



CITY COUNCIL STAFF REPORT

DATE: JULY 2, 2014 CONSENT

SUBJECT: APPROVAL OF PROPOSED RESOLUTION MODIFYING USER FEES FOR MURAL PERMITS

FROM: DAVID H. READY, CITY MANAGER

BY: DEPARTMENT OF PLANNING SERVICES

SUMMARY

On June 4, 2014 the City Council adopted Ordinance 1853 creating regulations and requiring permits for the installation of original art murals. This resolution establishes the necessary fees.

RECOMMENDATION:

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MODIFYING USER FEES FOR MURAL PERMITS AND AMENDING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY RESOLUTION NO. 21578 AS AMENDED."

STAFF ANALYSIS:

Staff has completed an analysis of the time it is anticipated to spend by the various staff persons involved in processing applications. It is important to have a fee that covers the cost of the city service that benefits individual land and business owners so that the general citizenry is not subsidizing these costs. It is also important that fees not exceed a reasonable estimate of the cost of services. The cost of service is founded to \$1,000.

Ordinance 1853 requires notification to all property owners within 500' of the subject mural location for Planning Commission and City Council. The fee established in the existing fee resolution is \$872.36.

ITEM NO. 2N

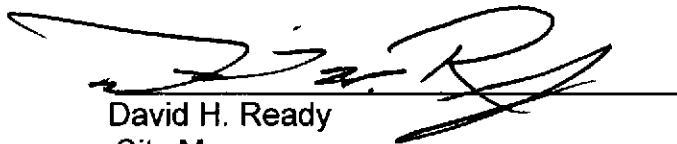
Therefore Mural applicants will be required to submit a fee of \$1,872.36 to be considered.

FISCAL IMPACT:

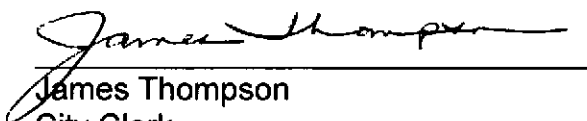
Revenue will accrue to the City to cover the cost of administering mural permits.



M. Margo Wheeler, FAICP
Department of Planning Services



David H. Ready
City Manager



James Thompson
City Clerk

Attachments:

1. Draft Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MODIFYING USER FEES FOR MURAL PERMITS AND AMENDING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY RESOLUTION NO. 21578 AS AMENDED.

WHEREAS, the City, under various statutory provisions under California Government Code, may set and collect fees for the costs of providing a particular service; and

WHEREAS, the City Council on June 4, 2014, the City Council adopted Ordinance No. 1853 adopting regulations and requiring permits for the installation of original art murals; and

WHEREAS, the City Council desires to adopt a mural permit fee to reflect the reasonable cost of providing the service of permitting murals.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS.

- a. City staff has completed an analysis of fees for Mural Permits.
- b. The mural permit user fees shall be adopted to cover all the City's costs and expenses associated with providing mural permits.
- c. The cost of such services should be borne by those who are the special beneficiaries rather than the citizenry at large.
- d. There is a reasonable relationship between the amount of the fee and the estimated reasonable cost of providing the type of service for which the fee is imposed.
- e. The fees do not exceed estimated reasonable cost of providing the service for which the fee is charged.

SECTION 2. FEES IMPOSED.

- a. The City Council adopted and imposes Mural Permit fees as provided in Exhibit A, attached hereto and incorporated by reference.
- b. Each person requesting service in for Mural Permit shall pay the new fee.
- c. On July 1st of each year, commencing on July 1, 2015, the fees and charges shall be automatically adjusted by an amount equal to the percentage of

increase or decrease in the Consumer Price Index for this region, as last computed for the previous twelve (12) months, to reflect the cost-of-living changes and to ensure that changing economic conditions do no impair the real value of the fees and charges.

SECTION 3. SEVERABILITY.

Each component of the fees and all portions of this Resolution are severable. Should any individual component of the fee or other provision of this Resolution be adjudged to as invalid, the remaining provisions shall be fully effective, and the fee shall be fully effective except as to that portion that has been judged to be invalid.

SECTION 4. EFFECTIVE DATE.

The fees imposed by Section 2 of this Resolution shall be effective upon adoption of this resolution.

SECTION 5. COMPREHENSIVE FEE SCHEDULE.

The City Clerk is hereby authorized and directed to incorporate said modifications and fees into the Comprehensive Fee Schedule, adopted by Resolution No. 21578 as amended.

PASSED, ADOPTED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL
THIS 2ND DAY OF JULY, 2014.

DAVID H. READY, CITY MANAGER

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on the 2nd day of July, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

EXHIBIT A
MURAL PERMIT FEES

Mural Permit\$1,872.36

ADDITIONAL MATERIALS TO FOLLOW