

# City of Hesperia

## STAFF REPORT



**DATE:** September 17, 2019

**TO:** Mayor and Council Members  
Chair and Board Members, Hesperia Community Development Commission  
Chair and Board Members, Hesperia Housing Authority  
Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Mike Blay, Assistant City Manager  
Tina Bulgarelli, Administrative Analyst

**SUBJECT:** Joint Resolution Amending the City-Wide Fee Schedule

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### RECOMMENDED ACTION

It is recommended that the City Council and respective subsidiary Boards conduct a public hearing and adopt Joint Resolution No. 2019-47, Resolution No. HCDC 2019-06, Resolution No. HHA 2019-06, Resolution No. HWD 2019-10 amending Joint Resolution No. 2018-21, Resolution No. HCDC 2018-04, Resolution No. HHA 2018-04, Resolution No. HWD 2018-07, amending the City-Wide fee schedule.

### BACKGROUND

On October 4, 2016, the City Council approved amendments to the City-Wide Fee Schedule related to several Senate Bills (SB 1473, SB 1186) and DUI Emergency Cost Recovery.

On December 6, 2016, the City Council approved amendments to the City-Wide Fee Schedule. These amendments included an attachment related to the fees charged for Fire Services, commonly known to the fee schedule as Appendix "B".

On October 3, 2017, the City Council approved amendments to the City-Wide Fee Schedule. These fees included changes to Engineering fees, water meter costs, Planning and Building and Safety fees, and new hourly rates for costs reasonably borne.

On January 16, 2018, the City Council approved an amendment to the City-Wide Fee Schedule related to plan review for on-site grading for Engineering.

On April 17, 2018, the City Council approved an amendment to the City-Wide Fee Schedule related to fees charged during real estate transactions.

On August 21, 2018, the City Council approved an amendment to the City-Wide Fee Schedule authorizing fees related to oversize vehicle parking, and adopting the San Bernardino County Fire Protection District Fee Schedule in correspondence with the Fire District Annexation.

On December 18, 2018, the City Council approved an amendment to the City-Wide Fee Schedule related to fees for Sidewalk Vending permits.

## **ISSUES/ANALYSIS**

The following fee schedule revisions are recommended:

### **Animal Services Fees**

Title 6, Chapter 6.08 of the Municipal Code contains regulations related to Animal Control. In 2014, an amendment to the regulations included the requirement for mandatory spay or neuter of dogs found off property or running loose. Staff is recommending a revision to this regulation that includes a recommended reclaiming fee. The reclaiming fee will accomplish several things. It will recoup staff's time for the capture and care of the animal at the shelter until the owner retrieves it. It will also encourage owners, especially those who do not wish to have their animal spayed or neutered due to breeding, to keep their animal on their property.

The fee proposed is a one-time fee exception to the mandatory spay or neuter rule. It will be available to owners whose unlicensed animals are found off property the first time. For both licensed and unlicensed animals, after the first violation of being off property, spay or neuter is mandatory per the existing regulations. Licensed animals found off property the first time are given a one-time "free ride home".

### **Police Department Fees**

The Police Department charges fees for various services to recover costs. One of the services provided is a clearance letter/records check. The recommended fee for this service is \$15.00. This will recover the cost of producing the letter and performing the records check.

### **Waivers and Credits**

Another function of the Animal Services Department is the adoption of animals out of the shelter in lieu of euthanasia or adoption by rescue groups. To encourage citizens to visit the shelter and adopt animals, staff occasionally reduces the fees for adoptions to make the adoption of an animal more financially feasible for citizens.

Staff recommends adding language related to the Waiver and Credits section of the fee schedule authorizing the City Manager to reduce or waive adoption fees.

### **Commercial Cannabis**

Staff is recommending an increase to the fees related to Part II of the Commercial Cannabis Delivery Dispensary application. The cannabis program has been in place for one year. During that period staff noted the increase in staff time related to administering the program, reviewing the business plans, insurance, and applicant backgrounds. The City is currently not recovering all costs related to this program. The fee proposed will recover the costs related to the administration of the program and the review of all extraneous required documents in Part II (the tenant improvement) portion of the application.

Staff is recommending the inclusion of a new fee for the Cannabis program related to the performance of audits on cannabis businesses. The cannabis industry is still a mostly cash business, mainly due to the inclusion of cannabis on the Schedule I Narcotics list by the Federal Government, making banking services not readily available to the commercial cannabis industry. Staff believes that occasional audits of the operating cannabis businesses in the City will ensure that the program continues to function within the confines of the law and that all participants are paying their taxes and any fees due to the City.

## **FISCAL IMPACT**

Adoption of this resolution will allow the City to accommodate one time requests from owners, particularly those that want to keep their animal for breeding, to avoid mandatory spay or neuter. It will also encourage those owners to persist in keeping their animal on their property, reinforcing the goal of animal population control in the City.

Staff believes the alternative will rarely be used, and then mainly by people who use the animal for breeding, so the fiscal impact will likely be minor but will recover costs related to the administration of animal keeping for unlicensed, off-property animals.

Reducing adoption fees occasionally will result in slightly lower revenue, however, the greater good of adopting animals will offset the minor loss of revenue.

The Sheriff's Department will have a slight increase in revenue based on the number of records checks performed annually, which is minor.

The cannabis program will have a slight increase in revenue related to the recovery of all costs of the administration of the program. The audit fees will mainly be pass through funds, used by the City to pay for the audit services from the company contracted to perform the work.

## **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

## **ATTACHMENT(S)**

1. Joint Resolution No. 2019-47, Resolution No. HCDC 2019-06, Resolution No. HHA 2019-06, and Resolution No. HWD 2019-10
2. Exhibit "A" – Amendments to City-Wide Fee Schedule