

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2020-052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA ADOPTING A SCHEDULE OF FEES FOR FISCAL YEAR 2020-2021 FOR TREE PRUNING AND REMOVAL PERMITS AND TREE-RELATED APPEALS TO THE FOREST AND BEACH COMMISSION AND CITY COUNCIL

WHEREAS, the City of Carmel-by-the-Sea retained Revenue and Cost Specialists, LLC, to prepare the “Fee Study Update Report” to identify the City’s reasonable costs borne for providing services; the beneficiaries of those services, and the revenues generated by those paying fees for receiving services; and

WHEREAS, the City wishes to comply with both the letter and the spirit of Article XIII B of the California Constitution and limit the growth of taxes; and

WHEREAS, the intent of the fee study was to review the relationship between fees/charges and the cost of providing services in accordance with City Financial Policies (Policy C94-01); and

WHEREAS, at their May 5, 2020 meeting, the City Council questioned the Fee Study Update Report’s calculations applicable to tree pruning and removal permits, and tree-related appeals to the Forest and Beach Commission and to the City Council, and directed staff to seek the input from the Forest and Beach Commission regarding these fees; and

WHEREAS, at their June 11, 2020 and July 9, 2020 meetings, the Forest and Beach Commission concurred with staff’s revised fees for these tree-related permits and appeals, and recommend approval by the City Council; and

WHEREAS, pursuant to Government Code Section 66016, the specific fees to be charged for services must be adopted by the City Council by Resolution, after providing notice and holding a public hearing; and

WHEREAS, a notice of public hearing has been published in the Carmel Pine Cone on July 24, 2020 and July 31, 2020 respectively per California Government Code Section 6062a, oral and written presentations made and received, and the required public hearing was held on August 4, 2020.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Section 1. Fee Schedule Adoption. The following schedule of fees and charges are hereby directed to be computed by and applied by the various City departments, and to be collected by the City Finance Department for the herein listed special services when provided by the City or its designated contractors.

Section 2. Separate Fee for Each Process. All fees set forth by this resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a “per unit” of measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units.

Section 3. Listing of Fees. The following fees shall be charged and collected for the following enumerated services, as shown in Exhibit A.

Section 4. Interpretations. This Resolution may be interpreted by the City department heads in consultation with the City Administrator, and, should there be a conflict between two fees, the lower in dollar amount of the two shall be applied.

A. It is the intention of the City Council to review the fees and charges as determined and set out herein based on the City's next Annual Budget and all the City's costs reasonably borne as established at that time and, as and if warranted, to revise such fees and charges based thereon.

Section 5. Constitutionality. If any portion of this Resolution is declared invalid or unconstitutional, it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

Section 6. Repealer. All resolutions and other actions of the City Council in conflict with the contents of this Resolution are hereby repealed.

Section 7. Effective Date. This Resolution and fees shall go into full force and effect on September 3, 2020.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of August, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk

Exhibit A

Study Update Reference Number	Service	Proposed Fee, September 3, 2020 to June 30, 2021
S-072A	Tree Pruning Permit	\$245 per permit
S-072	<u>Tree Removal Permit:</u>	
	Initial Forester Assessment	\$245 per tree removal assessment
	<i>AND EITHER:</i>	
	Removal 1-5 Trees	\$340 per permit
	<i>OR:</i>	
	Removal 6+ Trees	\$585 per permit
S-072C	Tree Appeal to Forest and Beach Commission	\$ 1,425 per Appeal plus actual outside costs
S-072D	Tree Appeal to the City Council	\$ 1,425 per Appeal plus actual outside costs
S-072E	Pruning or Removal of City Tree using Private Funds under City Forester Instructions	No fee permit required.