

RESOLUTION NO. 22-____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA, MODIFYING FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY OF MENIFEE

WHEREAS, the City of Menifee provides development related public services of a discretionary nature, as these services can be withheld from customers for non-payment, which are in addition to community supported public services that are paid for by City tax revenues for general social, safety or welfare reasons; and

WHEREAS, the City of Menifee adopted a fee schedule by Resolution 13-320 on June 18, 2013, updated such fee schedule by Resolution 16-499 on March 2, 2016 and by Resolution 18-741 on December 5, 2018 and now desires to adjust certain fees and charges based on the reasonable costs borne by the City to provide such services; and

WHEREAS, the State of California Government Code Section 66014 et.al. allows local agencies to charge fees for various activities as long as those fees do not exceed the estimated reasonable cost of providing the services for which the fee is intended; and

WHEREAS, the City Council conducted a duly noticed public hearing on October 5, 2022, where the public was allowed to comment and provide input on the proposed fees and charges for services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menifee hereby makes the following findings:

Section 1. It is hereby found and determined that the fees and charges set forth in Exhibit A attached hereto do not exceed the estimated reasonable costs of providing services for which the fee is charged or the estimated amount required to provide the service for which the fee or charge is levied; and

Section 2. The City Council hereby approves Exhibit A - "Report on Cost of Services (User Fee) Study", dated August 29, 2022, and updated by staff to reflect current costs of the City to provide the Services and adopts the methodology for calculating and collecting the fees and charges established therein, attached as Exhibit B – "Cost of Services (User Fee) Staff Recommended Fees."

Section 3. The user fees shall be subject to an automatic annual adjustment on July 1 of each year with the first adjustment on July 1, 2024, based on the Consumer Price Index (CPI)-All Urban Consumers- Riverside, San Bernardino-Ontario, CA, not to exceed 4%, as of December of the preceding year. The City Manager is hereby authorized to implement the CPI adjustment each year without further action of the Council.

Section 4. The adoption of this Resolution is exempt from the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.), because it approves and sets forth a procedure for determining fees for the purpose of meeting the operating expenses of City departments, as set forth in Public Resources Code Section 21080(b)(8)(A).

Section 5. The proposed user fee schedule will go into effect January 1, 2023; and

Section 6. In addition to such fees and charges in Exhibit A and Exhibit B attached hereto, the City shall impose those fees and charges for services such as photocopying of designated records, responses to subpoenas, and similar services, established by enacted State legislation, promulgated State regulation, and orders of determinations issued by State agencies, the County of Riverside, or other regional agencies having jurisdiction over the activities or functions to which such fees or charges relate. The City shall charge the amount or rate of such fees and charges that are in effect as of the date of the fee or charge is imposed or billed by the City.

Section 7. This Resolution shall be effective upon its adoption.

PASSED, APPROVED AND ADOPTED this 5th day of October, 2022.

ATTEST:

APPROVED:

Stephanie Roseen, Acting City Clerk

Bill Zimmerman, Mayor

APPROVED AS TO FORM:

Jeffrey T. Melching, City Attorney