

**RESOLUTION NO. \_\_\_\_-2022**  
**RESOLUTION OF THE FORT BRAGG CITY COUNCIL**

and

**RESOLUTION NO. ID \_\_\_\_-2022**  
**RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT BOARD**

**ADOPTING A FEE SCHEDULE FOR MISCELLANEOUS CITY SERVICES**

**WHEREAS**, the Fort Bragg City Council and the Fort Bragg Municipal Improvement District No. 1 District Board find it appropriate to charge fees for certain miscellaneous services provided by the City; and

**WHEREAS**, the City maintains a comprehensive "Consolidated Fee Schedule" to provide members of the public and City staff with a convenient method for determining fees and charges that apply to certain City and Municipal Improvement District services; and

**WHEREAS**, included in the Consolidated Fee Schedule is a list of fees for miscellaneous services; and

**WHEREAS**, the City and District reviewed the proposed change to updating fees in 2019 and approved that a complete analysis only be conducted every three years and that every other year, fees and charges (excluding water, sewer, and drainage capacity fees) are increased by the San Francisco-Oakland-Hayward CPI-U index; and

**WHEREAS**, the City and District conducted an analysis of their miscellaneous services and the costs reasonably incurred in providing those services in 2022/23, the beneficiaries of those services, and the revenues produced by those paying fees and charges for miscellaneous services; and

**WHEREAS**, Historically, water, sewer, and drainage capacity fees have been increased using Engineering News Record-20 City Construction Cost Index (consistent with Resolution 2412-2000) to adjust impact fees. In September of 2021, the California Legislature passed Assembly Bill (AB) 602, and the Governor signed it into law. AB 602 creates some new requirements for impact fees that went into effect July 1, 2022. Accordingly, the Staff is not proposing any increase in impact fees at this time and instead intends to hire a consultant to perform a nexus study before any proposed changes; and

**WHEREAS**, the City and District have a policy of recovering the full costs reasonably incurred in providing miscellaneous services of a voluntary and limited nature, such that those receiving the miscellaneous services pay the associated costs and general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such miscellaneous services; and

**WHEREAS**, pursuant to Government Code Section 66018, the specific fees to be charged for such miscellaneous services must be adopted by the City Council and the Municipal Improvement District Board after providing notice and holding a public hearing; and

**WHEREAS**, the City Council and Municipal Improvement District Board opened a public hearing on September 12, 2022, following proper notice, to obtain comments on the proposed

fee schedule changes, and on that date, received comments on the proposed fee schedule changes; and

**WHEREAS**, based on all the evidence presented at the time of the public hearing on this matter, the City Council and the District Board of the Municipal Improvement District No. 1 find as follows:

1. All notices and publications have been given in accordance with Government Code section 6062a; and
2. The fees collected for providing miscellaneous services are not a source of additional general fund revenues nor are they a "special tax" as described in California Government Code section 50076; and
3. Modifications to the current fees, as identified in Exhibit "A," have been reviewed and are found to not exceed the estimated reasonable cost of providing the services for which the fees are levied.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg and the Board of Directors of the Fort Bragg Municipal Improvement District No. 1 do hereby adopt the fee modifications as shown on Exhibit "A," attached, showing the fees to be charged for the services described therein; and

**BE IT FURTHER RESOLVED** that the City Clerk/District Clerk is authorized and directed to update the Consolidated Fee Schedule to reflect the fees described in Exhibit "A;" and

**BE IT FURTHER RESOLVED** that these fees shall become effective December 1, 2022.

**The above and foregoing Resolution was introduced by Council/Board Member \_\_\_\_\_, seconded by Council/Board Member \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 12<sup>th</sup> day of September 2022, by the following vote:**

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

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**BERNIE NORVELL**  
**Mayor/Chair**

**ATTEST:**

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**June Lemos, MMC**  
**City/District Clerk**