



City of Fort Bragg

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Meeting Minutes Public Safety Committee

Wednesday, March 11, 2015

3:00 PM

Police Department Conference Room
250 Cypress Street

MEETING CALLED TO ORDER

Committee Member Peters called the meeting to order at 3:30 p.m.

ROLL CALL

Mayor Turner sat in for Committee Member Deitz

Present: 5 - Lindy Peters, Dave Turner, Stephen Willis, Ginny Feth-Michel and Debbie Desmond

Absent: 3 - Scott Deitz, Steve Orsi and Linda Ruffing

APPROVAL OF MINUTES

Public Safety Committee Minutes from February 11, 2015 Meeting

A motion was made by Committee Member Turner, seconded by Committee Member Peters, that the Committee Minutes be approved. The motion carried by a unanimous vote.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

- Rosalie Gjerde wanted to let the Committee know about a no cost training coming to our community on March 25th at 6:00 p.m. at the John Diederich Center Conference Room. As a prelude to Child Abuse Prevention Month which will be in April, Sheryn Hildebrand, the Executive Director of the Court Appointed Special Advocates (CASA) program in Mendocino and Lake Counties will be doing a presentation on how to recognize child abuse. She will also be discussing how the law both directs and protects mandated reporters. Rosalie felt a police and fire department presence at the training would be very valuable. Gjerde also asked about the Police Department policy if an adult reports child abuse that happened before they became an adult. Lt. Gilchrist explained that there is a standing operating procedure and it would be treated like any other case and forwarded for prosecution if warranted. Often times the statute of limitations starts at the time of notification, not at the time of the crime.
- Madeleine Melo mentioned that it was the fourth anniversary of the Otsuchi tsunami and thanked Committee Member Peters for wearing his Otsuchi t-shirt.

CONDUCT OF BUSINESS

1. Receive Presentation from Safe Passage Executive Director Laura Welter Regarding Proposed Social Host Ordinance and Make Recommendation to City Council

Public comment of this item was received from: Amanda Durigan, Jean Cunnington, Malcolm Macdonald, Madeleine Melo & Rosalie Gjerde.

The following was noted during discussion of this item:

- Laura Welter discussed some of the reasons for presenting a proposed Social Host Ordinance for the City of Fort Bragg. The FY13-14 Healthy Kids Survey done in Fort Bragg concluded that 28% of high school juniors had participated in binge drinking (more than 5 drinks in an hour) in the last 30 days. It found that 20% of freshman had also participated. Binge drinking at large parties leads to many negative consequences that are listed in Welter's report. Social media has changed the nature of kids parties making them much larger and frequented by strangers and not necessarily all friends.
- A social host ordinance would cut down on the number of under-age drinking parties in our community and risk to our youth. Social Host Ordinances have been successfully adopted by many neighboring communities. The current Napa ordinance is being used as a template for the proposed Fort Bragg ordinance. City Clerk VanWormer is assisting with adapting the Napa ordinance to Fort Bragg.
- A social host ordinance will give the Fort Bragg Police Department another tool to use when they are called to a party where under-age drinking is occurring. It would give the Police digression in how they would enforce the ordinance because every situation is different. This ordinance holds people responsible for providing a location for a party where under-aged drinking takes place and focuses on where the drinking takes place, not on who is providing the alcohol.
- The ordinance would allow a Police Officer to issue a citation that will result in a fine to the host of the party, whether that person is an adult or a minor. The offense would be considered civil, not criminal.
- The fine for the first offense would be \$300, the second offense within a year would be \$500 and the third offense within a year would be \$750. In addition, if the party does not end after the first visit by the Police and they have to return to the location a second time in the same evening, then the host is also responsible for paying Police service costs.
- Welter and Durigan spoke to the Fort Bragg Police Association about the proposed ordinance and they felt it could be useful to the Officers. They have also spoken to the Fort Bragg Rotary, the Soroptimists, two Latino parent groups, the City Manager, several City Councilmembers, and the Coalition for Gang Awareness and Prevention, who has endorsed this ordinance.
- Parents who host parties at their house are making the decision that under-age drinking is acceptable; therefore they are making that decision for all the parents of children who are attending the party. Most responsible parents don't want some other parent making that decision about their child for them.
- Cunnington, who works for Prevention and Planning in the Public Health Department and also lives in Fort Bragg, strongly endorses a Social Host Ordinance. The consultant they have been working with has worked on many social host ordinances and has data that these ordinances do work in decreasing the number of parties where there is under-age drinking. Especially when the ordinance is civil legislation, communities are seeing that the ordinance is a very effective tool that is easy for the Police to administer.
- Durigan, the facilitator for the Coalition for Gang Awareness and Prevention, stated that the ordinance was presented to that group who eagerly adopted it and supports it. She talks a great deal with the youth of our community at the Teen Lounge. One comment that stuck with her was that the boys go to these parties and stay sober as they wait for the girls to get drunk, making it very easy to take advantage of them. They don't feel it is wrong because the girls aren't necessarily telling them no. This ordinance will give the Police the permission they need to stop these kinds of potentially dangerous situations.

- Even though there is not currently a large problem with under-age drinking parties within the City limits, Welter feels this ordinance would set the tone and be a proactive approach to get a handle on this problem before it effects our youth in larger numbers.
- Turner asked about parents being held responsible for a party their child organized but was not held at their home. A juvenile can be cited for this, not just adults. The parents would not be held accountable if they were not aware of it.
- Peters mentioned that many cities have done this and we are not breaking new ground with this type of ordinance. He asked Chief Willis what his experience has been with Social Host Ordinances.
- Chief Willis stated that he has worked with Social Host ordinances in the many cities he has been involved with. He felt they have worked very well, giving the Police another tool that is very useful. It helps parents feel better about what their children may be doing when they are at someone else's home. The ordinance was very effective in Sausalito.
- Gilchrist stated the ordinance will definitely help law enforcement. The officers cannot enforce a misdemeanor not committed in their presence so the fact that these violations will be civil municipal code violations will make them much more enforceable. The Police Department has discretion and decides who will be held responsible, which they are currently doing in many other situations.
- There is an appeal process built into the ordinance. The City Manager or her designee would conduct the administrative review.
- The County currently has a very old and weak ordinance requiring that there be five people present to qualify as a "party" and it is a criminal offense as opposed to civil.
- It was asked if the City adopts the new Social Host Ordinance, how much leverage they will have to be able to encourage the County to update their similar ordinance. Durigan has spoken to Sheriff Allman about the new ordinance and he is willing to move forward and revamp the County ordinance. Welter and Durigan will present the new Social Host ordinance to the County supervisors once it is in place.
- Cunningham is hoping the Cities of Ukiah and Willits will update their ordinances to adopt something more like the Fort Bragg ordinance that has more rigorous fines and the violations are civil rather than criminal.
- It was confirmed that this ordinance is only concerning alcohol and not drugs. It was agreed that for our community it would be best and more effective to leave the ordinance as dealing with alcohol only.
- It was asked if selling drugs to kids rises to a felony. Gilchrist confirmed that the sale of drugs is still a felony, but giving drugs to kids, as in a host situation, is only a misdemeanor.
- The officers will not need special training to enforce the new ordinance. The department will simply do a training bulletin so that officers can become familiar with the ordinance.

Committee members Peters and Turner agreed to move the ordinance forward and after the City Clerk and City Attorney have reviewed it, recommend it to Council. Peters asked Lt. Gilchrist to attend that City Council meeting.

2. Discuss Improving Pedestrian Safety at the Intersection of Redwood and Main Streets

Public comment of this item was received from: Rosalie Gjerde and a community member named Vicky.

The following was noted during discussion of this item:

- Committee Member Peters brought this item to the Committee because Joe Seda, who works at Living Light, approached him with his concern for the safety at the intersection of Main and Redwood. He had been present when a hit and run between a vehicle and

pedestrian occurred recently at that intersection. The Police were able to apprehend the suspect.

- Since 2005 there have been only three vehicle vs pedestrian accidents at the intersection of Redwood and Main Street, although two of the three occurred in January and February of this year. Both accidents occurred as the vehicle was traveling west on Redwood, making a left turn onto Main Street from Redwood and a pedestrian was crossing on the south side of the intersection in the crosswalk.
- According to Lieutenant Gilchrist, the intersection appears to be properly signed and based on the way the recent accidents occurred, the fault seems to be with the driver of the vehicle.
- It is a large intersection, taking a good amount of time to walk all the way across Main Street. Many cars simply don't see the pedestrians, especially if they are walking from east to west across Main Street.
- Someone has put up a temporary sign on either side of the crosswalk on the south side of the intersection, asking people to be careful crossing the street because pedestrians have been hit there recently.
- One solution mentioned by Turner might be to have an "all walk" time for the intersection where no cars from any direction are going through as pedestrians walk across.
- Public Works Director Varga has been looking at the intersection in question in the last few weeks since this issue came up. He doesn't see anything in the accident report to show a correctable situation. Everything was normal as far as the weather, traffic signal performance, time of day (no sun in the eyes), and no impairment on the part of the pedestrians or drivers and no distractions. Varga's conclusion is that since there have only been three pedestrian accidents at this intersection in ten years, with two of them occurring in a matter of two months, that statistically speaking this is probably a very tragic coincidence of bad luck occurring in a relatively short period of time.
- It is likely that CalTrans would not be open to an All Walk pedestrian crossing due to the congestion it could cause on Highway One due to the delay in traffic moving freely.
- Signal timing could be adjusted slightly and that might make a difference for pedestrians.
- Some of the ideas that were proposed as part of the main street project could help improve safety, such as a median which could act as a "pedestrian refuge" or place for the pedestrian to get up on and out of traffic. The other thing that may help would be the bulb out, which shortens the crossing time for pedestrians and makes them easier to see as they wait to cross the street.
- These are all ways to trim the risk at the intersection. Varga recommends we keep an eye on this intersection. He can speak to CalTrans and encourage them to give this some thought and see if their experts have any ideas for improving safety at this intersection.
- Turner mentioned that perhaps only allowing crossing on the northern part of the intersection would be an inexpensive way to reduce the likelihood of accidents as pedestrians are much more visible in that crosswalk. The business owners near the southern corners of the intersection may not like that idea.
- Peters suggested that as people are sitting at the stop light waiting to turn left from Redwood onto Main Street, they are looking at the light, so perhaps there could be some sort of sign on the light that said something like, "Please be aware of pedestrians as you turn" or a simple picture of a car hitting a pedestrian with a line through it to remind drivers that there may be pedestrians crossing at that intersection.
- Peters also suggested perhaps placing a small sign on the crossing button for the pedestrians to warn them to be very careful when crossing at this intersection. It would be similar to the temporary sign that a citizen has placed there now.
- It was suggested that even a few seconds more allowed to cross the intersection as a

pedestrian would make a big difference for those that are slower than others. The countdown crossing lights are very helpful as well. Varga will remind CalTrans that the current assumed pedestrian speed is four feet per second, but now that the average age of citizens is older, it has been suggested that this be changed to three feet per second as far as crossing time allowed.

- At an intersection that is set up for through traffic, the majority of drivers heading west on Redwood are actually turning left or right. It is not an “easy” or intuitive intersection.
- As a reminder, the pedestrian always has the right of way.

Public Works Director Varga will contact CalTrans about possible solutions for improving safety at this intersection that have been discussed and report back to the Committee.

MATTERS FROM COMMITTEE / STAFF

None Received

ADJOURNMENT

The meeting was adjourned at 4:43 p.m. by Committee Member Peters.