comments are included as Appendix D. This report, including the annual Housing Element report, shall be submitted to the Governor’s Office of Planning and Research (OPR) and to the California Department of Housing and Community Development (HCD) by the April 1<sup>st</sup> deadline.

## ***Appendix A - Implementation of General Plan Elements***

Fort Bragg’s General Plan/Coastal General Plan provides the foundation for all land use decisions. These documents define City policy for public and private development, and provide the City Council, Planning Commission, and City staff with specific direction for future decisions affecting land use development. The following tables include policies of General Plan Elements 1-7; each table illustrating implementation actions for 2020.

If Policy is not demarcated with (Inland) or (Coastal), the policy is the same for both the City’s Inland and Coastal General Plan(s).

## ***Appendix B – Housing Element Report (2020)***

Fort Bragg’s 6th Cycle Housing Element was adopted by City Council on September 9, 2019 and addresses the planning period from 2019 to 2027. Section 65400 of the Government Code requires that the City to submit an annual report on the status and progress of implementing the Housing Element.

The City completed the 2020 Annual Housing Element Report and submitted it directly into California Department of Housing and Community Development’s (HCD) database on March \_\_, 2021. This on-line system provides information to HCD, and is included herein for the benefit of the Governor’s Office of Planning and Research. Data is collected on an excel spreadsheet, which contains the following sheets:

- Table A**      Housing Development Applications Submitted
- Table A2**     Annual Building Activity Summary Report – New Construction, Entitles, Permits, and Completed Units
- Table B**      Regional Housing Needs Allocation Progress – Permitted Units Issued by Affordability
- Table C**      Sites Identified or Rezoned to Accommodate Shortfall Housing Needs
- Table D**      Program Implementation Status pursuant to Government Code section 65583
- Table E**      Commercial Development Bonus Approved pursuant to Government Code section 65915.7
- Table F**      Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1, subdivision (c)(2)
- Table G**      Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of, pursuant to Government Code section 65400.1
- Table H**      Locally Owned or Controlled Lands Declared Surplus Pursuant to Government Code section 54221, or Identified as Excess Pursuant to Government Code section 50569

### **Summary**

### **LEAP Reporting**



## ***Appendix C – City Council Goals and Priorities***

On March 27, 2019 the City Council, City Manager and Facilitators with Heather Paulsen Consulting, spent most of the day in a Goal Setting Meeting. From the City Council’s 2050 Vision brainstorm exercise, Councilmembers discovered a shared intention for all of their priority areas: enhancing local self-sufficiency and supporting healthy ecosystems. These concepts underpin all of the goals listed under each of the four top priority areas: Jobs/Industry, Quality of Life, Housing and Infrastructure.

## ***Appendix D – City Council Comments***

City Council reviewed the 2020 General Plan Annual Report on Monday, March 8, 2021. This meeting took place virtually during the COVID-19 pandemic. City Council accepted the 2020 General Plan Annual Progress Report and 2020 Housing Element Annual Progress Report with the following comments:

## Land Use Element

Policy	Objective	Implementation
<b>Goal LU-1: Promote development and conservation of land in Fort Bragg according to the pattern shown on the Land Use Designations Map.</b>		
LU-1.1	Implementation of the Land Use Designations Map: Implement the Land Use Designations Map by approving development and conservation projects consistent with the land use designations, and ensure consistency between the Inland General Plan and the Inland Land Use and Development Code.	Ongoing. The Land Use Designations Map is used as part of the review of every planning application.
LU-1.2 (Coastal)	Require that development on APNs 018-440-38, -39, -49, -50, & -59 in excess of one dwelling per existing lot obtain a Planned Development approval that minimizes access	Ongoing. Future applications for these parcels will adhere to this policy.
<b>Goal LU-2: Establish and maintain clear boundaries and guidelines for the future expansion of Fort Bragg.</b>		
LU-2.1	Boundaries of the Sphere of Influence: Retain the existing Sphere of Influence boundaries, as shown on Map LU-2.	The City has retained the boundaries of the current sphere of influence
LU-2.2 (Coastal)	Annexations to the Municipal Improvement District Boundary: Require annexation approval prior to permitting new connections to the sanitary sewer system operated by the City's Municipal Improvement District in the Sphere of Influence. Out-of-area service agreements may be approved for new connections to the sanitary sewer system for development proposals that comply with the policy of the Municipal Improvement District regarding projects that provide affordable housing per Resolution No. ID 230-2003, adopted on December 8, 2003.	Ongoing.
LU-2.2 (Inland)	Sewer and Water Connections outside of the Municipal Service District Boundary: Out-of-area service agreements may be approved for new connections to the sanitary sewer system for development proposals that are located outside of the Municipal Service District Boundary and that comply with the policy of the Municipal Improvement District 2 – Land Use Element 2 - 9 November 2012 Fort Bragg Inland General Plan regarding projects that provide affordable housing per Resolution No. ID 230-2003, adopted on December 8, 2003.	No sewer or water connections were made outside of the Municipal Improvement District 2.
LU-2.3	County Referrals: Request referrals from the County for all development projects in the City's Sphere of Influence, which are under the jurisdiction of Mendocino County.	The City requests referrals on an on-going basis.

Policy	Objective	Implementation
LU-2.4	<p>Annexation Standards</p> <ul style="list-style-type: none"> <li>• Areas annexed must be able to be served by existing City facilities and by facilities provided by other agencies, or by environmentally and economically feasible Improvements to these facilities. Prior to City approval of an annexation application, findings shall be made indicating that: necessary public and private infrastructure to support the development is available, or that a development plan for extending or upgrading the infrastructure has been adopted, and that the annexation would not result in a substantial reduction or deterioration of public services and facilities, including streets, water supply, wastewater treatment, storm drainage facilities, fire, police, schools, and other public services and facilities.</li> <li>• Proposed annexations must be contiguous to existing developed areas. Annexation proposals that “leapfrog” over vacant and undeveloped land shall not be approved.</li> <li>• Based on a cost-revenue analysis, annexations shall have a cumulative net positive fiscal effect on the City within fifteen years of approval. The fiscal analysis must demonstrate that annexed properties would generate sufficient City revenues to pay for ongoing services to the annexed area and infrastructure cost benefiting annexed area borne by City – such as public safety, road maintenance, street lighting, etc. To achieve this, property owner(s) may be required to establish Mello-Roos districts and/or other forms of benefit assessment districts as a condition of, and at the time of, annexation to the City.</li> <li>• All annexation applications shall include an environmental review document which provides full disclosure of any potential adverse environmental impacts. To the maximum extent possible, annexations that would result in significant environmental impacts will not be approved.</li> <li>• A development plan, including maps and text, showing how existing and proposed future development within the annexation area contributes to the attainment of Inland General Plan goals and policies, shall be submitted with an annexation application.</li> <li>• All proposed future development within an annexation area shall be consistent with the land use designations shown on the Land Use Designations Map and all other requirements of the Inland General Plan and the Fort Bragg Municipal Code.</li> <li>• A cost-revenue analysis is not required for parcels that are annexed by the City of Fort Bragg for public purposes.</li> </ul>	<p>The City discouraged piecemeal annexation applications by two property owners located just outside the City limits. Future annexation considerations will adhere to this policy.</p>
LU-2.5	<p>Discourage Piecemeal Annexations: Discourage annexations of small, individual parcels of land in a piecemeal fashion.</p>	<p>The City discouraged piecemeal annexation applications by two property owners located just outside the City limits.</p>

Policy	Objective	Implementation
<b>Goal LU-3 Ensure that the Central Business District remains the historic, civic, cultural, and commercial core of the community.</b>		
LU-3.1	Central Business District: Retain and enhance the small-scale, pedestrian-friendly, and historic character of the Central Business District (CBD).	Several outdoor dining areas created under a temporary waiver offered to businesses operating under COVID-19 health orders.
LU-3.2	Mixed Uses: Support mixed use development (i.e., a combination of residential and commercial uses) in the Central Business District that does not conflict with the primary retail function of this area.	Vacation rentals are banned in the City, other than those located on the second/third floor, above commercial use in the CDB to support building improvements and mixed uses.
LU-3.3	Historic Buildings and Mixed Uses: In the Central Business District and in other commercial areas with historic residential structures, encourage residential uses, mixed residential, and commercial uses, and the preservation of historic structures.	The City continues to encourage preservation of historic structures.
LU-3.4	Encourage Infill Development: Encourage infill development of vacant and underdeveloped land in the Central Business District and adjacent commercial areas before amending the General Plan and rezoning to obtain additional commercial land elsewhere.	The City continues to encourage in-fill commercial development and is not considering annexation of additional commercial land.
LU-3.5 (Coastal)	Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.	The City continues to encourage adaptive reuse of commercial structures. “The Evil Scrunchies” holiday pop-up shop operated this year on Redwood Ave.
LU-3.5 (Inland)	Encourage Smart Growth: Locate new residential, commercial, or industrial development within, contiguous with, or in close proximity to, existing developed areas.	The LCP amendment application to rezone northern portion of Mill Site utilizes smart growth principles.
LU-3.6	Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.	The City continues to encourage adaptive reuse of commercial structures. “The Evil Scrunchies” holiday pop-up shop operated this year on Redwood Ave.
<b>Goal LU-4 Promote economic vitality of the City’s existing commercial areas.</b>		
LU-4.1	Formula Businesses and Big Box Retail: The location, scale, and appearance of formula businesses and big box retail shall not detract from the economic vitality of established	City Council is actively exploring options regarding the regulation of Formula Business.

Policy	Objective	Implementation
	commercial businesses, and shall be consistent with the small town, rural character of Fort Bragg.	The Planning Commission has held several meetings on the topic and ordinance will be drafted for Council consideration in 2021.
LU-4.2 (Coastal)	Require that a fiscal and economic analysis be performed as part of the conditional use permit process for big box retail projects. The analysis shall evaluate the economic effects of the project for a minimum five-year time frame. A consultant selected by the City and paid for by the project proponent shall carry out the analysis.	The City did not receive applications for big box retail projects in 2020. This requirement will apply to future relevant applications.
LU-4.2 (Inland)	Large-Scale Commercial Development: To maintain scenic views along Main Street and to ensure that building sizes at the City’s gateways are in scale with the community, no commercial building shall exceed the following limitations on the gross floor area: a) between the Noyo River and Pudding Creek Bridges - maximum 50,000 square feet; b) east of Highway One and north of Pudding Creek Bridge - maximum 30,000 square feet	The City continues to regulate the size of commercial development when discussing potential projects with developers. Current large scale commercial projects under review include: Avalon Hotel; Grocery Outlet; and Dollar General.
LU-4.3 (Coastal)	Large-Scale Commercial Development: To maintain scenic views of the coast and to ensure that building sizes at the City’s gateways are in scale with the community, no commercial building shall exceed the following limitations on the gross floor area: a) between the Noyo River and Pudding Creek Bridges - maximum 50,000 square feet; b) east of Highway One and north of Pudding Creek Bridge - maximum 30,000 square feet; c) west of Highway One and north of Pudding Creek Bridge and south of the Noyo River Bridge - maximum 15,000 square feet; and d) east of Highway One and south of Noyo River Bridge – maximum 40,000 square feet.	Ongoing. This policy applies to development in the outlined areas.
LU-4.3 (Inland)  LU-4.4 (Coastal)	Standards for Commercial Uses in Residential Areas: Commercial uses in and adjacent to residential areas shall not adversely affect the primarily residential character of the area.	Ongoing. No specific instances in 2020.
<p><b>Goal LU-5 (Coastal): Maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and the constitutionally protected rights of power.</b></p> <p><b>Goal LU-5 (Inland): Support Industrial development which is consistent with the protection, enhancement and restoration of natural resources</b></p>		
LU-5.1 (Coastal)	Additional Sites for Visitor-Serving Commercial: Continue to provide for and encourage additional visitor-serving commercial facilities.	Ongoing. Visitor Serving Commercial zoning includes vacant and available land for these

Policy	Objective	Implementation
		types of facilities.
LU-5.1 (Inland)	Siting New Industrial Development: Site new industrial development so that it is contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects on natural and scenic resources, either individually or cumulatively.	Ongoing. No new industrial development proposed in 2020.
LU-5.2 (Coastal)	Ensure that there are adequate sites for visitor-serving land uses by: a) Maintaining existing areas designated for Highway-Visitor Commercial uses; b) Maintaining the Highway Visitor Commercial land use designation as one allowing primarily recreational and visitor-serving uses; and c) Reserving adequate infrastructure capacity.	The City continues to regulate new development to ensure adequate sites are available for visitor serving uses.
LU-5.2 (Inland)	Industrial Land Use Standards: Require that industrial development avoid or minimize creating substantial pollution, noise, glare, dust, odor, or other significant adverse impacts.	The City continues to regulate new industrial development and conduct code enforcement activities to ensure compliance City standards are met.
LU-5.3 (Coastal)	Lower Cost Facilities: Protect, encourage, and, where feasible, provide lower cost visitor and recreational facilities for persons and families of low and moderate income. If and when average annual occupancy rates at Fort Bragg visitor facilities exceed 70%, removal or conversion of existing lower cost facilities shall be prohibited unless the use will be replaced with another facility offering comparable visitor serving or recreational facilities.	Ongoing. The City will continue to review vacancy rates and continue to protect, encourage and, where feasible, provide lower cost visitor and recreational facilities.
LU-5.4 (Coastal)	Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.	The City continues to regulate new development to ensure adequate sites are available for recreational uses.
LU-5.5 (Coastal)	Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.	Ongoing. The City maintains the Noyo Headlands coastal trail, which provides free coastal access and recreation.
LU-5.6 (Coastal)	The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.	The City continues to regulate new development to ensure adequate sites are available for visitor serving and recreational uses.
LU-5.7	Adequate parking should be provided to serve coastal access and recreation uses to the	Ongoing. The City continues to provide free

Policy	Objective	Implementation
(Coastal)	extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.	parking to access the coastal trail, preserve existing parking serving coastal access, and requires adequate parking for future development where access and recreation is proximate.
LU-5.8 (Coastal)	Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.	Ongoing. There are limited locations in the City limits where water-oriented recreational activities are possible.
<p><b>Goal LU-6 (Coastal): Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.</b></p> <p><b>Goal LU-6 (Inland): Provide adequate land to accommodate the housing needs of all income groups</b></p>		
LU-6.1 (Coastal)	Policy LU-6.1: Standards for Noyo Harbor Industrial Development: Limit industrial development in the Noyo Harbor to uses which: a) are coastal-dependent uses or aquaculture, giving priority to commercial fishing activities; b) do not generate excessive traffic on City streets, such as South Street, North Harbor Drive, and Cypress Street; c) do not interfere with existing coastal-dependent industry, especially commercial fishing; and d) are consistent with applicable LCP policies, including but not limited to LCP policies regarding the protection of public access and recreation, visual resources, and environmentally sensitive habitat areas, and Coastal Act public access policies.	Ongoing. The City's General Plan and CLUDC contain policies defining what land uses are permissible in the Noyo Harbor, and future development in the Harbor is subject to Coastal Development Permitting, where discretionary review can ensure ongoing implementation with this policy. In 2020 an application was received for retail on N Franklin Street, between N Harbor Drive and South Street, which could impact traffic. Additional traffic analysis is underway, pursuant to CEQA.
LU-6.1 (Inland)	Preserve Neighborhoods: Preserve and enhance the character of the City's existing residential neighborhoods.	The City is currently seeking funding for improvements to Wiggly Giggly playground, conducts regular street sweeping and takes code enforcement actions to abate nuisance conditions.
LU-6.2 (Coastal)	In areas designated for industrial land uses, coastal-dependent and coastal related industrial uses shall have priority over other industrial uses on or near the shoreline.	Ongoing. The City's General Plan and CLUDC contain policies defining what land uses are permissible in the in the Coastal Zone, and future development is subject to Coastal



Policy	Objective	Implementation
		Development Permitting to ensure compliance.
LU-6.3 (Coastal)	Pipeline, Electrical, and Telecommunications Transmission Corridors: Consolidate new pipeline, electrical, and telecommunications transmission corridors within existing pipeline or electrical and telecommunications transmission corridors, wherever feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.	Ongoing. As infrastructure projects of this nature are planned and scheduled, conformance with this policy will take place.
LU-6.4 (Coastal)	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 transmission lines along the crests of hills, bluffs, and in scenic resource areas.	Ongoing. As infrastructure projects of this nature are planned and scheduled, conformance with this policy will take place.
<b>Goal LU-7 (Coastal): Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.</b>		
LU-7.1 (Coastal)	Changes in Industrial Land Use: Require that any Local Coastal Program (LCP) amendments and rezoning of lands which are designated Timber Resources Industrial be subject to a specific plan process. The portions of a Specific Plan that meet the definition of “Land Use Plan” as defined by Coastal Act Section 30108.5 and “Implementing Actions” as defined by Coastal Act Section 30108.4 shall be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment before those portions of the Specific Plan become effective.	Ongoing. LCP amendments become effective after Coastal Commission review and certification.
LU-7.3 (Coastal)	Siting New Industrial Development: Site new industrial development so that it is contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects on coastal resources, either individually or cumulatively.	Ongoing. The CLUDC lists the land uses permitted in each zoning district, and industrial uses are allowable in industrial zoning districts so that it is contiguous with existing developed areas able to accommodate it and where public services are present to serve future industrial development.

Policy	Objective	Implementation
LU-7.4 Coastal	Where feasible, locate new hazardous industrial development away from existing developed areas.	Ongoing. The CLUDC requires discretionary review of most hazardous industrial development to ensure that it is compatible with existing and future land uses in the vicinity.
LU-7.5 (Coastal)	Industrial Land Use Standards: Require that industrial development avoid or minimize creating substantial pollution, noise, glare, dust, odor, or other significant adverse impacts.	Ongoing. The CLUDC requires discretionary review of most industrial development to ensure that it is compatible with existing and future land uses in the vicinity. Most industrial development is restricted to industrial zoning districts to minimize adverse impacts to sensitive land uses.
<b>Goal LU-8 (Coastal): Encourage a mixture of commercial fishing, recreational boating and fishing, mixed commercial and visitor-serving uses consistent with coastal access policies.</b>		
LU-8.1 (Coastal)	Annexation of Noyo Harbor: Consider annexation of the Noyo Harbor.	The City Council periodically discusses annexation to determine feasibility and benefits. No plans for annexation are currently in process.
LU-8.2 (Coastal)	Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced and shall be protected unless written findings are made that present and foreseeable future demand for the facilities that could be accommodated on the property is already adequately provided for in the area. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.	The City has little jurisdiction within the harbor; however, the City continues to support and protect existing infrastructure and recreational opportunities.
LU-8.3 (Coastal)	Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.	The City has little jurisdiction within the harbor; however, the City continues to support and protect existing infrastructure and recreational opportunities.

Policy	Objective	Implementation
LU-8.4 (Coastal)	The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.	The City has little jurisdiction within the harbor; however, the City continues to support and protect existing infrastructure and recreational opportunities. City promotional efforts highlight fishing activities.
<b>Goal LU-9 (Coastal): Minimize impacts of aquaculture development on coastal resources.</b>		
LU-9.1 (Coastal)	Aquaculture Development. All aquaculture development or facilities shall require a coastal development permit and shall be consistent with all policies and standards of the certified LCP, including but not limited to policies regarding the protection of public access, water and marine resources, environmentally sensitive habitat areas, hazards, water quality, archaeological resources, and visual resources.	Ongoing. Any future aquaculture development would require Coastal Development Permit approval.
LU-9.2 (Coastal)	No intake or discharge lines shall be placed above ground in the Timber Resources Industrial District in any Environmentally Sensitive Habitat Areas as defined in Policy OS-1.2 and Section 30107.5 of the Coastal Act, including but not limited to, along portions of any coastal bluff that constitute ESHA, or within any rocky intertidal habitat area.	Ongoing. Any future aquaculture development would require Coastal Development Permit approval.
LU-9.3 (Coastal)	No intake or discharge lines shall be placed above ground within the Harbor District, the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs within the Timber Resources Industrial district, unless all other alternatives have been demonstrated to be infeasible or more environmentally damaging. Alternatives to be evaluated shall include, but not be limited to, (1) placing lines underground through use of directional drilling or trenching, (2) using closed-loop aquaculture systems that do not require offshore intake and discharge lines, and (3) connecting discharge lines to the existing sanitary sewer system. If all other alternatives have been demonstrated to be infeasible or more environmentally damaging and intake or discharge lines must be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs within the Timber Resources Industrial district, the lines shall be placed in the least environmentally damaging feasible location and in a manner that will not interfere with Noyo River navigation, existing recreational boating facilities, and coastal dependent industry, especially commercial fishing facilities.	Ongoing. Any future development would require Coastal Development Permit approval.
LU-9.4 (Coastal)	Any intake or discharge lines allowed to be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River shall be removed upon	Ongoing. The City continues to regulate these facilities in the Harbor District consistent with

Policy	Objective	Implementation
	abandonment of the aquaculture development or facility it was installed to serve.	this policy.
LU-9.5 (Coastal)	All aquaculture development or facilities shall be sited and designed to be visually compatible with the character of surrounding areas, and shoreline facilities shall be screened.	Ongoing. Aquaculture development requires a Coastal Development Permit including analysis of visual impacts of proposed development.
LU-9.6 (Coastal)	All aquaculture development or facilities shall be sited and designed to prevent impacts which would significantly degrade environmentally sensitive habitat areas, as defined in Policy OS-1.1 and section 30107.5 of the Coastal Act, and shall be compatible with the continuance of biological and ecological values in those habitat areas.	Ongoing. Aquaculture development requires a Coastal Development Permit and analysis of potential environmental impacts of proposed development.
LU-9.7 (Coastal)	All aquaculture development or facilities shall be sited and designed to avoid encroachment of aquaculture operations into adjacent recreational areas.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
LU-9.8 (Coastal)	No aquaculture development or facilities shall interfere with the public's right of access to the sea. All aquaculture development or facilities shall ensure adequate provision of lateral and vertical access.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
LU-9.9 (Coastal)	All aquaculture development or facilities shall be sited and designed to: (1) minimize risks to life and property from geologic and flood hazards, including but not limited to bluff erosion, slope stability, seismic events, liquefaction, tsunamis, floods, and wave attack; and (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
LU-9.10 (Coastal)	Availability of adequate water to serve all aquaculture development or facilities shall be demonstrated prior to approval of such aquaculture development or facilities.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
LU-9.11 (Coastal)	All aquaculture development or facilities shall be sited and designed to minimize the chances for release of non-native species, pathogens, and parasites into the aquatic environment.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.

Policy	Objective	Implementation
LU-9.12 (Coastal)	All aquaculture development or facilities shall be sited and designed to ensure that waste discharges will comply with all applicable water quality regulations, including, but not limited to, any applicable regulations contained within (1) the State Water Resources Control Board’s “Water Quality Control Plan, Ocean Waters of California” Ocean Plan, (2) the State Water Resources Control Board’s “Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California” (Thermal Plan), and (3) the North Coast Regional Water Quality Control Board’s (RWQCB) “Water Quality Control Plan for the North Coast Region” (Basin Plan).	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
LU-9.13 (Coastal)	All aquaculture development or facilities shall be sited and designed to minimize the discharge of pollutants to water, including but not limited to substances in concentrations toxic to human, animal, plant, or aquatic life.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy
LU-9.14 (Coastal)	All aquaculture development or facilities shall implement Best Management Practices (BMPs) to ensure the number and quantity of pollutants discharged or potentially discharged from the facility shall be minimized to the maximum extent feasible. BMPs shall specifically address adequate cleaning, feeding, transfer and importation of species, husbandry practices, removal of dead species, storage and handling of raw material, drugs and chemicals, and disposal of solid waste.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy
LU-9.15 (Coastal)	All aquaculture development or facilities shall be carried out in a manner that will sustain the biological productivity of coastal waters, protect human health and maintain healthy populations of all species of marine organisms for long-term commercial, recreational, scientific and educational purposes.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
LU-9.16 (Coastal)	Aquaculture facilities sited within the Harbor District shall not interfere with existing recreational boating facilities and existing coastal-dependent industry, including fishing.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
LU-9.17 (Coastal)	Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.	Ongoing. Aquaculture development requires a Coastal Development Permit to ensure conformance with this policy.
<b>Goal LU-10: Provide adequate land to accommodate the housing needs of all income groups.</b>		
LU-10.1 (Coastal)	Preserve Neighborhoods: Preserve and enhance the character of the City’s existing residential neighborhoods.	Ongoing. The City engages in code enforcement to abate nuisance conditions.

Policy	Objective	Implementation
LU-10.2 (Coastal)	Locating New Development. New residential, commercial, or industrial development, except as otherwise provided in the LCP, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. Where feasible, new hazardous industrial development shall be located away from existing developed areas.	Ongoing. The City's land use map and zoning districts prescribe the locations for new development, and Coastal Development Permit review ensures conformance with this policy.
LU-10.3 (Coastal)	The location and amount of new development shall maintain and enhance public access to the coast by: (1) facilitating the extension of transit services where feasible; (2) providing non-automobile circulation within the development that includes circulation connections outside of the development; (3) assuring that the recreational needs of new residents will be supported by onsite recreational facilities and/or off-site local park recreational facilities to ensure that coastal recreation areas are not overloaded; and (4) utilizing smart growth and mixed-use development concepts where feasible to improve circulation and reduce auto use, where such auto use would impact coastal access roads.	New development in the Coastal Zone requires a Coastal Development Permit, where conformance with this policy will be ensured.
LU-10.4 (Coastal)	Ensure Adequate Services and Infrastructure for New Development. Development shall only be approved when it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development shall be grounds for denial of the development.	New development in the Coastal Zone requires a Coastal Development Permit, where conformance with this policy will be ensured.
LU-10.5 (Coastal)	Minimize Impacts on Air Quality and Green House Gasses. New development shall: 1) be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development, and 2) minimize energy consumption and vehicle miles traveled.	New development in the Coastal Zone requires a Coastal Development Permit, where conformance with this policy will be ensured.
LU-10.6 (Coastal)	Protect Special Communities. New Development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.	New development in the Coastal Zone requires a Coastal Development Permit, where conformance with this policy will be ensured.
LU-10.7 (Coastal)	Priority for Coastal Dependent Uses. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When	New development in the Coastal Zone requires a Coastal Development Permit, where conformance with this policy will be ensured.

Policy	Objective	Implementation
	appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.	

### **Public Facilities Element**

Policy	Objective	Implementation
<b>Goal PF-1 Ensure that new development is served by adequate public services and Infrastructure.</b>		
PF-1.1 (Coastal)	All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.	Ongoing. This is standard practice on all development applications.
PF-1.1 (Inland)	Ensure Adequate Services and Infrastructure for New Development: Review new development proposals to ensure that the development can be served with adequate potable water; wastewater collection, treatment, and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal. .	Ongoing. This is standard practice on all development applications.
PF-1.2 (Coastal)	Ensure Adequate Services and Infrastructure for New Development. No permit for development shall be approved unless it can be demonstrated that such development will be served upon completion with adequate services, including but not limited to potable water; wastewater collection, treatment and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal; as applicable to the proposed development. a. Demonstration of adequate water and sewer facilities shall include evidence that adequate capacity will be available within the system to serve the development and all other known and foreseeable development the system is committed to serving, and that the municipal system will provide such service for the development; b. Demonstration of adequate road facilities shall include information demonstrating that (i) access roads connecting to a public street can be developed in locations and in a manner consistent with LCP policies; and (ii) that the traffic generated by	Any new development will be required to construct/contribute to any infrastructure necessary for proposed and future development.

Policy	Objective	Implementation
	the proposed development, and all other known and foreseeable development, will not cause Levels of Service (LOS) of roads, streets, and intersections within the City to reduce below LOS standards contained in Policy C-1.1 of the Circulation Element of the Coastal General Plan.	
PF-1.2 (Inland)	All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.	All proposed development is reviewed and conditioned to ensure adequate public infrastructure/capacity. Water and sewer capacity fees are calculated based on proposed use.
PF-1.3 (Coastal)	Ensure Adequate Service Capacity for Priority Uses. a. New development that increases demand for new services by more than one equivalent dwelling unit (EDU) shall only be permitted in the Coastal Zone if, <input type="checkbox"/> Adequate services do or will exist to serve the proposed development upon completion of the proposed development, and <input type="checkbox"/> Adequate services capacity would be retained to accommodate existing, authorized, and probable priority uses upon completion. Such priority uses include, but are not limited to, coastal dependent industrial (including commercial fishing facilities), visitor serving, and recreational uses in commercial, industrial, parks and recreation, and public facilities districts. Probable priority uses are those that do not require an LCP amendment or zoning variance in the Coastal Zone. b. Prior to approval of a coastal development permit, the Planning Commission or City Council shall make the finding that these criteria have been met. Such findings shall be based on evidence that adequate service capacity remains to accommodate the existing, authorized, and probable priority uses identified above.	The City is in the process of evaluating potential future build out to assure appropriate services will be available for those priority uses.
PF-1.3 (Inland)	Ensure Adequate Services and Infrastructure for Annexations: Review annexation requests to ensure that the area can be served with adequate potable water; wastewater collection, treatment, and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal. See also Policy LU-2.4 regarding annexations.	The City is not currently considering annexation. However, with the addition of Summer’s Lane Reservoir, a new 1.5 MG water tank, and waste water facility upgrade, annexation might be considered in the future.
PF-1.4 (Coastal)	New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with the certified LCP. Where existing or planned	All development will be reviewed for consistency with this policy.



Policy	Objective	Implementation
	public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.	
PF-1.5 (Coastal)	Ensure Adequate Services and Infrastructure for Annexations: Review annexation requests to ensure that the area can be served with adequate potable water; wastewater collection, treatment, and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal.	The City is not currently considering annexation. However, with the addition of Summer’s Lane Reservoir and a new 1.5 MG water tank, annexation might be considered in the future. Any proposed annexations will be evaluated for adequate services.
<b>Goal PF-2 Assure that the City's infrastructure is maintained and expanded to meet the needs of the City's residents.</b>		
PF-2.1	Development Pays its Share: Require that new development pay its share of capital improvements and the cost of public services to maintain adequate levels of service.	New development does not currently pay its share of some costs because the City does not have Development Impact Fees for capital projects such as parks and transportation. The City does require new development to pay it’s fair share of costs associated with new Public infrastructure.
PF-2.2	Potable Water Capacity: Develop long-term solutions regarding the supply, storage, and distribution of potable water and develop additional supplies.	In 2020, the following projects have made progress: a raw water line replacement project; relocation of water main to Pudding Creek bridge; design for improvements to water infrastructure north of Pudding Creek; and preliminary investigations into additional water storage and possible reclamation activities.
PF-2.3	Emergency Water Supply: Develop an emergency water supply for disaster preparedness.	In 2016, the City completed the Summers Lane Reservoir Project. In 2019, a new water storage tank was installed. These additional sources provide additional emergency water supply.
PF-2.4	Potable Water Quality: Maintain the safety of the water supply.	The City continues to operate the Water Treatment Plant in compliance with all State

Policy	Objective	Implementation
		and Federal regulations.
PF-2.5	Wastewater: Review wastewater capacity and expansion plans as needed when regulations change and as the treatment and disposal facility nears capacity.	An upgrade to the Waste Water Treatment Facility was completed in 2020, and has capacity for increased treatment volumes.
PF-2.6	Storm Drainage: Annually review storm drain system capacity and expansion plans.	The City increased its attention to Storm Drainage facilities and compliance with increased MS4 permitting requirements associated with business license approval/renewal.
PF-2.7	Public Buildings: Ensure that public buildings in the City are adequate to provide services for the community	City Hall and Town Hall was closed to the public due to COVID-19 pandemic. In lieu, the City offered virtual meetings, e-comment features, individual appointments, and outdoor portable toilets.
PF-2.8	Capital Improvement Plan: Continually update the Capital Improvement Plan to ensure that it identifies capital projects necessary to maintain adequate levels of performance as well as funding sources for all phases of intended projects.	The Capital Improvement Plan (CIP) is updated every year as part of the Budget process.
PF-2.9	Schools: Work with the Fort Bragg Unified School District to ensure that the District has the means to provide a high quality education to City students.	This is an ongoing activity.

### ***Conservation & Open Space Element***

Policy	Objective	Implementation
<b>Goal OS-1 (Coastal) Preserve and Enhance the City's Environmentally Sensitive Habitat Areas</b>		
<b>Goal OS-1 (Inland) Preserve areas with important biotic resources</b>		
OS-1.1 (Coastal)	Definition of ESHA. "Environmentally sensitive habitat area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human	Ongoing. This definition match's the Coastal Act's definition.

Policy	Objective	Implementation
	activities and developments.	
OS-1.1 (Inland)	Special Review Areas: Areas in the City containing watercourses, wetlands, sensitive plant and wildlife habitat, and forested land shall be designated as Special Review Areas.	The City continues to require biological reports and other specialized studies when reviewing projects designated as Special Review areas.
OS-1.2 (Coastal)	<p>Determination of ESHA. The determination of what constitutes ESHA shall not be limited by what is mapped and not all parcels that are mapped necessarily contain ESHA. Map OS-1 serves to identify those general areas known to potentially contain ESHA and for which a biological report is required consistent with Policy OS-1.7 to substantiate the presence or absence of ESHA on any particular parcel. Any area not designated on LUP Map OS-1 that meets the ESHA definition is ESHA and shall be accorded all the protection provided for ESHA in the LCP. All habitat maps shall include a note that states that “the maps may be updated as appropriate and may not include all areas that constitute ESHA.” The following areas shall be considered ESHA:</p> <ul style="list-style-type: none"> <li>• Any habitat area that is rare or especially valuable because of their special nature or role in an ecosystem and is easily degraded or disturbed by human activities or developments.</li> <li>• Any habitat area of plant or animal species designated as rare, threatened, or endangered under State or Federal law.</li> <li>• Any habitat area of species designated as Fully Protected or Species of Special Concern under State law or regulations.</li> <li>• Any habitat area of plant species for which there is compelling evidence of rarity, for example, those designated 1b (Rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.</li> </ul>	Ongoing. The City will continue to use this policy when reviewing development.
OS-1.2 (Inland)	Preserve Natural Resources: Require that sensitive natural resources in Special Review Areas be preserved and protected to the maximum degree feasible.	The City continues to require biological reports and other specialized studies when reviewing projects designated as Special Review areas.
OS-1.3 (Coastal)	Development in ESHA Wetlands: Diking, Filling, and Dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been	Ongoing. The City will continue to use this policy when reviewing CDP applications.

Policy	Objective	Implementation
	<p>provided to minimize adverse environmental effects, and shall be limited to the following uses: a. New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities. b. Maintaining existing or restoring previously dredged depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps. c. New or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities. d. Incidental public service purposes, including but not limited to burying cables and pipes or inspection of piers and maintenance of existing intake and outfall pipelines. e. Restoration purposes. f. Nature study, aquaculture, or similar resource dependent activities. Policy</p>	
OS-1.3 (Inland)	<p>Biological Report Required for Special Review Areas: Permit applications for development within or adjacent to Special Review Areas which have the possibility of containing sensitive habitat shall include a biological report prepared by a qualified biologist which identifies the resources and provides recommended measures to ensure that the requirements of CEQA, the Department of Fish and Wildlife, and the City of Fort Bragg's <i>General Plan(s)</i> are fully met. The required content of the biological report is specified in the <i>Land Use and Development Code</i>.</p>	<p>The City continues to require biological reports and other specialized studies when reviewing projects designated as Special Review areas.</p>
OS-1.4 (Coastal)	<p>The more specific permissible use provisions for wetlands identified in Policy OS-1.3 shall control over the more general permissible use provisions for other types of ESHA identified in Policy OS-1.5 and Policy OS-1.6.</p>	<p>Ongoing. The City will continue to use this policy when reviewing CDP applications.</p>
OS-1.4 (Inland)	<p>Maintain Open Space: Require site planning and construction to maintain adequate open space to permit effective wildlife corridors for animal movement between open spaces.</p>	<p>The comprehensive planning process for reuse of the former Mill Site includes Open Space/Parks zoning along the coastal trail. This "green-belt" serves multiple functions, including a wildlife corridor for animal movement.</p>
OS-1.5 (Coastal)	<p>Development in Rivers and Streams with ESHA. Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to: a. Necessary water supply projects, b. Flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or c. Developments where the primary function is the improvement of fish and wildlife habitat.</p>	<p>Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p>

Policy	Objective	Implementation
OS-1.6 (Coastal)	Development within Other Types of ESHA shall protect ESHA against any significant disruption of habitat values and shall be limited to the following uses: a. Resource Dependent Uses. Public nature trails within riparian ESHA are considered a resource dependent use provided that: (1) the length of the trail within the riparian corridor shall be minimized; (2) the trail crosses the stream at right angles to the maximum extent feasible; (3) the trail is kept as far up slope from the stream as possible; (4) trail development involves a minimum of slope disturbance and vegetation clearing; and (5) the trail is the minimum width necessary. Interpretive signage may be used along permissible nature trails accessible to the public to provide information about the value and need to protect sensitive resources. b. Restoration projects where the primary purpose is restoration of the habitat. c. Invasive plant eradication projects if they are designed to protect and enhance habitat values. d. Pipelines and utility lines installed underneath the ESHA using directional drilling techniques designed to avoid significant disruption of habitat values.	Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.  The City requires biological studies in conjunction with almost all CDP applications. These studies are referred to the Coastal Commission, Fish and Wildlife, and is relevant, the State Water Board and/or Army Corps of Engineers to ensure consistency with these policies.
OS-1.7 (Coastal)	Development in areas adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.	Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.  The City requires biological studies in conjunction with almost all CDP applications. These studies are referred to the Coastal Commission, Fish and Wildlife, and is relevant, the State Water Board and/or Army Corps of Engineers to ensure consistency with these policies.
OS-1.8 (Coastal)	Development adjacent to ESHA shall provide buffer areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. The purpose of this buffer area is to provide for a sufficient area to protect environmentally sensitive habitats 4 – Conservation, Open Space, Energy, & Parks Element 4 - 4 July 2008 Fort Bragg Coastal General Plan from significant degradation resulting from future development. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation with the California Department of Fish and Game, other relevant resource agencies, and the City, that 100 feet is not necessary to	Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.  The City requires biological studies in conjunction with almost all CDP applications. These studies are referred to the Coastal

Policy	Objective	Implementation
	<p>protect the resources of that particular habitat area and the adjacent upland transitional habitat function of the buffer from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive habitat areas and in no event shall be less than 30 feet in width.</p>	<p>Commission, Fish and Wildlife, and is relevant, the State Water Board and/or Army Corps of Engineers to ensure consistency with these policies.</p>
<p>OS-1.9 (Coastal)</p>	<p>Utilize the following criteria to establish buffer areas: a. Biological Significance of Adjacent Lands. Lands adjacent to a wetland, stream, or riparian habitat area vary in the degree to which they are functionally related to these habitat areas. Functional relationships may exist if species associated with such areas spend a significant portion of their life cycle on adjacent lands. The degree of significance depends upon the habitat requirements of the species in the habitat area (e.g., nesting, feeding, breeding, or resting). Where a significant functional relationship exists, the land supporting this relationship shall also be considered to be part of the ESHA, and the buffer zone shall be measured from the edge of these lands and be sufficiently wide to protect these functional relationships. Where no significant functional relationships exist, the buffer shall be measured from the edge of the ESHA that is adjacent to the proposed development. b. Sensitivity of Species to Disturbance. The width of the buffer zone shall be based, in part, on the distance necessary to ensure that the most sensitive species of plants and animals will not be disturbed significantly by the permitted development. Such a determination shall be based on the following after consultation with the Department of Fish and Game or others with similar expertise: (i) Nesting, feeding, breeding, resting, or other habitat requirements of both resident and migratory fish and wildlife species; (ii) An assessment of the short-term and long-term adaptability of various species to human disturbance; (iii) An assessment of the impact and activity levels of the proposed development on the resource. Erosion susceptibility. The width of the buffer shall be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, erosion potential, and vegetative cover of the parcel proposed for development and adjacent lands. A sufficient buffer to allow for the interception of any additional material eroded as a result of the proposed development shall be provided. d. Use natural topography. Where feasible, use hills and bluffs adjacent to Environmentally Sensitive Habitat Areas, to buffer these habitat areas. Where otherwise permitted, locate development on the sides of hills away from Environmentally Sensitive Habitat Areas. Include bluff faces in the buffer area. e. Use existing man-made features. Where feasible, use man-made features such as roads and dikes to buffer environmentally sensitive habitat areas. f. Lot Configuration and Location of Existing Development. Where an existing</p>	<p>Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p> <p>The City requires biological studies in conjunction with almost all CDP applications. These studies are referred to the Coastal Commission, Fish and Wildlife, and is relevant, the State Water Board and/or Army Corps of Engineers to ensure consistency with these policies.</p>

Policy	Objective	Implementation
	<p>subdivision or other development is largely built-out and the buildings are a uniform distance from a habitat area, at least that same distance shall be required as a buffer zone for any new development permitted. However, if that distance is less than one hundred (100) feet, additional mitigation measures (e.g., planting of native vegetation) shall be provided to ensure additional protection. g. Type and Scale of Development Proposed. The type and scale of the proposed development will, to a large degree, determine the size of the buffer zone necessary to protect the ESHA. Such evaluations shall be made on a case-by-case basis depending upon the resources involved, the degree to which adjacent lands are already developed, and the type of development already existing in the area. Required buffer areas shall be measured from the following points as applicable: ☐ The outer edge of the canopy of riparian vegetation for riparian ESHA, or from the top of stream bank where no riparian vegetation exists. ☐ The upland edge of a wetland for a wetland ESHA. ☐ The outer edge of the plants that comprise the rare plant community for rare plant community ESHA.</p>	
<p>OS-1.10 (Coastal)</p>	<p>Permitted Uses within ESHA Buffers. Development within an Environmentally Sensitive Habitat Area buffer shall be limited to the following uses: a. Wetland Buffer. i. Uses allowed within the adjacent Wetland ESHA pursuant to Policy OS-1.3. ii. Nature trails and interpretive signage designed to provide information about the value and protection of the resources iii. Invasive plant eradication projects if they are designed to protect and enhance habitat values. b. Riparian Buffer. i. Uses allowed within the adjacent River and Stream ESHA pursuant to Policy OS- 1.5. ii. Uses allowed within the adjacent ESHA pursuant to Policy OS-1.6. iii. Buried pipelines and utility lines. iv. Bridges. v. Drainage and flood control facilities. c. Other types of ESHA Buffer. i. Uses allowed within the adjacent ESHA pursuant to Policy OS-1.6. ii. Buried pipelines and utility lines. iii. Bridges. iv. Drainage and flood control facilities.</p>	<p>Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p> <p>The City requires biological studies in conjunction with almost all CDP applications. These studies are referred to the Coastal Commission, Fish and Wildlife, and is relevant, the State Water Board and/or Army Corps of Engineers to ensure consistency with these policies.</p>
<p>OS-1.11 (Coastal)</p>	<p>Land Divisions and ESHA. Prohibit new land divisions creating new parcels located entirely within an environmentally sensitive habitat area or buffer area unless the parcel to be created is restricted at the time of its creation solely for open space, public recreation, or conservation.</p>	<p>Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p> <p>The City requires biological studies in conjunction with almost all CDP applications.</p>

Policy	Objective	Implementation
		<p>These studies are referred to the Coastal Commission, Fish and Wildlife, and is relevant, the State Water Board and/or Army Corps of Engineers to ensure consistency with these policies.</p> <p>Subdivisions in the Coastal Zone are required to identify development envelopes where development may occur consistent with the ESHA policies of the LCP.</p>
OS-1.12 (Coastal)	<p>Drainage and Erosion Control Plan. Permissible development on all properties containing environmentally sensitive habitat, including but not limited to those areas identified as ESHA Habitat Areas on Map OS-1, shall prepare a drainage and erosion control plan for approval by the City. The plan shall include measures to minimize erosion during project construction, and to minimize erosive runoff from the site after the project is completed. Any changes in runoff volume, velocity, or duration that may affect sensitive plant and animal populations, habitats, or buffer areas for those populations or habitats, shall be reviewed by a qualified biologist to ensure that there will not be adverse hydrologic or, erosion, or sedimentation impacts on sensitive species or habitats. Mitigation measures shall be identified and adopted to minimize potential adverse runoff impacts. All projects resulting in new runoff to any streams in the City or to the ocean shall be designed to minimize the transport of pollutants from roads, parking lots, and other impermeable surfaces of the project.</p>	<p>Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p> <p>The Public Works Department, in conjunction with the Coastal Commission, Fish and Wildlife and the State Water Board, review development applications in the Coastal Zone for consistency with this and other related policies.</p>
OS-1.13 (Coastal)	<p>Landscaping Adjacent to ESHA. All development located within or adjacent to environmentally sensitive habitat areas shall be conditioned to: a) Require all proposed plantings be obtained from local genetic stocks within Mendocino County. If documentation is provided to the review authority that demonstrates that native vegetation from local genetic stock is not available, native vegetation obtained from genetic stock outside the local area, but from within the adjacent region of the floristic province, may be used; and if local genetic stocks within the floristic province are unavailable, the Director may authorize use of a commercial native mix, provided it is clear of invasive seed. Director may also authorize use of a seed mix that is selected for rapid senescence and replacement with native stock; and b) Require an invasive plant monitoring and removal program; and c) Prohibit the planting of any plant species on the property that is (a) listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, and/or by the State of California, or (b) listed as a 'noxious weed' by the State of California or the U.S. Federal Government.</p>	<p>Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p> <p>CDP applicants are required to submit landscape plans and biological reports, which are reviewed by City staff in conjunction with the Coastal Commission, Fish and Wildlife and the State Water Board to ensure consistency with this and related policies.</p>



Policy	Objective	Implementation
OS-1.14 (Coastal)	Vegetation Removal in ESHA. Prohibit vegetation removal in Environmentally Sensitive Habitat Areas and buffer areas except for: a) Vegetation removal authorized through coastal development permit approval to accommodate permissible development, b) Removal of trees for disease control, c) Vegetation removal for public safety purposes to abate a nuisance consistent with Coastal Act Section 30005, or d) Removal of firewood for the personal use of the property owner at his or her residence to the extent that such removal does not constitute development pursuant to Coastal Act Section 30106. Such activities shall be subject to restrictions to protect sensitive habitat values.	Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.  CDP applicants are required to submit landscape plans and biological reports, which are reviewed by City staff in conjunction with the Coastal Commission, Fish and Wildlife and the State Water Board to ensure consistency with this and related policies.
OS-1.15 (Coastal)	Implement the following measures when a project involves dredging, filling or diking of open coastal waters, wetlands, estuaries, or lakes: a) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and to water circulation to the maximum extent feasible. Avoiding significant disruption means, in part, that the functional capacity of the wetland is maintained to the maximum extent feasible. b) Limitations may be imposed, including but not limited to, limitations on the timing of the operation, the type of operation, the quantity of dredged material removed, and the location of the spoils site. c) Dredge spoils suitable for beach replenishment shall, where feasible, be transported to appropriate beaches or into suitable longshore current systems. d) Other mitigation measures may include opening areas to tidal action, removing dikes, improving tidal flushing, or other restoration measures.	Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.
OS-1.16 (Coastal)	Biological Report Required. a) Permit applications for development within or adjacent to Environmentally Sensitive Habitat Areas including areas identified in Map OS-1 or other sites identified by City staff which have the possibility of containing environmentally sensitive habitat shall include a biological report prepared by a qualified biologist which identifies the resources and provides recommended measures to ensure that the requirements of the Coastal Act and the City of Fort Bragg's Local Coastal Program are fully met. The required content of the biological report is specified in the Coastal Land Use and Development Code. b) Submittal of Biological Reports. These biological reports shall be reviewed by the City and approving agencies. The biological reports described above shall be submitted prior to filing as complete a coastal development permit application and may also be submitted as a part of any environmental documentation required pursuant to CEQA. The selection of the professional preparing the report shall be made or approved by the City or the agency	Ongoing. The City will continue to use this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.  The City requires biological studies in conjunction with almost all CDP applications. These studies are referred to the Coastal Commission, Fish and Wildlife, and sometimes the State Water Board to ensure consistency with these policies.

Policy	Objective	Implementation
	<p>approving the permit and paid for by the applicant. Biological reports shall contain mitigating measures meeting the following minimum standards: i. They are specific, implementable, and, wherever feasible, quantifiable. ii. They result in the maximum feasible protection, habitat restoration and enhancement of sensitive environmental resources. Habitat restoration and enhancement shall be required wherever feasible, in addition to the applicable baseline standard of either avoiding or minimizing significant habitat disruption. iii. They are incorporated into a Mitigation Monitoring Program; and iv. They include substantial information and analysis to support a finding that there is no feasible, less environmentally damaging alternative.</p>	
<p><b>Goal OS-2 (Coastal) Preserve and enhance the City’s other natural resources.</b></p>		
<p><b>Goal-OS-2 (Inland) Encourage Native Plants and Discourage Non-native Plants and trees</b></p>		
<p>OS-2.1 (Coastal)</p>	<p>Riparian Habitat: Prevent development from destroying riparian habitat to the maximum feasible extent. Preserve, enhance, and restore existing riparian habitat in new development unless the preservation will prevent the establishment of all permitted uses on the property.</p>	<p>Ongoing. The City will continue to implement this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p> <p>The Public Works Department, in conjunction with the Coastal Commission, Fish and Wildlife and the State Water Board, review development applications in the Coastal Zone for consistency with this and other related policies.</p>
<p>OS-2.1 (Inland)</p>	<p>Native Landscaping: All development shall be conditioned to require that 50% of all plantings are native plants and shall prohibit the planting of any plant species that is (a) listed as problematic and/or invasive by the California Invasive Plant Council, and/or by the State of California, or (b) listed as a ‘noxious weed’ by the State of California or the U.S. Federal Government.</p>	<p>Ongoing. The City will continue to implement this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p>
<p>OS-2.2 (Coastal)</p>	<p>Policy OS-2.2: Protect Aquifers: Protect groundwater aquifers.</p>	<p>Ongoing. The City will continue to implement this policy when reviewing CDP applications. No development in the Coastal Zone may be approved without conformance with this policy.</p>

Policy	Objective	Implementation
		CDP applicants are required to submit landscape plans and biological reports, which are reviewed by City staff in conjunction with the Coastal Commission, Fish and Wildlife and the State Water Board to ensure consistency with this and related policies.
OS-2.2 (Inland)	Prohibit Invasive Species: Condition development projects requiring discretionary approval to prohibit the planting of any species of broom, pampas grass, gorse, or other species of invasive non-native plants deemed undesirable by the City.	The City requires a landscape plan with most projects that require discretionary approval in order to ensure compliance with this and related policies.
OS-2.3 (Inland)	Preserve Native Vegetation and Trees: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.	All new development is required to preserve or conditioned to provide mitigation for removal of native vegetation or trees.
OS-2.4 (Inland)	Forested Areas: Maintain existing forested areas and reforest parks and streetscapes with new trees as needed. Projects proposed in forested areas are required to meet the requirements of the Special Review Areas.	The City continues to preserve and protect forested areas and trees. Discretionary applications that involve the removal of major vegetation are referred to Fish and Wildlife for additional review.
<b>Goal OS-3 Protect and preserve soil as a natural resource.</b>		
OS-3.1	Soil Erosion: Minimize soil erosion to prevent loss of productive soils, prevent flooding and landslides, and maintain infiltration capacity and soil structure.	All building permits involving soil disturbance of 120 SF or greater are required to provide additional documentation to ensure provisions are in place to stabilize soil.
<b>Goal OS-4 Protect and preserve Cultural Resources.</b>		
OS-4.1	Preserve Archaeological Resources: New development shall be located and/or designed to avoid archaeological and paleontological resources where feasible, and where new development would adversely affect archaeological or paleontological resources, reasonable mitigation measures shall be required.	The City actively consults with Sherwood Valley Band of Pomo to ensure that this policy is followed for all private and public projects.

Policy	Objective	Implementation
OS-4.2 (Coastal)	<p>Archaeological Resources Report Required. A) Development located within areas of known or potential archaeological or paleontological resources included in (i) – (iv) shall be required to submit a report consistent with the requirements of section B below prior to approval of a building, grading, or coastal development permit for the development. i. Former Georgia Pacific timber mill. The entire property which comprises the former Georgia-Pacific timber mill site; ii. Noyo Bay. The area located along the south side of Noyo Bay (e.g., Todd Point); iii. Noyo River. All of the areas located adjacent to the north side of the Noyo River; iv. North Fort Bragg Coast. All of the areas located west of Highway 1 and north of Pudding Creek; v. Special Review Areas. All Special Review Areas identified on Map OS-2 in the Coastal General Plan; and vi. Other areas identified by the Director. Other areas identified by the environmental review process (Chapter 18.72), or brought to the attention of the City through special studies performed after the enactment of this Section, as having the potential for containing archaeological or paleontological resources. B) Report required. A project specific report shall be prepared by a qualified archaeologist and shall be submitted prior to filing as complete a coastal development permit application. The permit review authority may waive the requirement for a project specific report if the Director determines that an existing report satisfies the requirements of this section. The report shall be prepared consistent with the requirements of Section 18.50.030 of the Coastal Land Use &amp; Development Code.</p>	<p>The City requires archaeological reports for development projects in the areas described by this policy. In addition, all project involving ground disturbing activities are referred Sherwood Valley Band of Pomo for review and coordination of tribal monitoring, if requested.</p>
OS-4.3 (Coastal)	<p>Halt all work if archaeological resources are uncovered during construction. Require an evaluation by a qualified archaeologist before recommencing construction.</p>	<p>The ILUDC and CLUDC includes policies requiring compliance with this General Plan policy. Discretionary permits require adherence to this policy as a standard condition of approval.</p>
OS-4.4 (Coastal)	<p>Locate and/or design new development to avoid archaeological resources where feasible.</p>	<p>The City requires archaeological reports for development projects in sensitive areas (as mapped and recommended by the Sherwood Valley Band of Pomo) in order to review projects for potential environmental impacts related to cultural and/or archaeological resources. These reports are referred to the Sherwood Valley Band of Pomo for review and coordination.</p>

Policy	Objective	Implementation
OS-4.5 (Coastal)	Mitigation shall be designed in compliance with the guidelines of the State Office of Historic Preservation and the State Native American Heritage Commission.	The City requires archaeological reports for development projects in sensitive areas (as mapped and recommended by the Sherwood Valley Band of Pomo) in order to review projects for potential environmental impacts related to cultural and/or archaeological resources. These reports are referred to the Sherwood Valley Band of Pomo for review and coordination. Mitigation measures are developed, where necessary, with the assistance of the Sherwood Valley Band of Pomo.
<p style="text-align: center;"><b>Goal OS-5 (Coastal) Preserve areas with biotic resources.</b></p> <p style="text-align: center;"><b>Goal OS-5 (Inland) Protect, enhance, restore riparian areas and wetlands</b></p>		
OS-5.1 (Coastal)	Native Species: Preserve native plant and animal species and their habitat.	The City continues to require biological reports and other specialized studies when reviewing projects designated as Special Review areas. The City has mapped open space areas where development is prohibited to help preserve natural habitats.
OS-5.1 (Inland)	Streams and Creeks: To the maximum extent feasible, preserve, protect, and restore streams and creeks to their natural state.	The City has explored the feasibility of daylighting Alder and Maple stormwater culverts.
OS-5.2 (Coastal)	To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.	The City continues to require biological reports and other specialized studies when reviewing projects designated as Special Review areas. The City has mapped open space areas where development is prohibited to help preserve natural habitats. Discretionary permits are reviewed for consistency with this policy.

Policy	Objective	Implementation
OS-5.2 (Inland)	Riparian Habitat: Prevent development from destroying riparian habitat to the maximum feasible extent. Preserve, enhance, and restore existing riparian habitat in new development unless the preservation will prevent the establishment of all permitted uses on the property.	The City continues to protect riparian habitat. 2019 example include that the riparian buffer area be clearly demarcated on Parcel Map for a lot line adjustment to facilitate Housing application submitted by Habitat for Humanity.
OS-5.3 (Coastal)	Require site planning and construction to maintain adequate open space to permit effective wildlife corridors for animal movement between open spaces.	The City continues to require biological reports and other specialized studies when reviewing projects designated as Special Review areas. The City has mapped open space areas where development is prohibited to help preserve natural habitats. The City's draft LCP amendment includes a buffer along the coastline to provide numerous benefits, including wildlife corridors. City actively refers relevant projects to Water Quality Board and Army Corps of Engineers for Section 401/404 permitting
OS-5.3 (Inland)	No Net Loss of Wetlands: Ensure no net loss of wetlands, as defined by the U.S. Army Corps of Engineers.	City actively refers relevant projects to Water Quality Board and Army Corps of Engineers for Section 401/404 permitting
OS-5.4 (Coastal)	Condition development projects, requiring discretionary approval to prohibit the planting of any species of broom, pampas grass, gorse, or other species of invasive non-native plants deemed undesirable by the City.	The City requires a landscape plan with discretionary applications, and reviews these projects for consistency with this and other related policies. The CLUDC prohibits the planting of invasive species, and many projects are required to remove invasive plants where they exist. The City also periodically relies on code enforcement efforts to help eradicate invasive species around the City.

Policy	Objective	Implementation
OS-5.4 (Inland)	Protect Aquifers: Protect groundwater aquifers.	New development projects are reviewed for potential impacts to groundwater resources. Code enforcement actions taken to protect aquifers.
<p align="center"><b>Goal-6 (Coastal) Reduce dependence on non-renewable energy and materials.</b></p> <p align="center"><b>Goal -6 (Inland) Improve water quality.</b></p>		
OS-6.1 (Coastal)	Energy Conservation Measures in Buildings: Continue to require structures to comply with State energy conservation standards and encourage owners of existing dwellings to retrofit with energy-saving features.	The City implements the California Building Code and its progressive measures related to energy conservation.
OS-6.1 (Inland)	Pollution in Runoff: Ensure protection of water resources from pollution and sedimentation.	Applicants undergoing projects with ground disturbing activities complete stormwater checklist and implement best management practices to reduce pollution runoff.
OS-6.2 (Coastal)	Development Review Process: Make energy conservation an important criterion in the development review process.	The City implements the California Building Code and its progressive measures related to energy conservation.
OS-6.2 (Inland)	Minimize Introduction of Pollutants: Development shall be designed and managed to minimize the introduction of pollutants into estuaries, wetlands, rivers and streams to the extent feasible.	The City implements its MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants.
OS-6.3 (Coastal)	Alternative Energy: Encourage the development and use of alternative sources of energy such as wind, solar, and waves to meet Fort Bragg's energy needs.	The City implements the California Building Code and its progressive measures related to energy conservation, including newly enacted requirements related to solar-readiness for new homes. The City continues to explore the local feasibility of wave energy for City energy needs.

Policy	Objective	Implementation
OS-6.3 (Inland)	Minimize Increases in Stormwater Runoff: Development shall be designed and managed to minimize post-project increases in stormwater runoff volume and peak runoff rate, to the extent feasible.	The City continues to review and require that all new development maintains directs storm water offsite.
OS-6.4 (Inland)	Maintain and Restore Biological Productivity and Water Quality: Development shall maintain and, where feasible, restore the biological productivity and the quality of streams and wetlands to maintain optimum populations of aquatic organisms and for the protection of human health.	The City continues to work with property owners and developers to restore biological productivity and water quality. 2019 example include working with State agencies and applicant to develop appropriate wetland restoration activities on the site of the proposed Avalon project.
OS-6.5 (Inland)	Municipal Activities to Protect and Restore Water Quality: The City shall promote both the protection and restoration of water quality. Water quality degradation can result from a variety of factors, including but not limited to the introduction of pollutants, increases in runoff volume and rate, generation of non-stormwater runoff, and alteration of physical, chemical, or biological features of the landscape.	The City continues to provide public education regarding protection and restoration of water quality. 2019 examples include installing new medallions on all stormwater inlets throughout the City; providing paper brochures in City Hall in English/Spanish; maintaining on-line resources on the City's website.
<b>Goal OS-7 Improve air quality.</b>		
OS-7.1	Participate in Regional Planning to Improve Air Quality: Continue to cooperate with the Mendocino County Air Quality Management District (MCAQMD) in implementing the <i>Regional Clean Air Plan</i> .	New development that triggers CEQA is required to submit a CalEEMod analysis (required by MCAQMD) to determine potential Air Quality impacts. All demolitions are referred to Mendocino County Environmental review for review.
OS-7.2	Air Quality Standards: Seek to comply with State and Federal standards for air quality.	Discretionary projects subject to CEQA review must meet air quality requirements in order for impacts to be less than significant, including compliance with State and Federal standards.



Policy	Objective	Implementation
		All demolitions are referred to Mendocino County Environmental review for review.
<p><b>Goal OS-8 (Coastal) Reduce, recycle, and reuse solid waste generated in the City.</b></p> <p><b>Goal OS-8 (Inland) Conserve and enhance a variety of open space features including creeks, wildlife habitats, scenic view corridors, and other amenities.</b></p>		
OS-8.1 (Coastal)	Recycling and Reuse of Solid Waste: Comply with State requirements to reduce the volume of solid waste through recycling and reduction of solid waste.	<p>The City requires building permits with demolition components and with substantial construction components submit a construction and demolition waste deposit. Applicants can retrieve their deposit after showing a reduced amount of waste going to the landfill.</p> <p>The City has also begun a Zero Waste program to educate citizens and businesses in ways to reduce waste generation.</p>
OS-8.1 (Inland)	Open Space: Plan for and condition new development to implement the City’s priorities for open space.	The comprehensive planning process to facilitate development and reuse of former Mill Site includes zoning for Open Space/Parks. This “green-belt” serves multiple functions, including a wildlife habitat, wildlife corridor, and possibility of daylighting Maple/Alder Creeks.
OS-8.2 (Inland)	Protect and Restore Open Space: During the development review process, protect and restore open space areas such as wildlife habitats, view corridors, and watercourses as open and natural.	The comprehensive planning process to facilitate development and reuse of former Mill Site includes zoning for Open Space/Parks. This “green-belt” serves multiple functions, including a wildlife habitat, wildlife corridor, and possibility of daylighting Maple/Alder Creeks.
OS-8.3 (Inland)	Trails in Open Space: Wherever feasible, plan and construct trails through the greenbelts and open space that connect to the City’s trail system with those of State Parks and MCRPD.	The City completed the middle section of the Coastal Trail in 2018, providing connection to

Policy	Objective	Implementation
		multi-use trail system from Pomo Bluffs to MacKerricher State Park.
<p><b>Goal OS-9 (Coastal) Improve water quality.</b></p> <p><b>Goal OS-9 (Inland) Provide an attractive system of parks and recreation facilities throughout the City to meet the needs of all age groups and capabilities.</b></p>		
OS-9.1 (Coastal)	Parkland Standard: Use the standard of three acres of parkland per 1,000 residents for the acquisition of additional parkland pursuant to the provisions of the Quimby Act (Government Code Section 66477).	Fort Bragg has considerably more than three acres of parkland per 1,000 residents. Noyo Headlands Park alone is over 105 acres, accounting for 15 acres for every 1,000 residents. This does not include the other parks in the City. The comprehensive planning process to facilitate development and reuse of former Mill Site includes zoning for Open Space/Parks. The intention is to serve multiple functions, including additional parklands.
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OS-9.2 (Coastal)	Minimize Increases in Stormwater Runoff. Development shall be designed and managed to minimize post-project increases in stormwater runoff volume and peak runoff rate, to the extent feasible, to avoid adverse impacts to coastal waters.	Development is subject to the City's MS4 requirements, and development applications are reviewed for compliance.

Policy	Objective	Implementation
OS-9.2 (Inland)	Neighborhood Parks: Acquire and develop new neighborhood parks, in concert with other local recreation agencies, to meet the needs of the existing population and consistent with growth of the City's population.	In 2019 the City applied for and was not awarded grant funds for Bainbridge Park improvements. The City is preparing to submit another grant request for this objective. In addition, the comprehensive planning process to facilitate development and reuse of former Mill Site includes Open Space/Parks zoning. The intention is to serve multiple functions, including additional parklands and athletic fields.
OS-9.3 (Coastal)	Maintain Biological Productivity and Quality of Coastal Waters. Development shall be designed and managed to maintain, and restore where feasible, the biological productivity and quality of coastal waters, consistent with sections 30230, 30231, and other relevant sections of the California Coastal Act. The Coastal Act sections set forth below are incorporated herein as policies of the Land Use Plan:	Development in the Coastal Zone is subject to Coastal Development Permitting. Compliance with this policy would be required for the approval of any permit.
OS-9.3 (Inland)	Recreational Facilities: Provide recreational facilities to meet the needs of all Fort Bragg citizens, especially children and teenagers.	The comprehensive planning process to facilitate development and reuse of former Mill Site includes zoning for Open Space/Parks. The intention is to serve multiple functions, including additional parklands and athletic fields. In 2019, the City assisted with the purchase of a lawn mower to better care for existing playing fields. The City provides ongoing support to Mendocino Park and Recreation Department for operation of CV Starr Center and amenities, as well as use of City Hall gym for activities such as Skate Night and drop-in Volleyball and Basketball.
OS-9.4 (Coastal)	Maintain, Enhance, and Restore Marine Resources. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.	Development is subject to Coastal Development Permitting and therefore compliance with this policy. Additionally, the City has helped fund the Noyo Center for Marine Science over the past several years. The Center includes education

Policy	Objective	Implementation
		on the maintenance, enhancement and restoration of marine resources to locals and tourists to the region
OS-9.4 (Inland)	Playground Facilities: Add or upgrade playground facilities at existing neighborhood parks.	The City is actively seeking funds for improvements to Wiggly Giggly Playground at Bainbridge Park. Internal funds have been identified to complete essential improvements necessary for maintenance and safety.
OS-9.5 (Coastal)	Maintain and Restore Biological Productivity and Water Quality. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.	Development is subject to Coastal Development Permitting and therefore compliance with this policy. Development is also subject to the City's MS4, and all development proposals are reviewed for compliance with established storm water runoff standards. Additionally, the City contributes funding to the Noyo Center for Marine Science. The Center includes education on the maintenance, enhancement and restoration of marine resources to locals and tourists to the region.
OS-9.5 (Inland)	Ballfields: Develop additional baseball, softball, and other ballfields.	The comprehensive planning process to facilitate development and reuse of former Mill Site includes Open Space/Parks zoning. The intention is to serve multiple functions, including additional parklands and athletic fields.
OS-9.6 (Inland)	Prioritize Park Acquisitions: Use the following criteria to prioritize acquisition of parkland and open space: a) distribution of neighborhood parks/playground facilities and ballfields on a neighborhood basis; b) scenic beauty; c) relationship to the existing and proposed trail systems and parks; d) natural resource protection; and e) appropriateness (physical characteristics) of the site to meet specific recreational needs.	The comprehensive planning process to facilitate development and reuse of former Mill Site includes Open Space/Parks zoning. The intention is to serve multiple functions, including additional parklands and athletic fields.

Policy	Objective	Implementation
OS-9.7 (Inland)	Financing Parks: Consider methods of increasing revenues for the acquisition and development of parkland and open space areas and supporting recreational facilities.	The City continues to seek grant funding to support open space and recreation facilities.
<p><b>Goal OS-10 (Coastal)</b> Improve water quality through the Selection and Design of Appropriate Best Management Practices (BMPs).</p> <p><b>Goal OS-10 (Inland)</b> Develop park and recreation facilities with the coordination of other agencies and the public.</p>		
OS-10.1 (Coastal)	Construction-phase Stormwater Runoff Plan. All development that requires a grading permit shall submit a construction-phase erosion, sedimentation, and polluted runoff control plan. This plan shall evaluate potential construction-phase impacts to water quality and coastal waters, and shall specify temporary Best Management Practices (BMPs) that will be implemented to minimize erosion and sedimentation during construction, and prevent contamination of runoff by construction chemicals and materials.	
OS-10.1 (Inland)	Coordinate with Other Agencies: Coordinate with other governmental entities to procure and develop additional park and recreational facilities.	The City provides ongoing support to Mendocino Park and Recreation Department for operation of CV Starr Center and amenities, as well as use of City Hall gym for activities such as Skate Night and drop-in Volleyball and Basketball. In 2019 the City applied to State Parks for funding improvements to Bainbridge Park.
OS-10.2 (Coastal)	Post-Construction Stormwater Runoff Plan. All development that has the potential to adversely affect water quality shall submit a post-construction polluted runoff control plan (“Runoff Mitigation Plan”). This plan shall specify long-term Site Design, Source Control, and, if necessary, Treatment Control BMPs that will be implemented to minimize stormwater pollution and erosive runoff after construction, and shall include the monitoring and maintenance plans for these BMPs	Applicants undergoing projects with ground disturbing activities complete stormwater checklist and implement best management practices to reduce pollution runoff.
OS-10.2 (Inland)	MacKerricher State Park: Continue to coordinate with State Department of Parks and Recreation regarding development adjacent to MacKerricher State Park.	The City continues to coordinate with State Department of Parks and Recreation regarding development adjacent to MacKerricher State Park.
OS-10.3 (Coastal)	Policy OS-10.3: Emphasize Site Design and Source Control BMPs. Long-term post-construction Best Management Practices (BMPs) that protect water quality and control	The City implements its MS4 stormwater permit which includes regulations to

Policy	Objective	Implementation
	<p>runoff flow shall be incorporated in the project design of development that has the potential to adversely impact water quality in the following order of emphasis: A) Site Design BMPs: Any project design feature that reduces the creation or severity of potential pollutant sources, or reduces the alteration of the project site’s natural flow regime. Examples include minimizing impervious surfaces, and minimizing grading. B) Source Control BMPs: Any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices, or operational practices that aim to prevent stormwater pollution by reducing the potential for contamination at the source of pollution. Examples include covering outdoor storage areas, use of efficient irrigation, and minimizing the use of landscaping chemicals. C) Treatment Control BMPs: Any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or any other physical, biological, or chemical process. Examples include vegetated swales, and storm drain inserts. Site Design BMPs may reduce a development’s need for Source and/or Treatment Control BMPs, and Source Control BMPs may reduce the need for Treatment Control BMPs. Therefore, all development that has the potential to adversely affect water quality shall incorporate effective post-construction Site Design and Source Control BMPs, where applicable and feasible, to minimize adverse impacts to water quality and coastal waters resulting from the development. Site Design and Source Control BMPs may include, but are not limited to, those outlined in the City’s Storm Water Management program.</p>	<p>ensure all private and public sector development projects minimize pollutants.</p>
<p>OS-10.3 (Inland)</p>	<p>City/School/Recreation District Cooperation: Continue to encourage City/School/Recreation District cooperation in developing and maintaining park and recreation facilities.</p>	<p>A portion of the City’s Transient Occupancy Tax is earmarked for the improvement of City and school district playing fields. There is a committee established for the management of these funds, in which the City has partnered with the school district. The City included the Fort Bragg Unified School District as a stakeholder for Bainbridge Park improvements.</p>
<p>OS-10.4 (Coastal)</p>	<p>Incorporate Treatment Control BMPs if Necessary. If the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters consistent with Policy OS-9.3, as determined by the review authority, development shall also incorporate post-construction Treatment Control BMPs. Projects of Special Water Quality Concern (see Policy OS-12.1) are presumed to require Treatment Control BMPs to meet the requirements of OS-9.3. Treatment Control BMPs may include, but are not limited to, those</p>	<p>The City continues to work with property owners and developers to restore biological productivity and water quality, as well as implement MS4 stormwater permit which includes regulations to ensure all private and public sector</p>

Policy	Objective	Implementation
	outlined in the City's Storm Water Management program, including biofilters (e.g., vegetated swales or grass filter strips), bioretention, infiltration trenches or basins, retention ponds or constructed wetlands, detention basins, filtration systems, storm drain inserts, wet vaults, or hydrodynamic separator systems.	development projects minimize pollutants.
OS-10.4 (Inland)	Public Participation: Actively solicit public participation in the selection, design, and facilities planning for existing and future park sites.	The City engaged in an extensive public participation process to revise the Bainbridge Park Master Plan, including facility selection, design and location.
OS-10.5 (Coastal)	<p>Guidance on BMP Selection and Design. Where BMPs, are required, BMPs shall be selected that have been shown to be effective in reducing the pollutants typically generated by the proposed land use. The strategy for selection of appropriate BMPS to protect 4 – Conservation, Open Space, Energy, &amp; Parks Element 4 - 14 July 2008 Fort Bragg Coastal General Plan water quality and coastal waters shall be guided by Chapter 18.64.070, Tables 1-3, of the Land Use &amp; Development Code, or equivalent tables which list pollutants of concern for each type of development or land use.</p> <p>The design of BMPs shall be guided by the California Stormwater Quality Association (CASQA) Stormwater BMP Handbooks dated January 2003 (or the current edition), or an equivalent BMP manual that describes the type, location, size, implementation, and maintenance of BMPs suitable to address the pollutants generated by the development. Caltrans' 2007 "Storm Water Quality Handbook: Project Planning and Design Guide" (or the current edition) may also be used to guide design of construction-phase BMPs.</p>	The City continues to work with property owners and developers to restore biological productivity and water quality, as well as implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants.
OS-10.6 (Coastal)	Water Quality Checklist. A water quality checklist shall be developed and used in the permit review process to evaluate a proposed development's potential impacts to water quality and coastal waters, and proposed mitigation measures.	Applicants undergoing projects with ground disturbing activities complete stormwater checklist and implement best management practices to reduce pollution runoff.
<b>Goal OS-11 (Coastal) Improve water quality through site design and source control BMPs</b>		
<b>Goal OS-11 (Inland) Provide a comprehensive trail system</b>		
OS-11.1 (Coastal)	Use Integrated Management Practices in Site Design. The city shall require, where appropriate and feasible, the use of small-scale integrated management practices (e.g., Low Impact Development techniques) designed to maintain the site's natural hydrology by minimizing impervious surfaces and infiltrating stormwater close to its source (e.g.,	The City continues to work with property owners and developers to integrate BMPs into site design, as well as implement MS4 stormwater permit which includes regulations

Policy	Objective	Implementation
	vegetated swales, permeable pavements, and infiltration of rooftop runoff).	to ensure all private and public sector development projects minimize pollutants.
OS-11.1 (Inland)	Multiple Use Trail System: Develop a multiple use trail system.	The City completed the middle section of the Coastal Trail in 2018, providing connection to a multi-use trail system from Pomo Bluffs to MacKerricher State Park.
OS-11.2 (Coastal)	Preserve Functions of Natural Drainage Systems. Development shall be sited and designed to preserve the infiltration, purification, detention, and retention functions of natural drainage systems that exist on the site, where appropriate and feasible. Drainage shall be conveyed from the developed area of the site in a non-erosive manner.	The City continues to work with property owners and developers to preserve natural drainage systems, as well as implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants.
OS-11.2 (Inland)	Establish an integrated trail system serving inland hiking and trail needs utilizing existing rights-of-way, City streets, and river front property.	On-going effort.
OS-11.3 (Coastal)	Minimize Impervious Surfaces. Development shall minimize the creation of impervious surfaces (including pavement, sidewalks, driveways, patios, parking areas, streets, and roof-tops), especially directly connected impervious areas, where feasible. Redevelopment shall reduce the impervious surface site coverage, where feasible. Directly connected impervious areas include areas covered by a building, impermeable pavement, and/or other impervious surfaces, which drain directly into the storm drain system without first flowing across permeable land areas (e.g., lawns).	The City continues review proposed development to minimize impervious surfaces, as well as implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants.
OS-11.3 (Inland)	Review development applications and require a trail easement dedication, where an appropriate nexus is established.	Proposed Avalon Hotel includes public access dedication from HWY 1 to the Haul Road.
OS-11.4 (Coastal)	Infiltrate Stormwater Runoff. Development shall maximize on-site infiltration of stormwater runoff, where appropriate and feasible, to preserve natural hydrologic conditions, recharge groundwater, attenuate runoff flow, and minimize transport of pollutants. Alternative management practices shall be substituted where the review authority has determined that infiltration BMPs may result in adverse impacts, including but not limited to where saturated soils may lead to geologic instability, where infiltration may contribute to flooding, or where regulations to protect groundwater may be violated.	The City continues review proposed development to minimize impervious surfaces and maximize infiltration, as well as implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize



Policy	Objective	Implementation
		pollutants.
OS-11.4 (Inland)	Require new development to provide direct pedestrian connections, such as sidewalks, trails, and other rights-of-way to the existing and planned network of parks and trails wherever feasible.	On-going.
OS-11.5 (Coastal)	Divert Stormwater Runoff into Permeable Areas. Development that creates new impervious surfaces shall divert stormwater runoff flowing from these surfaces into permeable areas, where appropriate and feasible, to enhance on-site stormwater infiltration capacity.	The City continues review proposed development to minimize impervious surfaces and maximize infiltration, as well as implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants.
OS-11.5 (Inland)	Review development applications to ensure that new development does not block proposed trail easements shown on Map OS-1.	On-going.
OS-11.6 (Coastal)	Use Permeable Pavement Materials. To enhance stormwater infiltration capacity, development shall use permeable pavement materials and techniques (e.g., paving blocks, porous asphalt, permeable concrete, and reinforced grass or gravel), where appropriate and feasible. Permeable pavements shall be designed so that stormwater infiltrates into the underlying soil, to enhance groundwater recharge and provide filtration of pollutants. All permeable pavement that is not effective in infiltrating as designed will be replaced with effective stormwater detention and infiltration methods.	The City continues review proposed development to minimize impervious surfaces and maximize infiltration, as well as implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants.
OS-11.6 (Inland)	Consider the access needs of a variety of users, including schoolage children, the elderly, and those with handicaps or disabilities when developing trails and recreation facilities.	On-going.
OS-11.7 (Coastal)	Avoid Steep Slopes with Highly Erodible Soil. Where feasible, development shall be sited and designed to avoid areas on steep slopes (i.e., 12% or greater) with highly erodible soil. Developments on these hillside areas are considered Developments of Special Water Quality Concern, and are subject to additional requirements (see Policies OS-12.1 and OS-12.2).	In 2020, no project were proposed on steep slopes.
OS-11.7 (Inland)	Pursue development of a trail through east Fort Bragg.	This is currently not being actively pursued.
OS-11.8 (Coastal)	Landscape with Native Plant Species. The City shall encourage development to use drought-resistant native plant species for landscaping, to reduce the need for irrigation and	The City conditions all development near ESHA to only utilize native plants and to

Policy	Objective	Implementation
	landscaping chemicals (e.g., pesticides and fertilizers).	remove invasive plants. All other development is encouraged to use drought tolerant landscaping.
OS-11.8 (Inland)	Consider completing a feasibility study for the development of a pedestrian bridge over Pudding Creek.	Implemented. In addition to Pudding Creek Trestle, Caltrans is planning pedestrian upgrade to the Hwy 1 bridge.
OS-11.9 (Coastal)	Provide Storm Drain Inlet Markers. Markers or stenciling shall be required for all storm drain inlets constructed or modified by development, to discourage dumping and other illicit discharges into the storm drain system.	In 2019, the City replaced many aging storm drain inlet markers and continues to replace, as needed.
OS-11.10 (Coastal)	Continue Operation and Maintenance of Post-Construction BMPs. Permittees shall be required to continue the operation, inspection, and maintenance of all post-construction BMPs as necessary to ensure their effective operation for the life of the development.	The City continues to work with property owners and developers to implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants during and post construction.
<b>Goal OS-12 (Coastal) Improve water quality through additional requirements for Developments of Special Water Concern</b>		
OS-12.1	Developments of Special Water Quality Concern. The categories of development listed below have the potential for greater adverse coastal water quality impacts, due to the development size, type of land use, impervious site coverage, or proximity to coastal waters. A development in one or more of the following categories shall be considered a "Development of Special Water Quality Concern," and shall be subject to additional requirements set forth in Policy OS-12.2 below to protect coastal water quality. Developments of Special Water Quality Concern include the following: a) Housing developments of ten or more dwelling units. b) Hillside developments on slopes greater than 12 percent, located in areas with highly erodible soil. c) Developments that result in the creation, addition, or replacement of 10,000 square feet or more of impervious surface area. d) Parking lots with 5,000 square feet or more of impervious surface area, potentially exposed to stormwater runoff. e) Heavy industrial developments. f) Vehicle service facilities (including retail gasoline outlets, service stations, commercial car washes, and vehicle repair facilities). g) Commercial or industrial outdoor storage areas of 5,000 square feet or more, or as determined by the review authority based on the use of the storage area, where used for storage of materials that may contribute pollutants to the storm drain system or	No project in 2020 was proposed in areas identified as Special Water Concern. Implementation ongoing.

Policy	Objective	Implementation
	<p>waterbodies. h) All developments within 125 feet of the ocean or a coastal waterbody (including estuaries, wetlands, rivers, streams, and lakes), or that discharge directly to the ocean or a waterbody, if such development results in the creation, addition, or replacement of 2,500 square feet or more of impervious surface area. a. "Discharge directly to" the ocean or a waterbody means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands. i) Any other development determined by the review authority to be a Development of Special Water Quality Concern.</p>	
OS-12.2	<p>Additional Requirements for Developments of Special Water Quality Concern. All Developments of Special Water Quality Concern (as identified in Policy OS-12.1, above) shall be subject to the following four additional requirements to protect coastal water quality: 1) Water Quality Management Plan. The applicant for a Development of Special Water Quality Concern shall be required to submit for approval a Water Quality Management Plan (WQMP), prepared by a qualified licensed professional, which supplements the Runoff Mitigation Plan required for all development. The WQMP shall include hydrologic calculations per City standards that estimate increases in pollutant loads and runoff flows resulting from the proposed development, and specify the BMPs that will be implemented to minimize post-construction water quality impacts. 2) Selection of Structural Treatment Control BMPs. As set forth in Policy OS-10.4, if the review authority determines that the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters as required by Policy OS-9.3, structural Treatment Control BMPs shall also be required. The WQMP for a Development of Special Water Quality Concern shall describe the selection of Treatment Controls BMPs, and applicants shall first consider the BMP, or combination of BMPs, that is most effective at removing the pollutant(s) of concern, or provide a justification if that BMP is determined to be infeasible. 3) 85th Percentile Design Standard for Treatment Control BMPs. For post-construction treatment of runoff in Developments of Special Water Quality Concern, Treatment Control BMPs (or suites of BMPs) shall be sized and designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1- hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs. 4) Goal for Runoff Reduction. In Developments of Special Water Quality Concern, the post-development peak stormwater runoff discharge rate shall not exceed the estimated pre-development rate for developments where an increased discharge rate will result in increased potential for downstream erosion or other adverse habitat impacts.</p>	<p>No project in 2020 was proposed in areas identified as Special Water Concern. Implementation ongoing.</p>
<p><b>Goal OS-13 (Coastal) Improve water quality through Municipal activities to protect water quality.</b></p>		

Policy	Objective	Implementation
OS-13.1	Municipal Activities to Protect and Restore Water Quality. The City shall promote both the protection and restoration of water quality and coastal waters. Water quality degradation can result from a variety of factors, including but not limited to the introduction of pollutants, increases in runoff volume and rate, generation of non-stormwater runoff, and alteration of physical, chemical, or biological features of the landscape.	No project in 2020 was proposed in areas identified as Special Water Concern. Implementation ongoing.
<b>Goal OS-14 Improve water quality through construction-phase pollution control.</b>		
OS-14.1	Minimize Polluted Runoff and Pollution from Construction. All development shall minimize erosion, sedimentation, and the discharge of other polluted runoff (e.g., chemicals, vehicle fluids, concrete truck wash-out, and litter) from construction activities, to the extent feasible.	The City continues to work with property owners and developers to implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants from construction.
OS-14.2	Minimize Land Disturbance During Construction. Land disturbance activities during construction (e.g., clearing, grading, and cut-and-fill) shall be minimized, to the extent feasible, to avoid increased erosion and sedimentation. Soil compaction due to construction activities shall be minimized, to the extent feasible, to retain the natural stormwater infiltration capacity of the soil.	The City continues to work with property owners and developers to implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants during construction.
OS-14.3	Minimize Disturbance of Natural Vegetation. Construction shall minimize the disturbance of natural vegetation (including significant trees, native vegetation, and root structures), which are important for preventing erosion and sedimentation.	The City continues to work with property owners and developers to implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants during construction.
OS-14.4	Stabilize Soil Promptly. Development shall implement soil stabilization BMPs (including, but not limited to, re-vegetation) on graded or disturbed areas as soon as feasible.	The City continues to work with property owners and developers to implement MS4 stormwater permit which includes regulations to ensure all private and public sector development projects minimize pollutants during construction.
OS-14.5	Grading During Rainy Season. Grading is prohibited during the rainy season (from November 1 to March 30), except in response to emergencies, unless the review authority determines that soil conditions at the project site are suitable, and adequate erosion and sedimentation	The City continues to work with property owners and developers to implement MS4 stormwater permit which includes regulations

Policy	Objective	Implementation
	control measures will be in place during all grading operations.	to ensure all private and public sector development projects minimize pollutants during grading activities.

***Circulation Element***

Policy	Objective	Implementation
<p><b>Goal C-1 (Coastal) Coordinate land use and transportation planning</b></p> <p><b>Goal C-1 (Inland) Complete Street Planning</b></p>		
C-1.1 (Coastal)	<p>Level of Service Standards:            Signalized and All-Way-Stop Intersections Along Highway One: LOS D            Side Street Stop Sign Controlled Intersections Along Highway One (Side Street Approach): LOS D, or LOS F if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.            Signalized and All-Way Stop Intersections not Along Highway One: LOS D, or LOS F if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.            Side Street Stop Sign Controlled Intersections Not Along Highway One (Side Street Approach): LOS C, or LOS E if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.</p> <ul style="list-style-type: none"> <li>• If volumes at an unsignalized intersection are increased to meet or exceed Caltrans rural peak hour signal Warrant #11 criteria levels and the intersection is operating at an unacceptable level of service, then signalization of the intersection is warranted.</li> <li>• LOS E for Main Street (Highway One) between the northbound lane merge area and Manzanita Street.</li> <li>• LOS D for Main Street south of the northbound merge lane and north of Manzanita</li> </ul>	Continue implementation of current standards.

Policy	Objective	Implementation
	<p>Street and other City-designated arterials and collectors.</p> <ul style="list-style-type: none"> <li>• LOS C on all City-designated local streets.</li> <li>• The maximum allowable LOS standards for Main Street apply to the p.m. peak hour weekdays during the summer and to the p.m. peak hour on weekdays and weekends during the remainder of the year. They do not apply to p.m. peak hours on weekends and holidays during the summer. During the p.m. peak hours on summer weekends and holidays, Main Street can operate at LOS F.</li> </ul>	
C-1.1 (Inland)	Balance the need of all users. The City shall balance the need to increase motor vehicle capacity with the need for complete streets that provide facilities for bicycle and pedestrian circulation and commercial viability.	The City is working with Caltrans to implement upgrades to pedestrian facilities along Main Street
C-1.2 (Coastal)	Coordinate Land Use and Transportation: Ensure that the amount and phasing of development can be adequately served by transportation facilities.	Grocery Outlet and Dollar General planning applications are currently under review to analyze potential traffic impacts and mitigation
C-1.2 (Inland)	Walking and bicycling shall be considered an essential and integral part of the city's circulation network.	The City continues to integrate pedestrian and cycling facilities into long-range planning and implementation efforts.
C-1.3 (Coastal)	Do not permit new development that would result in the exceedance of roadway and intersection Levels of Service standards unless one of the following conditions is met: a) Revisions are incorporated in the proposed development project which prevent the Level of Service from deteriorating below the adopted Level of Service standards; or b) Funding of pro-rata share of the cost of circulation improvements and/or the construction of roadway improvements needed to maintain the established Level of Service is included as a condition or development standard of project approval.	Continue implementation of current conditions and standards.
C-1.3 (Inland)	Complete Streets: New development, that includes new streets or street segments, shall build multi-modal “complete streets” that are designed for the safety and comfort of cyclists and pedestrians, including children, the elderly, and people with disabilities, consistent with US Department of Transportation complete streets guidelines.	The City continues to implement complete streets standards throughout the City through grant funded projects and development applications.

Policy	Objective	Implementation
C-1.4 (Coastal)	Include specific time frames for the funding and completion of roadway improvements for projects which cause adopted roadway and intersection Level of Service standards to be exceeded. Require security, bonding or other means acceptable to the City to ensure the timely implementation of roadway mitigations.	Street infrastructure projects are guided by the Alley Master Plan and the City's Pavement Management Program
C-1.5 (Coastal)	Traffic Impact Fees. When traffic impact fees are collected, establish a schedule from the date of collection of said fee for the expenditure of funds to construct roadway improvements that meets project needs. Where a project would cause a roadway or intersection to operate below the adopted traffic Level of Service standards, the roadway or intersection improvements should be completed in a timely manner but no later than five years after project completion.	Minimal development has not triggered a requirement for traffic impact fees.
<p><b>Goal C-2 (Coastal) Develop and manage a roadway system that accommodates future growth and maintains acceptable Levels of Service while considering the other policies and programs of the Coastal General Plan.</b></p> <p><b>Goal C-2 (Inland) Coordinate land use and transportation planning.</b></p>		
C-2.1 (Coastal)	Roadway Improvements: In coordination with Caltrans and Mendocino County, plan for and seek funding for on-going improvements to the local and regional road system to ensure that the roadway system operates safely and efficiently and to ensure that Highway 1 in rural areas outside the Mendocino County urban/rural boundary will remain a scenic two-lane road consistent with Section 30254 of the Coastal Act. Project applicants are fiscally responsible for their fair share of roadway improvements necessary to serve their projects.	City collaborates with Caltrans on their Highway 1 projects in and near Fort Bragg: Pudding Creek Bridge widening, installation of Traffic Management Systems, and ADA upgrades.
C-2.1 (Inland)	<p>Level of Service Standards:</p> <p>Signalized and All-Way-Stop Intersections Along Highway One: LOS D</p> <p>Side Street Stop Sign Controlled Intersections Along Highway One (Side Street Approach): LOS D, or LOS F if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.</p> <p>Signalized and All-Way Stop Intersections not Along Highway One: LOS D, or LOS F if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.</p> <p>Side Street Stop Sign Controlled Intersections Not Along Highway One (Side Street Approach): LOS C, or LOS E if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.</p>	Continue implementation of current standards.

Policy	Objective	Implementation
	<ul style="list-style-type: none"> <li>• If volumes at an unsignalized intersection are increased to meet or exceed Caltrans rural peak hour signal Warrant #11 criteria levels and the intersection is operating at an unacceptable level of service, then signalization of the intersection is warranted.</li> <li>• LOS E for Main Street (Highway One) between the northbound lane merge area and Manzanita Street.</li> <li>• LOS D for Main Street south of the northbound merge lane and north of Manzanita Street and other City-designated arterials and collectors.</li> <li>• LOS C on all City-designated local streets.</li> <li>• The maximum allowable LOS standards for Main Street apply to the p.m. peak hour weekdays during the summer and to the p.m. peak hour on weekdays and weekends during the remainder of the year. They do not apply to p.m. peak hours on weekends and holidays during the summer. During the p.m. peak hours on summer weekends and holidays, Main Street can operate at LOS F.</li> </ul>	
C-2.2 (Coastal)	Improvements to major road intersections for public safety or increased vehicle capacity shall be permitted, as necessary, in existing developed areas and where such improvements are sited and designed to be consistent with all policies of the LCP.	Minimal development has not required significant capacity enhancements. Current development under review include Grocery Outlet and Dollar General, which may necessitate improvements.
C-2.2 (Inland)	Coordinate Land Use and Transportation: Ensure that the amount and phasing of development can be adequately served by transportation facilities.	The City continues to ensure development can be served by transportation facilities.
C-2.3 (Coastal)	Design Roadways to Protect Scenic Views. In scenic areas, roadway improvements, including culverts, bridges or overpasses, shall be designed and constructed to protect public views and avoid or minimize visual impacts and to blend in with the natural setting to the maximum extent feasible.	Continue implementation of current standards.
C-2.3 (Inland)	Do not permit new development that would result in the exceedance of roadway and intersection Levels of Service standards unless one of the following conditions is met: a) Revisions are incorporated in the proposed development project which prevent the Level of Service from deteriorating below the adopted Level of Service standards; orb) Funding of pro-rata share of the cost of circulation improvements and/or the construction of roadway improvements needed to maintain the established Level of Service is included as a condition or development standard of project approval.	The City reviews all proposed development to ensure projects do not result in LOS exceedance without appropriate mitigation.
C-2.4 (Coastal)	Roadway Standards: Continue to provide consistent standards for the City's street system.	Continue implementation of current standards.



Policy	Objective	Implementation
C-2.4 (Inland)	Include specific periods for the funding and completion of roadway improvements for projects, which cause adopted roadway and intersection Level of Service standards to be exceeded. Require security, bonding or other means acceptable to the City to ensure the timely implementation of roadway mitigations.	The City reviews all proposed development to ensure projects do not result in LOS exceedance without appropriate mitigation.
C-2.5 (Coastal)	Continue to prohibit the establishment of private roads.	Continue current prohibition.
C-2.5 (Inland)	When traffic impact fees are collected, establish a schedule from the date of collection of said fee for the expenditure of funds to construct roadway improvements that meets project needs. Where a project would cause a roadway or intersection to operate below the adopted traffic Level of Service standards, the roadway or intersection improvements should be completed in a timely manner but no later than five years after project completion.	Minimal development has not triggered any requirements for traffic impact fees
C-2.6 (Coastal)	Traffic Studies for High Trip Generating Uses: Traffic studies shall be required for all major development proposals, including but not limited to, drive-through facilities, fast food outlets, convenience markets, major tourist accommodations, shopping centers, commercial development, residential subdivisions, and other generators of high traffic volumes that would affect a Level of Service. Traffic studies shall identify, at a minimum: (a) the amount of traffic to be added to the street system by the proposed development; (b) other known and foreseeable projects and their effects on the street system; (c) the direct, indirect, and cumulative adverse impacts of project traffic on street system operations, safety, and public access to the coast; (d) mitigation measures necessary to provide for project traffic while maintaining City Level of Service standards; (e) the responsibility of the developer to provide improvements; and (f) the timing of all improvements.	Traffic studies are required for all projects with significant possibility of traffic impacts. Continue implementation of current requirements and standards.
C-2.7 (Coastal)	Consider Impacts to Roads for LCP Amendments. Direct, indirect, and cumulative adverse impacts to Highway 1 capacity in the rural areas surrounding Fort Bragg shall be considered during the review of proposed LCP amendments that would increase density or change land use classifications to ensure that Highway 1 in rural areas outside the Mendocino County urban/rural boundary remains a scenic two-lane road consistent with Section 30254 of the Coastal Act.	Continue implementation of current standards. No such project submittals during the current reporting year.
C-2.8 (Coastal)	Continuation of Streets: Require the continuation of streets and bicycle and pedestrian paths through new developments wherever possible.	Continue implementation of current standards.

Policy	Objective	Implementation
C-2.9 (Coastal)	Policy C-2.9: Facilitate Street Connections. Review site plans for new development to facilitate the continuation of streets to improve local circulation. Priority shall be given to providing pedestrian and bicycle trails that establish connections to streets wherever possible.	Continue implementation of current standards. No such project submittals during the current reporting year.
C-2.10 (Coastal)	Continue Grid System onto Mill Site: Ensure that the grid street system and a north/south arterial on the Mill Site be designed to ensure the maximum benefit to local traffic, pedestrian, and bicycle circulation and to provide maximum public access to the coast.	Continue implementation of current standards.
C-2.11 (Coastal)	Right-of-Way Acquisition: Require right-of-way acquisition for new development to meet the City's roadway width standards.	Continue implementation of current standards. One such acquisition occurred during the reporting year (Redwood Avenue extension).
C-2.12 (Coastal)	Roadway Safety: Improve the safety of the roadway system. All safety improvements shall be consistent with the applicable policies of the LCP including, but not limited to, the wetlands, environmentally sensitive habitat area, public access, and visual protection policies.	2019 Street Safety Plan adopted, and Caltrans project currently underway to improve safety.
<p><b>Goal C-3 (Coastal) Preserve the peace and quiet of residential areas</b></p> <p><b>Goal C-3 (Inland) Develop and manage a roadway system that accommodates future growth and maintains acceptable Levels of Service while considering the other policies and programs of the General Plan.</b></p>		
C-3.1 (Coastal)	Reduce Through-Traffic on Local Streets: Reduce through-traffic on local streets to preserve the peace and quiet of residential areas.	Continue implementation of current standards.
C-3.1 (Inland)	Roadway Improvements: In coordination with Caltrans and Mendocino County, plan for and seek funding for on-going improvements to the local and regional road system to ensure that the roadway system operates safely and efficiently. Project applicants are fiscally responsible for their fair share of roadway improvements necessary to serve their projects.	On-going coordination for funding and project coordination through the Mendocino Council Of Governments (MCOG) and Caltrans.
C-3.2 (Coastal)	Additional Connector Streets: Establish additional connectors between residential streets to improve emergency access, particularly on dead-end streets south of Chestnut Street.	Continue implementation of current standards. No such project undertaken during the current reporting year.
C-3.2 (Inland)	Roadway Standards: Continue to provide consistent standards for the City's street system.	Continue implementation of current standards.

Policy	Objective	Implementation
C-3.3 (Inland)	High Trip Generating Uses: Traffic studies shall be required for all major development proposals that require a conditional approval, including but not limited to, drive through facilities, fast food outlets, convenience markets, major tourist accommodations, shopping centers, commercial development, residential subdivisions, and other generators of high traffic volumes that would affect a Level of Service. Traffic studies shall identify, at a minimum: a) The amount of traffic to be added to the street system by the proposed development; b) Other known and foreseeable projects and their effects on the street system; c) The direct, indirect, and cumulative adverse impacts of project traffic on street system operations, safety, and public access to the coast; d) Mitigation measures necessary to provide for project traffic while maintaining City Level of Service standards; e) The responsibility of the developer to provide improvements; and f) The timing of all improvements.	Continue implementation of current standards. No such project submittals during the current reporting year.
C-3.4 (Inland)	Continuation and Connectivity of Streets: Require the continuation of streets, bicycle and pedestrian paths through new developments wherever possible, and require connectivity to the street grid at as many points as feasible.	Continue implementation of current standards. No such project submittals during the current reporting year.
C-3.5 (Inland)	Right-of-Way Acquisition: Require right-of-way dedications for new development to meet the City's roadway width standards.	Continue implementation of current standards. One such acquisition occurred during the reporting year (Redwood Avenue extension).
C-3.6 (Inland)	Roadway Safety: Improve the safety of the roadway system	A Street Safety Plan was prepared during the reporting year.
C-3.7 (Inland)	Integration of Low Impact Development (LID): Development projects shall incorporate LID features, and subdivision or development projects that include street improvements shall incorporate LID features into the public rights-of-way when feasible.	Continue implementation of current standards.
C-3.8 (Inland)	Installation of Conduit in New Roads and Road Reconstruction Projects. Conduit shall be installed in all new roads and road reconstruction projects and dedicated to the City of Fort Bragg. Conduit shall be sized to accommodate fiber optic and other telecom technologies.	Continue implementation of current standards. No such project undertaken during the current reporting year.
<p><b>Goal C-4 (Coastal) Regard the quality of life in Fort Bragg and maintaining community identity as more important than accommodating through-traffic.</b></p> <p><b>Goal C-4 (Inland) Preserve the peace and quiet of residential areas.</b></p>		

Policy	Objective	Implementation
C-4.1 (Coastal)	Community Priorities for Transportation Improvements: Place a higher priority on maintaining a sense of place and enhancing the attractiveness of the Central Business District than on efficient traffic flow and movement.	Continue implementation of current standards.
C-4.1 (Inland)	Reduce Through-Traffic on Local Streets: Reduce through-traffic on local streets to preserve the peace and quiet of residential areas.	The City continues to implement recommendation for street calming measures contained in Street Safety plan, which is regularly updated.
C-4.2 (Inland)	Additional Connector Streets: Establish additional connectors between residential streets to improve emergency access, particularly on dead-end streets south of Chestnut Street.	Continue implementation of current standards. No such project undertaken during the current reporting year.
<p><b>Goal C-5 (Coastal)</b> Provide additional parking spaces in the Central Business District.</p> <p><b>Goal C-5 (Inland)</b> Regard the quality of life in Fort Bragg and maintaining community identity as more important than accommodating through-traffic.</p>		
C-5.1 (Coastal)	Additional Off-Street Parking: Continue to construct additional off-street parking spaces in the Central Business District.	Currently, the City has waived parking requirements in the CBD.
C-5.1 (Inland)	Community Priorities for Transportation Improvements: Place a higher priority on maintaining a sense of place and enhancing the attractiveness of the Central Business District than on efficient traffic flow and movement.	Continue implementation of current standards.
C-5.2 (Inland)	Franklin Street: Ensure that Franklin Street in the Central Business District is maintained as a pedestrian-oriented corridor with safe vehicular and pedestrian traffic patterns.	Franklin Street south of Oak Street was rehabilitated in 2017 and existing multi-modal features were maintained
<p><b>Goal C-6 (Coastal)</b> Improve access to the North Part of the Noyo Harbor.</p> <p><b>Goal C-6 (Inland)</b> Provide additional parking in the Central Business District.</p>		
C-6.1 (Coastal)	Provide Additional Access Routes to Noyo Harbor: Consider constructing a new access route from the west side of Main Street to the north side of the Noyo Harbor. Any new access route to the north side of the Noyo Harbor shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.	Continue implementation of current standards.
C-6.1	Additional Off-Street Parking: Continue to construct additional off-street parking spaces in	Currently, the City has waived parking

Policy	Objective	Implementation
(Inland)	the Central Business District.	requirements in the CBD.
C-6.2 (Coastal)	Improve Existing North Harbor Drive: Consider improvements to North Harbor Drive to increase capacity and safety for vehicles and pedestrians. Any improvements to North Harbor Drive shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.	Continue implementation of current standards.
<p><b>Goal C-7 (Coastal)</b> Improve emergency access to the City.</p> <p><b>Goal C-7 (Inland)</b> Improve the Design of Parking Lots in Accordance with Smart Growth Principles.</p>		
C-7.1 (Coastal)	Emergency Access: Establish an access route out of Fort Bragg that could be used in the event of damage to the Noyo River and Pudding Creek Bridges.	Continue implementation of current standards.
C-7.1 (Inland)	Improve and update parking regulations in accordance with best practices and smart growth principles.	The City does not require on-site parking for ADUs and recently updated regulations to comply with state law, which states that if a garage is converted into an ADU, replacement parking is not required.
<p><b>Goal C-8 (Coastal): Provide better public education.</b></p> <p><b>Goal C-8 (Inland): Improve emergency access to the City.</b></p>		
C-8.1 (Coastal)	Encourage transit use	Continue implementation of current standards; collaborate with the Mendocino Transit Authority (MTA).
C-8.1 (Inland)	Emergency Access: Establish an access route out of Fort Bragg that could be used in the event of damage to the Noyo River and Pudding Creek Bridges.	Continue implementation of current standards.
C-8.2 (Coastal)	Bus Shelters: Encourage attractive, well-lighted, and comfortable bus shelters placed in convenient locations.	Continue implementation of current standards; collaborate with the Mendocino Transit Authority (MTA).
C-8.3 (Coastal)	Transit Facilities in New Development. Continue to require the provision of bus stops, bus shelters, benches, turnouts, and related facilities in all major new commercial, industrial, residential, and institutional developments.	Continue implementation of current standards; collaborate with the Mendocino Transit Authority (MTA).

Policy	Objective	Implementation
<p><b>Goal C-9 (Coastal): Make it easier and safer for people to walk in Fort Bragg.</b></p> <p><b>Goal C-9 (Inland): Improve east-west access routes that are sensitive to the environment and preserve Fort Bragg's unique identity and sense of place.</b></p>		
C-9.1 (Coastal)	Provide Continuous Sidewalks: Provide a continuous system of sidewalks throughout the City.	Continue implementation of current standards. The 2019 Street Rehabilitation Project filled some gaps and Caltrans improvements along Main Street are in progress.
C-9.1 (Inland)	Eastern Areas: Identify the location of extensions to City streets and new streets in anticipation of future annexation and development east of City limits.	The City's Sphere of Influence includes areas that could potentially be appropriate for annexation. The 2019 Housing Element update includes a program to consider annexation for residential development.
C-9.2 (Coastal)	Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.	Continue implementation of current standards.
C-9.2 (Inland)	Improve East-West Arterials: Improve Oak Street, Chestnut Street, and Redwood Avenue to provide safe and efficient circulation between Main Street and east Fort Bragg.	Continue implementation of current standards.
C-9.3 (Coastal)	Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements.	Continue implementation of current standards.
C-9.4 (Coastal)	Sidewalk Maintenance: Ensure that property owners maintain sidewalks in a safe manner.	Continue implementation of current standards and code enforcement efforts.
C-9.5 (Coastal)	Pedestrian Paths: Develop a series of continuous pedestrian walkways throughout the commercial districts and residential neighborhoods.	Continue implementation of current standards.
C-9.6 (Coastal)	Ensure that pedestrian paths are sited to avoid wetlands and other environmentally sensitive areas.	Continue implementation of current standards.
C-9.7 (Coastal)	Improve Pedestrian Safety.	Continue implementation of current standards.

Policy	Objective	Implementation
<p><b>Goal C-10 (Coastal): Make it easier and safer for people to travel by bicycle.</b></p> <p><b>Goal C-10 (Inland): Provide better public transportation.</b></p>		
C-10.1 (Coastal)	Comprehensive Bikeway System: Establish a comprehensive and safe system of bikeways connecting all parts of Fort Bragg.	Continue implementation of current standards and master planning.
C-10.1 (Inland)	Encourage Transit Use	Continue implementation of current standards; collaborate with the Mendocino Transit Authority (MTA).
C-10.2 (Coastal)	Require Bikeways. Require new development to provide on-site connections to existing and proposed bikeways, as appropriate.	Continue implementation of current standards.
C-10.2 (Inland)	Bus Shelters: Encourage attractive, well-lighted, and comfortable bus shelters placed in convenient locations.	Continue implementation of current standards; collaborate with the Mendocino Transit Authority (MTA).
C-10.3 (Coastal)	Require that streets linking residential areas with school facilities be designed to include bikeways.	Continue implementation of current standards.
C-10.4 (Coastal)	Consider bicycle operating characteristics in the design of intersections and traffic control systems.	Continue implementation of current standards.
C-10.5 (Coastal)	Bicycle Parking: Provide adequate and secure bicycle parking at public transit facilities, park and ride lots, schools, the library, parks, City offices, and commercial areas.	Continue implementation of current standards. Several bicycle parking area are included in The Plateau housing project.
<p><b>Goal C-11 (Coastal): Provide mobility-impaired persons with access to transportation.</b></p> <p><b>Goal C-11 (Inland): Make it easier and safer for people to walk in Fort Bragg.</b></p>		
C-11.1 (Coastal)	Regulations for Disabled Persons: Enforce Federal and State regulations regarding access for persons with disabilities.	Continue implementation of current standards. Caltrans implemented ADA upgrades in 2020 along Main Street.
C-11.1 (Inland)	Continuous Sidewalks: Require an uninterrupted pedestrian network of sidewalks, with continuous sidewalks along both sides of streets. New development shall provide sidewalks along project frontages to close gaps in the City's sidewalk network.	Continue implementation of current standards. The 2019 Street Rehabilitation Project filled some sidewalk gaps and designs

Policy	Objective	Implementation
		are currently in progress to improve connectivity on south Main Street.
C-11.2 (Coastal)	Handicapped Access. In conformance with State and Federal regulations, continue to review all projects for handicapped access and require the installation of curb cuts, ramps, and other improvements facilitating handicapped access.	Continue implementation of current standards. The 2019 Street Rehabilitation Project filled some sidewalk gaps and designs are currently in progress to improve connectivity on south Main Street.
C-11.2 (Inland)	Where feasible, incorporate pedestrian and bicycle facilities into the design and construction of all road improvements.	Continue implementation of current standards.
C-11.3 (Coastal)	Support Improved Access: Support improved access to public transportation and pedestrian facilities for people with disabilities.	Continue implementation of current standards. Caltrans completed ADA upgrades to several intersections along Main Street.
C-11.3 (Inland)	Sidewalk Maintenance: Ensure that property owners maintain safe sidewalks.	Continue implementation of current standards and code enforcement efforts. City initiated abatement of troublesome sidewalk in front of the Post Office.
C-11.4 (Inland)	Sidewalk Design: Sidewalks should be designed, constructed and reconstructed to enhance the safety, comfort, aesthetic appeal, and interest of the pedestrian environment.	Sidewalk, curb and gutters are installed based on City standards.
C-11.5 (Inland)	Pedestrian Paths: Develop a series of continuous pedestrian and multi-use walkways throughout the commercial districts and residential neighborhoods.	Continue implementation of current standards.
C-11.6 (Inland)	Improve Pedestrian Safety	Continue implementation of current standards. Several grant funded efforts are underway to improve pedestrian safety along Main Street.
<p><b>Goal C-12 (Coastal): Increase use of the Skunk Line for transportation of people and freight.</b></p> <p><b>Goal C-12 (Inland):</b></p>		



Policy	Objective	Implementation
C-12.1 (Inland)	Comprehensive Bikeway System: Establish a comprehensive and safe system of bikeways connecting all parts of Fort Bragg.	Continue implementation of current standards. No such project undertaken during the current reporting year. A bikeway system has been largely completed and gap filling is the current focus.
C-12.2 (Inland)	Improve and expand bicycle facilities and infrastructure according to the City's Bicycle Master Plan and the Residential Streets Safety Plan recommendations.	Continue implementation of current standards. No such project undertaken during the current reporting year. A bikeway system has been largely completed and gap filling is the current focus.
C-12.3 (Inland)	Require new development to provide on-site connections to existing and proposed bikeways, as appropriate.	New development is reviewed for compliance of this policy; ongoing.
C-12.4 (Inland)	Require new development, redevelopment, and significant renovation projects to provide superior bicycle/bicyclist support infrastructure.	Continue implementation of current standards. No such project submittals during the current reporting year.
C-12.5 (Inland)	Bicycle Parking: Provide adequate and secure bicycle parking at bus stops, schools, the library, parks, City offices, and commercial areas.	Continue implementation of current standards.
C-12.6 (Inland)	Require that streets linking residential areas with school facilities be designed to include bikeways.	Continue implementation of current standards. No such project undertaken during the current reporting year.
C-12.7 (Inland)	Consider bicycle operating characteristics in the design of intersections and traffic control systems. Incorporate bicycle and pedestrian facilities into the design and construction of all road improvements as feasible.	Continue implementation of current standards.
C-12.8 (Inland)	Improve continuity and connections between the City's bike facilities and those of the County and State.	Continue coordination through MCOG and Caltrans
<p><b>Goal C-13 (Coastal):</b> Coordinate regional traffic planning.</p> <p><b>Goal C-13 (Inland):</b> Provide mobility-impaired persons with access to transportation.</p>		

Policy	Objective	Implementation
C-13.1 (Coastal)	Regional Transportation Efforts: Participate in regional transportation planning efforts.	Continue coordination with MCOG and Caltrans to fund and implement transportation planning efforts.
C-13.1 (Inland)	Regulations for Disabled Persons: Enforce Federal and State regulations regarding access for persons with disabilities.	Continue implementation of current standards.
C-13.2 (Inland)	Conformance with State and Federal ADA regulations: Continue to review all projects for handicapped access and require the installation of curb cuts, ramps, and other improvements facilitating handicapped access.	Continue implementation of current standards.
C-13.3 (Inland)	Support Improved Access: Support improved access to public transportation and pedestrian facilities for people with disabilities.	Continue implementation of current standards.
<p><b>Goal C-14 (Coastal): Promote balanced funding for transportation.</b></p> <p><b>Goal C-14 (Inland): Coordinate regional traffic planning.</b></p>		
C-14.1 (Coastal)	Development to Pay Its Fair Share: Require new development to pay its fair share of transportation improvements to maintain levels of service and traffic safety in the City.	Development applicants pay real-time funding for project processing through Development Deposit Accounts (DDAs).
C-14.1 (Inland)	Regional Transportation Efforts: Participate in regional transportation planning efforts.	Continue coordination through MCOG and Caltrans to fund and implement transportation planning efforts.
<p><b>Goal C-15 (Inland) Promote balanced funding for transportation.</b></p>		
C-15.1 (Inland)	Development to Pay its Fair Share: Require new development to pay its fair share of transportation improvements to maintain levels of service and traffic safety in the City.	Development applicants pay real-time funding for project processing through Development Deposit Accounts (DDAs).

## Community Design Element

Policy	Objective	Implementation
<p><b>Goal CD-1 (Coastal): Preserve and enhance scenic views.</b></p> <p><b>Goal CD-1 (Inland): Ensure that new development demonstrates excellence of design and sensitivity to the character of the surrounding neighborhood.</b></p>		
<p>CD-1.1 (Coastal)</p>	<p>Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.</p>	<p>Development in the Coastal Zone is subject to Coastal Development Permitting. CDPs require visual analysis in areas where public views to and along the ocean are affected, as mapped in the LCP. Continued review of projects for consistency with the visual resource policies of the LCP will ensure ongoing compliance with this policy.</p>
<p>CD-1.1 (Inland)</p>	<p>Citywide Design Guidelines: Ensure that new development and remodels are constructed in a manner consistent with the Citywide Design Guidelines.</p>	<p>City requires Design Review for all significant commercial projects. The Citywide Design Guidelines are the standard of review for these permit reviews.</p>
<p>CD-1.2 (Coastal)</p>	<p>The large trees fronting the west side of Highway One between the North Cliff Hotel and Cypress Street shall be retained as far as feasible; trees may be removed if they are dead or damaged or pose a public safety hazard, or to provide driveways or new public streets. The forested area north of the Georgia-Pacific nursery and south of Maple Street shall be maintained as a sensitive natural habitat and scenic resource, and it shall not be developed.</p>	<p>In 2019, the City permitted the removal of trees in north of the GP nursery for the protection of the remaining tree stand, reducing fire hazards and damage from trespass.</p>
<p>CD-1.2 (Inland)</p>	<p>Discourage Sameness and Repetitive Residential Designs.</p>	<p>Implementation ongoing.</p>
<p>CD-1.3 (Coastal)</p>	<p>Visual Analysis Required. A Visual Analysis shall be required for all development located in areas designated "Potential Scenic Views Toward the Ocean or the Noyo River" on Map CD-1 except development listed in below. Development exempt from Visual Analysis includes the following: 1. The replacement of any structure, other than a public works facility, destroyed by a disaster. The replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall</p>	<p>The City continues to require visual analysis for projects subject to CDPs in areas with "Potential Scenic Views Toward the Ocean or the Noyo River."</p>

Policy	Objective	Implementation
	<p>be sited in the same location on the affected property as the destroyed structure. 2. The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure. 3. Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure. 4. The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not seaward of the location of the former structure. 5. Any repair or maintenance activity for which the Director determines has no potential for impacts to visual resources. Definitions as used in this subsection: 1. "Disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner. 2. "Bulk" means total interior cubic volume as measured from the exterior surface of the structure. 3. "Structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.</p>	
CD-1.3 (Inland)	<p>Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from public rights-of-way.</p>	<p>City requires Design Review for all significant commercial projects. The Citywide Design Guidelines are the standard of review for these permit reviews.</p>
CD-1.4 (Coastal)	<p>New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.</p>	<p>The City continues to require visual analysis for projects subject to CDPs in areas with "Potential Scenic Views Toward the Ocean or the Noyo River."</p>
CD-1.4 (Inland)	<p>Property Maintenance and Nuisances: Ensure that properties are well maintained and nuisances are abated.</p>	<p>The City regularly pursues code enforcement actions to abate nuisance conditions related to property maintenance.</p>
CD-1.5 (Coastal)	<p>All new development shall be sited and designed to minimize alteration of natural landforms by: 1. Conforming to the natural topography. 2. Preventing substantial grading or reconfiguration of the project site. 3. Minimizing flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs. 4. Requiring that man-made</p>	<p>Development in the Coastal Zone continues to require a CDP, where consistency with this and related policies is ensured through visual analysis.</p>

Policy	Objective	Implementation
	<p>contours mimic the natural contours. 5. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area. 6. Minimizing grading permitted outside of the building footprint. 7. Clustering structures to minimize site disturbance and to minimize development area. 8. Minimizing height and length of cut and fill slopes. 9. Minimizing the height and length of retaining walls. 10. Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.</p>	
CD-1.5 (Inland)	Strip Development: Discourage strip development along Main Street.	The City continues to work with prospective applicants and developers to design projects that significantly comply with the Citywide Design Guidelines.
CD-1.6 (Coastal)	Fences, walls, and landscaping shall minimize blockage of scenic areas from roads, parks, beaches, and other public viewing areas.	Development in the Coastal Zone continues to require a CDP, where consistency with this and related policies is ensured through visual analysis.
CD-1.7 (Coastal)	<p>Bluff Face and Bluff Retreat Setback Development. Development on the bluff face and within the bluff retreat setback shall be limited to the following uses with a conditional use permit where there is no feasible less environmentally damaging alternative, feasible mitigation measures have been provided to minimize all adverse environmental impacts. And allowable structures are designed be visually compatible with the surrounding area to the maximum extent feasible. (a) engineered access ways or staircases to beaches, boardwalks, viewing platforms, and trail alignments for public access purposes, (b) pipelines to serve coastal dependent industry, (c) habitat restoration, (d) hazardous materials remediation, and (e) landform alterations where such alterations re-establish natural landforms and drainage patterns that have been eliminated by previous development activities.</p>	Development in the Coastal Zone continues to require a CDP to determine consistency with this policy.
CD-1.8 (Coastal)	Bluff top development shall incorporate a setback from the edge of the bluff that avoids and minimizes visual impacts from the beach and ocean below. The bluff top setback necessary to protect visual resources may be in excess of the setback necessary to ensure that risk from geologic hazards are minimized for the life of the structure, as detailed in Policy SF-B.	Development in the Coastal Zone continues to require a CDP to determine consistency with this policy.
CD-1.9	Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting)	Development in the Coastal Zone continues to

Policy	Objective	Implementation
(Coastal)	shall be minimized, restricted to low intensity fixtures, and shielded so that no light shines beyond the boundary of the property.	require a CDP to determine consistency with this policy.
CD-1.10 (Coastal)	All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.	Development in the Coastal Zone, including subdivisions and boundary line adjustments, continues to require a CDP to determine consistency with this policy.
CD-1.11 (Coastal)	New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.	Development in the Coastal Zone continues to require a CDP to determine consistency with this policy.
CD-1.12 (Coastal)	Maintain Unobstructed Views of the Ocean: Require new development north of Pudding Creek to leave unblocked views to the ocean from Highway One.	Development in the Coastal Zone continues to require a CDP to determine consistency with this policy.
CD-1.13 (Coastal)	Retain Views North of Pudding Creek. New development north of Pudding Creek and west of Main Street on parcels with total frontage of more than 135 feet, on either the Haul Road or Main Street as determined by the Planning Commission, shall be required to leave a minimum of 30 percent of the project's total parcel frontage free of view-blocking development. The area free of view-blocking development shall not include narrow passageways between buildings on the site, and shall be concentrated.	Development in the Coastal Zone continues to require a CDP to determine consistency with this policy.
CD-1.14 (Coastal)	All new development (including decks and balconies) north of Pudding Creek shall be set back at least 30 feet from the edge of the Old Haul Road and shall be consistent with all other applicable LCP setback requirements.	Development in the Coastal Zone continues to require a CDP to determine consistency with this policy.
<p><b>Goal CD-2 (Coastal): Ensure that new development demonstrates excellence of design and sensitivity to the character of the surrounding neighborhood.</b></p> <p><b>Goal CD-2 (Inland): Preserve the Central Business District as the commercial, civic, historic, and cultural center of the community.</b></p>		
CD-2.1 (Coastal)	Design Review: All development that has the potential to affect visual resources shall be subject to Design Review, unless otherwise exempt from Design Review pursuant to Coastal Land Use & Development Code Section 18.71.050. Design Review approval requirements shall not replace, supersede or otherwise modify the independent requirement for a coastal	Design Review is required for multi-family projects, new commercial development, and most commercial additions, consistent with this requirement.

Policy	Objective	Implementation
	development permit approved pursuant to the applicable policies and standards of the certified LCP. Ensure that development is constructed in a manner consistent with the Citywide Design Guidelines.	
CD-2.1 (Inland)	Adaptive Reuse: Facilitate the adaptive reuse of existing older buildings in the Central Business District.	Vacation Rentals are allowed with minor use permit approval, on the second and third floor above commercial uses in the CBD to encourage the renovation of older buildings in the downtown.
CD-2.2 (Coastal)	Large Commercial Development: Ensure that large commercial development, such as shopping centers, big box retail, and mixed use development, fits harmoniously with the scale and design of existing buildings and streetscape of the City.	Development in the Coastal Zone continues to require a CDP to determine consistency with this policy.
CD-2.2 (Inland)	Pedestrian Activity: Encourage increased pedestrian movement and activity in the Central Business District.	<p>The ILUDC allows only pedestrian-oriented uses in the CBD. Projects are reviewed for consistency with this policy.</p> <p>The City also initiated a program to ease the barriers for street furniture to contribute to the walkability of downtown.</p>
CD-2.3 (Coastal)	Second Dwelling Units and Manufactured Units and Single-Family Residential Development: Ensure that second dwelling units, manufactured units, and single-family residences are sited and constructed in a manner harmonious with surrounding development.	Changes in State law have made the development of ADUs more permissible. The City reviews development applications for consistency with the updated laws. A CLUDC Amendment is forthcoming to update these regulations.
CD-2.3 (Inland)	Economic Vitality: Continue to support the economic diversity and vitality of downtown businesses.	The City reviews development applications for consistency with this policy.
CD-2.4 (Coastal)	Discourage Sameness and Repetitive Residential Designs.	The City reviews development applications for consistency with this policy.
CD-2.4 (Inland)	Parking: Improve the availability of public parking facilities in the Central Business District and other commercial areas.	Currently, the City waives all parking requirements in the CBD.
CD-2.5	Scenic Views and Resource Areas: Ensure that development does not adversely impact	Development in the Coastal Zone is subject to

Policy	Objective	Implementation
(Coastal)	scenic views and resources as seen from a road and other public rights-of-way.	CDP approval, and visual analysis review ensures ongoing consistency with this policy.
CD-2.5 (Inland)	Strengthen the Distinctive Identity of the Central Business District: Strengthen the distinctive identity and unique sense of place of the Central Business District.	In 2020, the Visit Fort Bragg campaign focused on the people and businesses of the CBD with curated “stories” including narratives, images and sound bites.
CD-2.6 (Coastal)	Property Maintenance and Nuisances: Ensure that properties are well maintained and nuisances are abated.	The City has an active code enforcement program that responds to all complaints related to nuisances.
CD-2.7 (Coastal)	Landscaping: Encourage attractive native and drought-tolerant landscaping in residential and commercial developments.	The CLUDC and ILUDC includes vegetation requirements mandating native landscaping near ESHA and/or drought tolerant landscaping outside of ESHA pertaining to new development.
CD-2.8 (Coastal)	Strip Development: Discourage further strip development along Main Street. Strip development is typically characterized by street frontage parking lots serving individual or strips of stores or restaurants, with no provisions for pedestrian access between individual uses and buildings arranged linearly.	The City reviews development proposals for consistency with this policy.
<p><b>Goal CD-3 (Coastal): Preserve the Central Business District as the commercial, civic, historic, and cultural center of the community.</b></p> <p><b>Goal CD-3 (Inland): Create attractive entryways to the City.</b></p>		
CD-3.1 (Coastal)	Adaptive Reuse: Facilitate the adaptive reuse of existing older buildings in the Central Business District.	The City allows a broad mix of uses in the CBD, allowing for flexibility in the reuse of older buildings.
CD-3.1 (Inland)	Entryways: Clearly define the points of entry to the City through the use of distinctive signs, lighting, and landscaping.	The City continues to work with prospective applicants and developers to design projects that significantly comply with the Citywide Design Guidelines, as well as development standards of zoning district.
CD-3.2	Pedestrian Activity: Encourage increased pedestrian movement and activity in the Central	In 2020, the City provided a mechanism for



Policy	Objective	Implementation
(Coastal)	Business District.	businesses affected by COVID-19 to operate outdoors, which contributed to the walkability of downtown.
CD-3.2 (Inland)	Gateway Development: Encourage a higher quality of development at the City's gateways.	The City continues to work with prospective applicants and developers to design projects that significantly comply with the Citywide Design Guidelines, as well as development standards of zoning district.
CD-3.3 (Coastal)	Economic Vitality: Continue to support the economic diversity and vitality of downtown businesses.	The City Council and Planning Commission are actively discussing how to regulate Formula Business in order to support the vitality of downtown businesses.
CD-3.4 (Coastal)	Parking: Improve the availability of public parking facilities in the Central Business District and other commercial areas.	The City has installed electric vehicle charging stations in the downtown, and employees a parking enforcement officer to ensure spaces are not capitalized throughout the day.
CD-3.5 (Coastal)	Strengthen the Distinctive Identity of the Central Business District: Strengthen the distinctive identity and unique sense of place of the Central Business District.	City staff is actively working on a strategy to present to City Council and Planning Commission in order to strengthen the CBD
<p><b>Goal CD-4 (Coastal): Create attractive entryways to the City.</b></p>		
<p><b>Goal CD-4 (Inland): Improve the appearance and effectiveness of parking facilities.</b></p>		
CD-4.1 (Coastal)	Entryways: Clearly define the points of entry to the City through the use of distinctive signs, lighting, and landscaping.	Implementation ongoing.
CD-4.1 (Inland)	Parking Location: Wherever feasible, locate parking facilities to the rear of the development so that the building facade is contiguous with the street frontage, and parking areas are hidden from the street.	The City continues to work with prospective applicants and developers to design projects that significantly comply with the Citywide Design Guidelines, as well as development standards of zoning district.

Policy	Objective	Implementation
<p><b>Goal CD-5 (Coastal): Improve the appearance and effectiveness of parking facilities.</b></p> <p><b>Goal CD-5 (Inland): Use lighting to create a sense of security and to provide cohesion to the physical structure of the community.</b></p>		
CD-5.1 (Coastal)	Parking Location: Wherever feasible, locate parking facilities to the rear of the development so that the building facade is contiguous with the street frontage, and parking areas are hidden from the street.	Development proposals are reviewed for consistency with this policy. The City maintains a partnership with private parking west of Main Street (not on the frontage) to provide public parking consistent with this policy.
CD-5.1 (Inland)	Security: Establish standards to ensure that on-site lighting is adequate to provide security while not producing excessive glare.	The City continues to work with prospective applicants and developers to design projects that significantly comply with the Citywide Design Guidelines, as well as development standards of zoning district.
CD-5.2 (Inland)	Lighting Design Review Guidelines: Apply lighting design guidelines in the Citywide Design Guidelines and the City's Zoning Ordinance.	The City continues to work with prospective applicants and developers to design projects that significantly comply with the Citywide Design Guidelines, as well as development standards of zoning district.
CD-5.3 (Inland)	Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity fixtures, and shielded so that no light shines beyond the boundary of the property.	The City continues to work with prospective applicants and developers to design projects that significantly comply with the Citywide Design Guidelines, as well as development standards of zoning district.
<p><b>Goal CD-6 (Coastal): Use lighting to create a sense of security and to provide cohesion to the physical structure of the community.</b></p> <p><b>Goal CD-6 (Inland): Preserve cultural and historic resources.</b></p>		
CD-6.1 (Coastal)	Security: Establish standards to ensure that on-site lighting is adequate to provide security while not producing excessive glare.	The City reviews permit applications for consistency with this policy.
CD-6.1 (Inland)	Protect and Preserve Buildings and Sites with Historic and Cultural Significance to the Community:	The City reviews permit applications for consistency with this policy.

Policy	Objective	Implementation
CD-6.2 (Coastal)	Lighting Design Guidelines: Apply lighting design guidelines contained in the Citywide Design Guidelines.	Projects requiring Design Review are subject to the Citywide Design Guidelines for compliance with this policy.
CD-6.2 (Inland)	Discourage Demolitions: Discourage the demolition of historic buildings.	The City seeks to reuse buildings where feasible.
CD-6.3 (Inland)	Public Awareness: Increase public awareness and appreciation of the City’s cultural and historic resources.	The City partners regularly with the Fort Bragg Mendocino Coast Historical Society for appreciation of historic resources. The City’s 125th birthday was celebrated in City Hall in coordination with a Block Party and their assistance.
<p><b>Goal CD-7 (Coastal): Preserve cultural and historic resources.</b></p> <p><b>Goal CD-7 (Inland): Support Public Art and Open Space.</b></p>		
CD-7.1 (Coastal)	Protect and Preserve Buildings and Sites with Historic and Cultural Significance to the Community.	The City reviews permit applications for consistency with this policy.
CD-7.1 (Inland)	Public Art: Encourage the provision of murals, fountains, sculptures, and other forms of public art in public spaces and parks.	In 2019, City Council provided City resources to Lia Wilson and Alleyway Art Project to bring more murals to the CBD.
CD-7.2 (Coastal)	Discourage Demolitions: Discourage the demolition of historic buildings.	The City reviews permit applications for consistency with this policy.
CD-7.2 (Inland)	Provide Public Open Spaces: Encourage the development of public open spaces for gatherings and fairs in commercial areas of the City.	Examples include: the use of large meadow adjacent to Coastal Trail off Cypress Street with additional parking on Jere Melo Way; use of 400 block of Franklin Street for weekly Farmers Market; and additional street closures as requested for variety of public events. The current LCP amendment effort includes Open Space/Parks zoning in order to provide additional and much needed public open space.

Policy	Objective	Implementation
CD-7.3 (Coastal)	Public Awareness: Increase public awareness and appreciation of the City’s cultural and historic resources.	<p>The City partners regularly with the Fort Bragg Mendocino Coast Historical Society for appreciation of historic resources. The City’s 125th birthday was celebrated in City Hall in coordination with a Block Party and their assistance.</p> <p>The City supports the Paul Bunyan Days event that occurs annually on Labor Day Weekend celebrating the regions logging history.</p>
<b>Goal CD-8 (Coastal): Support Public Art and Open Space.</b>		
CD-8.1 (Coastal)	Public Art: Encourage the provision of murals, fountains, sculptures, and other forms of public art in public spaces and parks.	The City encourages programs that assist with the placement of art and murals in the downtown.
CD-8.2 (Coastal)	Provide Public Open Spaces: Encourage the development of public open spaces for gatherings and fairs in commercial areas of the City.	The City has numerous public events in the public parks throughout the City. The City’s draft LCP amendment currently includes expanded open spaces on the Mill Site that could help accommodate these events.

## Safety

Policy	Objective	Implementation
<p><b>Goal S-1 (Coastal): Reduce and minimize impacts of development on bluff tops and shoreline features.</b></p>		
<p><b>Goal S-1 (Inland): Reduce seismic and geologic-related hazards.</b></p>		
<p>SF-1.1 (Coastal)</p>	<p>Minimize Hazards: New development shall: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard; and (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.</p>	<p>No new significant development proposed in high geologic flood and/or fire hazard zones in 2020.</p>
<p>SF-1.1 (Inland)</p>	<p>Minimize Hazards: New development shall: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard; and (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.</p>	<p>No significant development permits issued this calendar year in areas of high geologic, flood, or fire hazard zones.</p>
<p>SF-1.2 (Coastal)</p>	<p>All ocean-front and bluff top development shall be sized, sited and designed to minimize risk from wave run-up, flooding, and beach and bluff erosion hazards, and avoid the need for a shoreline protective structure at any time during the life of the development.</p>	<p>No significant development permits issued this calendar year for development sited ocean-front or bluff top.</p>
<p>SF-1.2 (Inland)</p>	<p>Geotechnical report required: Applications for development located in or near an area subject to geologic hazards, including but not limited to areas of geologic hazard shown on Map SF-1, shall be required to submit a geologic/soils/geotechnical study that identifies all potential geologic hazards affecting the proposed project site, all necessary mitigation measures, and demonstrates that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such study shall be conducted by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE). Refer to Map SF-1: Geologic Hazards. Refer to the General Plan Glossary for definitions of these terms.</p>	<p>No development permit applications submitted this calendar year for development in areas of geologic hazard shown on Map SF-1.</p>
<p>SF-1.3 (Coastal)</p>	<p>Geotechnical report required. Applications for development located in or near an area subject to geologic hazards, including but not limited to areas of geologic hazard shown on Map SF-1, shall be required to submit a geologic/soils/geotechnical study that identifies all potential geologic hazards affecting the proposed project site, all necessary mitigation measures, and demonstrates that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such study shall be conducted</p>	<p>No development permit applications submitted this calendar year for development in areas of geologic hazard shown on Map SF-1.</p>

Policy	Objective	Implementation
	<p>by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and shall be prepared consistent with the requirements of Section 18.54.040(C) of the Coastal Land Use and Development Code. Refer to Map SF-1: Geologic Hazards. Refer to the General Plan Glossary for definitions of these terms.</p>	
<p>SF-1.3 (Inland)</p>	<p>Alterations to Landforms: Minimize, to the maximum feasible extent, alterations to cliffs, bluff tops, faces or bases, and other natural land forms. Permit alteration in landforms only if erosion/runoff is controlled and either there exists no other feasible environmentally superior alternative or where such alterations re-establish natural landforms and drainage patterns that have been eliminated by previous development activities.</p>	<p>Any developments which alter natural landforms in any substantial way require submission, review and approval of a grading permit. One primary function of the grading permit is to prevent erosion and ensure re-establishment of natural landforms and drainage patterns.</p>
<p>SF-1.4 (Coastal)</p>	<p>Bluff top Setback. All development located on a bluff top shall be setback from the bluff edge a sufficient distance to ensure that it will be stable for a projected 100-year economic life. Stability shall be defined as maintaining a minimum factor of safety against sliding of 1.5 (static) or 1.1 (pseudostatic), as described in Section 18.54.040(F) of the Coastal Land Use and Development Code. This requirement shall apply to the principal structure and accessory or ancillary structures. Slope stability analyses and erosion rate estimates shall be performed by a licensed Certified Engineering Geologist or Geotechnical Engineer.</p>	<p>Both the City's Coastal Trail and the Waste Water Treatment Facility Upgrade projects have required a blufftop analysis to be performed by a licensed certified professionals. Both projects met minimum factors of safety for slope stability.</p>
<p>SF-1.4 (Inland)</p>	<p>Identify Potential Hazards: Identify potential hazards relating to geologic and soils conditions during review of development applications.</p>	<p>No development applications submitted this calendar year necessitate review of potential hazards related to geologic or soils conditions.</p>
<p>SF-1.5 (Coastal)</p>	<p>Siting and design of new blufftop development and shoreline protective devices shall take into account anticipated future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered. Development shall be set back a sufficient distance landward and elevated to a sufficient foundation height to eliminate or minimize to the maximum extent feasible hazards associated with anticipated sea level rise over the expected 100-year economic life of the structure.</p>	<p>All development applications reviewed for consistency with set back distance and elevation in relation to blufftops to minimize exposure to sea level rise hazards.</p>
<p>SF-1.6 (Coastal)</p>	<p>Land divisions, including subdivisions, lot splits, lot line adjustments, and conditional certificates of compliance which create new shoreline or blufftop lots, shall not be permitted unless the subdivision can be shown to create lots which can be developed without requiring a current or future bluff or shoreline protection structure. No new lots shall be created that could require shoreline protection or bluff stabilization structures at any time.</p>	<p>No listed land use entitlement applications reviewed this year which proposed creation of shoreline or blufftop lots.</p>

Policy	Objective	Implementation
SF-1.7 (Coastal)	Alterations to Landforms: Minimize, to the maximum feasible extent, alterations to cliffs, bluff tops, faces or bases, and other natural land forms in the Coastal Zone. Permit alteration in landforms only if erosion/runoff is controlled and either there exists no other feasible environmentally superior alternative or where such alterations re-establish natural landforms and drainage patterns that have been eliminated by previous development activities.	Any developments which alter natural landforms in any substantial way require submission, review and approval of a grading permit. One primary function of the grading permit is to prevent erosion and ensure re-establishment of natural landforms and drainage patterns.
SF-1.8 (Coastal)	Floodplain Development: Limit new development in floodplains in the Coastal Zone, including but not limited to those floodplain areas shown on Map SF-2, to those uses allowed in the Open Space land use designation consistent with all other applicable requirements of the LCP.	There were no development applications in floodplains in the City's Coastal Zone last calendar year.
SF-1.9 (Coastal)	Bluff Face and Bluff Retreat Setback: Prohibit development on the bluff face and within the bluff retreat setback because of the fragility of this environment and the potential for resultant increase in bluff and beach erosion due to poorly-sited development except that the following uses may be allowed with a conditional use permit: (1) engineered accessways or staircases to beaches, boardwalks, viewing platforms, and trail alignments for public access purposes; (2) pipelines to serve coastal dependent industry; (3) habitat restoration; (4) hazardous materials remediation; and (5) landform alterations where such alterations re-establish natural landforms and drainage patterns that have been eliminated by previous development activities. Findings shall be made that no feasible, less environmentally damaging, alternative is available and that feasible mitigation measures have been provided to minimize all adverse environmental impacts. Require as a part of the conditional use permit, a full environmental, geological, and engineering study as specified in Policy LC-6.1. Such structures shall be constructed and designed so as to neither create nor contribute to erosion of the bluff face and to be visually compatible with the surrounding area to the maximum extent feasible.	There was no development along bluff face or bluff retreat setback areas. The City's Glass Beach Stairs replacement project was reviewed and designed in 2019 which would have been exempted due to conditional use clauses. This project however remains unfunded and not rebuilt.
SF-1.10 (Coastal)	Seawalls, Breakwaters and Other Shoreline Structures: Prohibit construction of seawalls, breakwaters, revetments, groins, harbor channels, retaining walls, and other structures altering the natural shoreline processes unless a finding is made that such structures are required: (1) to serve coastal-dependent uses; or (2) to protect public beaches in danger from erosion; or (3) to protect existing structures that were legally constructed prior to the effective date of the Coastal Act; or (4) that were legally permitted prior to the effective date of this Coastal General Plan provided that the CDP did not contain a waiver of the right to a future shoreline or bluff protection structure; or (5) for a development consistent with	No shoreline structure permit applications received nor constructed during the previous calendar year.

Policy	Objective	Implementation
	<p>Section 30233(a) of the Coastal Act and only when it can be demonstrated that said existing structures are at risk from identified hazards if no feasible or less environmentally damaging alternative is available and the structure has been designed to eliminate or mitigate adverse environmental impacts, including impacts upon local shoreline sand supply. The design and construction of allowed protective structures shall respect natural landforms and provide for lateral beach access. “Existing structures” for purposes of Policy LC-6.5 shall consist only of a principle structure, e.g. residential dwelling, required garage, or second residential unit, and shall not include accessory or ancillary structures such as decks, patios, stairs, landscaping, etc.</p>	
	<p><b>Goal SF-2 (Coastal): Reduce seismic and geologic-related hazards.</b></p> <p><b>Goal SF-2 (Inland): Reduce the risks from flooding.</b></p>	
SF-2.1 (Coastal)	<p>Seismic Hazards: Reduce the risk of loss of life, personal injury, and damage to property resulting from seismic hazards.</p>	<p>All new development is required to be constructed in accordance with current building codes for seismic hazard reduction.</p>
SF-2.1 (Inland)	<p>Flood Hazards: Ensure adequate standards for development in the 100-year floodplain.</p>	<p>This is standard practice on all development applications. There are very few parcels located in FEMA 100 year floodplain in the City limits. They are limited to the Noyo River basin along the haul road and Pudding Creek Area.</p>
SF-2.2 (Coastal)	<p>Require professional inspection of foundations and excavations, earthwork, and other geotechnical aspects of site development during construction on those sites specified in soils, geologic, and geotechnical studies as being prone to moderate or high levels of seismic hazard.</p>	<p>This is ongoing practice for development in areas of seismic hazard.</p>
SF-2.2 (Inland)	<p>Storm Drainage: Continue to maintain effective flood drainage systems and regulate construction to minimize flood hazards.</p>	<p>All development permit applications which disturb more than 120 SF of ground are required to submit a stormwater control plan. The extent of the submittal required is based on the size and scope of the proposed development.</p>



Policy	Objective	Implementation
SF-2.3 (Coastal)	Development on Slopes: Require that development in areas with identified slope stability constraints as shown on Map SF-1 or other areas where City staff determines there is potential slope stability issues be supervised and certified by a geologist, geotechnical engineer, or engineering geologist.	No development permit applications submitted this calendar year for development in areas of geologic hazard shown on Map SF-1.
SF-2.3 (Inland)	Require development to pay for the costs of drainage facilities needed to drain project-generated runoff.	All new development disturbing 120 SF or more ground is required to pay drainage capacity in accordance with the current fee schedule.
SF-2.4 (Coastal)	Tsunami: Minimize development in areas subject to tsunami.	Few areas in the City limits currently identified as subject to Tsunami. No development or permits issued in such areas in previous calendar year.
SF-2.4 (Inland)	Require, where necessary, the construction of siltation/detention basins to be incorporated into the design of development projects.	All construction projects are required to install BMPs appropriate to the development necessary to prevent erosion and sedimentation.
SF-2.5 (Coastal)	Review development proposals to ensure that new development is not in an area subject to tsunami damage and if such development is otherwise allowable that it is designed to withstand tsunami damage.	Few areas in the City limits currently identified as subject to Tsunami. No development or permits issued in such areas in previous calendar year.
SF-2.5 (Inland)	Require, as determined by City staff, analysis of the cumulative effects of development upon runoff, discharge into natural watercourses, and increased volumes and velocities in watercourses and their impacts on downstream properties. Include clear and comprehensive mitigation measures as part of project approvals to ensure that new development does not cause downstream flooding of other properties.	All projects with ground disturbing activities are required to undergo a stormwater review and implement BMPS and LID measures as appropriate for extent of development as regulated by the City's MS4.
SF-2.6 (Coastal)	Avoid siting new critical facilities, including fire and police stations and hospitals in tsunami inundation zones to the maximum extent feasible. If it is necessary to site such facilities in tsunami inundation zones to provide adequate population protection, new critical	No new development of such facilities in previous calendar year.
SF-2.6 (Inland)	Analyze the impacts of and potential flooding issues resulting from Climate Change and rising sea levels on proposed projects located within the 100-year Sea-Level Rise Inundation Area (see Map SF-4).	This is standard practice on all development applications. There are very few developable parcels located in 100 year Sea Level Rise Inundation area inside the City limits. They are

Policy	Objective	Implementation
		limited to the Noyo River basin along the haul road and Pudding Creek Area.
SF-2.7 (Coastal)	Require that overnight visitor-serving facilities in susceptible areas provide tsunami information and evacuation plans.	This can be made a requirement for existing businesses if/when they request a permit from the City.
<p><b>Goal SF-3 (Coastal): Reduce the risks from flooding.</b></p> <p><b>Goal SF-3 (Inland): Ensure emergency preparedness.</b></p>		
SF-3.1 (Coastal)	Coordinate with County: Continue coordination with the Mendocino County Emergency Services Authority.	On-going effort.
SF-3.1 (Inland)	Coordinate with County: Continue coordination with the Mendocino County Emergency Services Authority	On-Going effort.
SF-3.2 (Coastal)	Maintain an Updated Emergency Plan: Update the City’s Emergency Operations Plan as needed to take into account the requirements of the California Emergency Management Systems (SEMS).	On-Going effort.
SF-3.2 (Inland)	Maintain an Updated Emergency Plan: Update the City’s Emergency Operations Plan as needed to take into account the requirements of the California Emergency Management Systems (SEMS).	The City currently utilizes the Emergency Operations Plan (EOP) 2017. This plan is due to be updated in order to address frequent Public Safety Power Shutoffs (PSPS) measures taken by PG&E due to risk of wildfires in California.
SF-3.3 (Coastal)	DOES NOT EXIST (MISNUMBERED)	
SF-3.4 (Coastal)	Require development to pay for the costs of drainage facilities needed to drain project-generated runoff. Develop a City-wide drainage policy to assist staff to identify drainage improvements or impact fees required for development.	All new development disturbing 120sf or more ground is required to pay drainage capacity in accordance with the current fee schedule. The most current stormdrain master plan was published in 2004 and is due for another update. Staff is also closely following SB231 and considering the potential for a storm water Enterprise Fund.

Policy	Objective	Implementation
SF-3.5 (Coastal)	Require, where necessary, the construction of siltation/detention basins to be incorporated into the design of development projects.	All construction projects are required to install BMPs appropriate to the development necessary to prevent erosion and sedimentation.
<p><b>Goal SF-4 (Coastal): Ensure emergency preparedness.</b></p> <p><b>Goal SF-4 (Inland): Reduce fire hazards.</b></p>		
SF-4.1 (Coastal)	Coordinate with County: Continue coordination with the Mendocino County Emergency Services Authority.	On-going effort
SF-4.1 (Inland)	Minimize Fire Risk in New Development: Review all development proposals for fire risk and require mitigation measures to reduce the probability of fire.	All new commercial, multifamily and single family units are required to provide fire sprinkler suppression. All major development triggering CEQA is further analyzed for potential risk of wildfire.
SF-4.2 (Coastal)	Maintain an Updated Emergency Plan: Update the City’s Emergency Operations Plan as needed to take into account the requirements of the California Emergency Management Systems (SEMS).	On-going effort
SF-4.2 (Inland)	Maintain a High Level of Fire Protection: Work with the Fire Protection Authority to ensure a continued high level of fire protection.	The City continues to work closely with the Fort Bragg Fire Marshal and Fire Chief to review all proposed development.
SF-4.3 (Inland)	Mutual Aid Agreements: Continue to maintain mutual aid agreements.	On-going effort
SF-4.4 (Inland)	Fire Protection Authority Needs: Anticipate the needs of the Fort Bragg Fire Protection Authority.	The City applied for and was awarded CDGB grant funds to design improvements to the Fire Station.
SF-4.5 (Inland)	Vegetation Management: Continue to implement an effective and environmentally sound vegetation management and weed abatement program.	Vegetation can be managed by requiring landscaping plans at the time of land use entitlement or permitting and effectively regulated through on-going code enforcement efforts if weed abatement becomes necessary.

Policy	Objective	Implementation
<p><b>Goal SF-5 (Coastal): Reduce fire hazards.</b></p>		
<p><b>Goal SF_5 (Inland): Maintain effective police services.</b></p>		
SF-5.1 (Coastal)	Minimize Fire Risk in New Development: Review all development proposals for fire risk and require mitigation measures to reduce the probability of fire.	All new commercial, multifamily and single family units are required to provide fire sprinkler suppression. All major development triggering CEQA is further analyzed for potential risk of wildfire.
SF-5.1 (Inland)	Demand for Police Services: Review development proposals for their demand for police services and implement measures to maintain adequate police services.	In 2019, the City’s Police Department became fully staffed. The City’s recruitment for Officers is usually on-going and offers many growth and training opportunities for the PD employees.
SF-5.2 (Coastal)	Maintain a High Level of Fire Protection: Work with the Fire Protection Authority to ensure a continued high level of fire protection.	The City continues to work closely with the Fort Bragg Fire Marshal and Fire Chief to review all proposed development.
SF-5.2 (Inland)	Shared Resources: Utilize shared resources to improve police response.	The Police Department works closely with City Code Enforcement, Fire Department and Sheriff’s Department to improve police response.
SF-5.3 (Coastal)	Mutual Aid Agreements: Continue to maintain mutual aid agreements.	On-going effort.
SF-5.4 (Coastal)	Fire Protection Authority Needs: Anticipate the needs of the Fort Bragg Fire Protection Authority.	The City applied for and was awarded CDGB grant funds to design improvements to the Fire Station.
SF-5.5 (Coastal)	Vegetation Management: Continue to implement an effective and environmentally sound vegetation management and weed abatement program.	Vegetation can be managed by requiring landscaping plans at the time of land use entitlement or permitting and effectively regulated through on-going code enforcement efforts if weed abatement becomes necessary.
<p><b>Goal SF-6 (Coastal): Maintain effective police services.</b></p>		
<p><b>Goal SF-6 (Inland): Maintain an effective medical emergency response system.</b></p>		

Policy	Objective	Implementation
SF-6.1 (Coastal)	Demand for Police Services: Review development proposals for their demand for police services and implement measures to maintain adequate police services.	In 2019, the City's Police Department became fully staffed. The City's recruitment for Officers is usually on-going and offers many growth and training opportunities for the PD employees.
SF-6.1 (Inland)	Emergency Medical Response: Ensure that the Fire Protection Authority and the Mendocino Coast District Hospital continue to maintain a high level of emergency medical response.	On-going effort.
SF-6.2 (Coastal)	Shared Resources: Utilize shared resources to improve police response.	Fort Bragg PD has a strong working relationship with the Mendocino County Sheriff's Office and the California Highway Patrol.
SF-6.2 (Inland)	Support Maintenance of Mendocino Coast District Hospital's Emergency Facilities: Continue to encourage the Mendocino Coast District Hospital to maintain its emergency department and acute care facilities.	In 2019, the City Council endorsed a proposed affiliation of Mendocino Coast Hospital with Adventist Health. A proposition (Measure C) to lease Mendocino Coast Hospital to Adventist Health for the next 30 years was passed by voters in November election.
<b>Goal SF-7 (Coastal): Maintain an effective medical emergency response system.</b>		
<b>Goal SF-8 (Inland): Reduce hazards of transportation, storage, and disposal of hazardous materials and wastes.</b>		
SF-7.1 (Coastal)	Emergency Medical Response: Ensure that the Fire Protection Authority and the Mendocino Coast District Hospital continue to maintain a high level of emergency medical response.	On-going effort.
SF-7.1 (Inland)	Protection from Hazardous Waste and Materials: Provide measures to protect the public health from the hazards associated with the transportation, storage, and disposal of hazardous wastes (TSD Facilities).	All development permits and/or change in use with industrial or manufacturing components are reviewed for consistency with standard Hazardous Waste Materials Business Plans. Both Stormwater Staff and Waste Water Staff regularly monitor and verify facilities inside the City's MS4 and Municipal Improvement District to detect and prevent pollution from Hazardous Waste and Materials associated with transportation, storage, and disposal. City staff also works with Mendocino County CUPA and Environmental Health as necessary to

Policy	Objective	Implementation
		mitigate any potential Hazardous Waste concerns.
SF-7.2 (Coastal)	Maintain Mendocino Coast District Hospital’s Emergency Facilities: Continue to encourage the Mendocino Coast District Hospital to maintain its emergency department and acute care facilities.	In 2019, the City Council endorsed a proposed affiliation of Mendocino Coast Hospital with Adventist Health. A proposition (Measure C) to lease Mendocino Coast Hospital to Adventist Health for the next 30 years was passed by voters in November election.
SF-7.2 (Inland)	Support Environmental Review of Hazardous Waste Transportation, Storage and Disposal Facilities: Support a thorough environmental review for Hazardous Waste Transportation, Storage and Disposal (TSD) Facilities, including waste to energy projects, proposed in the Fort Bragg area.	All development permits and/or change in use with industrial or manufacturing components are reviewed for consistency with standard Hazardous Waste Materials Business Plans. Both Stormwater Staff and Waste Water Staff regularly monitor and verify facilities inside the City’s MS4 and Municipal Improvement District to detect and prevent pollution form Hazardous Waste and Materials associated with transportation, storage, and disposal. City staff also works with Mendocino County CUPA and Environmental Health as necessary to mitigate any potential Hazardous Waste concerns.
<p><b>Goal SF-8 (Coastal): Reduce hazards of transportation, storage, and disposal of hazardous materials and wastes.</b></p> <p><b>Goal SF-8 (Inland): Minimize community exposure to electromagnetic fields (EMFs).</b></p>		
SF-8.1 (Coastal)	Protection from Hazardous Waste and Materials: Provide measures to protect the public health from the hazards associated with the transportation, storage, and disposal of hazardous wastes (TSD Facilities).	On-going monitoring and review of Businesses with Hazardous Materials is a condition of both the Municipal Improvement Districts Waste Discharge Requirement (WDR) Permit and the MS4 Permit. These National Pollution Discharge Elimination Permits (NPDES) require the City Staff regularly inspect or require self-certification from facilities who store, manage,

Policy	Objective	Implementation
		<p>or transport hazardous facilities to ensure protection of the treatment systems and waterways. Some protective measures include Hazardous Materials Business Plans, Stormwater Pollution Prevention Plans, and Waste Water Discharge Agreements, Fats Oils and Grease Program Compliance and secondary containment practices.</p>
<p>SF-8.1 (Inland)</p>	<p>Consider EMFs in Land Use Decisions: Consider information regarding EMF radiation from existing and new electrical transmission lines and substations in making land use decisions.</p>	<p>Small cell wireless Facilities proposing 5G technologies was discussed at length in 2019. City Council directed staff take thorough measures through permit review to reduce public exposure to EMF to the maximum extent allowed by the FCC.</p>
<p>SF-8.2 (Coastal)</p>	<p>Support Environmental Review of Hazardous Waste Transportation, Storage and Disposal Facilities: Support a thorough environmental review for Hazardous Waste Transportation, Storage and Disposal (TSD) Facilities, including waste to energy projects, proposed in the Fort Bragg area.</p>	<p>All development permits and/or change in use with industrial or manufacturing components are reviewed for consistency with standard Hazardous Waste Materials Business Plans. Both Stormwater Staff and Waste Water Staff regularly monitor and verify facilities inside the City’s MS4 and Municipal Improvement District to detect and prevent pollution from Hazardous Waste and Materials associated with transportation, storage, and disposal. City staff also works with Mendocino County CUPA and Environmental Health as necessary to mitigate any potential Hazardous Waste concerns.</p>
<p>SF-8.2 (Inland)</p>	<p>Siting of Schools and Other Sensitive Uses: Minimize and reduce EMF radiation levels near sensitive uses such as schools, hospitals, and playgrounds.</p>	<p>The review and permitting process for siting of small cell facilities employing 5G including the discussion and preferential protection of areas of sensitive populations where permitted by the FCC.</p>

Policy	Objective	Implementation
<b>Goal SF-9 (Coastal): Minimize community exposure to electromagnetic fields (EMFs).</b>		
SF-9.1 (Coastal)	Consider EMFs in Land Use Decisions: Consider information regarding EMF radiation from existing and new electrical transmission lines and substations in making land use decisions.	Small cell wireless Facilities proposing 5G technologies was discussed at length in 2019. City Council directed staff take thorough measures in permit review to reduce public exposure to EMF to the maximum extent allowed by the FCC.
SF-9.2 (Coastal)	Siting of Schools and Other Sensitive Uses: Minimize and reduce EMF radiation levels near sensitive uses such as schools, hospitals, and playgrounds.	The review and permitting process for siting of small cell facilities employing 5G including the discussion and preferential protection of areas of sensitive populations where permitted by the FCC.

## Noise

Policy	Objective	Implementation
<b>Goal N-1: Protect City residents from harmful and annoying effects of exposure to excessive noise.</b>		
N-1.1	General Noise Levels: The maximum allowable noise levels are established in this Element.	The City continues to review proposed and existing development for compliance with the Noise Element.
N-1.2	Reduce Noise Impacts: Avoid or reduce noise impacts first through site planning and project design. Barriers and structural changes may be used as mitigation techniques only when planning and design prove insufficient.	The City continues to review proposed and existing development for compliance with the Noise Element.
N-1.3	Noise and Land Use Compatibility Standards: Ensure that all new noise sensitive development proposals be reviewed with respect to Table N-4: Noise and Land Use Compatibility Standards. Noise exposure shall be determined through actual on-site noise measurements.	The City continues to review proposed and existing development for compliance with the Noise Element.



Policy	Objective	Implementation
N-1.4	Residential and Noise Sensitive Land Use Standards: Require a standard of 45 L <sub>dn</sub> for Policy N-1.4 Residential and Noise Sensitive Land Use Standards: Require a standard of 45 L <sub>dn</sub> for indoor noise level for all new residential development including hotels and motels, and a standard of 60 L <sub>dn</sub> for outdoor noise at residences. These limits shall be reduced by 5 dB for senior housing and residential care facilities.	The City continues to review proposed and existing development for compliance with the Noise Element.
N-1.5	Non-Transportation Noise Generation: For new non-transportation noise generators, Table N-5 describes the maximum noise level at the nearest residential property line:	The City continues to review proposed and existing development for compliance with the Noise Element.
N-1.6	Mitigate Noise Impacts: Mitigate noise impacts to the maximum feasible extent.	The City continues to review proposed and existing development for compliance with the Noise Element, and mitigate noise impacts to maximum feasible extent.

### ***Sustainability (Inland General Plan only)***

Policy	Objective	Implementation
<b>Goal S-1 Maximize the use of green building practices and materials in new and existing development.</b>		
S-1.1	Building Reuse: Where existing buildings in the Plan Area are structurally sound and reuse is economically feasible, reuse of buildings in whole or part is preferred.	Ongoing; the City encourage s applicants to reuse structures.
S-1.2	Encourage Green Techniques: All green building techniques are encouraged, with preference given to techniques that address local issues, such as use of locally produced natural materials, water and energy conservation measures, and techniques that respond appropriately to Fort Bragg’s cool, rainy environment, such as passive solar design and low impact development (LID) strategies.	Ongoing; the City encourage s applicants to implement green building techniques. In 2020 CA Sate Building Code update includes provisions for solar panels.

Policy	Objective	Implementation
S-1.3	Municipal Green Building: All new construction of City-owned buildings shall incorporate sufficient green building methods and techniques to qualify for the equivalent of LEED <sup>TM</sup> Certified rating. Renovation of City-owned buildings shall seek to incorporate LEED <sup>TM</sup> pre-requisites and credits, where feasible.	Upgrades to the City's Waste Water Treatment Plant will provide a more efficient, cleaner method to process septic.
<b>Goal S-2: Encourage development that minimizes the demand for non-renewable energy and reduces Green House Gas (GHG) emissions.</b>		
S-2.1	Passive Solar Design Strategies: All building and site design shall use passive solar design strategies for space heating and lighting to reduce energy demand to the extent feasible.	Implemented with changes to 2020 CA Building Code that requires all new construction to be solar ready.
S-2.2	Alternative Energy: Encourage the development and use of alternative sources of energy such as wind, solar, and biomass to meet Fort Bragg's energy needs.	Ongoing; the City encourages applicants to utilize alternative sources of energy. Eight (8) electric vehicle charging station are available in City public parking lots.
S-2.3	Reduce Energy Demand with a goal of Net Zero Energy in New Construction. All new construction shall minimize energy use. Net zero buildings and homes are encouraged. These homes produce as much energy (through conservation, photovoltaic panels, solar hot water, wind, and geothermal) as they consume and have a net zero impact on greenhouse gas production.	Ongoing; the City encourage s applicants to reduce energy demand.
S-2.4	Require passive solar design in new construction, where feasible, as part of Design Review.	Implemented with changes to 2020 CA Building Code that requires all new construction to be solar ready.
S-2.5	Use of Local and Renewable Energy: Buildings and infrastructure that create and/or use locally and renewably generated energy are encouraged. Photovoltaic and wind energy systems are encouraged. The installation of solar panels or other clean energy power generation sources over parking areas is preferred.	Ongoing; the City encourages applicants utilize local renewable energy.
S-2.6	Climate Action Plan: Prepare and periodically update the City's greenhouse gas inventory and Climate Action Plan in order to achieve the City's GHG emission reduction targets.	Ongoing; City Council has requested an update to the 2012 Climate Action Plan.
S-2.7	Energy Conservation Measures in existing Buildings: Encourage owners of existing dwellings to retrofit with energy-saving features.	Ongoing; the City encourages applicants to utilize local renewable energy sources/

Policy	Objective	Implementation
<b>Goal S-3: Minimize the use of potable water in new and existing development.</b>		
S-3.1	Reduce Water Use: Minimize the use of potable water in new and existing development.	Ongoing. The City implements the California Building Code which has measures to reduce water usage in new development.
S-3.2	Rainwater Capture: The installation of cisterns is encouraged to capture rainwater from roofs for all water needs and for flood control during heavy storms. Cisterns may be located above or below ground.	Ongoing. The Public Works reviews building permit applications and works with applicants seeking to provide alternative water collection means, such as cisterns, as allowable by the Building Code.
S-3.3	Water Conservation Education: Business/property owners shall incorporate educational programs that promote water conservation habits and practices in all hotel, restaurant, and multi-family residential development.	Ongoing. The City has initiated a Zero Waste program to educate the community on conservation and reuse of nonrenewable materials.
S-3.4	Drought Tolerant Landscaping: New development shall include drought tolerant landscaping for landscaped areas in commercial and multi-family residential uses.	Ongoing. The ILUDC requires drought tolerant, native landscaping as part of new development projects.
<b>Goal S-4: Reduce, recycle, and reuse solid waste generated in the City.</b>		
S-4.1	Recycling: All commercial, office, and multi-family residential developments shall provide a centralized drop-off location for recyclables and compostable materials.	2019 Housing Element update includes State mandated program (Program H-7.1.1) to provide a centralized drop-off location for recyclables and compost at multifamily developments.
S-4.2	Recycling and Reuse of Solid Waste: Comply with State requirements to reduce the volume of solid waste through recycling and reduction of solid waste.	2019 examples include Zero Waste community outreach and education through public workshops and site visits with local businesses.

***Housing Element***

Fort Bragg's 6<sup>th</sup> Cycle Housing Element was adopted by City Council on September 9, 2019 and addresses the planning period from 2019 to 2027. Section 65400 of the Government Code also requires the City to submit an annual report on the status and progress of implementing the Housing Element of the General Plan, which was submitted electronically to the California Department of Housing and Community Development (HCD) on March 3, 2021 and as Appendix B.



**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement								
1					2	3	4						5	6	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements
Summary Row: Start Data Entry Below							0	0	0	0	0	0	0		0
	018-210-15	851 Woodward Street	Gabriel Maravilla & Ana Jara		SFD	O							1	9/11/2018	1
	008-212-05	320 N Harold Street	Arrequin, Daniel		ADU	R									0
	008-164-35	120 N Franklin Street	Greenwood Construction		SFA	O									0
	008-202-55	536 Maple Street	Chris Walker		ADU	R									0
	008-273-22	114 Wall Street	Miguel Naal		ADU	R									0
	018-052-30	420 S Harrison Street	Leonardo Gaona		2 to 4	O									0
	008-332.04	1081 E Chestnut Street	Suzy Delany		ADU	O									0
	020-490-55	1401 Oak Street	Greg Lambert		MH	O									0
	018-051-14	411 S Harrison Street	Genaro Oxte		SFD	R									0
	018-080-13	640 Dubois Lane	Habitat for Humanity		SFD	O	1							7/2/2019	1
	018-281-31	585 S Sanderson Way	Robert Habekoss		ADU	R									0
	008-094-16	461 N Harrison Street	Alan Limbird		ADU	O									0
	018-052-31	430 S Harrison Street	Leonardo Gaona		2 to 4	R									0
	018-051-14	411 S Harrison Street	Genaro Oxte		ADU	R									0
	018-051-15	401 S Harrison Street	Genaro Oxte		ADU	R									0
	008-302-09	158 N Sanderson Way	Dan Gjerde		2 to 4	O									0
	008-271-06	155 Florence	Ruth and SA Ephraim		ADU	R									0
	008-192-06	144 S McPherson Street	Blanche Yates		ADU	R									0
	018-080-13	630 Dubois Lane	Habitat for Humanity		SFD	O			1					7/2/2019	1
	008-302-24	1348 Cedar Street	MKM Prperties		SFD	R									0
	008-302-29	1342 Cedar Street	MKM Properties		SFD	R									0
	018-340-04	441 South Street	The Plateau		5+	R	26		42			1		2/12/2019	69

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Building Permits							8	9
Current APN	Street Address	Project Name*	7							Building Permits Date Issued	# of Units Issued Building Permits
			Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income		
			27	0	43	0	0	2	3		75
018-210-15	851 Woodward Street	Gabriel Maravilla & Ana Jara							1	4/12/2019	1
008-212-05	320 N Harold	Arreguin, Daniel						1		7/9/2018	1
008-164-35	120 N Franklin Street	Greenwood Construction							1	10/31/2019	1
008-202-55	536 Maple Street	Chris Walker						1		9/26/2019	1
008-273-22	114 Wall Street	Miguel Naal						1		10/31/2019	1
018-052-30	420 S Harrison Street	Leonardo Gaona							2	7/26/2019	2
008-332.04	1081 E Chestnut Street	Suzy Delany						1		11/22/2019	1
020-490-55	1401 Oak Street	Greg Lambert							1	11/26/2019	1
018-051-14	411 S Harrison Street	Genaro Oxté							1	10/5/2020	1
018-080-13	640 Dubois Lane	Habitat for Humanity	1							3/3/2020	1
018-281-31	585 S Sanderson Way	Robert Habekoss						1		9/6/2019	1
008-094-16	461 N Harrison Street	Alan Limbird						1		11/19/2019	1
018-052-31	430 S Harrison Street	Leonardo Gaona							2	11/21/2019	2
018-051-14	411 S Harrison Street	Genaro Oxté						1		12/20/2019	1
018-051-15	401 S Harrison Street	Genaro Oxté						1		12/20/2019	1
008-302-09	158 N Sanderson Way	Dan Gjerde							2	9/12/2019	2
008-271-06	155 Florence	Ruth and SA Ephraim						1		7/16/2019	1
008-192-06	144 S McPherson Street	Blanche Yates						1		1/27/2020	1
018-080-13	630 Dubois Lane	Habitat for Humanity			1					9/30/2020	1
008-302-24	1348 Cedar Street	MKM Prperties							1	8/26/2020	1
008-302-29	1342 Cedar Street	MKM Properties							1	8/26/2020	1
018-340-04	441 South Street	The Plateau	26		42			1		11/30/2020	69

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy								
Current APN	Street Address	Project Name <sup>+</sup>	10							11	12
			Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness
			0	0	0	0	0	8	2		10
018-210-15	851 Woodward Street	Gabriel Maravilla & Ana Jara							1	5/11/2020	1
008-212-05	320 N Harold	Arreguin, Daniel									0
008-164-35	120 N Franklin Street	Greenwood Construction							1	4/3/2020	1
008-202-55	536 Maple Street	Chris Walker						1		8/12/2020	1
008-273-22	114 Wall Street	Miguel Naal						1		10/2/2020	1
018-052-30	420 S Harrison Street	Leonardo Gaona									0
008-332.04	1081 E Chestnut Street	Suzy Delany						1		9/28/2020	1
020-490-55	1401 Oak Street	Greg Lambert									0
018-051-14	411 S Harrison Street	Genaro Oxte									0
018-080-13	640 Dubois Lane	Habitat for Humanity									0
018-281-31	585 S Sanderson Way	Robert Habekoss									0
008-094-16	461 N Harrison Street	Alan Limbird						1		6/2/2020	1
018-052-31	430 S Harrison Street	Leonardo Gaona									0
018-051-14	411 S Harrison Street	Genaro Oxte						1		8/20/2020	1
018-051-15	401 S Harrison Street	Genaro Oxte						1		8/20/2020	1
008-302-09	158 N Sanderson Way	Dan Gjerde									0
008-271-06	155 Florence	Ruth and SA Ephraim						1		6/9/2020	1
008-192-06	144 S McPherson Street	Blanche Yates						1		3/19/2020	1
018-080-13	630 Dubois Lane	Habitat for Humanity									0
008-302-24	1348 Cedar Street	MKM Prperties									0
008-302-29	1342 Cedar Street	MKM Properties									0
018-340-04	441 South Street	The Plateau									0



**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			13	14	15	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Notes
Current APN	Street Address	Project Name*	How many of the units were Extremely Low Income?*	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (see instructions)	Deed Restriction Type (see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)*	Number of Demolished/Destroyed Units*	Demolished or Destroyed Units*	Demolished/Destroyed Units Owner or Renter*	Notes*
			0	0						0	0	0	
018-210-15	851 Woodward Street	Gabriel Maravilla & Ana Jara	0	N	Y					0			
008-212-05	320 N Harold	Arreguin, Daniel	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			"Expired y Date" Check with County for update
008-164-35	120 N Franklin Street	Greenwood Construction	0	N	Y					0			
008-202-55	536 Maple Street	Chris Walker	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			
008-273-22	114 Wall Street	Miguel Naal	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			
018-052-30	420 S Harrison Street	Leonardo Gaona	0	N	Y					0			
008-332.04	1081 E Chestnut Street	Suzy Delany	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			
020-490-55	1401 Oak Street	Greg Lambert	0	N	Y					0			
018-051-14	411 S Harrison Street	Genaro Oxe		N									
018-080-13	640 Dubois Lane	Habitat for Humanity	0	N	Y	Other	Other		10	0			Habitat for Humanity sweat equity and 10 year resale plan
018-281-31	585 S Sanderson Way	Robert Habekoss	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			Cancelled. Check with County for update.
008-094-16	461 N Harrison Street	Alan Limbird	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			
018-052-31	430 S Harrison Street	Leonardo Gaona	0	N	Y					0			
018-051-14	411 S Harrison Street	Genaro Oxe	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			
018-051-15	401 S Harrison Street	Genaro Oxe	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			
008-302-09	158 N Sanderson Way	Dan Gjerde	0	N	Y					0			
008-271-06	155 Florence	Ruth and SA Ephraim	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			
008-192-06	144 S McPherson Street	Blanche Yates	0	N	Y			2020 area median income for single person household is \$49,500 and ADUs are generally rented at a rate affordable <\$1,300		0			

018-080-13	630 Dubois Lane	Habitat for Humanity	0	N	Y	Other	Other		10	0			Habitat for Humanity sweat equity and 10 year resale plan
008-302-24	1348 Cedar Street	MKM Pperties		N									
008-302-29	1342 Cedar Street	MKM Properties		N									
018-340-04	441 South Street	The Plateau		N		HEAP, IIG, Sec 202, Sec 811, RDA	Other		55				(20) PSH units 1,000 (48) units at 55 years provided by government subsidy and regulatory agreement

Jurisdiction	Fort Bragg	
Reporting Year	2020	(Jan. 1 - Dec. 31)

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.  
 Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2								3	4	
Income Level		RHNA Allocation by Income Level	2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	5		27								27	
	Non-Deed Restricted												
Low	Deed Restricted	3	1	43								44	
	Non-Deed Restricted												
Moderate	Deed Restricted	3										12	
	Non-Deed Restricted		10	2									
Above Moderate		9	9	3								12	
Total RHNA		20											
Total Units			20	75								95	

Note: units serving extremely low-income households are included in the very low-income permitted units totals  
 Cells in grey contain auto-calculation formulas



# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

(CCR Title 25 §6202)

<b>Jurisdiction</b>	Fort Bragg		
<b>Reporting Year</b>	2020	(Jan. 1 - Dec. 31)	
<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Name of Program</b>	<b>Objective</b>	<b>Timeframe in H.E</b>	<b>Status of Program Implementation</b>
Program H-1.1.1 Inventory of Infill Sites	Maintain the inventory of vacant and underdeveloped residentially designated land in the City's GIS system. Provide copies of the inventory for public distribution on the City website.	Ongoing, as vacant sites are developed the GIS system is updated and a map and list of vacant sites is posted on the City's website	Updated in 2019.
Program H-1.3.1 Secondary Dwelling Unit Design	Continue to implement the City's free secondary unit program to provide affordable and aesthetically pleasing second unit designs for the development of secondary units in Fort Bragg.	Ongoing	City utilized SB-2 grant funds to develop designs and engineering for two sets of construction plans for Fort Bragg's Pre-Approved ADU Program: 1) 720 SF one-bedroom; and 2) 960 SF two-bedroom. Will be available to residents March 2021.
Program H-1.3.2 No Development Impact Fees for Secondary Units	Free secondary unit program to provide affordable and aesthetically pleasing second unit desgns.	Ongoing	The City currently does not charge water or sewer capacity fees for ADUs and JADUs.
Program H-1.3.3 Develop Amnesty/Legalization Program for Illegal Second Units	Continue to provide a legalization program for illegal residential units, especially second units, that includes requiring property owners to undertake improvements to meet the requirements of the current building code.	2020-2021	Implemented in 2015. The City charges no penatly fees or back payment for illegal units that submit building permit to be legalized.

<p><b>Program H-1.3.4 Junior Accessory Dwelling Units</b></p>	<p>Consider revising the zoning ordinance to allow junior accessory dwelling units (units no more than 500 SF and contained entirely within an existing single-family structure) in single family residential and multifamily zoning. The Junior Accessory units would be in addition to a second unit, allowing up to 3 units per parcel by right.</p>	<p>2021</p>	<p>Implemented in 2020.</p>
<p><b>Program H-1.3.5 Allow Tiny Homes as Second Units</b></p>	<p>Consider revising the zoning ordinance so that people can park mobile residencies (residences built under the vehicle code) as a second unit, so long as the residence looks like a house (e.g. external siding that is compatible with the residential neighborhood, skirted if the wheels would otherwise be visible from the public right of way, etc.).</p>	<p>2021</p>	<p>Received SB-2 Grant funding. Deliverable 2022.</p>
<p><b>Program H-1.3.6 Alternative Designs for Second Units</b></p>	<p>Explore options for allowing cutting edge construction techniques for second units including but not limited to: straw bale, rammed earth, prefabricated second units, etc.</p>	<p>2021</p>	<p>To be considered</p>
<p><b>Program H-1.6.1 List of Vacant Parcels</b></p>	<p>Continue to update the vacant parcels map and provide information to potential developers about infill development opportunities in Fort Bragg.</p>	<p>Ongoing. As vacant sites are developed, the GIS system is updated and a map and list of vacant sites is posted on the City's website.</p>	<p>Updated in 2019 and will be revised in 2020-2022</p>

<p><b>Program H-1.6.2 Planning Incentives</b></p>	<p>Consider adopting planning incentives for new residential development on infill sites</p>	<p>Consider updating the LUDC to provide a mechanism for market rate housing projects to request up to one planning incentive for development of market rate housing on infill sites (as defined by CEQA).</p>	<p>Presented to Council 2020 as part of an Economic Policy Manual. Received direction to move forward. Plans to implement 2020-2025</p>
<p><b>Program H-1.6.3 Redevelopment of Non-Vacant Sites</b></p>	<p>Require the replacement of housing units subject to the requirements of Government Code, section 65915, subdivision (c)(3) on sites identified in the site inventory when any new development (residential, mixed-use or non-residential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years. This requirement applies to: 1) non-vacant sites and 2) vacant sites with previous residential uses that have been vacated or demolished.</p>	<p>The replacement requirement will be implemented by 2020/21 and applied as applications on identified sites are received and processed.</p>	<p>To be implemented</p>
<p><b>Program H-1.7.1 Permit Streamlining</b></p>	<p>Develop a streamline permitting process for local and out of area developers to permit affordable and market-rate multi-unit housing projects. Project streamlining for larger vacant parcels (2 to 10 acres) could consist of: 1) completion of all resource studies (botanical, traffic, cultural resources, etc.); 2) completion of the CEQA analysis; and/or 3) completion of the site plan, elevations, and all permitting for a vacant parcel.</p>	<p>2020-2025</p>	<p>To be considered</p>

Program H-1.7.2 Site Improvements	Obtain grant funding for off-site improvements in support of affordable multi-unit housing projects	Ongoing	Partnered with developer, Danco, to apply for Infill Infrastructure Grant funds and was awarded nearly \$3.1 million for "The Plateau" project
Program H-1.7.3 Market Study	Complete a housing market study for market rate multi-family housing development in Fort Bragg and use it to market Fort Bragg to housing developers.	Ongoing	To be implemented
Program H-1.7.4 Attract Multi-Unit Developers	Work to attract multi-unit housing developers to the Fort Bragg Market place.	Ongoing	Currently working with multi-unit developer, DANCO and the Skunk Train who recently purchased several acres on the former Mill Site.
Program H-1.7.5 Allow Higher Density by Right	Consider revising the zoning ordinance to allow for one or more of the following: 1) allow multi-family development in Medium Density and High Density zoning districts (by right) without Use Permit approval; 2) allow multi-family development (by right) without use permit approval in all zoning districts if the project includes 20 percent or more of its units affordable to lower income household; and/or 3) allow multi-family projects of 5 units or less without use permit approval in Medium and High density zoning districts.	2020-2021	To be considered
Program H-1.7.6 Allow Higher Densities in Single Family Residential Districts with Use Permit Approval	Consider revising the zoning ordinance to allow three or four unit developments on larger parcels within Single Family Residential Zoning districts with a Use Permit. Consider revisions to the Lot Coverage Ratio and Floor Area Ratio to control building size and massing.	2020-2021	2020 JADUs now allowed by right. City will consider allowing more than ADU and JADU. Received SB-2 Grant funding. Deliverable 2022.



<p><b>Program H-1.7.7 Simplify Design Review for Small Residential Projects</b></p>	<p>Continue the process of revising the Design Review Guidelines to make them more effective. Consider exempting 3 and/or 4 unit projects from the need to obtain a Design Review permit and/or consider simplifying the Design Review requirements for 3 and 4 unit projects.</p> <p>Continue the process of revising the Design Review Guidelines to make them more effective. Consider exempting 3 and/or 4 unit projects from the need to obtain a Design Review permit and/or consider simplifying the Design Review requirements for 3 and 4 unit projects.</p>	<p>2020</p>	<p>To be considered. An Ad-Hoc consisting of two Council members and two Planning Commissioners has formed to update the Design Guidelines generally, and consideration of this program will be folded into the effort.</p>
<p><b>Program H-1.7.8 Workforce Housing in Mixed-Use Zoning</b></p>	<p>Continue to allow workforce housing in all zoning districts that allow mixed-use development.</p>	<p>Ongoing</p>	<p>Implemented</p>
<p><b>Program H-1.7.9 Live-Work Housing in Industrial Zoning Districts</b></p>	<p>Continue to allow live-work housing in all industrial zoning districts.</p>	<p>Ongoing</p>	<p>Implemented</p>
<p><b>Program H-1.7.10 Tiny Home Communities</b></p>	<p>Consider adopting new zoning regulations to allow for small home subdivisions, with small individual parcel ownership, in all residential zoning districts. Consider changing the minimum lot size and minimum parcel dimensions of the LUDC to accommodate tiny home communities as part of a planned unit development.</p>	<p>2020-2021</p>	<p>To be considered. Received SB-2 Grant funding. Deliverable 2022.</p>

<p><b>Program H-1.7.11 Public Private Partnership for Major Subdivisions</b></p>	<p>Consider establishing a partnership between the City and existing property owners to complete subdivisions of 4+ lots for resale of parcels. This program could consist of the City taking the role of agent for the subdivision of underutilized parcels into smaller lots in Fort Bragg in order to facilitate utilization of these parcels for residential development. For example, the City could complete all the studies and the subdivision to divide the main lot into smaller lots, which the property owner could then sell. The City could be repaid by the property owner upon sale of the parcels or receive a dedication of one parcel for affordable housing.</p>	<p>2020-2025</p>	<p>To be considered</p>
<p><b>Program H-1.7.12 Mitigation Banks</b></p>	<p>Consider establishing a habitat and/or wetland mitigation bank with a non-profit Land Trust to establish an offsite mitigation bank for impacts to wetlands and ESHA communities.</p>	<p>2020-2021</p>	<p>To be considered</p>
<p><b>Program H-1.7.13 Rezone a Portion of the GP Mill Site for Housing</b></p>	<p>Continue the community-based planning process and consider rezoning a portion of the Mill Site for workforce and affordable housing. Consider submitting a Local Coastal Program to the Coastal Commission for the approval of at least 25 acres of residential zoning on the Mill Site.</p>	<p>2020-2025</p>	<p>In process. The northern portion of mill Site has been purchased by Mendocino Railway and the City is working with applicant on a Specific Plan to facilitate development.</p>

<p><b>Program H-1.8.1 Repair and Replace</b></p>	<p><b>Give preference to the repair or replacement of residential structures whenever it is economically feasible (repair of less than 75% of structure) over replacement with non-housing structures.</b></p>	<p>Ongoing</p>	<p>Implementation is ongoing</p>
<p><b>Program H-1.8.2 Substandard Housing Program</b></p>	<p><b>Participate in the Franchise Tax Board (FTB) Substandard Housing Program, which assists the state and local agencies responsible for addressing unsafe living conditions that violate health and safety codes. Property owners in violation of health and safety code standards are not allowed to make certain deductions on their personal tax returns pursuant to California Revenue &amp; Taxation Code (CR&amp;TC) Sections 17274 and 24436.5. That additional revenue collected by FTB is transferred to the Local Code Enforcement Rehabilitation fund. These funds are then disbursed to the cities and counties that generated the notification of substandard housing to the FTB. The City will use funds collected from Franchise Tax Board (FTB) Substandard Housing Program for code enforcement for residential properties and to address health and safety issues in residential properties that would otherwise be red-tagged.</b></p>	<p>Ongoing</p>	<p>To be implemented. The City received CDBG grant funds to develop and implement a code enforcement program, focused on strengthening residential neighborhoods and will fold this program into efforts.</p>
<p><b>Program H-1.9.1 Building Permits</b></p>	<p><b>Consider hiring a contract building inspector to bring building inspection services into the City in order to improve timeliness and inspection certainty.</b></p>	<p>2020-2025</p>	<p>To be considered</p>

<b>Program H-1.9.2 Reduce Cost of Construction</b>	<b>Explore the feasibility of adopting a modified version of the Uniform Building Code and consider not adopting some of the costly new 2020 UBC requirements.</b>	<b>2020</b>	<b>To be considered</b>
<b>Program H-2.1.1 Available Funding</b>	<b>Seek available State and Federal assistance to develop affordable housing for seniors, the disabled, persons with developmental disabilities, lower-income large households, and households with special housing needs. Work with non-profit and for-profit affordable housing developers to apply for State and Federal funding. Seek funding for affordable housing from all sources.</b>	<b>Apply for funding as funding cycles occur</b>	<b>Implementation is ongoing.</b>
<b>Program H-2.2.1 Affordable Senior Housing</b>	<b>Maintain an inventory which identifies properties which are potentially well-suited for senior housing. Work with developers to facilitate funding and construction of senior housing.</b>	<b>Periodically update inventory of properties suitable for senior housing.</b>	<b>Implementation is ongoing.</b>
<b>Program H-2.2.2 House Sharing</b>	<b>Work with area non-profits to explore the feasibility of establishing house sharing programs for seniors by creating a matching and vetting process.</b>	<b>2020-2025</b>	<b>To be implemented</b>
<b>Program H-2.2.3 Encourage Housing for Seniors with Pets</b>	<b>Consider methods to encourage developers of senior housing to include pet friendly units and/or accommodations for pets, especially service animals for seniors.</b>	<b>2020-2025</b>	<b>To be considered</b>

<p><b>Program H-2.2.4 Encourage Housing with Dementia Care and Assisted Living for Seniors</b></p>	<p>Work to attract a business that provides dementia care and assisted living facilities to Fort Bragg to serve our aging senior population. Identify vacant parcels that would be suitable for an Assisted Living facility. Consider if the zoning ordinance should be revised to make it easier to develop an assisted living facility in Fort Bragg.</p>	<p>2020-2025</p>	<p>To be implemented</p>
<p><b>Program H-2.4.1 Inclusionary Housing Ordinance</b></p>	<p>Continue to implement the City's Inclusionary Housing Ordinance. Monitor the Inclusionary Housing Ordinance to determine if it constrains new housing development and if it does, take action to mitigate the constraint on new housing development.</p>	<p>Monitoring 2020-2023 &amp; take action 2023-2025</p>	<p>To be implemented.</p>
<p><b>Program H-2.4.2 Support Self Help Housing</b></p>	<p>Continue to provide one or two planning incentives for self-help affordable housing.</p>	<p>Ongoing</p>	<p>Ongoing</p>
<p><b>Program H-2.4.3 Support SRO Housing</b></p>	<p>Continue to encourage and facilitate Single- Room Occupancy Units by allowing rooming and boarding with a Minor Use Permit in the RM and RH zones. Consider allowing SRO housing in RVH zones by right (without Use Permit approval).</p>	<p>Changes to the zoning code have been completed. Implementation</p>	<p>Ongoing Permitted by right in RVH zoning to be considered.</p>
<p><b>Program H-2.4.4 Consider Community Land Trust</b></p>	<p>Complete research regarding Community Land Trust and consider working with community partners to establish a Community Land Trust that serves Fort Bragg.</p>	<p>2020-2025</p>	<p>In process. Obtained SB-2 Grant funds for implementation.</p>
<p><b>Program H-2.4.5 Prioritize City Services for Housing Developments</b></p>	<p>Continue to implement procedures to grant priority service for sewer and water services to residential developments.</p>	<p>Ongoing</p>	<p>Ongoing</p>

<p><b>Program H-2.4.6 Support Effective Use of Housing Vouchers</b></p>	<p>Work with non-profit partners to develop a program that may include one or more of the following: assist landlords to bring units up to minimum requirements for voucher program; complete a new study on the cost of living to increase the voucher payment rate; develop an 10 - Housing Element 2019 10-14 education program for landlords about the benefits of the voucher program; and/or provide case work services for voucher tenants.</p>	<p>2020-2025</p>	<p>In process. Successively worked with the Strategic Committee of Mendocino Continuum of Care to place an incentive/education program for landlords in the Stratigic Plan. The CDC is organization implementing benefit program.</p>
<p><b>Program H-2.4.7 Supportive Housing</b></p>	<p>Revise the City's zoning ordinance so that it complies with AB 2162, which requires the City to allow supportive housing by right in all multi-family zoning districts and in all mixed-use zoning districts.</p>	<p>2020-2021</p>	<p>Annually (include with the annual review of the Capital Improvement Program (CIP) by the Planning Commission)</p>

<p><b>Program H-2.4.8 Maximize Housing Density by Right for Projects with 20%+ Affordable Units</b></p>	<p>Revise the LUDC to allow the maximum density permissible within a zoning district by right (no Use Permit) for all residential projects that include at least 20% of units deed restricted at rents affordable to low income households and that have been listed in the last two Housing Elements as an eligible site in the Vacant Parcel Inventory for the RHNA, these parcels are listed on the Vacant Parcel Inventory and include: 008-172-09, 251 So Franklin St; 018-440-58, 1151 So Main St; 018-150-61, 1190 So Main St; 018-090-02, 700 River Dr.; 018-090-16, 700 River Dr.; 008-010-31, 1020 Glass Beach Dr.; 018-113-03, 970 Chestnut St; 008-010-33, 1080 Glass Beach Dr.; 008-290-73, 1329 Cedar St; 008-302-28, 1328 Cedar St; 008-290-34, 1325 Cedar St; 018-100-42, 485 So Lincoln St; 018-210-29, 860 Hazelwood St; 020-520-22, 1600 Oak St; 018-440-50, 200 We Ocean View Dr.; 018-113-01, 552 S Lincoln St; 018-440-38, 350 Ocean View Dr.; 018-440-49, 250 We Ocean View Dr.; 018-340-04, 441 South St; 018-340-03, 601 Cypress St; 008-350-60, 920 Stewart St; 018-150-58, No Street Address; 018-150-56, No Street Address;</p>	<p>2020-2021</p>	<p>To be considered and implemented.</p>
<p><b>Program H-2.4.9 Encourage and Support Land Divisions to Support Affordable Housing</b></p>	<p>The City shall encourage lot line adjustments and land divisions resulting in parcels sizes that facilitate multifamily developments affordable to lower income households on all sites in the Vacant Land Inventory.</p>	<p>2019-2027</p>	<p>To be considered and implemented.</p>

<p><b>Program H-2.6.1 Seek Funding to Develop or Rehabilitate Housing for Large Low-Income Families</b></p>	<p>Continue to work with affordable housing developers to identify a potential new construction or rehabilitation project that will serve large lower-income families and obtain and administer a grants specifically to accommodate large families.</p>	<p>Ongoing</p>	<p>Ongoing.</p>
<p><b>Program H-2.7.1 Expedited Permit Processing and Reasonable Accommodation Program</b></p>	<p>Continue to provide expedited permit processing and reasonable accommodation program to projects targeted for persons with disabilities, including those with developmental disabilities. Encourage developers of supportive housing to develop projects targeted for persons with disabilities, including those with developmental disabilities. Place info about the reasonable accommodation program on the City's website.</p>	<p>Ongoing</p>	<p>Ongoing. Received SB-2 Grant funding for implementation of software to expedite permitting.</p>
<p><b>Program H-2.8.1 Ongoing Estimates of the Demand for Emergency Housing</b></p>	<p>Continue to work with the Fort Bragg Police Department and homeless service providers in the community to maintain ongoing estimates of the demand for emergency housing in Fort Bragg and to develop strategies to meet that demand.</p>	<p>Annual Update</p>	<p>City participation in county point in time counts for unsheltered.</p>
<p><b>Program H-2.8.2 Inter-Agency Cooperation</b></p>	<p>Continue to work with private, non-profit, County, and State agencies to provide transitional housing, supportive services and emergency housing for the homeless.</p>	<p>Ongoing</p>	<p>Ongoing. In 2019, City staff joined Mendocino County Homeless Services Continuum of Care Strategic Planning Committee, and attends board meetings.</p>



<b>Program H-2.8.3 Transitional and Supportive Housing</b>	<b>Continue to regulate transitional and supportive housing as a residential use subject to the same restrictions that apply to other residential use types and dwellings of the same type in the same zone.</b>	<b>Changes to the zoning code have been completed. Implementation is ongoing.</b>	<b>Ongoing.</b>
<b>Program H-2.8.4 Transitional and Supportive Housing</b>	<b>Consider working with area non-profits to establish a tiny home (small cottage) community for Transitional Housing.</b>	<b>2020-2025</b>	<b>To be considered.</b>
<b>Program H-2.8.5 Emergency Shelters</b>	<b>Continue to allow emergency shelters as a permitted use in the General Commercial (CG) zoning district.</b>	<b>Changes to the zoning code have been completed. Implementation is ongoing.</b>	<b>Implemented.</b>
<b>Program H-2.8.6 Emergency Shelter for Families</b>	<b>Work with area non-profits to establish an emergency shelter for families.</b>	<b>2020-2025</b>	<b>To be considered and implemented.</b>
<b>Program H-2.8.7 Emergency Shelters Regulatory Changes</b>	<b>Consider revising the LUDC to ensure that emergency shelters are subject only to the following requirements (per State law): 1) maximum number of beds; 2) off-street parking based upon demonstrated need; 3) size and location of onsite waiting and intake areas; 4) provision of onsite management; 5) proximity to other shelters; 6) length of stay; 7) lighting; and 8) security during hours when the shelter is open.</b>	<b>Changes to the zoning code will take place in 2020/21.</b>	<b>To be considered and implemented.</b>
<b>Program H-2.8.8 Evidence-Based Homeless Services</b>	<b>Consider the key findings of research and evidence-based approaches when considering funding solutions for homelessness.</b>	<b>Ongoing</b>	<b>Ongoing. In 2019, City staff joined Mendocino County Homeless Services Continuum of Care Strategic Planning Committee, and attends regular monthly board meetings.</b>

<p><b>Program H-2.8.9 Safe Pilot Parking Program</b></p>	<p>The City Council will consider 10 - Housing Element 2019 10-17 developing a safe parking program that may consist of one or more of the following actions: 1) analyze the issue to determine how best to address the issue of homeless people sleeping in their cars; 2) identify and engage local stakeholder; 3) develop and implement a plan of action.</p>	<p>2020-2022</p>	<p>To be considered and implemented.</p>
<p><b>Program H-2.8.10 Define Group Home</b></p>	<p>Revise the ILUDC and CLUDC to define group homes that serve 6 or fewer as a permitted use in all zones in which a singlefamily home is permitted, and to define group homes with 7 or more residents as an organizational house.</p>	<p>2020-2021</p>	<p>To be implemented</p>
<p><b>Program H-2.9.1 First Time Home Buyers</b></p>	<p>Consider whether to require, through the inclusionary housing ordinance, the provision of housing units affordable to first time home buyers who qualify for affordable housing.</p>	<p>2020-2025</p>	<p>To be considered.</p>
<p><b>Program H-2.9.2 Funding Sources for First Time Home Buyers</b></p>	<p>Continue applying for funding sources for first time home buyers, if the housing market and funding requirements will result in a successful program, and provide referrals to FHA programs offered by local lenders and sweat-equity programs operated by non-profit housing organizations.</p>	<p>Ongoing</p>	<p>Ongoing.</p>

<p><b>Program H-2.9.3 Revise Annexation Rules</b></p>	<p>Consider revising the regulations regarding annexations to increase the amount of land zoned for residential development within City limits, especially as water storage and wastewater treatment are less of a limit to the expansion of the City limits, and as some areas adjacent to the City do not have the correct soils for septic systems and/or do not have an onsite water source.</p>	<p>2019-2025</p>	<p>To be considered.</p>
<p><b>Program H-3.1.1 Housing Discrimination Complaints</b></p>	<p>Continue to facilitate equal housing opportunity by referring housing discrimination complaints to the Fair Housing Division of HUD. Continue to distribute information regarding equal housing opportunity laws and the equal housing opportunities for Fair Housing at City Hall.</p>	<p>Ongoing</p>	<p>Ongoing.</p>
<p><b>Program H-3.1.2 Non-discrimination Clauses</b></p>	<p>Include non-discrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance.</p>	<p>Ongoing</p>	<p>Ongoing.</p>
<p><b>Program H-3.2.1 Use Housing Funds</b></p>	<p>Use housing funds as available, to support renovations and improvements to accessibility in affordable housing for qualified seniors, persons with disabilities and persons with developmental disabilities.</p>	<p>Ongoing</p>	<p>Ongoing.</p>

<p><b>Program H-3.2.2 Reasonable Accommodation for Persons with Disabilities and Developmental Disabilities</b></p>	<p>Continue to review the City's land use and building regulations to identify constraints that may exist for the provision of housing for persons with disabilities and developmental disabilities, and continue to implement the City's policy and programs to provide reasonable accommodations for persons with disabilities and developmental disabilities. Publicize revisions to land use regulations and the City's policy and programs for providing reasonable accommodation for persons with disabilities.</p>	<p>Implemented and Ongoing</p>	<p>Ongoing.</p>
<p><b>Program H-3.2.3 Reasonable Accommodation</b></p>	<p>Ensure all new, multi-family construction meets the accessibility requirements of the federal and State Fair Housing Acts through local permitting and approval processes.</p>	<p>Ongoing</p>	<p>Ongoing.</p>
<p><b>Program H-4.1.1 Continue to Pursue Strategies to Address Water Pressure Issues</b></p>	<p>Continue to pursue strategies to address water pressure issues that impact development potentials.</p>	<p>Ongoing</p>	<p>2020 City released a Request for Proposals for upgrade to water infrastructure. This is the first phase of a larger effort to supply water pressure to the area north of Pudding Creek.</p>
<p><b>Program H-4.1.2 Reduce Capacity Fess for Smaller Units</b></p>	<p>Consider charging water and sewer capacity fees based on the size of the unit (either square feet or number of bedrooms) in order to ensure that each unit pays its fair share for capacity costs.</p>	<p>2020-2021</p>	<p>To be considered and implemented.</p>

<p><b>Program H-5.1.1 Housing Rehabilitation Projects</b></p>	<p>Seek funding to assist in the rehabilitation and conservation of multi-family residential projects. Work with non-profit and for-profit affordable housing developers to achieve successful rehabilitation of multi-family housing. Utilize rehabilitation funds to add bedrooms to overcrowded units, as feasible.</p>	<p>Annually as an ongoing program</p>	<p>Ongoing.</p>
<p><b>Program H-5.1.2 Target Areas</b></p>	<p>Continue to identify target areas and specific properties where housing rehabilitation is most needed through a periodic update of the housing conditions survey which identifies the neighborhoods and areas requiring rehabilitation assistance.</p>	<p>Update in 2021</p>	<p>To be updated.</p>
<p><b>Program H-5.1.3 Housing Rehabilitation/Preservation Program</b></p>	<p>Continue the City's housing rehabilitation program which provides low interest loans for the rehabilitation of homes owned or occupied by very low to moderate income households. Continue to seek funding for the housing rehabilitation loan program. Facilitate citizen awareness of the City's rehabilitation loan program.</p>	<p>In place and Ongoing</p>	<p>Ongoing.</p>
<p><b>Program H-5.1.4 Capital Improvement Program</b></p>	<p>Consider capital improvement projects necessary to maintain the community's older neighborhoods as part of the City Council's annual review of the Capital Improvement Program.</p>	<p>Annually as an ongoing program</p>	<p>Completed each year.</p>

<p><b>Program H-5.2.1 Discourage Vacation Rentals</b></p>	<p>Continue to prohibit vacation rentals in all zoning districts except for the CBD. Undertake proactive undercover code enforcement activity on a regular basis against all illegal vacation rentals in Fort Bragg. Work with the County of Mendocino at all levels to reduce or eliminate further conversions of residential units into vacation rentals as this practice has greatly increased the magnitude of the housing crisis on the Mendocino coast and in the City of Fort Bragg.</p>	<p>2020-2021</p>	<p>In process.</p>
<p><b>Program H-2.2.2 Single-Family Homes</b></p>	<p>Continue to allow the reuse of existing singlefamily residences, in commercial zones, as single-family residences. Consider allowing second units on commercially zoned parcels with existing single family homes.</p>	<p>2020-2021</p>	<p>Implemented.</p>
<p><b>Program H-5.2.3 Housing Rehabilitation in Non-Residential Areas</b></p>	<p>Continue to permit substantial rehabilitation of, and additions to, existing housing located in zones where it is a legal nonconforming use.</p>	<p>Ongoing.</p>	<p>Ongoing.</p>
<p><b>Program H-5.3.1 Develop At-Risk Units Program</b></p>	<p>Maintain an inventory of at-risk affordable housing units and work with property owners and non-profit affordable housing organizations to preserve these units by identifying and seeking funds from Federal, State and local agencies to preserve the units.</p>	<p>Ongoing</p>	<p>Ongoing.</p>
<p><b>Program H-5.3.2 Require At-Risk Education Program</b></p>	<p>Work with property owners and non-profit affordable housing organizations to ensure that tenants receive required education and notifications regarding at-risk units.</p>	<p>Ongoing</p>	<p>Ongoing.</p>

<p><b>Program H-5.3.3 Monitor At-Risk Units</b></p>	<p><b>No units are currently at risk in the City of Fort Bragg. All units are guaranteed to remain affordable through 2031. The City will monitor the units that are at risk in the 2030 decade to ensure that they remain affordable.</b></p>	<p><b>2025-2030</b></p>	<p><b>Ongoing.</b></p>
<p><b>Program H-5.3.4 Replacement Program for Units Demolished for New Development</b></p>	<p><b>Consider modification of the Land use and Development Code to require replacement of low and moderate income residential units, when such units are demolished to accommodate new development.</b></p>	<p><b>2025-2030</b></p>	<p><b>To be considered.</b></p>
<p><b>Program H-5.3.5 Work with Potential Purchasers of At-Risk Units</b></p>	<p><b>Establish contact with public and nonprofit agencies interested in purchasing and/or managing units atrisk in the 2030 decade to inform them of the status of these projects. Where feasible, provide technical assistance and support to these organizations with respect to acquisition. Consider reducing or waiving development fees associated with preservation or replacement of at-risk units. Assist property owners with grant applications for funding for mortgage refinancing, acquisition, rehabilitation, and gap funding for affordable development. Access funding resources such as tax-exempt bonds, housing tax credits, Community Development Block Grants, HOME funds for the preservation of affordable housing units.</b></p>	<p><b>Ongoing</b></p>	<p><b>Ongoing. To be reconsidered and improved.</b></p>

<p><b>Program H-5.3.6 Maintain List of At-Risk Projects</b></p>	<p>Actively pursue affordable housing opportunities and maintain a list of interested and qualified affordable housing developers.</p>	<p>Ongoing</p>	<p>Ongoing. To be reconsidered and improved.</p>
<p><b>Program H-5.3.7 Provide Tenant Education and Assistance Tenants of At-Risk Projects</b></p>	<p>Require property owners to give a 3-year, 12-month and 6-month notice of their intent to opt out of low-income use restrictions. Work with tenants of at-risk units 10 - Housing Element 2019 10-22 and provide them with education regarding tenant rights and conversion procedures. Assist tenants of existing rent restricted units to obtain priority status on housing choice voucher waiting list.</p>	<p>Ongoing</p>	<p>Ongoing. To be reconsidered and improved.</p>
<p><b>Program H-6.1.1 Workshops</b></p>	<p>Continue to hold workshops and public hearings to discuss proposed revisions to the City's Housing Element.</p>	<p>Annually</p>	<p>In 2019 the City undertook a comprehensive update to the Housing Element, adding 38 new City initiated programs/policies and 14 State mandated programs/policies. Implementation of Housing Element is a City priority and is ongoing.</p>
<p><b>Program H-6.2.1 Annual Report</b></p>	<p>Prepare an annual report that describes the amount and type of housing constructed, the stock of affordable housing units, demolition permits, and conversion of residential units to other uses, and other housing-related activities for review by the EDAC, Planning Commission, and City Council.</p>	<p>Annually (include with the annual review of the Capital Improvement Program (CIP) by the Planning Commission)</p>	<p>Ongoing.</p>
<p><b>Program H-7.1.1 Recycling</b></p>	<p>Consider revising the zoning ordinance so that all multifamily residential developments provide a centralized drop-off location for recyclables and compostable materials.</p>	<p>Changes to the zoning code will take place in 2020/21.</p>	<p>To be considered or implemented.</p>



<p><b>Program H-7.1.2 Rainwater Capture and Drought Tolerant Landscaping</b></p>	<p>Consider revising the zoning ordinance to incentivize the installation of cisterns to capture rainwater from roofs for all water needs. Consider revising the zoning ordinance to require drought tolerant landscaping for landscaped areas in commercial and multifamily residential uses.</p>	<p>2020-2021</p>	<p>To be considered.</p>
<p><b>Program H-7.1.3 Sustainable Building Techniques</b></p>	<p>Encourage housing that includes environmental benefits such as energy conservation, green building, water conservation, and recycling.</p>	<p>2020-2021</p>	<p>Informational brochures to be developed.</p>
<p><b>Program H-7.1.4 Passive Solar Design Strategies</b></p>	<p>Consider revising the zoning ordinance to incentivize or require passive solar design strategies for space heating and lighting to reduce energy demand to the extent feasible in all residential and mixeduse buildings and in site design. Alternatively, revise the Citywide Design Guidelines to require passive solar and prefer active solar installations for all projects of more than 5,000 SF.</p>	<p>2020-2021</p>	<p>2020 CA Building Code includes provisions for solar on all new construction.</p>
<p><b>Program H-7.1.5 Energy Retrofit Program</b></p>	<p>Continue to apply for and administer funds to assist residents with energy conservation retrofits and weatherization resources. Continue to partner with community services agencies to provide financial assistance for low-income persons to offset the cost of weatherization and heating and cooling homes.</p>	<p>Ongoing</p>	<p>Ongoing.</p>



<b>Jurisdiction</b>	Fort Bragg	
<b>Reporting Period</b>	2020	(Jan. 1 - Dec. 31)

## ANNUAL ELEMENT PROGRESS REPORT

### Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field  
Cells in grey contain auto-calculation formulas

Table E									
Commercial Development Bonus Approved pursuant to GC Section 65915.7									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name <sup>+</sup>	Local Jurisdiction Tracking ID <sup>+</sup>	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Fort Bragg	
Reporting Period	2020	(Jan. 1 - Dec. 31)

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

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**Table F**

**Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)**

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA <sup>+</sup> Listed for Informational Purposes Only				Units that Count Towards RHNA <sup>+</sup> Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 <sup>+</sup>
	Extremely Low-Income <sup>+</sup>	Very Low-Income <sup>+</sup>	Low-Income <sup>+</sup>	TOTAL UNITS <sup>+</sup>	Extremely Low-Income <sup>+</sup>	Very Low-Income <sup>+</sup>	Low-Income <sup>+</sup>	TOTAL UNITS <sup>+</sup>	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

<b>Jurisdiction</b>	Fort Bragg
<b>Reporting Period</b>	2020 (Jan. 1 - Dec. 31)

**NOTE: THIS table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.**

Note: "+" indicates an optional field  
Cells in grey contain auto-calculation formulas

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation  
(CCR Title 25 §6202)**

<b>Table G</b>						
<b>Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of</b>						
<b>Project Identifier</b>						
<b>1</b>				<b>2</b>	<b>3</b>	<b>4</b>
<b>APN</b>	<b>Street Address</b>	<b>Project Name<sup>+</sup></b>	<b>Local Jurisdiction Tracking ID<sup>+</sup></b>	<b>Realistic Capacity Identified in the Housing Element</b>	<b>Entity to whom the site transferred</b>	<b>Intended Use for Site</b>
Summary Row: Start Data Entry Below						

<b>Jurisdiction</b>	Fort Bragg	
<b>Reporting Period</b>	2020	(Jan. 1 - Dec. 31)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**  
(CCR Title 25 §6202)

<b>Table H</b>						
<b>Locally Owned Surplus Sites</b>						
<b>Parcel Identifier</b>				<b>Designation</b>	<b>Size</b>	<b>Notes</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>APN</b>	<b>Street Address/Intersection</b>	<b>Existing Use</b>	<b>Number of Units</b>	<b>Surplus Designation</b>	<b>Parcel Size (in acres)</b>	<b>Notes</b>
Summary Row: Start Data Entry Below						

<b>Jurisdiction</b>	Fort Bragg	
<b>Reporting Year</b>	2020	(Jan. 1 - Dec. 31)

<b>Building Permits Issued by Affordability Summary</b>		
<b>Income Level</b>		<b>Current Year</b>
Very Low	Deed Restricted	27
	Non-Deed Restricted	0
Low	Deed Restricted	43
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	2
Above Moderate		3
<b>Total Units</b>		<b>75</b>

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

<b>Housing Applications Summary</b>	
Total Housing Applications Submitted:	3
Number of Proposed Units in All Applications Received:	71
Total Housing Units Approved:	71
Total Housing Units Disapproved:	0

<b>Use of SB 35 Streamlining Provisions</b>	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

<b>Units Constructed - SB 35 Streamlining Permits</b>			
<b>Income</b>	<b>Rental</b>	<b>Ownership</b>	<b>Total</b>
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Cells in grey contain auto-calculation formulas





## Fort Bragg City Council Priority Areas and Goals

Updated 8-14-2019

Priority Area 1: Jobs/Industry	Council Ideas	Initial Progress/Results
Goal 1 - Become more business and customer service friendly	Ombudsman support for developers and new businesses; provide for more decisions to be reviewed by the Planning Commission; look at fee collection structure; ensure fees are fair and reasonable; prioritize restorative businesses; proactively invite businesses to Fort Bragg; and market Fort Bragg as a place to locate your business.	<ol style="list-style-type: none"> <li>1. Staff and Council reviewed and updated fees that were adopted by City Council effective August 1, 2019. The lesser of an inflationary increase or actual cost of staff and supplies was used. Staff recommended a revised structure for building permit fees that was based on staff time instead of a flat 1% of permit valuation. Council further revised the building permit fees to subsidize the cost of lower valued projects.</li> <li>2. With the support and direction from Council, an ordinance to allow retail cannabis businesses to open within the City will be considered by the Planning Commission on August 28, 2019. The ordinance allows cannabis businesses that are primarily retail to also have small scale manufacturing, cultivation and distribution at the same location.</li> </ol>
Goal 2 - Partner with educational institutions	Education and developing a qualified workforce.	<ol style="list-style-type: none"> <li>1. City Council is pursuing opportunities to assist in providing a higher education facility by seeking land on the southern portion of the Mill Site that could be used for such a purpose.</li> </ol>
Goal 3 - Foster and help sustain Local businesses	Public/private partnerships; overcome barriers to industry such as broadband, housing, and transportation; work with West Company and Economic Development Financing Corp. (EDFC); and support businesses that "keep money here".	<ol style="list-style-type: none"> <li>1. Staff and Council are exploring ways to encourage local businesses and potentially discourage chain or formula box stores. The City Attorney has been directed to provide guidance on this topic.</li> <li>2. The City continues to partner with the EDFC and on April 22, 2019, the Council adopted the EDFC Mendocino County Digital Infrastructure Plan 2019-2025.</li> <li>3. The City Manager along with the Executive Director from the Mendocino Coast Chamber of Commerce and the Executive Director of West Company started a walk about program to check in with local businesses on an informal basis.</li> <li>4. The City's Visit Fort Bragg Committee has sponsored a walking map of the historic downtown, which highlights local businesses, purchased 2,000 totes to promote Fort Bragg and started a First Friday Block Party to create more traffic in the CBD.</li> <li>5. The City has offered local businesses an outdoor display encroachment permit, without cost or the insurance requirement, so that a business may display merchandise or other temporary enticements for customers to enter the businesses.</li> </ol>

## Fort Bragg City Council Priority Areas and Goals

Updated 8-14-2019

Priority Area 2: Quality of Life	Council Ideas	Initial Progress/Results
Goal 1 - Beautification of streets/sidewalks	Adopt a street program; sponsor volunteer clean-up days; and explore in-house maintenance options.	<ol style="list-style-type: none"> <li>1. Council appointed a City Prosecutor to enforce the City's Municipal Code. This will provide better results on code enforcement matters and allow for recouping costs associated with the enforcement and cleanup corrective actions taken by the City.</li> <li>2. Visit Fort Bragg Committee is replacing the decorative banners displayed on street lights in the CBD with new artwork that continues to support the City's brand.</li> </ol>
Goal 2 - Assist with façade improvements for businesses	Matching funds/grants; Main St. Program; EDFC; and Mills Act - property tax.	<ol style="list-style-type: none"> <li>1. Staff is developing a façade improvement grant program, which would award a 50% match of up to \$2,000 for local businesses to improve their facades.</li> </ol>
Goal 3 - Pursue partnerships to maintain open space	Example: Pudding Creek 80 acres; and Mill Site Open Space.	<ol style="list-style-type: none"> <li>1. City Council and staff are actively pursuing both the Pudding Creek restoration project and preserving property for public facilities on the Mill Site.</li> <li>2. Staff with Council approval submitted a \$1.6M grant application for Prop 68 funds to complete phase two of the Bainbridge Park and improve the functionality of the park for the community.</li> </ol>
Goal 4 - Maintain a fully-staffed police force	A more community-involved police force.	<ol style="list-style-type: none"> <li>1. Police Department will be fully staffed in September, when a police officer and community services officer, who have conditionally accepted positions are scheduled to start work.</li> <li>2. The Police Department is actively reaching out to the community for assistance with gang related activity. Additionally, the School District and PD are pursuing a grant that would help fund a School Resource Officer (SRO) for up to 5 years. The City has pledged financial support for a portion of the SRO.</li> </ol>

## Fort Bragg City Council Priority Areas and Goals

Updated 8-14-2019

Priority Area 3: Housing	Council Ideas	Initial Progress/Results
Goal 1 - 200 Units of housing in the next 5 years	Pursue public/private partnerships; funding for developers; updating local plan to make more attractive; pursue tax credits and grants; and look at density.	<ol style="list-style-type: none"> <li>1. Council is in the process of adopting the 2019 Housing Element to expand housing units within the City of Fort Bragg.</li> <li>2. Staff has applied for grant funding of \$160,000 in order to pursue and implement programs set forth in the 2019 Housing Element.</li> </ol>
Goal 2 - Pursue Community Land Trust/JPA/Housing Authority	Joint Power Authority (JPA) with other cities or county; incubator program for nonprofit land trust; and research funding mechanisms.	<ol style="list-style-type: none"> <li>1. Staff and City Council are reviewing opportunities for a community land trust or other community housing partnerships.</li> </ol>
Goal 3 - Streamline permitting process and pursue creative approaches to fees	Pay fees over time or delay collection until permit final; and review barriers to building.	<ol style="list-style-type: none"> <li>1. Staff is developing an Economic Development Incentives Policy and Programs to encourage economic growth, business expansion and local retention. Proposed programs include capacity fee deferrals, financing/taxing districts, Mills Act incentives, TOT sharing agreements, facade improvement programs, and housing and jobs planning incentives.</li> </ol>

## Fort Bragg City Council Priority Areas and Goals

Updated 8-14-2019

Priority Area 4: Infrastructure	Council Ideas	Initial Progress/Results
Goal 1 - Develop Water Security	Modular de-salinization; construction of additional water tanks; seek out other water sources.	<ol style="list-style-type: none"> <li>1. Staff has updated and thoroughly reviewed the City's water model in order to more accurately measure and predict the impact of growth and other factors on future water needs. The model provides a tool going forward to evaluate the adequacy of City sources under other circumstances.</li> <li>2. Staff is working with Georgia Pacific in order to transfer their water rights associated with the Mill Site to the City.</li> <li>3. Staff is actively seeking to negotiate the two remaining Lake and Streambed Alteration (LSA) agreements with CA Fish and Wildlife in order to confirm/establish the City's ongoing water resources.</li> </ol>
Goal 2 - Renewable Energy	Develop and encourage: Solar Power; Wind Power; micro-grids. Focus on City Facilities first as a demonstration of possibilities.	
Goal 3 - Emphasize Grants for City	Focus Community Development Block Grants (CDBG) funds on City infrastructure projects. Actively pursue all grant and other funding options and possibilities.	<ol style="list-style-type: none"> <li>1. Staff has developed a list of shovel ready projects, so that grant and funding opportunities can be easily matched.</li> <li>2. As mentioned in other Goals, the City has applied for the \$1.6M Prop 68 grant for Bainbridge Park Phase 2, the HCD housing funds \$160k and \$80k for continued work on the Mill Site LCP.</li> </ol>

**From:** [Jenny Shattuck](#)  
**To:** [Lemos, June](#)  
**Subject:** 8b comment  
**Date:** Monday, March 8, 2021 7:14:08 PM

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How many of the 77 unit permits filed for were from owner builders or local contractors, vs Danco or other subsidized builders? And how many homes were actually completed last year?

I have been told by many local contractors that the process to obtain permits and go through the process to build has been much more difficult this past couple years. Some being told how to proceed, only that avenue costed many thousands more and months longer. With the price of building supplies climbing these delays have made what would have been work force housing now priced higher. Anything to help our owner builders and local contractors, not delay and burden them should be of utmost importance.

With there being only 2 single family homes listed currently between bridges for 600k, and a multi family home just shy of 1 million, this is out of reach for the majority of Fort Bragg residents. We need owner occupied homes, as we fall far below the average. We are loosing long time residents as their rentals are being sold, as there is less than a 1% vacancy rate, they are forced to move in with family, or out of area all together.

Having a meeting with the local contractors themselves, a couple council members, city staff and the city manager would be a good step in the right direction. Perhaps hearing their concerns firsthand, and finding

ways to help vs hinder them. Many contractors say they do not complain, because they fear that their projects will take longer because of retaliation from a complaint. This would give an open forum to discuss what the issues seem to be and ways to remedy them. I look forward to that meeting being held soon.

Owning a home is a long term investment in our community, the rental market has little to offer in terms of long term stability for tenants with housing prices climbing daily. This is where the housing trust would be great. Everything we can do to get more workforce housing built will be most welcomed.

Thank you,  
Jenny Shattuck



# City of Fort Bragg

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

## Text File

File Number: 21-088

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Passed

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 8C.

Receive Report and Consider Adoption of City Council Resolution Recommending and Consenting to an Extension of the Term in the Operating Agreement and Lease for the Caspar Transfer Station Between Mendocino County and Solid Waste of Willits, Inc.



AGENCY: City Council  
MEETING DATE: March 8, 2021  
DEPARTMENT: City Manager  
PRESENTED BY: Tabatha Miller  
EMAIL ADDRESS: [TMiller@fortbragg.com](mailto:TMiller@fortbragg.com)

## AGENDA ITEM SUMMARY

**TITLE:**

**Receive Report and Consider Adoption of City Council Resolution Recommending and Consenting to an Extension of the Term in the Operating Agreement and Lease for the Caspar Transfer Station between Mendocino County and Solid Waste of Willits, Inc.**

**ISSUE:**

Under a Joint Powers Agreement between Fort Bragg and Mendocino County (County), the County entered into an Operating Agreement and Lease with Solid Waste of Willits to operate the Caspar Transfer Station. Amendments to the Operating Agreement and Lease require "prior written consent of City and County."

The Operating Agreement and Lease with Solid Waste of Willits had an original termination date of June 30, 2017. On March 17, 2016, the Caspar Joint Coordinating Committee recommended that the contract be extended to June 30, 2021. The County extended the term of the Operating Agreement and Lease and retroactively requested and received written consent from the City on April 22, 2019. The current extension will expire on June 30, 2021 and the Joint Caspar Transfer Station Joint Coordinating Committee recommends that Mendocino County extend the Agreement and Lease to June 30, 2025. The County provided notice of the extension to Solid Waste of Willits in December 2020 and intends to process that extension in the near term. The attached Resolution, if approved, provides the written recommendation and consent of City Council for Mendocino County to extend the Agreement and Lease until June 30, 2025.

**ANALYSIS:**

**Background**

The City and the County jointly own 60 acres in the Caspar area at the end of Prairie Way. The City and County first entered into a joint powers agreement in October 1967 to use the property as a solid waste landfill. The landfill was operated from 1968 to 1992, when the landfill was closed. Since then, the property has been used for a solid waste transfer station. The County had operated the facility until it executed the Operating Agreement and Lease with Solid Waste of Willits on January 25, 2011.

The current Joint Powers Agreement (JPA) between the County and the City was executed in January of 2011 to provide for changes in how the Caspar Solid Waste Transfer Station was operated and to consider the replacement or expansion of the Caspar Transfer Station in order to accommodate commercial collection trucks and allow for long-haul direct transfer to a destination landfill.



The JPA calls for a Joint Coordinating Committee (Committee) consisting of two City Councilmembers and two County Supervisors. The Committee serves in an advisory role for the Board of Supervisors and the City. Mendo Recycle (formerly Mendocino Solid Waste Management Authority MSWMA) served as staff support for the Committee up until March 2019.

The JPA was amended October 25, 2016 in order to outline specific terms and obligations for moving forward with replacement of the Caspar Transfer Station. The County Board of Supervisors and City Council certified the Environmental Impact Report (EIR) on the new Transfer Station project for 30075 Highway 20 on September 19, 2016.

Acquisition of the property at 30075 Highway 20 involved a multi-party land swap. The State of California would transfer 17 acres (30075 Highway 20) to the City/County in exchange for 35 acres of land at the Caspar Landfill site. California Department of Parks & Recreation (DPR) would take ownership of the 35-acre Caspar property in exchange for 12.6 acres of Russian Gulch State Park, which would be transferred to Jackson Demonstration State Forest (JDSF). Not too long after the EIR was certified, DPR pulled out of the proposed land swap. At that time, momentum on the new Transfer Station project stalled.

Since March 2019, the Committee has focused attention on the best path forward for a Coastal Transfer Station. At the recommendation of the Committee, an initial evaluation was conducted by Diversion Strategies on the various proposed sites for a Coastal Transfer Station. Following up on the Diversion Strategies report, the Committee recommended hiring a local project manager to continue to evaluate and pursue the project. In January 2021, Mr. Tom Varga was hired by Mendocino County to serve in this role.

As there are no immediate plans to expand or replace the Caspar Transfer Station, the Committee and City and County staff recommend an extension of the existing Caspar Transfer Station Agreement and Lease with Solid Waste of Willits.

**RECOMMENDED ACTION:**

Staff recommends the City Council adopt the Resolution recommending and consenting to an extension of the Operating Agreement and Lease with Solid Waste of Willits by the County Board of Supervisors.

**ALTERNATIVE ACTION(S):**

Do not approve the Resolution and provide staff alternative direction.

**FISCAL IMPACT:**

Extension of the Operating Agreement and Lease has no direct fiscal impact on the City of Fort Bragg.

**GREENHOUSE GAS EMISSIONS IMPACT:**

Extending the Operating Agreement and Lease with Solid Waste of Willits should not increase or decrease greenhouse gas emissions as the Agreement continues the existing operation without changes.

**CONSISTENCY:**

N/A

**IMPLEMENTATION/TIMEFRAMES:**

City staff anticipate Mendocino County Board of Supervisors will approve an extension of the Operating Agreement and Lease with Solid Waste of Willits within the month and prior to the expiration on June 30, 2021.

**ATTACHMENTS:**

1. Resolution

**NOTIFICATION:**

1. Jerry Ward, Solid Waste of Willits
2. Amber Fiset, County of Mendocino

**RESOLUTION NO. \_\_\_\_-2021**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL RECOMMENDING THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXTEND THE TERM OF THE CASPAR TRANSFER STATION OPERATIONS AGREEMENT AND LEASE BETWEEN THE COUNTY OF MENDOCINO AND SOLID WASTE OF WILLITS, INC., FROM JUNE 30, 2021 TO JUNE 30, 2025**

**WHEREAS**, the County and City jointly own 60 acres in the Caspar area at the end of Prairie Way that has been used for solid waste purposes since approximately 1967; and

**WHEREAS**, the County and City used the Caspar property as a landfill from 1968 to 1992 and have since used it as a solid waste transfer station; and

**WHEREAS**, the County of Mendocino (County) and the City of Fort Bragg (City) entered into a Joint Powers Agreement (JPA) on January 25, 2011 to revise and update the obligations and responsibilities concerning the Caspar Landfill and Solid Waste Transfer Station; and

**WHEREAS**, the JPA authorized the County to execute an Operating Agreement with Solid Waste of Willits, Inc. to operate the Caspar Transfer Station; and

**WHEREAS**, the County and Solid Wastes of Willits, Inc. entered into Mendocino County Agreement Number (No.) 11-008, Caspar Transfer Station Operations Agreement and Lease, on January 25, 2011, with an expiration date of June 30, 2017, later amended to be June 30, 2021; and

**WHEREAS**, Mendocino County Agreement No. 11-008 provides that the County shall, at the County's discretion acting with concurrence of City of Fort Bragg, have the option to extend the Agreement on one or more occasions provided that the combined extension periods do not extend beyond December 31, 2029; and

**WHEREAS**, it is in the public interest to extend the term of the Agreement to ensure the future operation of the Caspar Transfer Station; and

**WHEREAS**, the Caspar Transfer Station Joint Coordinating Committee recommended the Mendocino County Agreement No. 11-008 be extended to ensure that future operation of the Caspar Transfer Station; and

**WHEREAS**, it is the desire of the City to extend the termination date set out in Mendocino County Agreement No. 11-008, as later amended, from June 30, 2021 to June 30, 2025; and

**WHEREAS**, Mendocino County Agreement No. 11-008 requires the County to provide written notice of the extension(s) to Solid Wastes of Willits, Inc. 180 calendar days prior to the expiration of the Agreement; and

**WHEREAS**, written notice was provided to Solid Wastes of Willits, Inc. by the County as required on December 10, 2020.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Fort Bragg does hereby recommend and concur that the Mendocino County Board of Supervisors exercise the County's option to extend the term of the Caspar Transfer Station Operations Agreement and Lease with Solid Wastes of Willits, Inc. until June 30, 2025.

**The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 8<sup>th</sup> day of March, 2021, by the following vote:**

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSED:**

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**BERNIE NORVELL**  
Mayor

**ATTEST:**

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**June Lemos, CMC**  
City Clerk



# City of Fort Bragg

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

## Text File

File Number: 21-093

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**Agenda Date:** 3/8/2021

**Version:** 1

**Status:** Closed Session

**In Control:** City Council

**File Type:** Report

**Agenda Number:** 9A.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR POSSIBLE ACQUISITION OF REAL PROPERTY, Pursuant to Government Code Section § 54956.8: Real Property: APN 020-550-02-00, APN 020-550-09-00; City Negotiators: Tabatha Miller, City Manager; Negotiating Party: Dave Massengill, Environmental Affairs, Georgia Pacific Corporation; Under Negotiation: Terms of Acquisition