

RESOLUTION NO. ____-2022

RESOLUTION OF THE FORT BRAGG CITY COUNCIL

and

RESOLUTION NO. ID ____-2022

RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT BOARD

**TEMPORARILY WAIVING WATER AND SEWER CAPACITY FEES
FOR BUSINESSES LOCATING IN THE CENTRAL BUSINESS
DISTRICT FOR A THREE-YEAR PERIOD**

WHEREAS, the City of Fort Bragg collects fees in connection with the establishment of new water and sewer connections or any change of occupancy served by existing water and sewer connections; and

WHEREAS, the Fee is a “capacity charge” as that term is defined in Government Code Section 66013; and

WHEREAS, the City has reduced or waived certain development fees in the past, such as fees for parking in-lieu to support businesses in the Central Business District, which is the City’s commercial, civic, historic and cultural center of the community; and

WHEREAS, the City is making strategic investments in the Central Business District to support downtown revitalization efforts; and

WHEREAS, the number of vacant storefronts in the downtown continues to impact the vitality of the Central Business District; and

WHEREAS, costs associated with water and sewer capacity fees have been repeatedly cited as a limiting factor to make a new business viable; and

WHEREAS, removing fiscal barriers related to water and sewer capacity fees has been identified as a strategic economic development incentive aimed to attract investment and fill downtown vacancies; and

WHEREAS, the City Council wants to support business investment by extending a temporary waiver of water and sewer capacity fees for all businesses in the Central Business District for a three-year period (i.e., until June 30, 2025); and

WHEREAS, the temporary waiver of water and sewer capacity fees for businesses changing use in the Central Business District within an existing structure is exempt from environmental review under the California Environmental Quality Act (“CEQA”), pursuant to Title 14, the California Code of Regulations (“CEQA Guidelines”), Section 15273(a)(4) which provides an exception for modifications to fees for the purpose of obtaining funds for capital projects necessary for maintain service within existing service areas; and

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

1. The foregoing recitals are true and correct and are made part of this Resolution.
2. A waiver of water and sewer capacity fees could encourage investment by businesses in the Central Business District to expand existing use or engage in new enterprises as allowed by the City's Inland Land Use and Development Code.
3. New and expanding businesses in the Central Business District would fill vacancies and add additional pedestrian activity that would benefit the overall vitality of downtown.
4. Waiving water and sewer capacity fees to business in the Central Business District for a three-year period is consistent with the City's Priority Area 1: Jobs/Industry, as well as Goal 3: Foster and help sustain local businesses.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1 does hereby approve waiving water and sewer capacity fees for all businesses locating in the Central Business District Zoning District until June 30, 2025.

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/District Board of the Fort Bragg Municipal Improvement District No. 1 held on the 27th day of June, 2022, by the following vote:

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

BERNIE NORVELL
Mayor/Chair

ATTEST:

June Lemos, MMC
City/District Clerk