

RESOLUTION NO. 19-0107

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL ESTABLISHING NEW FEES AND CHARGES FOR GOODS, SERVICES AND FACILITIES PROVIDED BY THE CITY OF MANHATTAN BEACH AND AMENDING AND RESTATING THE CITY'S COMPREHENSIVE FEE SCHEDULE

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 Section 66000 et seq. authorizes 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 that certain Full Cost Allocation Plan dated November 2019 and that Cost of Services (User Fee) Study Final Report dated September 7, 2019 (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, fines and penalties 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 public hearing on November 19, 2019 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 goods and services provided by the City and that certain fees, rates, and charges identified on the Proposed User Fee Table FY2020 ("Table") attached hereto as Attachment A and incorporated by this reference, do not cover the actual costs under the current fee schedules.

SECTION 5. Based upon the foregoing, the City Council hereby establishes, adjusts and increases the fees, rates, and charges for the items identified in the Table. The City Council hereby finds that, where applicable, the 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. The State of California requires cities to charge state-established fees, rates, and charges, which are paid to the State. The City Council hereby directs the City Clerk to incorporate such State-imposed fees, rates and charges into the Table, and every year hereafter.

SECTION 7. The restatement in the attached Table 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 8. The City Manager, or his/her designee, shall have the authority to interpret the provisions of this Resolution and the attached table for purposes of resolving ambiguities. The City Manager, shall have the authority to authorize and require reasonable compensation for the temporary use of City property or receipt of City services not otherwise provided for in this Resolution or other applicable resolutions or ordinances. Such compensation shall be based upon the City's fully burdened hourly rates or costs as described in the Studies.

SECTION 9. Any increase or decrease in the fees listed on the Table shall take effect December 19, 2019 except those related to Community Development which will take effect January 19, 2020. Fees will subsequently increase or decrease on July 1st, annually, based on salary increase/decreases per current Memoranda of Understanding with City Employee bargaining groups for all fees not set by law.

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

ADOPTED November 19, 2019.

AYES:
NOES:
ABSENT:
ABSTAIN:

NANCY HERSMAN
Mayor

ATTEST:

LIZA TAMURA
City Clerk