

## RESOLUTION NO. 2022-034

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA ADJUSTING EXISTING FEES FOR VARIOUS SERVICES PROVIDED BY THE CITY

**WHEREAS**, under the police power granted by Article XI, Section 7 of the California Constitution, cities may impose fees, charges and rates for certain municipal services; and

**WHEREAS**, in addition to the authority granted by the State Constitution, Government Code section 66016(b) provides that a city may establish or increase fees for certain public services by resolution; and

**WHEREAS**, on July 13, 2021, the City of Fontana ("City") adopted Resolution No. 2021-697, authorizing the annual adjustment of previously adopted user fees pursuant to the annual change in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area (MSA) Consumer Price Index for All Urban Consumers (CPI-U) for January; and

**WHEREAS**, the CPI-U increase for January 2022 was eight and six tenths percent (8.6%) due to a steep increase in the costs of goods and services indexed; and

**WHEREAS**, the City Council of the City of Fontana ("City Council") seeks to diverge from the proscribed annual adjustment based on the CPI-U, and instead increase user fees by five percent (5%), an amount three and six tenths percent (3.6%) lower than the CPI-U increase; and

**WHEREAS**, based upon the evidence provided, the City Council hereby determines the user fees increased in Exhibit "A", attached hereto and incorporated herein reasonably cover, but do not exceed, the reasonable cost of providing the service for which the user fee is charged; and

**WHEREAS**, the fees are necessary to enable the City to provide the services to which they relate; and

**WHEREAS**, all other prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED**, determined, and ordered by the City Council of the City of Fontana that:

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

**Section 2.** The schedule of User Fees for various City services provided by the Management Services Department is hereby adopted as set forth in the following exhibit to this Resolution:

**Exhibit A:** Summary of User Fees and Changes to Existing User Fees for the *Community Services, Management Services, Police, and Fire Departments*.

**Section 3.** Upon the effective date of the adoption of a specific fee set forth in this

Resolution, that portion of any prior Resolution, which pertains to and is inconsistent with the adoption of such fee, shall no longer be in effect. All fees, within section of Exhibit "A", shall be in effect as of July 1, 2022.

**Section. 4.** The City Council finds that in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines, the adoption of this Resolution is exempt from CEQA pursuant to Section 15061(b)(3) and Section 15273(a)(1) of Title 14 of the California Code of Regulations because CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Resolution merely increases already adopted user fees, thus this action is exempt from CEQA.

**Section 5.** 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 10th day of May 2022.

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

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City Attorney

I, Germaine McCellan Key, City Clerk of the City of Fontana, California, 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 10th day of May 2022, by the following vote to-wit:

**AYES:**

**NOES:**

**ABSENT:**

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City Clerk of the City of Fontana

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Mayor of the City of Fontana

Resolution No. 2022-

**ATTEST:**

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City Clerk