

RESOLUTION NO.
6321-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL ADOPTING A SCHEDULE OF FEES FOR SERVICES RELATING TO TOBACCO RETAILER LICENSING

WHEREAS, user and regulatory fees are established by the City Council; and

WHEREAS, the City recently completed a study to identify the cost of providing services relating to the issuance of tobacco retailer licenses; and

WHEREAS, the study examined the costs reasonably borne by the City in providing these services, the beneficiaries of these services, and the revenues produced by those paying fees and charges for special 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 better recover the costs of providing these services from applicants who have sought or require the City's services by revising its schedule of fees; and

WHEREAS, the City Council hereby finds that the study provides adequate evidence to conclude that the revised fees do not exceed the cost to provide the services for which the fees are charged; and

WHEREAS, the City Council desires that annually, commencing July 1, 2021 the City Manager may update the fees based on the annual percentage change in the all-urban Consumer Price Index for Consumer Price Index All Urban Consumers, San Francisco-Oakland-Hayward, CA (CPI). If the CPI does not change or goes down in a given year, no change shall be made to the fee schedule that year; and

WHEREAS, this action is found to be in compliance with the requirements of California Government Code § 66016 and 66018; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sebastopol that:

1. Each WHEREAS paragraph, set forth above, is hereby adopted as a specific finding of this City Council.
2. The City Council hereby adopts the fees as set forth in attached Exhibit "A" and incorporated by this reference.
3. Fees adopted as part of this Resolution should be incorporated into the City's existing master schedule of fees adopted on September 15, 2020, via Resolution No. 6313-2020. Incorporating these fees into the fee schedule will allow for the fees to be considered with future comprehensive user and regulatory fee updates. Resolution No. 6313-2020 entitled " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL UPDATING AND ESTABLISHING USER AND REGULATORY FEES," adopted September 15, 2020, is amended as expressly provided by this resolution, but shall otherwise remain in effect.
4. Fees adopted by this Resolution shall be effective January 4, 2021.

IN COUNCIL DULY PASSED this 1st day of December 2020.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

VOTE:

Ayes: Councilmembers Hinton, Rich, Slayter, Vice Mayor Gurney and Mayor Glass
Noes: None
Absent: None
Abstain: None

APPROVED:  _____
Mayor Una Glass

ATTEST:  _____
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:  _____
Larry McLaughlin, City Attorney=

City of Sebastopol
 Cost of Service Study for Analyzing User and Regulatory Fees
 Calculation of the Estimated Cost of Service
 Tobacco Retailer License

EXHIBIT A

Service Description		Est. Labor Time		Hourly Rate	=	Cost of Service	Note
1	Tobacco Retailer License:						
	a) New License Application Processing	0.50	x	\$121	=	\$61	[a]
	b) Renewal License Application Processing	0.50	x	\$121	=	\$61	[a]

Service Description		Est. Labor Costs		Estimated Facility Count	=	Cost of Service	Note
2	Tobacco Retailer License Annual Regulatory Enforcement	\$3,557	/	16	=	\$222	[b],[c]
	Less: Amount Assumed to Be Funded Via Grant	\$3,557	/	16	=	\$222	[b],[c]
	Cost of Service Recoverable from Fees	\$0	/	16	=	\$0	[b],[c]

Service Description		Est. Labor Time		Hourly Rate	=	Cost of Service	Note
3	Tobacco Retailer License:						
	Late Renewal Fee (in addition to applicable license fee)	0.33	x	\$121	=	\$40	[a]

Service Description		Est. Labor Time		Hourly Rate	=	Cost of Service	Note
4	Tobacco Retailer License Appeal	24.00	x	\$285	=	\$6,840	[d]

[a] Hourly rates based on amounts used for FY 19/20 adopted fee schedule. Source: comprehensive study completed in August 2020.

[b] Estimated labor costs based on information provided in grant application.

[c] If City does not receive grant funding, total cost of service per facility is eligible for cost recovery.

[d] Hourly rate assumed for specialized attorney services.