RESOLUTION 2026-18

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA ESTABLISHING A SCHEDULE OF FEES AND CHARGES FOR ADMINISTRATIVE, BUILDING, COMMUNITY DEVELOPMENT, PARKS & RECREATION, POLICE, RIVERLODGE, TRANSIT, AND WATER & WASTEWATER WITHIN THE CITY OF FORTUNA FOR FISCAL YEAR 2026-2027

WHEREAS, the City Council desires to establish a policy of recovering the costs reasonably borne of providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services to the public as a whole and thereby utilized to inequitably subsidize such special services; and,

WHEREAS, a schedule of fees and charges to be paid by those requesting such special services must be adopted by the City Council in order to effect this policy; and,

WHEREAS, the City Council wishes to comply with both the letter and the spirit of Article XIIIB of the California Constitution and limit the growth of taxes; and,

WHEREAS, pursuant to Government Code Section 66016 the specific fees to be charged for special services must be adopted by the City Council by Ordinance or Resolution, after providing notice and holding a public hearing; and,

WHEREAS, notice of public hearing has been provided by City staff per California Government Code Section 6062a, oral and written presentations made and received, and the required public hearing held; and,

WHEREAS, pursuant to California Government Code Section 6062a a general explanation of the Schedule of Fees and Charges in Exhibit A, has been available for public review as required; and,

WHEREAS, a public hearing was held on May 18, 2026 by the Fortuna City Council to present the Schedule of Fees and Charges for Administrative, Building, Community Development, Parks & Recreation, Police, River Lodge, Transit, and Water & Wastewater fees in Exhibit A, and receive public comment.

NOW, THEREFORE, BE IT RESOLVED,

1. Pursuant to California Government Code Sections 66013 and 50076, the fees adopted by this Resolution do not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed and are not "special taxes"; and

2. The Council hereby adopts, approves and incorporates herein the Schedule of Fees and Charges in Exhibit A, following a public hearing on the matter; and,

3. Pursuant to California Government Code Section 66017, the fees adopted by this Resolution shall be in full force and effect and shall be collected beginning on the 1st day of July 2026.

4. Any judicial action or proceeding to attack, review, set aside or annul this Resolution shall be brought within 120 days of its adoption; and

5. If any portion of this Resolution is declared invalid or unconstitutional, then it is the intention of the City Council that all other sections of this Resolution shall remain in full force and effect; and

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6. The City Manager shall have the authority to adjust the aforementioned fees when special circumstances indicate that the fee charged according to this Resolution is clearly inappropriate. In addition, the City Manager shall have the authority to determine the fee amount for a City service that is not addressed in this Resolution based upon the actual cost of providing the service and / or the actual cost for the City to issue a permit.

PASSED AND ADOPTED on this 18th day of May 2026 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mike Johnson, Mayor

ATTEST:

_____
Siana L. Emmons, City Clerk

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