

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
ADOPTING THE “CITY OF SANTA CLARA 2023/24 MUNICIPAL  
FEE SCHEDULE” WHICH IMPOSES NEW FEES, AMENDS  
EXISTING FEES AND RETAINS UNCHANGED FEES FOR  
VARIOUS CITY DEPARTMENTS**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, for the previous fiscal year 2022/23 (July 1, 2022 to June 30, 2023) certain fees were adopted by Resolution No. 22-9081 (“2022/2023 fee schedule”);

**WHEREAS**, the City of Santa Clara (“City”) now desires to amend existing fees, eliminate certain fees, and retain certain fees from the 2022/2023 fee schedule and impose new fees as set forth in the “PROPOSED CITY OF SANTA CLARA 2023/24 MUNICIPAL FEE SCHEDULE” (“fee schedule”) attached to the staff report accompanying this resolution and incorporated herein by reference;

**WHEREAS**, in compliance with Article XIIC of the California Constitution, the fees, rates, rental fees, fines, and charges (hereinafter collectively, “fees”) in the fee schedule are not taxes and are (a) fees imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the City; (b) fees imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the City; (c) fees imposed for the reasonable regulatory costs to the City for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof; (d) fees imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property; (f) fines, penalties, or other monetary charges imposed by the City as a result of a violation of law; (g) charges imposed as a condition of property development; and (h) assessments and property-related fees imposed in accordance with the provisions of Article XIII D.

**WHEREAS**, in adopting the fee schedule set forth in this Resolution, the City is exercising its powers under Article XI, Section 7, and Article XIII C of the California Constitution, Section 50076 of the California Government Code, its Charter, its City Code, and other applicable laws;

**WHEREAS**, as for those new or increasing fees, relevant reports for public review and comment for ten (10) days prior to the public hearing at which this resolution was considered and adopted;

**WHEREAS**, on April 18, 2023, the City Council held a public hearing on the fees set forth in the fee schedule;

**WHEREAS**, on March 29 and April 5, 2023, timely notice of the public hearing was published in the *Santa Clara Weekly* in the manner set forth in Government Code Sections 6062a and 66018; and

**WHEREAS**, notice of the public hearing was mailed to all persons requesting such notice pursuant to Government Code Section 66016.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. The findings as set forth herein are hereby adopted by the City Council of Santa Clara.
2. Adoption of Fees, Rates and Charges. The fees contained in the document entitled "PROPOSED CITY OF SANTA CLARA 2023/24 MUNICIPAL FEE SCHEDULE" are hereby adopted and are to be set forth in a document entitled "CITY OF SANTA CLARA 2023/24 MUNICIPAL FEE SCHEDULE." The fee schedule also indicates how each fee is not a tax by referencing all applicable exceptions to Cal. Constitution, Article XIII C that apply.
3. Effect of Fees Prior to effective Date of Resolution. This Resolution shall not be construed so as to affect any fee or charge payable or paid under any applicable fee schedule operative prior to the effective date of this Resolution.

4. Effective date. The fees set forth in the "CITY OF SANTA CLARA 2023/24 MUNICIPAL FEE SCHEDULE" shall be effective on July 1, 2023.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 18<sup>th</sup> DAY OF APRIL 2023, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:  
1. City of Santa Clara 2023/24 Municipal Fee Schedule