

## **RESOLUTION NO. \_\_\_\_-2015**

### **RESOLUTION OF THE FORT BRAGG CITY COUNCIL AUTHORIZING CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LICENSE AGREEMENT WITH GEORGIA PACIFIC, LLC RELATING TO THE COASTAL RESTORATION AND TRAIL PROJECT**

**WHEREAS**, the City of Fort Bragg ("City") is developing a park on an approximately 93 acre site on the western edge of the City adjacent to the Pacific Ocean. The Project Site is bordered on the north by the Pudding Creek Trestle Bridge, on the east by Glass Beach Drive and the Georgia-Pacific Mill Site, on the south by Noyo Point Road and Noyo Bay, and on the west by the Pacific Ocean and MacKerricher State Park. The Project Site consists of the following APNs 008-010-22/24/34/35, 008-020-10/11/12 & 018-430-04/08/10/11; and

**WHEREAS**, the on June 23, 2014, the City Council approved Resolution No. 3718-2014 authorizing the City Manager to execute a License Agreement with Georgia-Pacific which grants the City and its contractors temporary access over certain portions of Georgia-Pacific's property as necessary for construction of the Coastal Restoration and Trail Project and for construction of stormwater management berms on Georgia-Pacific Property in conjunction with the Project; and

**WHEREAS**, on February 10, 2014, the City Council certified a Subsequent Environmental Impact Report (EIR) for the Project pursuant to CEQA; Title 14, California Code of Regulations, Section 15000 et seq. ("CEQA Guidelines"); and the City's CEQA Implementation Procedures; and

**WHEREAS**, on February 10, 2014, the City Council approved Coastal Development Permit Amendment (CDP 10-10/14), Design Review Amendment (DR 11-10/14), and Variance Amendment (VAR 2-11/14); and

**WHEREAS**, the City has negotiated an Amendment to the License Agreement with Georgia-Pacific LLC to allow for construction of improvements on Georgia-Pacific's property in advance of the transfer of title of land from Georgia-Pacific to the City to facilitate access to the south parkland area directly from the Cypress Street intersection and to add a tier of parking spaces at the Elm Street parking lot; and

**WHEREAS**, the License Agreement is necessary to facilitate the timely and efficient construction of the Project; and

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

1. The Amendment to the License Agreement is necessary for the efficient construction of the Fort Bragg Restoration and Coastal Trail Project; and.
2. The Amendment to the License Agreement will allow for improved vehicular access and parking, as well as improved fencing for the Coastal Trail Project.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Fort Bragg, does hereby authorize the City Manager to execute the Amendment to the License Agreement with Georgia-Pacific LLC for the Coastal Restoration and Trail Project which is attached as "Exhibit A" and incorporated herein.

The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a special meeting of the City Council of the City of Fort Bragg held on the 29<sup>th</sup> day of June, 2015, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**DAVE TURNER,**  
**Mayor**

**ATTEST:**

---

**Brenda Jourdain**  
**Acting City Clerk**