

RESOLUTION NO. 16-0037

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL AMENDING THE CITY'S COMPREHENSIVE FEE SCHEDULE TO INCREASE CERTAIN FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY OF MANHATTAN BEACH

THE MANHATTAN BEACH CITY COUNCIL DOES HEREBY DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City of Manhattan Beach ("City") is empowered to impose reasonable fees, rates, and charges for municipal services. California Government Code Sections 66000 et seq. authorize the City to adopt fees for municipal services, provided such fees do not exceed the cost to the City for providing the services. Periodically, the City Council determines that fees, rates, and charges should cover the costs reasonably borne or a substantial portion of the actual costs of the goods and services provided by the City.

SECTION 2. The City has conducted an extensive analysis of its services, the costs reasonably borne by the City in providing its services, the beneficiaries of such services, and the revenues produced by those paying fees and charges for such services. The City retained an independent consultant, Matrix Consulting Group ("Matrix"), to conduct the analysis of the City's services and related costs. Matrix collected data and interviewed City personnel as part of that analysis. City departments have reviewed the fee schedule and made certain recommendations. Matrix completed a Full Cost Allocation Plan dated March 3, 2015 and a Cost of Services (User Fee) Study Final Report dated March 10, 2015.

Subsequently, Matrix and staff performed an analysis as to the additional city costs: due to (1) employee salary increases approved as part of Memoranda of Understanding adopted for fiscal year 2016-17 through 2018-2019; and (2) the actual costs of services provided by the City in checking plans and processing building permit applications for projects valued at greater than \$300,000 in the valuation formula set forth in the Uniform Building Code (collectively "Studies"). The Studies are on file with the City Finance Department and are incorporated by this reference. The Studies set forth a mechanism to ensure that fees adopted by the City do not exceed the reasonable estimated cost for providing the services for which the fees are charged.

SECTION 3. The adoption of this Resolution approves and sets forth a procedure for increasing reasonable costs for the purpose of meeting increased operating expenses of City departments and is, therefore, exempt from the California Environmental Quality Act (Public Resources Code Sections 21080 et seq.) pursuant to Public Resources Code Section 21080(b)(8)(A).

SECTION 4. After conducting a duly noticed meeting on July 5, 2016, a public hearing on July 19, 2016, and satisfying all applicable provisions of California Government Code Sections 66016 and 66018, the City Council hereby determines that the fees, rates, and charges should cover the costs reasonably borne or a substantial portion of the actual costs of the services provided by the City and that certain fees, rates, and charges identified on Attachment A ("Proposed Cost Recovery Fee Schedule – MOU Update/Proposed Scaled Plan Check & Building Permit W/Inspection"), do not cover the actual costs under the current fee schedules. Attachment A is hereby incorporated by this reference.

SECTION 5. Based upon the foregoing, the City Council hereby adjusts and increases the fees, rates, and charges for the items identified in Attachment A. The City Council hereby finds that such fees, rates and charges will not exceed the cost to the City of providing the service to which such fees apply. The fees adopted hereunder are based upon the actual cost to the City of providing the service or facility for which the fee is charged. Calculation of the fees is based upon the Studies conducted by Matrix.

SECTION 6. Any restatement in Attachment A of existing rates and amounts for previously imposed taxes, fees, and charges is for the purpose of administrative convenience and is not intended, and shall not be construed, as the imposition, extension, or increase of any such tax, fee, or charge.

SECTION 7. The City Manager shall have the authority to interpret the provisions of this Resolution and Attachment A for purposes of resolving ambiguities.

SECTION 8. All adjusted fees other than development fees shall be effective August 19, 2016. Any increase in development related fees listed on Attachment A shall take effect September 19, 2016.

SECTION 9. The City Clerk is hereby directed to insert the new fees in the User Fee Table.

SECTION 10. The City Clerk shall certify to the passage and adoption of this Resolution.

PASSED, APPROVED AND ADOPTED July 19, 2016.

Ayes:

Noes:

Absent:

Abstain:

Mayor Tony D'Errico
City of Manhattan Beach

ATTEST:

Liza Tamura, City Clerk