

City Council Meeting: June 22, 2021

Santa Monica, California

RESOLUTION NO. 11343 (CCS)

(CITY COUNCIL SERIES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA REVISING THE CITY'S MASTER FEE SCHEDULE TO ESTABLISH AND REVISE CERTAIN PERMIT AND USER FEES AND CHARGES IN THE CITY MANAGER'S OFFICE; COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES DEPARTMENTS; DEPARTMENT OF TRANSPORTATION; FINANCE, FIRE, LIBRARY, PUBLIC WORKS, AND POLICE DEPARTMENTS; AND RECORDS AND ELECTIONS SERVICES

WHEREAS, it is the City of Santa Monica's ("City") general policy to charge for the full costs of services provided by City Staff ("City's Cost Recovery Policy") when such services benefit individual users, rather than members of the community as a whole; and

WHEREAS, notwithstanding the City's Cost Recovery Policy, the City has discounted certain recreational services and other opportunities to individuals to promote equity, inclusion, and other community benefits; and

WHEREAS, the Santa Monica Municipal Code authorizes the City to establish by resolution charges for commercial and other uses of public property by individuals and groups; and

WHEREAS, the City further makes various recreational facilities, fields, courts, parking lots, swimming pools, rooms, auditoriums, and patios, and other locations available for recreational activities and events pursuant to City guidelines; and

WHEREAS, it is the City's policy to establish user charges for those locations so as to promote use of its limited facilities by this community and by groups working to

promote this community's welfare; and

WHEREAS, since 2013, the City has maintained and updated a Master User Fee Schedule to allow the public to more easily gather information about such fees; and

WHEREAS, in 2020 the City restructured operations and modified its budget in response to the COVID-19 pandemic; and

WHEREAS, on June 23, 2020, Council directed staff to maximize compliance with the City's Cost Recovery Policy in the next cost recovery study to increase the City's fiscal sustainability; and

WHEREAS, the City hired MGT Consulting to complete a comprehensive cost recovery study of over 800 existing user fees and other charges; and

WHEREAS, MGT Consulting, with input from City staff, prepared a fee study report entitled City of Santa Monica Cost Recovery Study - Summary of Findings (the "2021 Fee Study Report"), which analyzed the costs of providing various services, estimated current cost recovery levels, and recommended adjustments to existing fees; and

WHEREAS, the 2021 Fee Study Report was made publicly available on the City's website and presented to City Council for review and comment as part of Item 4(A) at budget study sessions held on May 25, 2021 and May 26, 2021; and

WHEREAS, the 2021 Fee Study Report identified adjustments to existing fees to align with the City's Cost Recovery Policy and the City Council's policy goals, and recommended deleting, modifying, or consolidating certain existing fees (collectively, the "Revised Existing Fees"); and

WHEREAS, the 2021 Fee Study Report identified new opportunities for the City to implement 49 new fees for services and calculated the costs of such services (the

“Proposed New Fees”), which are highlighted in green in attached Exhibits A through Y, which are incorporated herein by reference; and

WHEREAS, the purposes of the Proposed New Fees are described in the 2021 Fee Study Report and summarized in the summary attached as Appendix 1, which is incorporated herein by reference; and

WHEREAS, the City Council received and considered written and oral comments from the public regarding the Proposed New Fees and Revised Existing Fees; and

WHEREAS, the City provides on-demand maintenance services for events at the City’s public parks or on Santa Monica State Beach in response to specific requests; and

WHEREAS, event clean up deposits encourage responsible use of public property; and

WHEREAS, the City provides on-demand public landscaping services in response to specific requests; and

WHEREAS, the Santa Monica Pier Carousel Public Ride Fee can be established at market rates by resolution; and

WHEREAS, on January 26, 2021, the City Council adopted Resolution Number 11315 (CCS) (“Resolution 11315”) which established a BLS Paramedic Assessment Fee and a Disposable Medical Supplies Fee; and

WHEREAS, the Master User Fee Schedule was most recently revised on June 23, 2020 (the “2020 Master User Fee Schedule”), when the City Council adopted Resolution Number 11263 (CCS) (“Resolution 11263”); and

WHEREAS, Resolution 11263 authorized an annual administrative increase of certain user fees effective July 1, 2021; and

WHEREAS, the Cemetery provides certain services, items, and burial options that can be established at market rates; and

WHEREAS, the City Council desires to modify the 2020 Master User Fee Schedule to reflect the Revised Existing Fees, to incorporate the Proposed New Fees, to incorporate additional fees for services and items at the Cemetery (highlighted on Exhibit V in yellow), and to revise the Santa Monica Pier Carousel Public Ride Fee; and

WHEREAS, the City Council desires to make other minor revisions, corrections, and administrative changes as necessary;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The fees for the City Planning Division, including new fees for Administrative Approval: Non-Downtown Housing Project, SB330 Preliminary Application, Local Coastal Program Surcharge, Certificate of Appropriateness – Staff Approval, Certificate of Appropriateness – Landmarks Commission, and Mills Act Contract, are hereby established as set forth in Exhibit A: Community Development - City Planning Division.

SECTION 2. The fees for the Building and Safety Division, including new fees for Construction Management Plan Review, Seismic Retrofit Plan Check – Consultant, Seismic Retrofit Peer Review- Consultant, Mobile Home Parks, and Investigation Fee for Work Without a Permit are hereby established as set forth in Exhibit B: Community Development - Building and Safety.

SECTION 3. The fees for the Department of Transportation – Mobility Division, including a new fee for License Agreements, Covenants, Deed Restrictions, are hereby

established as set forth in Exhibit C: Department of Transportation - Mobility.

SECTION 4. The fees for the Code Enforcement Division are hereby established as set forth in Exhibit D: Community Development – Code Enforcement.

SECTION 5. The fees for the Civil Engineering Division, including new fees for Annual Lease Fee – Small Wireless Facility, Development Agreement Feasibility and Concept Review Fee, Plan Check Review Fee - Including Flood Plan Review & Off-Site Permit, and Underground Utility Waiver Application and Letter of Determination are hereby established as set forth in Exhibit E1 - Public Works: Civil Engineering.

SECTION 6. The fees for the Street Services Division are hereby established as set forth in Exhibit E2 – Public Works: Street Services.

SECTION 7. The fees for the Resource Recovery and Recycling Division, including new fees for Bulky Item Collection (one-hour minimum), Event Bin Rental (per Bin), Truck Ad Space Rental (per panel, per side, per month) are hereby established as set forth in Exhibit E3 - Public Works: Resource Recovery and Recycling.

SECTION 8. The fees for the Water Resources Division, including new fees for Sewer Study Review and Water Study Review are hereby established as set forth in Exhibit E4 - Public Works: Water Resources.

SECTION 9. The fees for the Public Landscape Division, including new fees for Beach Asset Damage, Beach Event Clean Up Deposit (150-500 people), Beach Event Clean Up Deposit (1000+ people), Beach Event Clean Up Deposit (501-1000 people), Beach Maintenance Service, Full Prune 7-12 DSH, Full Prune 13-18 DSH, Full Prune 19-24 DSH, Full Prune 25-30 DSH, Full Prune 31-36 DSH, Full Prune >36 DSH, Park Asset Damage, Park Event Clean Up Deposit (150-500 people), Park Event Clean Up Deposit

(501-1000 people), Park Event Clean Up Deposit (1000+ people), Park Maintenance Service, Tree & Stump Removal 0-24 DSH Per Inch, Tree & Stump Removal >24 DSH Per Inch, Tree Planting 24" Box, Tree Planting 36" Box, Tree Planting 48" Box, and Tree Restitution - Cost Per Required Replacement 24" Box Tree are hereby established as set forth in Exhibit F - Public Works: Public Landscape.

SECTION 10. The fees for Film Permits are hereby established as set forth in Exhibit G – Public Works: Film Permits.

SECTION 11. The fees for the Police Department, including new fees for Dead Animal Disposal, Dead Animal Pickup, Beehive Permit, Conditional Animal Permit are hereby established as set forth in Exhibit H1- Police and Exhibit H2 – Police (Animal Control).

SECTION 12. The fees for the Fire Department are hereby established as set forth in Exhibit I - Fire. The BLS Paramedic Assessment Fee and Disposable Medical Supplies Fee are incorporated into the Master Fee Schedule. The BLS Paramedic Assessment Fee is clarified to reflect that it is subject to the annual administrative increase in Section 28. The Disposable Medical Supplies Fee is revised to reflect that it is based on County of Los Angeles rates.

SECTION 13. The fees for Records and Election Services, including a new fee Nomination Packet for Non-Candidates or Candidates (after the first set), are hereby established as set forth in Exhibit J - Records and Election Services.

SECTION 14. Certain miscellaneous fees are hereby established as set forth in Exhibit K: Miscellaneous.

SECTION 15. The fees for the Office of Sustainability and the Environment are

hereby established as set forth in Exhibit L – Public Works: Office of Sustainability and the Environment.

SECTION 16. The fees for Department of Transportation: Taxis are hereby established as set forth in Exhibit M – Department of Transportation: Taxis.

SECTION 17. The fees for Department of Transportation: Pedicabs are hereby as set forth in Exhibit N – Department of Transportation: Pedicabs.

SECTION 18. The fees for Community Services Programs are hereby established as set forth in Exhibit O – Community Services Program Fees.

SECTION 19. The charges for rentals, locations, hours of operations, and available programs relating to certain City facilities are hereby established as set forth in Exhibit P1 – Park Building Rental Charges, Exhibit P2 – Ken Edwards Center Rental Charges, Exhibit P3a – Sports Facilities Rental Charges, Exhibit P3b – Sports Facilities Rental Charges – Field Concession Stands/Storage, Exhibit P4 – Facility Filming Rental Charges, Exhibit P5 – Santa Monica Swim Center – Rental Charges, Exhibit P6 – Miscellaneous Facilities and Fees, Exhibit P7 – Miles Memorial Playhouse – Rental Charges, Exhibit S – Surf Instruction and Youth Group Beach/Water Activity Fees and Charges; and Exhibit Q – Beach House.

SECTION 20. The Cultural Arts Development Requirement Application Processing Fee (which consolidates fees previously established by Resolution No. 10309 (CCS)) is hereby added to Exhibit P6.

SECTION 21. The fees for Community Events are hereby established as set forth in Exhibit R – Community Event Fees.

SECTION 22. The fees for the Library Division are hereby established as set forth

in Exhibit T- Library.

SECTION 23. The fees for fitness or athletic instruction at City Parks and at the Santa Monica State Beach are hereby established as set forth in Exhibit U – Commercial Fitness or Athletic Instruction Permits.

SECTION 24. The fees for the Cemetery Division are hereby established as set forth in Exhibit V – Public Works: Cemetery.

SECTION 25. The fees for the Airport Division are hereby established as set forth in Exhibit W – Public Works: Airport.

SECTION 26. The fees for the Office of Pier Management are hereby established as set forth in Exhibit X – Community Development – Office of Pier Management.

SECTION 27. The fees for City TV are hereby established as set forth in Exhibit Y – City Manager’s Office: City TV.

SECTION 28. Commencing on July 1, 2022 and on July 1 of each fiscal year thereafter, all fees reflected in the 2021 Master User Fee Schedule, as set forth in this Resolution, and unless noted otherwise, shall be administratively revised and increased annually by a factor equal to the net change in City salaries and benefits costs for that fiscal year. Such net change is measured by comparing the total budgeted City salary and benefit costs for the fiscal year in which the change is to become effective to the total budgeted City salary and benefit costs for the prior fiscal year. Notwithstanding the foregoing, in no event shall the annual administrative revision set forth in this Section 9 be less than zero percent (0%). Notwithstanding the foregoing, in no event shall the annual administrative revision described in this Section 9 apply to any fees and charges established by other agencies or as otherwise may be prohibited by applicable law.



SECTION 29. Minor clarifications and revisions are hereby incorporated to the City's comprehensive fee schedule to reflect changes in the type of services provided and the personnel providing certain services.

SECTION 30. Charges for the use of community and recreational facilities which are not listed in the master user fee schedule shall be determined by an authorized designee of Community Services and shall be based upon the costs incurred in providing the facility or program.

SECTION 31. Organizations using City recreational facilities may be charged additional costs beyond those listed in the attached fee schedule when:

1. Use of the facility by any organization requires facility coverage or maintenance beyond that normally provided.
2. Use of the facility results in damage to the facility interior, exterior or its furnishings.

SECTION 32. Unless otherwise provided, for accounts that are not paid by the due date, a late fee of ten percent (10%) shall be charged for the first month on any unpaid balance, and an additional late fee of one percent (1%) shall be charged on any unpaid balance each month thereafter. The Director of Finance shall have the authority to settle disputes by reducing or waiving amounts due for penalties and interest on delinquent fees if such reduction or waiver serves to promote the City's fiscal welfare by expeditious payment, enhancing revenue or otherwise.

SECTION 33. All fees established by this resolution will take effect July 1, 2021, unless otherwise noted.

SECTION 34. Resolution 11263, Resolution 11315, and Resolution 10309 are

hereby repealed in their entirety.

SECTION 35. If there are any conflicts between the fees adopted in this Resolution and fees adopted by any prior resolution or fee schedule, the fees adopted pursuant to this Resolution shall control. If there are any conflicts between the portions of the fee schedule set forth in this Resolution and any prior fee schedule, the portion of the fee schedule attached to this Resolution shall control. This Resolution does not supersede any waivers authorized by any Executive Order of the Director of Emergency Services or by any resolution or ordinance of the City Council.

SECTION 36. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

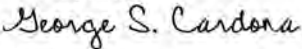
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GEORGE S. CARDONA  
Interim City Attorney

Exhibit A: Community Development - City Planning Division  
Exhibit B: Community Development - Building and Safety  
Exhibit C: Department of Transportation – Mobility  
Exhibit D: Community Development – Code Enforcement  
Exhibit E1 - Public Works: Civil Engineering  
Exhibit E2 – Public Works: Street Services  
Exhibit E3 - Public Works: Resource Recovery and Recycling  
Exhibit E4 - Public Works: Water Resources  
Exhibit F - Public Works: Public Landscape  
Exhibit G – Public Works: Film Permits  
Exhibit H1- Police  
Exhibit H2 – Police (Animal Control)  
Exhibit I – Fire  
Exhibit J - Records and Election Services  
Exhibit K: Miscellaneous  
Exhibit L – Public Works: Office of Sustainability and the Environment  
Exhibit M – Department of Transportation: Taxis

- Exhibit N – Department of Transportation: Pedicabs
- Exhibit O – Community Services Program Fees
- Exhibit P1 – Park Building Rental Charges
- Exhibit P2 – Ken Edwards Center Rental Charges
- Exhibit P3a – Sports Facilities Rental Charges
- Exhibit P3b – Sports Facilities Rental Charges – Field Concession Stands/Storage
- Exhibit P4 – Facility Filming Rental Charges
- Exhibit P5 – Santa Monica Swim Center – Rental Charges
- Exhibit P6 – Miscellaneous Facilities and Fees
- Exhibit P7 – Miles Memorial Playhouse – Rental Charges
- Exhibit Q – Beach House
- Exhibit R – Community Event Fees
- Exhibit S – Surf Instruction and Youth Group Beach/Water Activity Fees and Charges
- Exhibit T- Library
- Exhibit U – Commercial Fitness or Athletic Instruction Permits
- Exhibit V – Public Works: Cemetery
- Exhibit W – Public Works: Airport
- Exhibit X – Community Development – Office of Pier Management
- Exhibit Y – City Manager’s Office: City TV

Appendix 1 Summary of Proposed New Fees



# Master User Fee Schedule

## FY 2021-22

## Miscellaneous Facilities and Fees

Rental Fees as of 7-1-21. Fees in this exhibit are not subject to the annual administrative revision and increase—unless otherwise noted.

### Douglas Park Lawn Bowling Green<sup>1</sup>

Annual Maintenance Charge	FY2021-22
<i>Use of the Douglas Park Lawn Bowling Green is currently permitted to the Santa Monica Lawn Bowling</i>	\$ 2,198.00

### Group BBQ/Picnic areas

Residents (up to 150 people)	FY2021-22
each additional hour	\$ 77.00 per 4-hour block
Non-Residents (up to 150 people)	\$ 18.00 per hour
each additional hour	\$ 116.00 per 4-hour block
	\$ 27.00 per hour

*Groups over 150 people must apply for a Community Events Permits.*

<u>Cultural Arts Development Requirement Application Processing Fee<sup>1</sup></u>	\$ 6,312.99
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### NOTES:

1. Fee subject to the City's annual administrative revision and increase.

Adopted and approved this 22<sup>nd</sup> day of June 2021.

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Sue Himmelrich, Mayor

I, Denise Anderson-Warren, City Clerk of the City of Santa Monica, do hereby certify that Resolution No. 11343 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 22<sup>nd</sup> day of June 2021, by the following vote:

AYES: Councilmembers Brock, Davis, Parra,  
Mayor Pro Tem McCowan, Mayor Himmelrich

NOES: None

ABSTAIN: Councilmember de la Torre

ABSENT: None

ATTEST:

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Denise Anderson-Warren, City Clerk