



## Application Outside Agency Service Agreement

Please complete the following information to process an application for Outside Agency Services under Government Code Section 56133. Please do not leave information blank on this form; specify N/A if a portion is not applicable.

### A. Applicant Information

1) Agency Name: City of Fort Bragg

2) Agency Contact Information:

Name & Title	Sarah McCormick, Economic Development Manager
Phone	707-961-2825 x136
Email	<a href="mailto:smccormick@fortbraggca.gov">smccormick@fortbraggca.gov</a>
Address	416 N Franklin Street, Fort Bragg, CA 95437

### B. Location of Territory to be Served (Use the Supplemental Property Sheet for multiple properties)

Assessor Parcel Number	Size	Current Use	Proposed Use
see attached.			

Landowner Name	
Mailing Address	
Email	

### C. Type of Out-of-Agency Services Agreement

- 1) ☐ New ☐ Extended
- 2) ☐ Water ☐ Sewer ☐ Other (please specify): As the City of Fort Bragg moves forward with the acquisition and transition of assets from the internet service provider, Mendocino Community Network (MCN), from the Mendocino Unified School District – MCN customers residing outside city- limits have voiced strong interest in maintaining internet connectivity. Recognizing that reliable internet access is a critical component of public health and safety, the City is committed to providing a continuity of service to all existing MCN customers. About two-thirds of current MCN

customers are within city-limits. The remaining 425+/- of customers reside outside city-limits and the subject of this request under Government Code 56133..

- 3) ☐ A copy of the agreement between the agency and affected landowner(s) to be served has been attached.

#### **D. Justification**

- 1) Is the subject territory located within the agency's Sphere of Influence?  
☐ Yes    ☐ No    Note: Location are both within and outside City's Sphere of Influence (see attached Property Owner Consent Forms and corresponding spreadsheet)

- 2) Is the reason for the application a threat to the health and safety of the public or the affected residents?

☐ Yes - Provide documentation from the Public Health Officer.

☐ No - Explain the reason for the application at this time.

Yes. Current MCN customers residing outside of city-limits have voiced strong interest in maintaining their internet service for health and safety concerns. Recognizing that reliable internet service access is a critical component of public health and safety, the City is committed to continuing service for all existing customers – regardless of location during this transition. The City acknowledges the importance of equitable service continuity and is committed to uninterrupted access until a suitable alternative service provider or solution is identified.

- 3) Explain why a jurisdictional change (e.g., annexation) is not being considered at this time as an alternative to providing services outside the agency's boundaries.

Annexation is not realistic. Customer locations are randomly located - ranging from Westport to Comptche.

- 4) Is annexation of the subject territory or affected property anticipated in the near future?

☐ Yes    ☐ No

Please describe the agency's plans and timelines, or provide other relevant information.

Not Applicable.

#### **E. Service Information**

- 1) Describe how the agency would provide the proposed new or extended service to the subject territory. Please identify any onsite and offsite infrastructure or facility improvements, any permits required from regulatory agencies, and associated funding requirements to provide service to the subject territory.

The City would continue to leverage existing MCN assets to serve customers outside city-limits. No new infrastructure nor intensification of services is proposed.

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- 2) If the proposed new or extended service involves water or sewer, identify the anticipated demand in terms of use (i.e., gallons, acre-feet) and frequency of delivery (per day/month/etc.) associated with serving the subject territory. For extended service, please estimate the difference in comparison to existing demand.

Not Applicable.

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- 3) Describe compensation for the proposed service (i.e., fee/household, fee/truck/tank, etc.).

Customers billed for services rendered on a monthly basis. See attached billing statement for details.

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- 4) Does the agency have sufficient capacities to provide the proposed new or extended service to the subject territory without adversely effecting existing service levels?

Yes. The City of Fort Bragg has invested significant resources to deploy a municipal broadband utility – designed, constructed, maintained, and operated for the public benefit. The acquisition of MCN ensures the City has the technical expertise to run this new enterprise and provide the same level of services customers have come to depend on.

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- 5) What services, if any, are currently provided to the subject territory?

Internet connectivity via MCN Open-Air and Fusion services.

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- 6) Are there any alternate service providers or other service options available to the subject territory?

Yes/No. The company Further Reach offers similar wireless technology. Other internet providers in the area that might also be available to customers include Comcast, Sonic, and x-finity – although the upfront cost of switching to another provider could be cost prohibitive.

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## **F. Land Use Information**

- 1) Identify the subject territory's land use designation, zoning, and minimum parcel density requirements and clarify whether the proposed provision of service(s) will increase onsite development potential or be growth inducing for the area.

See attached spreadsheet and Property Owner Consent Forms.

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- 2) Are there any proposed or approved, but not yet built, development projects involving the subject territory?

☐ Yes      ☐ No

If yes, describe the proposed projects or land use entitlements and the timeline for implementation.

No.

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- 3) The Commission's action regarding this request by the agency to provide new or extended services outside its jurisdictional boundary is subject to the requirements of the California Environmental Quality Act (CEQA). Has the agency conducted any CEQA reviews for any projects associated with this application?

☐ Yes      ☐ No

If yes, please provide copies of the environmental documentation, including the Notice of Exemption or Notice of Determination and proof of payment of applicable California Department of Fish & Wildlife fees.

The City completed a CEQA analysis for new infrastructure being deployed within city-limits. No new infrastructure, nor an intensification of existing services is proposed for customers outside the City's jurisdictional boundaries. The City's request to continue existing services to existing customers is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 15301(b) Existing Facilities