

## **RESOLUTION NO. 2025-085**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, UPDATING AND ESTABLISHING USER AND REGULATORY FEES FOR VARIOUS CITY REGULATORY ACTIVITIES, PROGRAMS, AND SERVICES SET FORTH IN A MASTER FEE SCHEDULE AND IDENTIFYING AN INFLATIONARY FACTOR FOR FUTURE ADJUSTMENTS.**

**WHEREAS**, the City of Fontana (the “City”) imposes certain user and regulatory fees established by the City Council; and

**WHEREAS**, the City recently retained the services of an independent rate consultant to conduct a Comprehensive User Fee Report (the “Study”), on file with the Office of the City Clerk and incorporated herein by this reference, analyzing the costs of providing various City regulatory activities, programs, and services (collectively, the “Services”); and

**WHEREAS**, the Study examined the fee-related Services provided by the City, the costs reasonably borne by the City in providing those Services, the beneficiaries of those Services, and the revenues produced by those paying fees and charges for such Services; and

**WHEREAS**, the City Council finds that providing these Services is of special benefit to applicants both separate and apart from the general benefit to the public; and therefore, in the interests of fairness to the general public, the City desires to ensure recovery of the costs of providing these Services from applicants who have sought or require them by revising its schedule of user fees; and

**WHEREAS**, the existing user fees no longer adequately reflect the City’s costs of providing the Services; and

**WHEREAS**, the City Council hereby finds that the Study provides adequate evidence to conclude that the revised user fees do not exceed the reasonable estimated costs to provide the Services for which the user fees are charged; and

**WHEREAS**, the user fees are subject to the provisions of the Mitigation Fee Act, codified pursuant to Government Code section 66000, et seq. and more specifically the public meeting requirements of Section 66016 and the notice and public hearing requirements of Section 66018; and

**WHEREAS**, the City made the Study publicly available indicating the amount of cost, or estimated cost, required to provide the Services for which the user fees are to be imposed, and the revenue sources anticipated to provide such programs and services at least 10 days prior to the date of the public hearing; and

**WHEREAS**, the City has held a duly noticed public hearing at which all oral and written presentations were made as part of a regularly scheduled meeting. Prior to holding said public hearing, the City published notice in a newspaper of general circulation at least 10 days prior to the date of the public hearing pursuant to Government Code section 66018 and provided written notice to all interested parties that have requested such written notice at least 14 days prior to the date of the public hearing pursuant to Government Code section 66016. Said notice provided the date, time, and location of the public hearing; and

**WHEREAS**, the City Council has considered the question of whether or not to adjust or establish the user fees for the Services to reflect the estimated amount that is required to recover the estimated reasonable costs to the City in providing such Services; and

**WHEREAS**, the amount of the user fees does not exceed the estimated cost of providing the Services; and

**WHEREAS**, the City Council now desires to adopt, update and establish the adjusted user and regulatory fees.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Fontana, California, as follows:

**Section 1:** The above Recitals are true and correct and by this reference incorporated herein.

**Section 2.** The City Council hereby finds and determines that the setting or revision of user fees pursuant to this Resolution is exempt from environmental review under Public Resources Code section 21080(b)(8) of the California Environmental Quality Act, which provides an exemption for the establishment or modification of charges by public agencies which the public agency finds are for the purpose of meeting operating expenses.

**Section 3:** The City Council hereby finds that all substantive and procedural requirements of the Mitigation Fee Act have been satisfied and specifically, the City Council further finds the following:

- a. Based upon the information and documents prepared for and presented to the City Council to support this action, the user fees are for the purposes of and necessary for (i) meeting operating expenses, including employee wage rates and benefits; (ii) purchasing or leasing supplies, equipment, or materials; (iii) obtaining funds necessary for the operations and maintenance of City property and facilities; and (iv) any other costs incurred by the City attributable to providing the Services for which the user fees are imposed; and
- b. The user fees specified by this Resolution do not exceed the reasonably

estimated costs of providing the Services for which the user fees are imposed.

**Section 4:** The City Council hereby adopts the Master Fee Schedule, as detailed in Exhibit "A" attached hereto. These user fees will become effective on **January 1, 2026**. Following this, user fees shall be automatically adjusted annually on each July 1, with the first such adjustment occurring on **July 1, 2027**. This automatic adjustment period will continue through July 1, 2029. Effective July 1, 2026, and each July 1 thereafter, the City Manager, or their designee, is authorized to administratively adjust the user fees. This adjustment will be based on the annual percentage increase from the prior year's Consumer Price Index – All Urban Consumers for Riverside-San Bernardino-Ontario, California, calculated by the 12-month change as of March each year as published by the U.S. Bureau of Labor Statistics, or a similar index if the CPI is no longer published or is otherwise unavailable. If the CPI does not change or decreases in any given year, no change shall be made to the user fee schedule applicable for that year. In no event shall the user fees be increased annually to exceed the estimated reasonable costs to the City in providing the Services. A comprehensive fee study will be conducted every five years.

**Section 5:** Updated user fees adopted by this Resolution shall be effective **150** days after adoption of this Resolution.

**Section 6.** If any section, subsection, clause or phrase in this Resolution or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this resolution or the application of such provision to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

**APPROVED AND ADOPTED** this 22<sup>nd</sup> day of July, 2025.

**READ AND APPROVED AS TO LEGAL FORM:**

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City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 22<sup>nd</sup> day of July, 2025, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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City Clerk of the City of Fontana

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Mayor of the City of Fontana

**ATTEST:**

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City Clerk