

CITY OF PARAMOUNT
COUNTY OF LOS ANGELES, CALIFORNIA

RESOLUTION NO. 24:040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PARAMOUNT, CALIFORNIA, ESTABLISHING AND ADOPTING THIS
MASTER FEE RESOLUTION UPDATING CITY FEES

WHEREAS, provisions of the state Constitution as well as applicable law allow California general law cities to levy and collect various fees for services and activities they provide; and

WHEREAS, cities may perform broad activities related to their local police power and other service authority as defined in California Constitution Article XI, Section 7 and 9 and cities also may establish fees for service through the framework defined in Article XIII C; and

WHEREAS, the City contracted with Revenue & Cost Specialist, LLC (RCS) to provide a comprehensive review and updating of its fees pursuant to constitutional and statutory principles, which review has taken place over the course of the past year; and

WHEREAS, pursuant to Article XIII C, the Cost Study report provides that fees are not considered taxes if they do not exceed the reasonable costs of the service provided to the City in conferring the benefit of the fee; and

WHEREAS, RCS has provided a Cost Study Report, attached and incorporated as Exhibit 1 and the Master Fee Schedule, as Exhibit 2, which provides for fee updates and adjustments consistent with the constitutional and statutory requirements set out in this Resolution and in the Cost Study Report; and

WHEREAS, the Cost Study Report addresses Development Processing, Public Safety, Community Services, Maintenance and Administration Fees and does not include any Development Impact Fees; and

WHEREAS, the Cost Study Report demonstrates that the amount of revenue to be generated by each fee, as adjusted, is no more than necessary to cover the reasonable costs of the governmental activity supported by the manner; and

WHEREAS, the Cost Study Report further provides that the manner in which such fees are allocated to the payor bears a fair and reasonable relationship to the payor's burdens or, or benefits received from, the governmental activity;

WHEREAS, the Cost Study Report is an independent, comprehensive analysis of City services, the costs reasonably borne by providing those services, the amounts subsidized by the City, the revenues produced by those paying fees for such services and fee monitoring and adjustment going forward; and

WHEREAS, the Cost Study Report recommends that the City Council adopt a policy of not starting any new service without a cost analysis, using the costing approach utilized in the Cost of Services Report, so as to determine ways in which the service could be fee-financed, if at all possible and to determine the actual cost to the City of providing such service; and

WHEREAS, the Cost Study Report provides and recommends that the City Manager be authorized to set Community Services fees, as recommended by the Community Services Director, on a quarterly basis. All such fees must comply with State law, and the requirements set out in this Resolution. Such Community Services fees may be adjusted only twice per year and must be noticed 30 calendar days prior to taking effect by public notice in a newspaper of general circulation published in the local agency. The City Manager will summarize the fee adjustments, and overall effect of those adjustments, to the City Council within the annual budget process, so that City Council may provide future policy guidance on program cost recovery and service levels; and

WHEREAS, fines are listed in the Cost Study Report under Appendix E, but legally are not considered fees and are not subject to the requirements of Article III C; and

WHEREAS, the City has made available the Cost Study Report to those requesting special notice and also has duly published at least 10 days prior notice of a public hearing regarding such fee adjustments; and

WHEREAS, a copy of the Cost Study Report has been available at City Hall at the City Clerk's office and online during the entire notice period; and

WHEREAS, on November 12, 2024, the City Council conducted a duly noticed public hearing and heard comments for and against the updating and increase of such fees and charges; and

WHEREAS, the City Council finds from its review of the Cost Study Report and the other documents on file for this matter (all of which are made a part of the record of this hearing) that each fee is related to a service or activity for which the fee is imposed that is under the control of the City; that the amounts of the fees as set out in the Report do not exceed the reasonable cost of service provided, plus direct and indirect overhead as determined by the City to be legally and practically appropriate; that the fees fall outside the requirements for imposition of taxes, special taxes or fees imposed as incidences of property ownership pursuant to the provisions of State law and are not regulatory fees disallowed by Proposition 26; and that such fees are not charges for traditional governmental services; and

WHEREAS, the City Council further finds that the revision of such fees and charges is for the purpose of meeting operating expenses of the City and that such action therefore is statutorily exempt from CEQA under Public Resources Code Section 21080 (b)(8) and Section 15273 of the CEQA guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARAMOUNT FOLLOWS:

SECTION 1. The Recitals set out above are true and correct.

SECTION 2. CEQA EXEMPTION: The adoption of fees, rates and charges as set out here is statutorily exempt from CEQA and staff is directed to take all necessary actions to prepare and file a Notice of Exemption immediately after adoption of this Resolution.

SECTION 3. FEES DETERMINED AND ADOPTED: The fees as set out in the Cost Report attached and incorporated as Exhibit 1 to this Resolution hereby are adopted along with the Master Fee Schedule as Exhibit 2, including all of its findings and recommendations.

SECTION 4. EFFECTIVE DATE: This Resolution shall take effect 60 calendar days from the date of its adoption.

PASSED, APPROVED and ADOPTED by the City Council of the City of Paramount this 12th day of November 2024.

Annette C. Delgadillo, Mayor

ATTEST:

Heidi Luce, City Clerk

Exhibit 1

Exhibit 2