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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING THE CITY’S MASTER FEES AND CHARGES SCHEDULE IN RESOLUTION NO. 21960, AS AMENDED, PROVIDING FOR INCREMENTAL RATE INCREASES FOR USE OF FAIRMOUNT GOLF COURSE.

WHEREAS, the City has the authority to impose fees pursuant to its authority 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 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 desires to provide for incremental rate increases for the next three (3) fiscal years for use of Fairmount Golf Course; and

WHEREAS, the published 12-month Consumer Price Index (“CPI”) for the Riverside-San Bernardino-Ontario, CA area for November 2022 was 7.5 percent; and

WHEREAS, the applicable fees referenced herein are proposed to be adjusted based on the 7.5 percent CPI increase; and

WHEREAS, the adjusted fees will allow the City to recover the reasonable costs incurred by the City in providing services; and

WHEREAS, the City Council held a duly noticed public hearing on May 16, 2023, and has

1 considered all oral and written evidence presented regarding the revision to the Master Fees and  
2 Charges Schedule; and

3 WHEREAS, all requirements of law regarding the notice and the provision of data are hereby  
4 found to have been met; and

5 WHEREAS, all the proposed fee revisions fall within the stated exceptions to the definition of  
6 “tax” established by Proposition 26, and are therefore not subject to the requirements of Article XIIC  
7 of the California Constitution; and

8 WHEREAS, the City desires to amend the Master Fees and Charges Schedule, Resolution No.  
9 21960 and its related amendments, to reflect the incremental rate increases for the next three (3) fiscal  
10 years for use of Fairmount Golf Course.

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

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

15 Section 2: The City Council hereby determines that the specific fees to be charged for the  
16 use of Fairmount Golf Course, which are set forth in Exhibit “A,” Schedule of Fees and Charges,  
17 attached hereto and incorporated herein by reference, are the reasonable costs for service and hereby  
18 adopts the same.

19 Section 3: Resolution No. 21960 and all applicable amendments thereto are hereby  
20 amended to include the new fees as shown in Exhibit “A” herein.

21 Section 4: This Resolution, together with any other resolution amending Resolution No.  
22 21960 and the Master Fees and Charges Schedule (Resolution No. 21960), shall collectively be known  
23 as, and hereinafter may be interchangeably referred to as, the “Fees and Charges Resolution,”  
24 “Schedule of Fees and Charges,” or the “Master Fees and Charges Schedule.”

25 Section 5: All fees set by this Resolution are for each identified process or service;  
26 additional fees shall be required for each additional process or service that is requested or required.

27 Section 6: The fees and charges revisions set forth in Exhibit “A” fall within the stated  
28 exceptions to the definition of “tax” established by Proposition 26, and therefore, are not subject to

1 the requirements of Article XIII C of the California Constitution.

2 Section 7: The Chief Financial Officer is hereby directed and authorized to maintain a  
3 current Master Fees and Charges Schedule which will include all amendments to the Fees and Charges  
4 Resolution.

5 Section 8: If any portion of this Resolution is for any reason declared invalid or  
6 unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect  
7 the validity of the remaining portions of this Resolution; the City Council hereby declaring that it  
8 would have adopted this Resolution and every other section, subsection, paragraph, subparagraph,  
9 item, sub-item, clause, phrase, or portion thereof, irrespective of the fact that any one or more section,  
10 subsection, paragraph, subparagraph, item, sub-item, sentence, clause, phrase, or portion be declared  
11 invalid or unconstitutional.

12 Section 9: Resolution No. 21960 and all amendments thereto are hereby amended as of the  
13 date this Resolution becomes operative and any previously established fee or charge not amended  
14 herein remain in full force and effect.

15 Section 10: The provisions of this Resolution shall become effective immediately upon  
16 adoption.

17 Section 11: Any and all future amendments to the Fees and Charges Resolution shall be  
18 operative on the date of adoption of such resolution(s) approving the proposed amendments, except as  
19 otherwise required by California law.

20 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

21  
22 \_\_\_\_\_  
23 PATRICIA LOCK DAWSON  
24 Mayor of the City of Riverside

25 Attest:

26 \_\_\_\_\_  
27 DONESIA GAUSE  
28 City Clerk of the City of Riverside

1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at  
3 its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8  
9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
10 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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12 \_\_\_\_\_  
13 DONESIA GAUSE  
14 City Clerk of the City of Riverside  
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