

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO. RES-07-0138

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH ESTABLISHING AN ADDITIONAL
FEE FOR PUBLIC NOTICES FOR THE DEPARTMENT OF
PLANNING AND BUILDING

WHEREAS, the City Council of the City of Long Beach ("City") seeks to establish new fees and charges to recover the full, lawfully recoverable costs incurred by the City in providing services to those who request them for the departments of Planning and Building; and

WHEREAS, it is the City's policy to set service fees and charges at full cost recovery levels, except where a greater public benefit demonstrates the need to impose a lesser fee or charge to the satisfaction of the City Council, or when it is not cost effective to do so; and

WHEREAS, the City has conducted an analysis of its services, the costs reasonably borne by the City in providing those services, the beneficiaries of those services, and the revenues produced by those paying service fees and charges for said services; and

WHEREAS, on October 16, 2007, the City Council, at a duly noticed public hearing, took public testimony and input regarding certain proposed new fee; and

WHEREAS, California Government Code Section 66000, et. seq. authorizes the City to adopt service fees and charges for municipal services, provided such fees do not exceed the cost to the City of providing the service; and

WHEREAS, in accordance Government Code Section 66016, at least fourteen (14) days prior to the public hearing at which this Resolution was adopted, notice of the time and place of the hearing was mailed to eligible interested parties who filed written requests with the City for mailed notice of meetings regarding new or

1 increased fees or service charges; and

2 WHEREAS, in accordance with the Government Code 66016, data
3 regarding the estimated cost of the services and the revenue sources anticipated to
4 provide the services was available for public review and comment for ten (10) days prior
5 to the public hearing at which this Resolution was adopted; and

6 WHEREAS, publication of notice was given in accordance with the
7 provisions of Government Code Section 6062a, ten (10) days in advance of the public
8 hearing at which the adoption of this Resolution was considered; and

9
10 NOW, THEREFORE, the City Council of the City of Long Beach does
11 hereby resolve as follows:

12 Section 1. The facts set forth in the recitals of this Resolution are true
13 and correct and are hereby incorporated by reference herein as though set forth in full.

14 Section 2. Adoption of the new fee set forth and described in this
15 Resolution, and in Exhibit "A" attached hereto, is intended to recover costs necessary to
16 provide the services within the City for which the fees are charged. In adopting the new
17 fee set forth in this Resolution, the City Council of the City of Long Beach is exercising its
18 powers under Article XI, Section 7 of the California Constitution.

19 Section 3. All requirements of California Government Code Sections
20 66000, et seq., are hereby found to have been satisfied.

21 Section 4. The fee set forth in Exhibit "A" is a reasonable estimate of the
22 costs incurred by the City in providing the service to those who request them. The fee for
23 such services is necessary to recover the reasonable, estimated cost of providing such
24 services.

25 Section 5. The City Council hereby further adopts and approves the new
26 fee as set forth and described in Exhibit "A", which is attached hereto and incorporated
27 herein by this reference, as though set forth in full, word for word. The fee set forth in
28 said Exhibit "A" shall thereafter be incorporated into those fees and charges previously

1 adopted and approved by the City Council, which shall collectively be known as the
2 Master Fee and Charges Schedule of the City of Long Beach and may be made available
3 to the public for its information and review;

4 Section 6. All provisions of prior City Council ordinances and resolutions,
5 including, but not limited to, Resolution RES-07-0116, establishing fees which in any way
6 conflicts in part or in whole with this Resolution, are hereby rescinded and repealed in
7 part or in whole to the extent of any conflict.

8 Section 7. The establishment of fees and charges herein is exempt from
9 the requirements of the California Environmental Quality Act (CEQA) pursuant to Public
10 Resources Code Section 21080(b)(8) and the adoption of this Resolution is for the
11 purposes of inter alia: (1) meeting operating expenses; (2) purchasing or leasing
12 supplies, equipment or materials; (3) meeting financial reserve needs and requirements;
13 or (4) obtaining funds for capital projects, necessary to maintain service within the various
14 areas of the City.

15 Section 8. This resolution shall take effect immediately upon its adoption
16 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

17 I hereby certify that the foregoing resolution was adopted by the City
18 Council of the City of Long Beach at its meeting of October 16, 2007, by the

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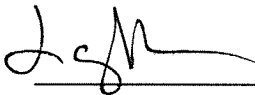
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following vote:

Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,
Reyes Uranga, Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: None.



City Clerk

HAM:kjm:fl 10/9/07

EXHIBIT A

DEPARTMENT: PLANNING AND BUILDING

Fee Name	Fee Description	Fee	Per
PLANNING FEES			
OTHER FEES			
Public Notice Supplemental Fee	Mailing and Notification of Public Hearing	\$150.00 (sunsets 10/16/08)	Notice