

**CITY OF OJAI
RESOLUTION NO. 17-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI TO UPDATE THE
MASTER FEE SCHEDULE FOR CITY SERVICES**

WHEREAS, The City of Ojai has conducted an analysis of its services, the costs reasonably borne for providing those services, and the revenues produced by those paying fees and charges for those services; and

WHEREAS, the City Council desires to maintain a policy of recovering the costs reasonably borne for providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize such special services; and

WHEREAS, each year the Master Fee Schedule is reviewed by each department as part of the budget process. This year the City engaged a consultant to perform a comprehensive review process to determine the average cost of providing every service and to decide the extent to which the City will seek full cost recovery for those services. The process involved interviewing the employees who are involved and determining the cost to provide each service. Many services require the assistance of more than one employee. The hourly rate for those employees plus overhead constitutes the full cost of providing a service plus costs of materials, if used. These costs were compared published benchmarks from appropriate sources and to maximum levels dictated by federal, state, and local statutes. City Council ultimately determines the level of cost recovery that the City will seek for each type of fee. Typically, full cost recovery is expected for services that benefit an individual person or a business; however, some fees may be reduced for public benefit services and /or to incentivize programs. The City Council was provided with a proposed Master Fee Schedule for FY 2016-17 for consideration prior to the February 14 and said document was made available for public inspection; and

WHEREAS, pursuant to Government Code Section 66018, the fees to be charged for services must be adopted by the City Council by Resolution, after providing notice and holding a public hearing; and

WHEREAS, notice was provided and a public hearing was opened on November 29, 2016 and the public hearing was continued to a future meeting on February 14, 2017; and

WHEREAS, public comments on said fee schedules were solicited and all persons were given an opportunity to be heard and their suggestions were considered at the February 14, 2017 regular City Council meetings; and

WHEREAS, the City is authorized by law to impose fees for services performed by the City, provided that such fees do not exceed the estimated reasonable cost of providing the services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ojai that:

SECTION 1. Findings

- A. It is necessary to increase fees periodically for various services and permits in order to make the charges more commensurate with the actual costs to the City.

- B. It is necessary to add new fees for various services and permits which may be provided, in order to recover the costs of such services.
- C. The fees established and revised by this resolution do not exceed the estimated and reasonable cost of providing the services for which the fee is charged.
- D. The setting or revising of fees is found to be exempt under Section 15273 (a) of the California Environment Quality Act in that CEQA does not apply to charges by public agencies in cases, in which the public agency fees are for the proposed meeting of operational expenses.

SECTION 2. Adoption of Fees

- A. Master Fee Schedule Adoption. The modified list of the revised and new fees is prepared and attached hereto as Exhibit "A" and made a part hereof for the Fiscal Year 2016-17 Master Fee Schedule, and it is hereby adopted, and is to be charged by the various City departments and collected by the City or its designated contractors.
- B. The description of Master Fee Schedule Table 2. Development Fees, line "Appeal to City Council" is modified to read "Process appeal to City Council of staff or Commission decision, including development of staff response."
- C. Upon the effective date of this resolution, the fees adopted herein shall supersede fees previously adopted. This resolution does not repeal any other portion of any other resolution unless specifically repealed herein.
- D. The City Manager is authorized to set any miscellaneous fees and charges not contained in this resolution, not to exceed \$100.00. The City Clerk shall maintain a list of all fees established by the City Manager and shall inform the City Council in writing of each such fee within thirty (30) days after its establishment by the City Manager. City Council approval is required for fees in excess of \$100.00. Fees established by the City Manager will be added to the Master Fee Schedule.
- E. In the event of a declared local emergency, the City Manager is authorized to waive fees and charges to facilitate recovery from the disaster. City Council approval shall be sought as soon as is reasonably possible.
- F. Constitutionality. If a portion of this resolution is declared invalid or unconstitutional, then it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.
- G. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this resolution. The City Council declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.
- H. Effective Date. The adopted fees will be effective February 15, 2017 for non-development-related fees. Development related fees, if any, will be effective April 15, 2017.

PASSED, APPROVED and ADOPTED this 14^h day of February, 2017 by the following vote:

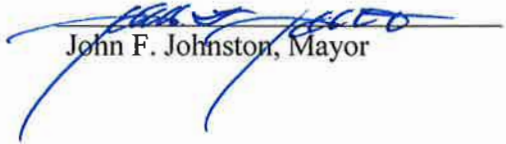
AYES: Blatz, Francina, Haney, Johnston, Weirick

NOES: None

ABSENT: None
ABSTAIN: None

CITY OF OJAI, CALIFORNIA

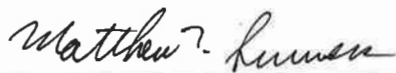
ATTEST:


John F. Johnston, Mayor



Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:



Matthew Summers, City Attorney