

From: [Jacob Patterson](#)
To: [O'Neal, Chantell](#)
Subject: Proposed fees
Date: Friday, September 4, 2020 11:35:34 AM

Chantell,

I just submitted two public records requests concerning the proposed building permit fees. Since you are new to this, I wanted to share some concerns I have expressed in the past because it looks like you may be replicating the City's past mistakes rather than finally correcting deficient processes as we adopt fees. My main concern is even if the new proposed basis for the General Plan Maintenance Fee appears to be much more reasonable than the past basis that had been discontinued, and even if it ultimately turns out to be justified as reasonable, this fee will need to be justified by an adequate fee study. In my opinion, which is informed by quite a lot of past work and research, merely surveying similar fees from other jurisdictions and adopting a local fee within the range charged by the other jurisdictions does not provide the necessary analysis to justify the fee locally. Fort Bragg will require more.

Unfortunately, I believe the local General Plan Maintenance Fee was never properly adopted because it never had an adequate fee study. I have yet to see any evidence that the new proposed fee replacing the old deficient fee is being supported by anything other than an informal survey of comparable jurisdictions you mentioned in the staff report. The staff report fails to mention anything else that would provide support for this fee so I have to assume that no such support exists. I provided objections at prior public hearings for fees that may be informative if you want to review them to prepare for the upcoming agenda items and public hearings.

As usual, you cannot rely on my personal opinions, which are not intended as advice. This is probably another topic that you might want to seek guidance about from the City Attorney's Office since properly adopting fees is a rather complex and challenging process that the City has failed to approach correctly in the past. (This is also not the only CDD-related process where the new team appears to be repeating the same mistakes the old team made rather than taking the opportunity to make changes and do things correctly.)

Regards,

--Jacob