

RESOLUTION NO. 10-13
A RESOLUTION OF ACCEPTANCE OF MAXIMUS STUDY AND ADOPTION
OF A COMPREHENSIVE FEE SCHEDULE FOR THE CITY OF COLUSA

WHEREAS; The City of Colusa ("City") is authorized by law to establish fees for certain City programs and services; and

WHEREAS; in accordance with applicable laws, fees adopted by City for certain City services may not exceed the estimated reasonable cost of providing the service for which the fee is charged; and

WHEREAS; the City recently commissioned a consultant ("Maximus") to complete a study to determine the actual costs associated with the provision of certain City services; and

WHEREAS; Maximus completed its fee study in May of 2009; and

WHEREAS; upon review of the Maximus fee study, City has determined that many of City's existing fees and deposits do not recover the City's actual cost to provide such services; and

WHEREAS; City staff has reviewed the Maximus study and has made recommendations for fees which do not exceed the actual and/or reasonable costs associated with providing the services; and

WHEREAS; consistent with the Mitigation Fee Act, notice of a public hearing on the proposed fees was advertised at least 10 days prior to the hearing in a newspaper of general circulation, the cost analysis and support for the proposed fees and deposits were available for public review and comment at least ten (10) days prior to the public hearing on the proposed fees, and a public hearing on the proposed fees was held on May 18, 2010; and

WHEREAS; the City Council has determined that the schedule of fees and deposits and the total amounts thereof, described in the attached Exhibit "A," are reasonable in that they do not exceed the estimated reasonable cost of providing the related City services; and

WHEREAS; the City Council desires to establish the Comprehensive Fee Schedule attached as Exhibit "A" as the official fee schedule for the City.

Be it therefore resolved that:

Section 1. Findings

- A. The purpose of the fees and deposits set forth the Comprehensive Fee Schedule attached as Exhibit "A" is to recover the costs incurred by the City in providing various City services, and such fees and deposits are not levied for general revenue purposes.
- B. After consideration of the data and information regarding the costs of providing services identified Comprehensive Fee Schedule, all testimony received orally or in writing at or before the noticed public hearing and the information provided by City staff in the agenda report, the City Council approves the fees identified the Comprehensive Fee Schedule and finds that the fees are reasonable estimates of the cost of providing such services, and that the fees are necessary to recover the reasonable, estimated cost of providing the identified services.
- C. Adoption of the fees and deposits set forth in Exhibit "A" of this Resolution are not a project subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15378(b)(4) and/or CEQA Guidelines Section 15061(b)(3).

Section 2. Acceptance of Maximus Fee Study

The City Council hereby accepts the Maximus Fee Study, incorporated herein by this reference and attached as Exhibit "B," as an accurate description of the reasonable costs associated with the provision of certain identified City services.

Section 3. Adoption of Comprehensive Fee Schedule

The City Council hereby adopts the schedule of fees and deposits identified in the Comprehensive Fee Schedule, incorporated herein by this reference and attached as Exhibit "A." The fees and deposits identified in the Comprehensive Fee Schedule are hereby directed to be charged and applied by the various City departments, and to be collected for the provision of identified City services.

Section 4. Severability

The individual fees and charges set forth in Exhibit "A" of this Resolution and all portions of this Resolution are severable. Should any of the fees or charges or any portion of this Resolution be adjudged to be invalid and/or unenforceable by a body of competent jurisdiction, then the remaining fees, charges and/or Resolution portions shall continue in full force and effect. The City Council hereby declares that it would have individually adopted each of the fees and charges set forth in Exhibit "A," and each individual section, subsection, clause and portion of this Resolution, irrespective of the fact that one or more of the fees, charges, or sections of this Resolution may be held invalid.

Section 5. Effective Date

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PASSED and ADOPTED as a Resolution of the City Council of the City of Colusa at a regular meeting duly held on the 18th day of May 2010 by the following vote:

AYES: Reische, Landreth, Kelleher, Hosmer, Critchfield

NOES: None

ABSENT: None

ABSTAIN: None


DONNA CRITCHFIELD, MAYOR

ATTEST:



SHELLY KITTLE, CITY CLERK