

RESOLUTION NO. 2018-097

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA MODIFYING THE UNIFORM SCHEDULE OF MISCELLANEOUS FEES FOR DEVELOPMENT PROJECT REVIEW FEES FOR FISCAL YEAR 2018-2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The City Council hereby, finds, determines and declares as follows:

- A. Each year, for the convenience of the public, the City Council gathers in a single document a comprehensive listing of fees and service charges imposed by the City upon those persons seeking services of value from the City.
- B. This document is known as the "Miscellaneous Fee Schedule" for Fiscal Year 2018-2019 and is on file at the Clerk of the Council office, and incorporated by this reference.
- C. As part of approving the Miscellaneous Fee Schedule for Fiscal Year 2018-2019, the various agencies of the City analyzed the cost to administer the various programs, activities and applications for which the City imposes fees or service charges.
- D. The City Council adopted the City's Miscellaneous Fee Resolution on June 19, 2018. During a recent review of the adopted fees, staff discovered that certain fees published within the Miscellaneous Fee Schedule for development project review for FY 18-19 did not reflect the approved Consumers Price Index (CPI) increase equaling 3.88 percent as authorized in City Council Resolution No 2018-040.
- E. The adopted FY 18-19 Miscellaneous Fee Schedule contains calculation errors and only reflects an increase of approximately 0.99 percent for certain fees on the Schedule instead of the 3.88 percent as authorized by the City Council. Table 1 below outlines the differences between the adopted and published Schedule and the proposed amended amounts to reflect the correct increase based on the approved percentage rate of 3.88 percent.
- F. The Council finds, determines and declares that such corrected charges, fees or service charges do not exceed the City's estimated reasonable cost to provide the pertinent service, process the specified application or administer the certain program for which the charge, fee or service charge is imposed.

G. Based upon the testimony, reports and other evidence submitted on this matter, this City Council makes the above-specified findings.

Section 2. The Miscellaneous Fee Schedule for Fiscal Year 2018-2019 shall be amended with respect to the Planning and Building Development Project Review fees as reflected on Table 1, attached hereto and incorporated herein by reference. Upon approval, staff will apply the new corrected fees on a going-forward basis for new development project review applications.

Section 3. To the extent that any fee or service charge established pursuant to City Resolution No. 2018-040 is inconsistent with the fees or service charges established pursuant to this Resolution, such inconsistencies in Resolution No. 2018-040 are hereby repealed.


Section 4. If any charge, fee, service charge, section, subsection, sentence, clause, phrase or word of this Resolution is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have passed and adopted this Resolution, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

Section 5. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this 18th day of December, 2018.


Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: 
Lisa Storck
Assistant City Attorney

AYES: Councilmembers Penaloza, Pulido, Sarmiento, Solorio, Villegas (5)

NOES: Councilmembers Iglesias (1)

ABSTAIN: Councilmembers None (0)

NOT PRESENT: Councilmembers Reyna (1)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Maria D. Huizar, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2018-097 to be the original resolution adopted by the City Council of the City of Santa Ana on December 18, 2018.

Date: 12/20/2018

Maria D. Huizar
Maria D. Huizar
Clerk of the Council
City of Santa Ana

Table 1: Adopted Miscellaneous Fee Schedule with Incorrect Prices and Proposed Adjustments

| SQ.FT. RANGE | FY 17-18 Misc. Fee for Additional SF (\$/SF) | FY 18-19 Adopted Misc. Fee (Incorrect) | FY 18-19 Misc. Fee Increase Based on 3.88% CPI Increase amount | Per SF Difference |
|-----------------|--|--|--|-------------------|
| 0-999 | \$ 5.51 | \$ 5.55 | \$5.72 | \$-0.17 |
| 1,000 - 1,999 | \$4.06 | \$ 4.09 | \$4.22 | \$-0.13 |
| 2,000 - 4,499 | \$2.30 | \$ 2.32 | \$2.39 | \$-0.07 |
| 4,500 - 9,999 | \$1.31 | \$1.32 | \$1.36 | \$-0.04 |
| 10,000 - 19,999 | \$0.72 | \$0.73 | \$0.75 | \$-0.02 |
| 20,000 - 49,999 | \$0.27 | \$0 .27 | \$0.28 | \$-0.01 |
| 50,000 - 99,999 | \$0.14 | \$0.15 | \$0.15 | Correct |
| 100,000+ | \$0.07 | \$0.08 | \$0.07 | \$0.01 |