

**JOINT RESOLUTION NO. 2020-27  
RESOLUTION NO. HCDC-2020-04  
RESOLUTION NO. HHA-2020-06  
RESOLUTION NO. HWD-2020-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, THE BOARD OF DIRECTORS OF THE HESPERIA HOUSING AUTHORITY, THE BOARD OF DIRECTORS OF THE HESPERIA COMMUNITY DEVELOPMENT COMMISSION, AND THE BOARD OF DIRECTORS OF THE HESPERIA WATER DISTRICT AMENDING THE CITY-WIDE FEE SCHEDULE**

**WHEREAS**, on December 6, 2016 the City of Hesperia City Council, Hesperia Fire Protection District, Hesperia Housing Authority, Hesperia Community Development Commission, and Hesperia Water District, adopted a revised City-wide fee schedule inclusive of all City, District, and Commission fees.

**WHEREAS**, Pursuant to Article XIII B (Proposition 4) of the California Constitution, it is the intent of the City Council of the City of Hesperia, the Board of Directors of the Hesperia Housing Authority, the Board of Directors of the Hesperia Community Development Commission, and the Board of Directors of the Hesperia Water District to recover costs reasonably borne from fees and charges for services rendered; and

**WHEREAS**, Pursuant to Article XIII C and Article XIII D (Proposition 218) of the California Constitution the fees, charges and regulatory fees are levied as an incident of the voluntary act of an individual or business and not the result of property ownership; and

**WHEREAS**, the Engineering Department reviews civil projects related to development; and

**WHEREAS**, the review of these project is complex, at times requiring review by not only the City Engineer, but a Traffic Engineer as well; and

**WHEREAS**, in 2017, the mechanism for collecting Engineering fees changed to a percentage based calculation; and

**WHEREAS**, the new fee program has been in place for several years and upon review, the City is not adequately recovering its costs for review of civil projects; and

**WHEREAS**, it is necessary to charge these fees to ensure that cost recovery is achieved; and

**WHEREAS**, in 2003 an automation fee was adopted to recover the cost of technology systems used in the permitting process; and

**WHEREAS**, this fee has not been modified since adoption and since that time the use of the system has expanded, and the cost of maintenance and enhancements has risen; and

**WHEREAS**, to continue to function efficiently and effectively, a land management system that integrates technology and automated processes is necessary; and

**WHEREAS**, to recover the cost of maintaining the technology, the automation fee should fully cover the cost of the system; and

**WHEREAS**, the Animal Services department is responsible for the care of animals at the animal shelter, and the humane euthanasia and/or disposal of animals who are terminally sick or turned in deceased; and

**WHEREAS**, the cost for the disposal of animals has increased substantially; and

**WHEREAS**, the City is required to contract for the disposal service and so must adequately recover the costs of the service in order to maintain the animal shelter and animal population, including euthanasia of terminally ill animals and the disposal of deceased animals; and

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HESPERIA, THE BOARD OF DIRECTORS OF THE HESPERIA HOUSING AUTHORITY, THE BOARD OF DIRECTORS OF THE HESPERIA COMMUNITY DEVELOPMENT COMMISSION, AND THE BOARD OF DIRECTORS OF THE HESPERIA WATER DISTRICT AS FOLLOWS:

- Section 1. In all respects, the facts as set forth in this resolution are true and correct.
- Section 2. The schedule of fees and charges set forth in Exhibit "A" are hereby adopted and shall be applied to the specified services. The effective date of this resolution shall be July 19, 2020.
- Section 3. All fees described are for each identified process and additional fees shall be required for each additional process or service required.
- Section 4. Interpretation of this resolution may be made by the City Manager or designee. When there are conflicts between fees, the lower fee shall be applied.
- Section 5. If any section, sub-section, sentence, clause, or word in the resolution is held to be invalid by decision of any court of competent jurisdiction or action of State legislation, such decision or legislation shall not affect the validity of the remaining portions of this resolution.
- Section 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** this 19<sup>th</sup> day of May, 2020

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Larry Bird, Mayor

ATTEST:

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Melinda Sayre, City Clerk