

RESOLUTION NO. ____-2019
RESOLUTION OF THE FORT BRAGG CITY COUNCIL
and
RESOLUTION NO. ID ____-2019
RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT
BOARD

ADOPTING A FEE SCHEDULE FOR MISCELLANEOUS CITY SERVICES

WHEREAS, the Fort Bragg City Council and the Fort Bragg Municipal Improvement District No. 1 District Board find it appropriate to charge fees for certain miscellaneous services provided by the City; and

WHEREAS, the City maintains a comprehensive "Consolidated Fee Schedule" to provide members of the public and City staff with a convenient method for determining fees and charges that apply to certain City and Municipal Improvement District services; and

WHEREAS, included in the Consolidated Fee Schedule is a list of fees for miscellaneous services; and

WHEREAS, the City and District conducted an analysis of their miscellaneous services and the costs reasonably incurred in providing those services in the of 2018, the beneficiaries of those services, and the revenues produced by those paying fees and charges for miscellaneous services; and

WHEREAS, if the estimated reasonable cost to provide the service was more than inflation, the City and District applied an inflationary factor equal to the change in the San Francisco-Oakland-Hayward CPI-U index for the difference from June 2017 to June 2018 to determine a reasonable estimate of the cost incurred to provide those services with the exception of water, sewer and drainage capacity fees; and

WHEREAS, the City and District applied an inflationary factor equal to the change in the Engineering News Record-20 City Construction Cost Index for the difference from January 2017 to January 2018 to determine a reasonable estimate of the cost incurred to provide water, sewer and drainage capacity services, except where the estimated reasonable cost was less; and

WHEREAS, the City and District have a policy of recovering the full costs reasonably incurred in providing miscellaneous services of a voluntary and limited nature, such that those receiving the miscellaneous services pay the associated costs and general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such miscellaneous services; and

WHEREAS, pursuant to Government Code Section 66018, the specific fees to be charged for such miscellaneous services must be adopted by the City Council and the Municipal Improvement District Board after providing notice and holding a public hearing; and

WHEREAS, the City Council and Municipal Improvement District Board opened a public hearing on January 28, 2019, following proper notice, to obtain comments on the proposed fee schedule changes, continued the public hearing to April 22, 2019 and on April 22, 2019,

continued the public hearing until May 13, 2019 and on that date obtained comments on the proposed fee schedule changes; and

WHEREAS, based on all the evidence presented at the time of the public hearing on this matter, the City Council and the District Board of the Municipal Improvement District No. 1 find as follows:

1. All notices and publications have been given in accordance with Government Code section 6062a; and
2. The fees collected for providing miscellaneous services are not a source of additional general fund revenues nor are they a "special tax" as described in California Government Code section 50076; and
3. Modifications to the current fees, as identified in Exhibit "A," have been reviewed and are found to not exceed the estimated reasonable cost of providing the services for which the fees are levied.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg and the Board of Directors of the Fort Bragg Municipal Improvement District No. 1 do hereby adopt the fee modifications as shown on Exhibit "A," attached, showing the fees to be charged for the services described therein; and

BE IT FURTHER RESOLVED that the City Clerk/District Clerk is authorized and directed to update the Consolidated Fee Schedule to reflect the fees described in Exhibit "A;" and

BE IT FURTHER RESOLVED that these fees shall become effective August 1, 2019.

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 13th day of May, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

WILLIAM V. LEE
Mayor

ATTEST:

June Lemos, CMC
City Clerk