

**RESOLUTION NO.**\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
RIALTO, CALIFORNIA, FOR THE ADOPTION OF UPDATED  
USER FEES RELATED TO CIVIL ENGINEERING PLAN CHECK  
SERVICES**

**WHEREAS**, pursuant to Government Code Section 66000 *et seq.* [Mitigation Fee Act] and Rialto Municipal Code Chapter 3.32, the City is authorized to recover costs reasonably borne for providing various services through the imposition of fees and charges; and

**WHEREAS**, a schedule of fees and charges to be paid by those requesting such special services must be adopted so that the City might carry into effect its policies; and

**WHEREAS**, the City adopted user fees to recover costs associated with civil engineering plan check services related to subdivision maps (tract and parcel maps), grading plans, hydrology and hydraulic studies, water quality management plans, traffic studies, surveying services, and other engineering and plan check services ( collectively, “Engineering and Plan Check Services Fees”); and

**WHEREAS**, the Engineering and Plan Check Services Fees were last updated based upon the Bureau of Labor Statistics Employment Cost Index by Resolution No. 6271, which the City Council adopted on August 13, 2013; and

**WHEREAS**, it is the intention of the City Council to adopt updated user fees related to Engineering and Plan Check Services Fees; and

**WHEREAS**, pursuant to Government Code Section 66018 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**, notice of a public hearing has been provided per Government Code Section 6062a, oral and written presentations made and received, and the required public hearing held; and

1       **WHEREAS**, pursuant to California Government Code Section 6062a a general  
2 explanation of the updated user fees for civil engineering plan check services has been  
3 published and required; and

4       **WHEREAS**, all requirements of California Government Code Section 66018 are  
5 hereby found to have been complied with; and

6       **WHEREAS**, all requirements of the Office of Management and Budget circular A-87  
7 are hereby found to have been complied with; and

8       **WHEREAS**, on September 25, 2018 the City Council adopted a Professional  
9 Services Agreement with Lockwood Engineer for “On-Call” Civil Engineering Plan Check  
10 and Related Services to provide those services to the development community, which will  
11 result in additional costs for the City to review and approve Engineering and Plan Check  
12 Services; and

13       **WHEREAS**, the City has conducted additional studies establishing the full cost  
14 recovery for the proposed Engineering and Plan Check Services Fees, including  
15 administrative fees associated with coordinating the plan check function, and have prepared  
16 a report “Fee Study Report – Plan Check Services” documenting the labor rates, overhead  
17 costs and staff hours necessary to support each fee for each of the proposed and existing  
18 fees which is attached hereto; and

19       **WHEREAS**, based upon the evidence, the City Council finds that updated user fees  
20 to recover costs for civil engineering plan check services, to be charged after the adoption of  
21 this Resolution, will not exceed the cost reasonably incurred by the City in providing these  
22 services.

23       **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**  
24 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

25       **Section 1:** The City Council hereby finds that the fees adopted herewith are  
26 exempt from the definition of “tax” under California Constitution Article 13C, and that no fee  
27 or charge exceeds the cost of providing the associated service. The Fee Study Report  
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1 dated September 2018 is approved and adopted as the basis for establishing the proposed  
2 fees set forth herein.

3 **Section 2:** The fee amounts for civil engineering plan check services set forth in  
4 **Exhibit "A"** attached hereto are hereby approved and adopted in accordance with the  
5 provisions of and under the authority of Chapter 3.32 of the Rialto Municipal Code.

6 **Section 3:** The existing user fees previously amended by Resolution No. 5583 (as  
7 amended again by Resolution No. 6271) for the Engineering Department for "Plan Check  
8 Fees", "Tract Maps, Parcel Maps and Private Imp Plans (Based on Imp Cost)", "Grading  
9 Plan Check Fee", and "Hydrology Study Calculation Checking" are hereby superseded and  
10 replaced with the fees set forth in **Exhibit "A"** attached hereto.

11 **Section 4:** The existing user fees previously established by Resolution No. 5838  
12 (as amended by Resolution No. 6271) for "Traffic Studies & Reviews" are hereby  
13 superseded and replaced with the fees set forth in **Exhibit "A"** attached hereto.

14 **Section 5:** The fees set forth in **Exhibit "A"** of this Resolution shall be increased  
15 annually in accordance with Resolution No. 5583 (as amended by Resolution No. 6271, as  
16 applicable) based upon the current Bureau of Labor Statistics Employment Cost Index.

17 **Section 6:** The fees set forth in **Exhibit "A"** of this Resolution shall become effective  
18 within 30 days of adoption of this Resolution.

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20 **PASSED APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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24 DEBORAH ROBERTSON, Mayor

25 **ATTEST:**

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BARBARA A. McGEE, City Clerk

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**APPROVED AS TO FORM:**

FRED GALANTE, Esq., City Attorney

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing  
5 Resolution No. \_\_\_\_\_ was duly passed and adopted at a regular meeting of the City  
6 Council of the City of Rialto held on the \_\_\_\_ day of \_\_\_\_\_, 2018.

7 Upon motion of Council Member \_\_\_\_\_, seconded by Council Member  
8 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

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14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the  
15 City of Rialto this \_\_\_\_ day of \_\_\_\_\_, 2018.

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19 BARBARA A. McGEE, CITY CLERK  
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