



# City of Rialto

## Legislation Text

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**File #:** 17-1137, **Version:** 1

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For City Council Meeting January 9, 2018

TO: Honorable Mayor and City Council

APPROVAL: Robb R. Steel, Interim City Administrator

FROM: Gina Gibson-Williams, Planning Manager

Request City Council to adopt **Resolution No. 7267** approving the four dollar (\$4.00) State mandated surcharge on business license applications and renewals, pursuant to Assembly Bill No. 1379 - Disability Access effective January 1, 2018 to December 31, 2023.

### **BACKGROUND:**

On September 19, 2012 the Governor of the State of California approved Assembly Bill No. 1186- Disability Access as an Urgency Ordinance modifying the California Business and Professions Code to make an appropriation for disability access purposes. On January 22, 2013, the City Council approved the collection of the \$1.00 fee as required by the State of California from January 1, 2013 to December 31, 2018.

### **ANALYSIS/DISCUSSION:**

Assembly Bill 1379 (Exhibit 'A') imposes a fee of four dollars (\$4.00) on all new applications and renewals of existing local business licenses for a term of five years beginning on January 1, 2018 until December 31, 2023. Revenue from the fee will fund:

1. Modifications to facilities to increase disability access;
2. Compliance measures for construction-related accessibility requirements; and
3. Development of educational resources for businesses to facilitate compliance with federal and state disability laws.

Funds generated from the fee will be divided between the local entity that collects the money and the Division of the State Architect: 70% of the funds will be retained by local government and 30% will be deposited into the Disability Access and Education Revolving Fund, a continuously appropriated fund, and transferred to the Division of the State Architect. Locally collected fees will be used to educate businesses on building modifications and permitting necessary to increase disabled access. Written information will be available at the public counter, online and at all City sponsored community events throughout the calendar year.

### **ENVIRONMENTAL IMPACT:**

Collection of the fee is not a "Project" as defined by Section 15378 of the California Environmental Quality Act (CEQA). A "Project" means the whole of an action, which has a potential for resulting in

either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, including the following: An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies; or the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**GENERAL PLAN CONSISTENCY:**

Imposition of a State mandated fee does not conflict with the General Plan.

**LEGAL REVIEW:**

The City Attorney reviewed and approved the staff report.

**FINANCIAL IMPACT:**

Adoption of the fee will create a five year funding source of approximately \$11,760 annually based on payment of the \$4.00 fee by approximately 4,200 businesses and a 70% retention rate. The fees will be deposited into Account No. 010-241-0659-0000 and expended for

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**RECOMMENDATION:**

1. Approve Resolution No. \_\_\_\_\_, entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, IMPLEMENTING CALIFORNIA ASSEMBLY BILL 1379, CODIFIED IN SECTION 4467 OF THE CALIFORNIA GOVERNMENT CODE, IMPOSING A STATE-MANDATED FOUR DOLLAR FEE ON ALL NEW APPLICATIONS AND RENEWALS OF LOCAL BUSINESS LICENSES; and

2. Direct staff to prepare notice to local business owners and begin collection of the \$4.00 fee as required by the State of California from January 1, 2018 to December 31, 2023.