



Legislation Text

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*Department of Community Development*

Reference: 2018 Fee Resolution Amendment

**To: Mayor Kenneth J. Kreutzer and Members of City Council**

**Through: Philip Rodriguez - City Manager**

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**Date Prepared: February 22, 2018**

**PURPOSE**

To amend the City's 2018 Annual Fee Resolution to add the fees associated with the newly enacted Mobile Vendors Code amendment, to correct a scrivener's error related to the Park Development Impact Fee as well as one involving consultant review fees.

**BACKGROUND**

Each year, the fees assessed by the various City Departments are adopted by the City Council in the Annual Fee Resolution, usually at the last meeting of the year, to be effective on January 1 of the following year. The fees are intended to recoup for the City the reasonable costs of doing the City's business.

The City Council adopted updated provisions to the City's Mobile Vending regulations by ordinance at first reading on February 6, 2018. The second reading is scheduled for March 6, 2018. The new regulations authorize the assessment of two fees: the Outdoor Vending License Fee and the Outdoor Vending for Private Property Permit Fee.

Staff studied the amount of time it would generally take to review the Mobile Vendors applications and estimated the approximate costs. Based on that analysis, staff has determined a fee of \$50.00 for each application is appropriate (see attached Application Processing Cost Worksheet).

The Fee Resolution Amendment also corrects two scrivener errors in the 2018 Fee Resolution: (i) including a few lines of text that were inadvertently omitted that permit the City to use outside independent contractors to undertake building plan reviews when there is a large workload and timelines for review are tight. Language in previous Fee Resolutions included the language that if building plan review is contracted out, the applicant is responsible for paying the cost difference from what the City would have charged for the review, plus 10% for processing. This inadvertently omitted language is included in the amendment; and (ii) correcting the scrivener's error to clarify that the Neighborhood Park Impact Fee with Land Dedication is \$1380, (not \$1300). One Stop has been collecting \$1380 since the fee was initially set at that in 2008 Fee Resolution, approved as Resolution 07-141.

Note: The new Mobile Vendor fees and scrivener's error corrections are indicated in red font on the proposed Fee Resolution Amendment.

**CRITERIA BY WHICH COUNCIL MUST CONSIDER THE ITEM**

The City of Brighton *Municipal Code* provides for the City Council to set and collect fees for the processing of

development and permit applications. The objective of this amendment is to establish a fee for the proposed Outdoor Vending applications as well as correct certain scrivener's errors in the 2018 Fee Resolution.

**STAFF RECOMMENDATION**

Staff recommends approval of the Amended 2018 Fee Resolution.

**OPTIONS FOR COUNCIL CONSIDERATION**

- 1) Approve the proposed 2018 Fee Resolution Amendment.
- 2) Approve the proposed 2018 Fee Resolution Amendment with conditions.
- 3) Deny the proposed 2018 Fee Resolution Amendment.

**ATTACHMENTS**

- Draft Resolution Adopting the revised 2018 Fee Resolution Amendment
- Application Processing Cost Worksheet