

RESOLUTION NO. 6592-2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL UPDATING AND ESTABLISHING USER AND REGULATORY FEES

WHEREAS, the City Council establishes user and regulatory fees to offset all, or portions of, the costs of providing various services that are of special benefit to applicants or service recipients that are both separate and apart from the general benefit to the public; and

WHEREAS, on September 15, 2020, the City Council adopted Resolution No.6313-2020, Updating and Establishing User and Regulatory Fees; and

WHEREAS, the resolution authorized annual update to fees based on the annual percentage change in the all-urban Consumer Price Index for Consumer Price Index All Urban Consumers, San Francisco-Oakland-Hayward, CA (CPI). If the CPI does not change or goes down in a given year, no change shall be made to the fee schedule that year; and

WHEREAS, this update to the fee schedule is intended to reflect the annual inflationary adjustments authorized by the City Council; and

WHEREAS, the City intends to periodically update fees based on findings of the User and Regulatory Fee Study prepared in 2020, and feedback received subsequent to completion of the study; and

WHEREAS, the City Council hereby finds that the User and Regulatory Fee Study prepared in 2020 and supporting documentation provides adequate evidence to conclude that the revised fees do not exceed the cost to provide the services for which the fees are charged; and

WHEREAS, the City Council desires that annually the City Manager may update the fees based on the annual percentage change in the all-urban Consumer Price Index for Consumer Price Index All Urban Consumers, San Francisco-Oakland-Hayward, CA (CPI). If the CPI does not change or goes down in a given year, no change shall be made to the fee schedule that year; and

WHEREAS, this action is found to be in compliance with the requirements of California Government Code § 66016 and 66018; and

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

1. Each WHEREAS paragraph, set forth above, is hereby adopted as a specific finding of this City Council.
2. The City Council hereby adopts the fees as set forth in attached Exhibit "A" and incorporated by this reference.
3. Any and all provisions of prior resolutions of the City Council establishing or modifying fees for the services, programs or products set forth in Exhibit "A," are hereby repealed and replaced as of the effective date of this Resolution in the manner set forth in Exhibit "A;" provided, however, that such repeal shall not excuse or affect the failure of any person or entity to pay any fee heretofore imposed upon such person or entity. The City Council desires to clarify that in adopting this Resolution, it is taking action only on those fees for the services, programs or products set forth in Exhibit "A" which

have been modified from prior resolutions of the City Council. The remaining fees that have not been modified from prior resolutions shall remain in full force and effect.

- 4. Non-Profit Organizations are eligible to apply for a fee reduction/waiver for flat fees only as listed in this user fee schedule and as listed below:
 - a. Fee Reduction (25% Department Head Approval): Not for profit organizations and non-profit entities that have a documented federal tax-exempt status are eligible to apply for a twenty five percent (25%) reduction of fees. Such fee reduction shall be submitted to the Department Head of fee holder for final determination. Such fee shall not exceed \$500.00 in total reduction/waiver of fees.
 - b. Fee Reduction (50% City Manager Approval): Not for profit organizations and non-profit entities that have a documented federal tax-exempt status are eligible to apply for a fifty percent (50%) reduction of fees. Such fee reduction shall be submitted to the Department Head of fee holder for final determination. Such fee shall not exceed \$1,000.00 in total reduction/waiver of fees; and
 - c. Fees requested above \$1,000 for waiver shall require Council approval
- 5. In order to comply with legislative requirements outlined in Section 66017 of the California Government Code, adjusted building permit fees shall be effective August 5, 2024 (i.e., no sooner than 60 days following adoption of the adjusted fees). All other fees listed in the City’s fee schedule will be effective July 1, 2024.

IN COUNCIL DULY PASSED this 4th day of June 2024.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

VOTE:

Ayes: Councilmembers Hinton, Maurer, McLewis, Vice Mayor Zollman and Mayor Rich

Noes: None

Abstain: None

Absent: **None**

DocuSigned by:

 APPROVED: _____
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 Mayor Diana Gardner Rich

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 ATTEST: _____
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 Mary Gourley, Assistant City Manager/City Clerk, MMC

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 APPROVED AS TO FORM: _____
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 Larry McLaughlin, City Attorney