

RESOLUTION NO. ____-2023

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL
ADOPTING GENERAL PLAN MAINTENANCE FEE**

WHEREAS, the City of Fort Bragg adopted a General Plan Maintenance Fee on November 8, 2004 to be effective January 7, 2005 equal to 1.5 percent of the total construction permit valuation; and

WHEREAS, adoption by the City of Bragg of the General Plan Maintenance Fee followed Assembly Bill 2936, signed into law on September 26, 2002 by the California State Governor and effective January 1, 2003 which authorized the establishment of fees, not to exceed the estimated reasonable cost necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make any necessary findings; and

WHEREAS, AB 2936 was amended and is set forth in California Government Code Section 66014; and

WHEREAS, the City Council directed staff to professionally review and document the basis for a revised General Plan Maintenance Fee so that the fee does not exceed the estimated reasonable cost necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make any necessary findings; and

WHEREAS, until such time as a General Plan Maintenance Fee analysis could be conducted and the appropriate fee for long range planning efforts determined, the City temporarily waived collection of a General Plan Maintenance Fee through Resolution 4314-2020; and

WHEREAS, the timeline of the waiver was extended by Resolution 4398-2021 and Resolution 4471-2021; and

WHEREAS, the City contracted with Matrix Consulting Group to professionally review and document the estimated reasonable cost necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make necessary findings; and

WHEREAS, on January 9, 2023, City Council conducted a properly noticed Public Hearing and reviewed the General Plan Maintenance Fee Analysis prepared by Matrix Consulting Group and determined a General Plan Maintenance Fee of 0.53% of the Building Permit Valuation would cover reasonable costs associated with long term planning efforts for the City of Fort Bragg; and

WHEREAS, adopting a General Plan Maintenance Fee 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)(1) which provides an exception for modifications to fees for the purpose of meeting operating expenses. The General Plan Maintenance Fee was established to offset the cost to prepare and revise the plans and policies that Fort Bragg is required to adopt before it can make necessary findings; and

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

1. All notices and publications have been given in accordance with Government Code Section 66016; and
2. Information regarding the proposed fee, including the cost or estimated cost required to provide the service for which a specific fee is levied, have been made available to the public for at least ten (10) days prior to the public meeting; and
3. The analysis to determine the appropriate cost to prepare and revise the plans and policies that the City of Fort Bragg is required to adopt, as identified in Exhibit "A" have been reviewed and are found not to exceed the estimated and reasonable cost of providing the service for which the fees are levied.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve a General Plan Maintenance Fee of 0.53% of the Building Permit Valuation.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____ and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 9th day of January, 2023, by the following vote:

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

BERNIE NORVELL
Mayor

ATTEST:

June Lemos, MMC
City Clerk