

RESOLUTION NO. 16-011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ACCEPTING THE ENGINEERING DIVISION'S COST OF SERVICE STUDY AND ADOPTING A NEW SCHEDULE OF ENGINEERING FEES AND CHARGES FOR SERVICES, EFFECTIVE AS OF JULY 1, 2016, CONTINGENT UPON ORDINANCE NO. 2349 BEING ADOPTED AND EFFECTIVE PRIOR TO THAT DATE

WHEREAS, the City of Victorville ("City") currently has a Schedule of Engineering Department Fees (the "Current Fee Schedule"), which reflects the Engineering Division of the Public Works Department of the City ("Engineering Division") fees and charges for issuing various permits required for work in the public right-of-way and performing related services, such as conducting inspections and reviewing various studies, reports and subdivision maps ("Services"); and

WHEREAS, the Current Fee Schedule was set in 1997 pursuant to City Council Resolution Nos. 97-73, 97-74, 97-75, 97-76, 97-77, 97-78 and Ordinance No. 1854, and therefore required review, revision and updating to reflect fees and charges that recover the City's current costs of providing the Services; and

WHEREAS, to review, evaluate and update the Current Fee Schedule, the Engineering Division performed a detailed Study of Engineering Fees, Charges and Costs of Services ("Study"); and

WHEREAS, the Study revealed that the Current Fee Schedule was inadequate to recover the City's current costs of Engineering Services being provided; and

WHEREAS, the Study proposed a New Engineering Schedule of Fees and Charges for Services ("New Schedule of Fees") which would recover the City's reasonable costs of providing the Services; and

WHEREAS, on April 5, 2016, the City Council conducted a duly noticed public hearing to consider the Study and the proposed New Schedule of Fees, and to hear and receive public comment; and

WHEREAS, following the public hearing, the City Council found that adopting the New Schedule of Fees would be in the City's best interest, as it would eliminate general fund subsidies to the Engineering Division, and based upon the Study, would recover no more than the City's reasonable costs of providing vital Services as permitted by applicable law; and

WHEREAS, because many of the fees contained in the Current Fee Schedule are codified in Title 9 of the Victorville Municipal Code, Ordinance No. 2349 (revising Title 9), must be adopted by the City Council concurrently with or subsequent to this Resolution, and become effective prior to July 1, 2016, so that any fees codified in Title 9 will be as set forth in the New Schedule of Fees (**Attachment 1** of to this Resolution), effective as of July 1, 2016, and thereafter subject to further revision by resolution; and

WHEREAS, the City Council has reviewed the adoption of this Resolution pursuant to the requirements of the California Environmental Quality Act of 1970, as amended (“CEQA”), and has determined that the adoption of the New Schedule of Fees has no foreseeable potential to result in a significant impact upon the environment, and is exempt from CEQA review pursuant to State CEQA Guidelines Section 15061(b)(3). Further, the City Council has determined that the approval of New Schedule of Fees and Charges is exempt from substantive environmental review under Section 15273(a)(1) of the State CEQA Guidelines as such fees and charges are for the purposes of meeting the operating expenses of the (1) Meeting operating expenses, including employee wage rates and fringe benefits, of the Engineering Division; and

WHEREAS, the City Council wishes to accept the Study and adopt the New Schedule of Fees to be effective as of July 1, 2016, under the terms and conditions specified herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The recitals and findings set forth above are true and correct and are hereby incorporated in their entirety by this reference.

Section 2. The Study of Engineering Fees, Charges and Costs of Services, dated March 21, 2016, prepared by the Engineering Division, is hereby accepted.

Section 3. The New Engineering Schedule of Fees and Charges for Services set forth in **Attachment 1**, incorporated and made part of this Resolution by this reference, is hereby adopted and shall repeal and supersede in their entirety: City Council Resolution Nos. 97-73, 97-74, 97-75, 97-76, 97-77, 97-78; any other City Council resolutions inconsistent with the provisions hereof; and, upon the effective date of Ordinance No. 2349, any fees previously set forth in Title 9 of the Victorville Municipal Code.

Section 4. The fees and charges in **Attachment 1**, shall be reviewed annually, and where applicable, may be adjusted using the Los Angeles-Riverside-Orange County Consumer Price Index (“CPI”) for Urban Wage Earners and Clerical Workers (“CPI-W”), as reported for the twelve month period from March of the previous year to March of the current year; provided that: (1) no fee or charge exceeds the reasonable costs associated with providing the service; (2) any annual increase based on CPI-W shall not exceed three percent (3%) in any given year; and (3) such adjustments are duly adopted by the City Council, following an appropriately noticed public hearing.

Section 5. This Resolution and the fees and charges in **Attachment 1** hereto shall become effective as of July 1, 2016, provided that City Council Ordinance No. 2349 has been introduced, adopted and becomes effective prior to July 1, 2016.

Section 6. The City Clerk shall certify to the adoption of this Resolution.

ATTACHMENT 1 - RESOLUTION NO. 16-011

ENGINEERING SCHEDULE OF FEES AND CHARGES FOR SERVICES
EFFECTIVE AS OF JULY 1, 2016

ISSUANCE, PERMITTING, & INSPECTION	
<i>Service Type</i>	<i>Fees and/or Charges</i>
Pre-Inspection/Right-of-Way Investigation	\$30.00
ROW Permit Issuance	\$60.00
Re-Inspection	\$135.00
Violation/Non-Compliance	Refer to Victorville Municipal Code Chapters 1.04 and 1.05
Inspections Outside Normal Business Hours <small>(Requires Prior Written Request and Authorization)</small>	\$70.00/hr Straight Time <small>(During City Hall Open Hours)</small> \$130.00/hr Over Time <small>(Non-Open Hours, Holidays, & Weekends)</small>
CONCRETE INSPECTIONS	
<i>Service Type</i>	<i>Fees and/or Charges</i>
Residential Drive Approach	\$94.00EA + ROW Permit Issuance
Commercial/Industrial Drive Approach	\$126.00EA + ROW Permit Issuance
Sidewalk*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
Curb & Gutter*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
DRAINAGE INSPECTIONS	
<i>Service Type</i>	<i>Fees and/or Charges</i>
Catch Basin/Parkway Culvert*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
Curb Core/Under Sidewalk Drain*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
Alley Gutter*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
SWPPP	Review: \$144.00 + \$68.00/hr after 2-hours
WQMP / NPDES	Subdivision Review: \$1,000.00 + \$68.00/hr after 14-hours Multi/Commercial/Industrial Review: \$600.00 + \$68.00/hr after 8-hours
MS4 Inspections	ROW Permit Issuance + Minor Construction 2.5AC or Less & In-Fill Lots: \$260.00 Commercial/Industrial/Multi or Projects Greater than 2.5AC: \$450.00 Subdivisions: \$3,244.00

* Fees and/or charges not subject to annual adjustment based on Consumer Price Index (CPI)

ATTACHMENT 1 - RESOLUTION NO. 16-011

ENGINEERING SCHEDULE OF FEES AND CHARGES FOR SERVICES
EFFECTIVE AS OF JULY 1, 2016

(continued)

TRENCH & PAVEMENT INSPECTIONS	
<i>Service Type</i>	<i>Fees and/or Charges</i>
Open Trench Excavation*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
Trench/Bore*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
Bell Holes/Bore Holes/Pot Holes/Slice Pits*	ROW Permit Issuance + Accumulative based on Quantity 0-8EA @ \$78.00 9-16EA @ \$78.00 + \$6.50EA 17EA + @ \$132.00 + \$3.25EA
Pavement Cuts * (Asphalt & Concrete)	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-300LF @ \$94.00 301LF-600LF @ \$94.00 + \$0.16/LF 601LF + @ \$142.00 + \$0.08/LF
Paving* (Asphalt & Concrete)	ROW Permit Issuance + Accumulative based on Cubic Yards (CY) 0-500CY @ \$131.00 501-1,000CY @ \$131.00 + \$0.20/CY 1,001CY + @ \$229.00 + \$0.15/CY
SUBDIVISION INSPECTIONS	
<i>Service Type</i>	<i>Fees and/or Charges</i>
Subdivision Public Improvements* (Commercial/Residential)	ROW Permit Issuance + Accumulative based on Valuation \$0-\$50,000 @ 5% Eng.'s Cost Est. \$50,001-\$250,000 @ 4% Eng. Cost Est. \$250,001 + @ 3% Eng. Cost Est.
Construction/Excavation* (Single/In-Fill)	ROW Permit Issuance + Accumulative based on Valuation \$0-\$50,000 @ 5% Eng. Cost Est. \$50,001-\$250,000 @ 4% Eng. Cost Est. \$250,001 + @ 3% Eng. Cost Est.
Traffic Signal/Signage & Striping*	ROW Permit Issuance + Within City Limits: 2% Eng. Cost Est. Multi-Jurisdictional: 1% Eng. Cost Est.
Traffic Control	\$33.00/day
Monumentation & Centerline Ties*	ROW Permit Issuance + Accumulative based on Lots 0-100 Lots @ \$240.00 101 + 200 Lots @ \$240.00+ \$1.60/Lot 201 + Lots @ \$400.00 + \$1.00/Lot
Security Release/Substitution	\$150.00

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(continued)

REPORTS, STUDIES & DOCUMENT REVIEW	
<i>Service Type</i>	<i>Fees and/or Charges</i>
Study Review (Hydrology, Sewer, Traffic, CLOMR, LOMR, etc.)	Preliminary: \$650.00 Min + \$68.00/hr after 8-hours Subdivision Preliminary: \$1,050.00 Min + \$68.00/hr after 14-hours Final: \$1,700.00 Min + \$68.00/hr after 24-hours Subdivision Final: \$2,500.00 Min + \$68.00/hr after 36-hours
Research	\$120.00 Min + \$56.00/hr after 2-hours + Reproduction Costs
Vacations, Right-of-Way, Easements, or Dedications	Processing Fee: \$80.00 EA + Recording Fees + Checking Minor: \$150.00EA Checking Major (Metes & Bounds): \$250.00EA Prepared by City: Minor: \$186.00EA Major: \$500.00EA
Agreements (Subdivision, Utility, Development, Lien, etc.)	Subdivision, Development, & Utility Surety Agreement: \$160.00/Set UUA, UUSA & LDIC Agreement: \$250.00EA Subdivision Extension of Time: \$150.00EA
Assessment District Formation (LMAD, DFAD, MAD, SLAD, etc.)	\$160.00EA
Release, or Partial Release of Recorded Agreements	\$175.00EA
Reimbursement Agreements (Sewer, Street, Storm Drain, etc.)	\$750.00 + Attorney's Fees
Agreement Re-Assignment	\$250.00 + Attorney's Fees
Variance (ROW, Sewer, etc.)	\$150.00 EA
UTILITY INSPECTIONS	
<i>Service Type</i>	<i>Fees, Charges & Deposit</i>
Utility Cuts*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-300LF @ \$94.00 301LF-600LF @ \$94.00 + \$0.16/LF 601LF + @ \$142.00 + \$0.08/LF
Utility Trench/Bore*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-100LF @ \$78.00 Min 101-200LF @ \$78.00 + \$0.24/LF 201LF + @ \$102.00 + \$0.16/LF
Utility Structures* (Hand Holds, Flower Pots, Pull Box, etc.)	ROW Permit Issuance + Accumulative based on Quantity 0-8EA @ \$78.00 9-16EA @ \$78.00 + \$6.50EA 17EA + @ \$132.00 + \$3.25EA
Undergrounding Utilities*	ROW Permit Issuance + Accumulative based on Linear Feet (LF) 0-300LF @ \$94.00 301LF-600LF @ \$94.00 + \$0.16/LF 601LF + @ \$142.00 + \$0.08/LF

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(continued)

SPECIALTY & MISCELLANEOUS PERMITTING & INSPECTIONS		
<i>Service Type</i>	<i>Fees and/or Charges</i>	
Parade	\$250.00 + Costs Reasonably Borne + Insurance Required as Determined by Risk Management	
Special Use Permit	\$250.00 + Costs Reasonably Borne + Insurance Required as Determined by Risk Management	
Filming	\$366.00 + Costs Reasonably Borne + Insurance Required as Determined by Risk Management + Film Business License + San Bernardino County Fire Dept. Permit (if special effects, pyrotechnics, etc. are involved)	
TRANSPORTATION & PERMITTING		
<i>Service Type</i>	<i>Fees and/or Charges</i>	
Transportation Issuance	\$16.00 * **	
Recreational Vehicle	\$10.00 * **	
Oversize Load - Purple	\$16.00 * **	
Oversize Load (Green)	Single	\$16.00/trip* **
	Annual	\$90.00/90-Days * **
	Repetitive	\$90.00 * **
Moving	Costs Reasonably Borne + Surety + Insurance Requirements as Determined by Risk Management	

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**City's fee cannot exceed those set by State Department of Transportation pursuant to 21 Cal. Code. Regs. § 1411.3; see CVC § 35795(b)

ABBREVIATION GLOSSARY		
@ - At	Ext. – Extension	Req'd – Required
AC – Acre	Gov't - Government	Reg. - Regular
Btwn – Between	Hr – Hour	ROW – Right-of-Way
Const. – Construction	LDICA – Land Division Improvement Construction Agreement	SF – Square Foot
CRB – Costs reasonably Borne	LF – Lineal feet	SY – Square Yard
CVC – California Vehicle Code	N/A – Not Applicable	SWPPP – Storm Water Pollution Prevention Plan
CY – Cubic Yard	NPDES – National Pollutant Discharge Elimination System	UUA – Utility Undergrounding Agreement
EA – Each	Min. – Minimum	UUSA - Utility Undergrounding Suspension Agreement
Eng – Engineer, Engineering	MS4 - Municipal Separate Storm Sewer System	VMC – Victorville Municipal Code
Est. – Estimate	Qty. – Quantity	WQMP – Water Quality Master Plan