THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 12/18/2018 by the following vote:

AYE:	5	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	/	
ABSENT:	/	
ABSTAIN:	/	
RECUSE:	/	

Resolution No. 2018/615

AMENDMENTS TO LAND DEVELOPMENT FEE SCHEDULE

A. BACKGROUND FINDINGS

1. The County of Contra Costa has conducted a review of its services, the costs reasonably borne of providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services.

2. The County wishes to comply with both the letter and spirit of Article XIIIB of the California Constitution and limit the growth of taxes.

3. The County's policy is to recover the full costs reasonably borne of providing special services of a voluntary and limited nature, so that general taxes are not diverted from general services of a broad nature and used to unfairly and inequitably subsidize special services.

4. Heretofore, the Board of Supervisors has, by ordinance, established its policy on the recovery of costs, particularly, the percentage of costs reasonably borne from users of County services and directed staff as to the methodology for implementing said ordinance.

5. It is the intention of the Board of Supervisors to develop, as necessary, a revised schedule of fees and charges based on the County's budgeted and projected costs reasonably borne, for each fiscal year.

6. Pursuant to Government Code Section 66016, the specific fees to be charged for services may be adopted by the Board of Supervisors by Resolution, after providing notice and holding a public hearing at which oral and written presentations may be made, and providing an opportunity to review the supporting data upon which the fees are based at least ten (10) days before the hearing. This Board finds that all of the requirements of Government Code Section 66016 have been met. 7. Pursuant to Government Code Section 66018, other fees for services may be charged after providing notice pursuant to Government Code Section 6062a and holding a public hearing at which oral and written presentations may be made. The Board finds that all of the requirements of Government Code Section 66018 have been met.

B. ADOPTION OF FEES

1. Fee Schedule Adoption. The fees set forth in Exhibit A, attached hereto and incorporated herein by this reference, are hereby adopted and shall be charged and collected for the services enumerated herein.

2. Separate Fee for Each Process. All fees set 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 unit.

3. Added Fees and Refunds. One and one half times the set fee shall be charged for accelerated processing. Where additional fees must be charged and collected for completed staff work, or where a refund of excess deposited monies is due, and where such charge or refund is ten dollars ($10.00) or less, a charge or refund need not be made, pursuant to and provided the requirements of Government Code Sections 29373.1 and 29375.1 and amendments thereto are met. Where a fee payment is over 60 days past due, the departments shall seek a court judgment against the debtor and will charge interest at a rate of ten percent (10%) from the

date of judgment.

4. Establishment of a Trust Fund. The Auditor-Controller shall establish a trust fund for joint Community Development/Public Works application review fees, and the Treasurer shall invest said deposits with interest to accrue in the trust fund.

5. Defining and Timing of Fee Schedule. Definitions regarding and the timing of the implementation of the herein enumerated fee schedule shall be set forth herein and in Ordinance No. 98-32 as said ordinance is amended from time to time.

6. Interpretation. This Resolution may be interpreted by the several involved County department heads in consultation with the County Administrator. The department heads may reasonably and consistently modify a fee calculation methodology such that the resulting fee amount more closely reflects the cost reasonably borne for providing a service. If there is a conflict between two fees, the lower in dollar amount of the two shall be applied.

7. Severability. If any portion of this resolutions is declared invalid or unenforceable by a court of competent jurisdiction, the Board of Supervisors hereby declares that it would have adopted the remainder of this Resolution regardless of the absence of the invalid part(s).

8. Repealer. All resolutions and other actions of the Board of Supervisors in conflict with the contents of this Resolutions, including Resolution No. 2016/331 are repealed to the extent of any conflict, on the operative day of the conflicting provisions hereof. Obligations existing under any resolution or other Board action repealed by this section shall not be affected and shall remain in full force and effect.

9. Effective. This Resolution is effective immediately upon adoption subject to any applicable terms and conditions of Ordinance No. 98-32, as amended, except that (1) fees imposed herein on development projects (Government Code Section 66000) become effective 60 days after adoption, and (2) revised fees S-IH1 and S-IH2 become effective February 1, 2019.

10. Supersedes. This Resolution supersedes Resolution No. 2016/331. The new and revised fees in the attached Land Development Fee Schedule are approved.

Contact: Kristen Lackey (925) 674-7888

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 18, 2018

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Jami Napier , Deputy

cc: IOC Staff