

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING THE CITY'S FEES AND CHARGES SCHEDULE IN RESOLUTION NO. 21960, AS AMENDED, PROVIDING FOR FEES AND CHARGES FOR CERTAIN CITY SERVICES, SPECIAL PERMITS, AND USER ACTIVITIES

WHEREAS, the City has the authority to impose fees under its police power under Article XI, §7 of the California Constitution and under its complementary powers under Section 37112 of the California Government Code and Section 200 of the Riverside City Charter; and

WHEREAS, the City has established a policy of recovering the full costs reasonably borne as a result of 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 unfairly and inequitably such special services; and

WHEREAS, in Chapter 3.30 of the Riverside Municipal Code, the City Council established its policy as to the recovery of costs and more particularly the percentage of costs reasonably borne to be recovered from users of City services and directing staff as to the methodology for implementing said Chapter 3.30; and

WHEREAS, the specific fees to be charged for services are to be reviewed annually and be adopted by resolution of the City Council after providing notice and holding a public hearing as required by law; and

WHEREAS, the adoption of a schedule of fees and charges to be paid by those requesting such special services and the percentage of costs reasonably borne by those persons receiving such special services are necessary so that the City might effectuate its policies; and

WHEREAS, the City adopted its master Fees and Charges Resolution, Resolution No. 21960, on January 12, 2010, thereby approving and authorizing the Finance Director to update and maintain the City's Master Fees and Charges Schedule and to amend the Master Fees and Charges Schedule in accordance with Resolution No. 21960, as amended; and

WHEREAS, the City Council approved on September 8, 2015, amendments to the City's Master Fees and Charges Schedule based upon a 2015/16 study analyzing the City's services, the

1 costs reasonably borne for providing those services, the beneficiaries of those services, and the  
2 amount of costs recovered by those paying fees and charges for special services; and

3 WHEREAS, during further analysis of Public Works services and costs, the Public  
4 Works Department has determined that the addition of an Expedited Review for Land  
5 Development review services and a Lane Closure Permit service would improve customer  
6 service experience as a part of Streamline Riverside; and

7 WHEREAS, the Public Works Department has discovered that incomplete time estimates  
8 for the Wide, Overweight/Long Load Permit were applied in the 2015/16 Fee Study, resulting in  
9 an inaccurate fee; and

10 WHEREAS, based on the 2015/16 Fee Study, the Public Works Department has  
11 determined the fees for the Land Development Expedited Review and Lane Closure Permit, as  
12 well as the correct fee for the Wide, Overweight/Long Load Permit, as described in Exhibit "1"  
13 attached hereto and incorporated herein by reference; and

14 WHEREAS, it is desirable to revise the adopted Master Fees and Charges Schedule,  
15 Resolution No. 21960, to reflect changes based upon the current studies; and

16 WHEREAS, all of the proposed fee revisions fall within the stated exceptions to the  
17 definition of "tax" established by Proposition 26, and are therefore not subject to the  
18 requirements of Article XIIC of the California Constitution; and

19 WHEREAS, the City Council held a duly noticed public hearing on July 11, 2017, and  
20 has considered all oral and written evidence presented regarding the revisions to the Master Fees  
21 and Charges Schedule; and

22 WHEREAS, all requirements of law regarding the notice and the provision of data are  
23 hereby found to have been met.

24 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
25 California, as follows:

26 Section 1: The above recitals are hereby found to be true and correct and are hereby  
27 incorporated herein as if stated in full.  
28

1           Section 2:     Resolution No. 21960 and all applicable amendments thereto are hereby  
2 amended as shown in Exhibit “1,” attached hereto and incorporated herein.

3           Section 3:     The schedule of fees and charges, and the percentage of costs reasonably  
4 borne to provide such special service, as established in this resolution and set forth in the  
5 attached Exhibit “1,” are hereby directed to be computed and applied by the various departments,  
6 officers, employees, and agents of the City and collected by the City for the herein listed special  
7 services when provided by the City or its designated contractors.

8           Section 4:     All fees set by this resolution are for each identified process; additional  
9 fees shall be required for each additional process or service that is requested or required. Where  
10 fees are indicated on a per-unit of measurement basis the fee is for each identified unit or portion  
11 thereof within the indicated ranges of such units.

12          Section 5:     The fees and charges revisions set forth in Exhibit “1” fall within the  
13 stated exceptions to the definition of “tax” established by Proposition 26 and therefore are not  
14 subject to the requirements of Article XIIC of the California Constitution.

15          Section 6:     This resolution may be interpreted by the several City department heads in  
16 consultation with the City Manager and, should there be a conflict between two fees, then the  
17 lower in dollar amount of the two shall be applied.

18          Section 7:     The Chief Financial Officer is hereby authorized and directed to maintain  
19 a current Master Fees and Charges Schedule, along with all attachments, which will include all  
20 amendments to the Fees and Charges Resolution.

21          Section 8:     If any portion of this resolution is for any reason declared invalid or  
22 unconstitutional by the decision of any court of competent jurisdiction, such decision shall not  
23 affect the validity of the remaining portions of this resolution; the City Council hereby declaring  
24 that it would have adopted this resolution and every other section, subsection, paragraph,  
25 subparagraph, item, sub-item, clause, phrase, or portion thereof, irrespective of the fact that any  
26 one or more section, subsection, paragraph, subparagraph, item, sub-item, sentence, clause,  
27 phrase, or portion be declared invalid or unconstitutional.



# EXHIBIT 1

**Exhibit “1”**

**Proposed New and Revised Fees**

Fee Description	Recommended Fee Level	Recommended Cost Recovery Percentage
<b><u>4139 Land Development Expedited Review</u></b>		
Fully burdened hourly rate per actual hours worked	\$115	100%
<b><u>4143 Lane Closure Permit/Inspection</u></b>		
Per application	\$216	95%
Per hour for field inspection service	\$108	95%
<b><u>4140 Wide, Overweight/Long-Load Permit Review</u></b>		
Single Trip Permit	\$16	
Annual Permit	\$90	