

RESOLUTION NO. ____-2019

RESOLUTION OF THE FORT BRAGG CITY COUNCIL TO RECEIVE AND FILE THE 2017/18 GENERAL PLAN MAINTENANCE FEE DEVELOPMENT IMPACT FEE REPORT AND MAKE CERTAIN FINDINGS, AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66006(b) AND CALIFORNIA GOVERNMENT CODE SECTION 66001(d)

WHEREAS, the Mitigation Fee Act, California Government Code Section 66000 *et seq.* authorizes the City of Fort Bragg (City) to impose, collect and expend mitigation fees to offset the impacts of development within the City; and

WHEREAS, the California Government Code Section 66006(b) requires that for each separate account or fund established for the collection and expenditure of Development Impact Fees, the City shall make available to the public within one hundred eighty (180) days after the last day of each fiscal year a report that includes the amount of the fee, the beginning and ending balance of the fee account or fund and the interest earned thereon; and

WHEREAS, the California Government Code Section 66001(d) provides that for the first fiscal year following the first deposit into the fund, and every five years thereafter, the City shall make findings with respect to the portion of the fund remaining unexpended, whether committed or uncommitted; and

WHEREAS, prior to the Fiscal Year ended June 30, 2016, the City complied with the requirements of California Government Code Section 66001(d) and Section 66006(b) through the annual submittal of the Comprehensive Annual Financial report, The Capital Improvement Program and Annual Operating Budgets; and

WHEREAS, California Government Code Section 66001(d) provides that such findings when required shall be made in connection with the public information required by California Government Code Section 66006(b); and

WHEREAS, California Government Code Section 66006(b)(2) requires that the City Council review the information made available to the public at a regularly scheduled public meeting not less than 15 days after the information is made available to the public; and

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

1. As of June 30, 2018, the General Plan Maintenance Fees fund contained Two Hundred Twenty-Nine Thousand One Hundred Seventy-Three Dollars (\$229,173).
2. The unexpended fees will be used to update the Coastal General Plan in conjunction with the Mill Site Reuse Plan Local Coastal Program Amendment, to update the Housing Element, and to update both the Inland General Plan and the Coast General Plan to comply with new State of California General Plan Guidance requirements.
3. There is a reasonable relationship between the use of the unexpended General Plan Maintenance Fees as described in paragraph 2 and the purpose of the General Plan Maintenance Fee, which is to fund the development of and environmental review for

amendments to the Coastal General Plan, the Coastal Land Use and Development Code, the Inland General Plan, and the Inland Land Use and Development Code.

4. The current estimated cost of the updates outlined in paragraph 2, is approximately Three Hundred Fifteen Thousand Dollars (\$315,000). The funding source will include the unexpended General Plan Maintenance Fees and future General Plan Maintenance Fees to be collected for these projects.
5. The General Plan Maintenance Fees have and will be deposited into the General Plan Maintenance Fees fund when immediately upon collection, which is the appropriate fund to finance the projects outlined in paragraph 2.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Fort Bragg has reviewed and accepted the annual disclosure information made available to the public on August 12, 2019, which was presented to the City Council and attached to this Resolution as Exhibit A.

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 September, 2019, by the following vote:

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

**WILLIAM V. LEE
Mayor**

ATTEST:

**June Lemos, CMC
City Clerk**