

RESOLUTION NO. 3291-2009

RESOLUTION OF THE FORT BRAGG CITY COUNCIL CONSENTING TO THE USE OF HOUSING SET ASIDE FUNDS FOR A FEASIBILITY ANALYSIS FOR AFFORDABLE HOUSING ON COMMUNITY DEVELOPMENT COMMISSION LOTS AT GLASS BEACH APARTMENTS AND/OR SANDERSON WAY VILLAGE (AMOUNT NOT TO EXCEED \$30,000; FUND 171)

WHEREAS, the Fort Bragg Redevelopment Agency's Five-Year Implementation Plan identifies affordable multifamily housing as the most pressing housing need in the Project area; and

WHEREAS, the Agency has funds available in its Low and Moderate Income Housing Fund that may be used to seek opportunities to partner with local non-profits and/or the county housing authority for construction of additional affordable housing units; and

WHEREAS, additional funding for construction of affordable housing may be available through 2009 HOME grants or 2009 American Recovery and Reinvestment Act grants for projects that are "shovel ready" as defined in grant guidelines; and

WHEREAS, the Community Development Commission of Mendocino County (CDC) is a non-profit housing authority that has identified vacant land on two of its existing Fort Bragg public housing properties; and

WHEREAS, CDC's Glass Beach Apartment property is within the Project area, and its Sanderson Way Village property is within City limits and outside the Project area; and

WHEREAS, in order to construct additional affordable housing units on either or both of these properties, a pre-development feasibility study is needed; and

WHEREAS, CDC has submitted a proposal to complete a pre-development feasibility study for construction of additional affordable housing on either or both of its Glass Beach Apartments or Sanderson Way Village properties; and

WHEREAS, the affordability covenants that are triggered by using RDA housing funds are 55 years on rental units and 45 years on "owner occupied" units; and

WHEREAS, if CDC completes the development of an affordable housing project on either Glass Beach Apartments or Sanderson Way Village properties it will meet State requirements for redevelopment funded affordable housing unit; and

WHEREAS, Health and Safety Code Section 33334.2(g) authorizes the Redevelopment Agency to use monies from the Low and Moderate Income Housing Fund outside of a project area only upon adoption of resolutions by the Redevelopment Agency and City Council finding that such use will be of benefit to the Project Area; and

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

1. The foregoing recitals are true and correct and are made a part of this resolution.

2. Completion of a pre-development feasibility study will facilitate the construction of affordable housing in Fort Bragg in order to meet housing element goals and increase the supply of affordable housing in Fort Bragg.
3. Completion of a pre-development feasibility study will benefit the Project Area in that it will help implement the "Housing Studies" section of the Redevelopment Agency's Five-Year Implementation Plan, and it will facilitate the Agency's efforts in carrying out its Multifamily Housing Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby consent to the use of Housing Set Aside Funds for a Feasibility Analysis for Affordable Housing on Community Development Commission Lots at Glass Beach Apartments and/or Sanderson Way Village (Amount not to Exceed \$30,000; Fund 171) and authorizes the City Manager to take such actions as are necessary to carry out the intent of this Resolution.


The above and foregoing Resolution was introduced by Councilmember Gjerde, seconded by Councilmember Melo, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 22nd day of June, 2009, by the following vote:

AYES: Councilmembers Turner, Courtney, Gjerde, Melo, and Mayor Hammerstrom.
NOES: Done.
ABSENT: Done.
ABSTAIN: Done.



DOUG HAMMERSTROM,
Mayor

ATTEST:

for 

Cynthia M. VanWormer, CMC
City Clerk

RESOLUTION NO. R164-2009

RESOLUTION OF THE FORT BRAGG REDEVELOPMENT AGENCY AUTHORIZING USE OF HOUSING SET ASIDE FUNDS FOR A FEASIBILITY ANALYSIS FOR AFFORDABLE HOUSING ON COMMUNITY DEVELOPMENT COMMISSION LOTS AT GLASS BEACH APARTMENTS AND/OR SANDERSON WAY VILLAGE (AMOUNT NOT TO EXCEED \$30,000; FUND 171)

WHEREAS, the Fort Bragg Redevelopment Agency's Five-Year Implementation Plan identifies affordable multifamily housing as the most pressing housing need in the Project area; and

WHEREAS, the Agency has funds available in its Low and Moderate Income Housing Fund that may be used to seek opportunities to partner with local non-profits and/or the county housing authority for construction of additional affordable housing units; and

WHEREAS, additional funding for construction of affordable housing may be available through 2009 HOME grants or 2009 American Recovery and Reinvestment Act grants for projects that are "shovel ready" as defined in grant guidelines; and

WHEREAS, the Community Development Commission of Mendocino County (CDC) is a non-profit housing authority that has identified vacant land on two of its existing Fort Bragg public housing properties; and

WHEREAS, Community Development Commission's Glass Beach Apartment property is within the Project area, and its Sanderson Way Village property is within City limits and outside the Project area; and

WHEREAS, in order to construct additional affordable housing units on either or both of these properties, a pre-development feasibility study is needed; and

WHEREAS, CDC has submitted a proposal to complete a pre-development feasibility study for construction of additional affordable housing on either or both of its Glass Beach Apartments or Sanderson Way Village properties; and

WHEREAS, the affordability covenants that are triggered by using RDA housing funds are 55 years on rental units and 45 years on "owner occupied" units; AND

WHEREAS, if CDC completes the development of an affordable housing project on either Glass Beach Apartments or Sanderson Way Village properties it will meet State requirements for redevelopment funded affordable housing unit; and

WHEREAS, Health and Safety Code Section 33334.2(g) authorizes the Agency to use monies from the Low and Moderate Income Housing Fund outside of a project area only upon adoption of resolutions by the Agency and City Council finding that such use will be of benefit to the Project Area; and

WHEREAS, the City Council adopted this finding by Resolution on June 22, 2009; and

WHEREAS, based on all the evidence presented, the Agency Board finds as follows:

1. The foregoing recitals are true and correct and are made a part of this resolution.

2. Completion of a pre-development feasibility study will facilitate the construction of affordable housing in Fort Bragg in order to meet housing element goals and increase the supply of affordable housing in Fort Bragg.
3. Completion of a pre-development feasibility study will benefit the Project Area in that it will help implement the "Housing Studies" section of the Agency's Five-Year Implementation Plan, and it will facilitate the Agency's efforts in carrying out its Multifamily Housing Program.

NOW, THEREFORE, BE IT RESOLVED that the Agency Board of the Fort Bragg Redevelopment Agency does hereby authorize use of Housing Set Aside Funds for a Feasibility Analysis for Affordable Housing on Community Development Commission Lots at Glass Beach Apartments and/or Sanderson Way Village (Amount not to Exceed \$30,000; Fund 171), and authorizes the Executive Director to execute agreements and take other such actions as are necessary to carry out the intent of this Resolution.


The above and foregoing Resolution was introduced by Agency Member Gjerde, seconded by Agency Member Melo, and passed and adopted at a regular meeting of the Agency Board of the Fort Bragg Redevelopment Agency held on the 22nd day of June, 2009, by the following vote:

AYES: Agency Members Turner, Courtney, Gjerde, Melo, and Chair Hammerstrom.
NOES: None.
ABSENT: None.
ABSTAIN: None.

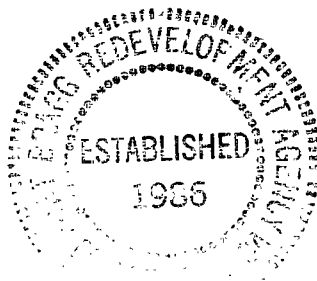


DOUG HAMMERSTROM,
Chair

ATTEST:



Brenda Jourdain
Deputy Secretary



RESOLUTION NO. 3292-2009

RESOLUTION OF THE FORT BRAGG CITY COUNCIL OBJECTING TO ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS

WHEREAS, the current economic crisis has placed cities under incredible financial pressure and caused them to make painful budget cuts, including layoffs and furloughs of city workers, decreasing maintenance and operations of public facilities, and reductions in direct services to keep spending in line with declining revenues; and

WHEREAS, since the early 1990s the state government of California has seized over **\$10 billion** of city property tax revenues statewide, now amounting to over \$900 million each year, to fund the state budget even after deducting public safety program payments to cities by the state; and

WHEREAS, in his proposed FY 2009-10 budget the Governor has proposed transferring \$1 billion of local gas taxes and weight fees to the state general fund to balance the state budget, and over \$700 million in local gas taxes permanently in future years, immediately jeopardizing the ability of the City to maintain the City's streets, bridges, traffic signals, streetlights, sidewalks and related traffic safety facilities for the use of the motoring public; and

WHEREAS, the loss of almost all of the City's gas tax funds will seriously compromise the City's ability to perform critical traffic safety related street maintenance, including, but not limited to, drastically curtailing patching, resurfacing, street lighting/traffic signal maintenance, payment of electricity costs for street lights and signals, bridge maintenance and repair, sidewalk and curb ramp maintenance and repair, and more; and

WHEREAS, some cities report to the League of California Cities that they will be forced to eliminate part or all of their street maintenance operations while others will be forced to cut back in other areas (including public safety staffing levels) to use city general funds for basic street repair and maintenance; and

WHEREAS, in both Proposition 5 in 1974 and Proposition 2 in 1998 the voters of our state overwhelmingly imposed restriction on the state's ability to do what the Governor has proposed, and any effort to permanently divert the local share of the gas tax would violate the state constitution and the will of the voters; and

WHEREAS, cities and counties maintain 81% of the state road network while the state directly maintains just 8%; and

WHEREAS, ongoing street maintenance is a significant public safety concern; and

WHEREAS, according to a recent statewide needs assessment¹ on a scale of zero (failed) to 100 (excellent), the statewide average pavement condition index (PCI) is 68, or "at

¹ *California Statewide Local Streets and Roads Needs Assessment*, Nichols Consulting Engineers, Chtd. (2008), sponsored by the League of California Cities, California State Association of Counties and County Engineers Association of California.

risk." Local streets and roads will fall to "poor" condition (Score of 48) by 2033 based on existing funding levels available to cities and counties.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby expresses its willingness to cooperate with the League of California Cities, other cities and counties in supporting litigation against the state of California if the legislature enacts and the governor signs into law legislation that unconstitutionally diverts the City's share of funding from the Highway Users Tax Account (HUTA), also known as the "gas tax," to fund the state general fund; and

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby direct that the City Clerk send this resolution to the Governor and each legislator, informing them in the clearest of terms of the City's adamant resolve to oppose any effort to frustrate the will of the electorate as expressed in Proposition 5 (1974) and Proposition 8 (1998) concerning the proper use and allocation of the gas tax; and

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby direct that a copy of this Resolution be sent by the City Clerk to the League of California Cities, the local chamber of commerce, and other community groups whose members are affected by this proposal to create unsafe conditions on the streets of our City for pedestrians, bicyclists and motorists.

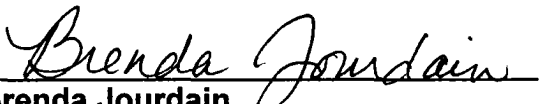
The above and foregoing Resolution was introduced by Councilmember Gjerde, seconded by Councilmember Melo, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 22nd day of June, 2009, by the following vote:

- AYES:** Councilmembers Turner, Courtney, Gjerde, Melo, and Mayor Hammerstrom.
- NOES:** None.
- ABSENT:** None.
- ABSTAIN:** None.



DOUG HAMMERSTROM,
Mayor

ATTEST:



Brenda Jourdain
Deputy City Clerk